

SLOUGH BOROUGH COUNCIL

REPORT TO: Neighbourhood & Community
Services Scrutiny Panel

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PART I

FOR COMMENT & CONSIDERATION

REVIEW OF HOUSING ALLOCATION SCHEME 2013- 2018

1. Purpose of Report

This report requests comment and consideration from the Panel in relation to amendments to the Council's Allocation Policy proposed in the light of an officer review and experience of operation over the last twelve months.

2. Recommendation(s)/Proposed Action

At the meeting on 7th January 2015, the Panel commented on the proposed amendments to the policy (paragraphs 6.3 to 6.8). At this meeting, the Panel is requested to consider and comment on the implications of the policy with regards to the rehousing of residents affected by new housing benefits rules, the provision of incentives to encourage residents to move and the allocation of property for vulnerable residents.

3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan

3.1 Slough Joint Wellbeing Community Strategy Priorities

The quality of and access to housing is a key priority for the council. Slough's Wellbeing Strategy names housing as one of five priorities with the vision that:

"By 2028 Slough will possess a strong, attractive and balanced housing market which recognises the importance of housing in supporting economic growth."

A review of the first 12 months of operation of the new Allocation Policy demonstrate positive benefits but also a need to enhance the policy with some relatively minor amendments. Those who have contributed in Slough for five years or more, are in employment, education or training, will continue to be rewarded with additional priority to access social housing, while those who have a history of anti social behaviour or poor financial management will be required to demonstrate a track record of behavioural change before they will be allocated housing. Those who commit fraud will not be given access to social housing.

3.2 **Slough Joint Wellbeing Strategy: Cross-Cutting themes**

The Allocation Scheme will continue to reward civic responsibility by recognising applicants' community contribution in terms of employment, education, training. Anti social behaviour and failure to be financially responsible will not be tolerated in council housing. The scheme will prevent those who demonstrate this behaviour becoming eligible, thus contributing to community safety.

3.3 **Joint Strategic Needs Assessment (JSNA)**

Housing is a contributory factor to the wellbeing of Slough residents, and the Allocation Scheme supports the priorities in the JSNA. It contributes to reducing inequalities in health through access to high quality housing, increasing skills and employment opportunities by rewarding those who take steps to improve their own circumstances and contribute positively to the town, and early intervention to reduce child poverty and improve child safety through supporting initiatives around fostering and adoption, those leaving care and young people moving on.

By linking applicants behaviour to an allocation of housing the council is taking steps to protect the quality of housing, while allocating to those in greatest need will ensure greater availability of housing.

4. **Other Implications**

(a) **Financial**

There are no direct financial implications arising from this report. The review has been carried out from within existing resources and the original implementation of the policy has been successful in reducing un-necessary administration by reducing the waiting list significantly. In the current financial climate it is not realistic to sustain the administrative burden associated with a waiting list in excess of 7,000 households when in reality the vast majority of applicants would never receive an offer of accommodation.

(b) **Risk Management**

Risk	Mitigating action	Opportunities
<u>Legal</u> Risk of legal challenge to the council for a policy which does not accord with statute.	Policy scrutinised by legal Counsel to ensure statutory compliance and case law compliance.	
<u>Human Rights</u> To ensure compatibility with Article 8.	Policy and any significant changes are scrutinised by legal Counsel to ensure statutory compliance.	
<u>Equalities Issues</u> Groups may be disproportionately disadvantaged by the	A full EIA was conducted prior to adoption of the policy and these relatively	Applicants have confidence in fair and transparent scheme.

scheme.	minor amendments will be checked against the framework but are unlikely to trigger a full EIA.	
<u>Communications</u> Adverse publicity in relation to proposed changes.	the wholesale changes introduced last year were broadly welcomed by the public and these proposed amendments will help to include further households within the eligibility criteria.	
<u>Community Safety</u> Those committing ASB, crime and disorder will not be eligible to join the register.	The Policy continues to promote and encourage positive behaviours.	

<u>Financial</u> Administration costs of housing register increase as demand increases. Increase in temporary accommodation costs.	The new policy has reduced administration of 7,000+ applications to a list below 2,000. Housing units will be allocated to the most deserving cases and homes will be cherished, over time, reducing management and maintenance costs for the stock.	
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(c) Human Rights Act and Other Legal Implications

The full Scheme has been thoroughly reviewed by legal Counsel, a prominent QC who originally suggested a number of changes, mainly operational in nature regarding the procedural aspects of how to run the scheme. Caselaw continues to develop as more new policies are adopted and challenges made and prior to implementation of these proposals further Counsel's opinion will be sought.

Equalities Impact Assessment

The Council has a public sector duty under the Equalities Act 2010 to eliminate discrimination, harassment and victimisation and to promote equality of opportunity to all persons and to those who share a protected characteristic under the legislation. An Equalities Impact Assessment was conducted prior to adoption of the scheme and a report produced that had no highlighted areas of concern. The policy has undergone rigorous testing on actual 'live' cases and different scenarios, with outcomes measured against key equality

characteristics. The proposed amendments will make minor changes to eligibility but with the effect of broadening eligibility rather than reducing it.

5. **Supporting Information**

- 5.1 Under the Housing Act 1996 all local housing authorities are required to have a Housing Allocation Scheme which governs how social housing is allocated to those who are eligible. The scope of allocation schemes was amended by the Localism Act 2011, giving greater local freedom for housing authorities in allocating available accommodation
- 5.2 Members will recall that the Allocation Policy adopted last year looked to build on the flexibilities and freedoms allowed in the Localism Act 2011. The Council's new approach to allocating affordable housing is designed to be fairer, simpler and more realistic. When the council allocates a home and hands over the keys of an asset worth, on average £150,000 it should do so safe in the knowledge that the home will be cherished and maintained rather than taken for granted. It therefore follows that the allocation of a home should be seen as a reward for contributing to the community and the economy
- 5.3 Housing is a scarce resource nationally and in Slough, demand continues to outstrip supply even after the waiting list was reduced in size and therefore the allocation scheme will continue to offer homes to those who are eligible, in greatest housing needs, who have a track record of being good tenants, and who contribute positively to their neighbourhoods or the community.
- 5.4 The council introduced its Housing Allocations Scheme on January 1st 2014 and immediately prior to that date there were 7,974 applications on the register. While applicants perceived that they were in a queue, albeit a long one, the reality was that the vast majority of these applicants would not have received an offer of social housing at any time in the future.

Housing Register as at 31st December 2013

BAND A	108
BAND B	3983
BAND C	2919
BAND D	964

- 5.5 After adopting the new policy, all persons on the register were invited to make a new application which was re-assessed under the new criteria. After assessment the register holds a far more manageable 1,614 applications from households who can realistically expect to receive an offer of housing at some point.
- 5.6 5,000 applications may have been removed from the register but it would be incorrect to give the impression that these were from households who were ever going to receive an offer of housing. the 'old' register simply served to raise unrealistic expectations and it is worth noting that despite a number of communications, reminders and general publicity, some 2,877 applicants did not even return the application form for reassessment these have of course been cancelled.
- 5.7 3,483 applications were assessed as no longer meeting the eligibility criteria and were also cancelled. These were primarily homeowners, those who had moved to

Slough only recently, those living outside Slough and those living adequately in the private rented sector. In September the list stood at

Housing Register as at September 2014

BAND A (urgent need for re-housing)	15
BAND B (reasonable and additional priority)	508
BAND C (reasonable priority)	1091

While the original cases were reviewed, all new applications were stockpiled but have now been assessed under the same criteria with the result that current, live system contains records of 1,824 cases.

Housing Register as at 1.12.2014

BAND A (urgent need for re-housing)	16
BAND B (reasonable and additional priority)	554
BAND C (reasonable priority)	1254

6.0 Proposed changes to existing scheme

- 6.1 Taking into account the first twelve months of operation, there is a demonstrable benefit from the adoption of the new policies. For all applicants who are eligible, there is more clarity about the policy and with a much smaller list, greater expectation that an offer of accommodation will be forthcoming. The council is able to now give priority to working households on low incomes and where the lower rents associated to council houses make a real difference to the quality of life for households.
- 6.2 That said, there are minor amendments which officers wish to propose to provide greater clarity and certainty in terms of applications and to streamline the process to reduce void turn round times and get prospective tenants into homes quicker.
- 6.3 Additional priority for working households – when the Allocation Policy was introduced, it gave additional preference to applicants who met the statutory, reasonable preference criteria, namely
- Eligible homeless cases
 - Medical or welfare needs
 - Currently living in unsatisfactory conditions

and who were working full time. Government guidelines say that full time work is 35 hours or more per week however officers now feel that this does not adequately reflect the current economic climate and also potentially disadvantages working parents who are required or choose to only work part time.

- 6.4 Therefore the first recommendation is that in future, additional preference will be granted to households who have the statutory reasonable preference if they are working either in full or part time employment. For the purposes of this scheme (and in line with Welfare Benefit entitlement, part-time work is defined as;
- Single Applicants working 16 hours or more per week
 - Joint applicants working 24 hours or more per week
- 6.5 Training and volunteering – the second proposal is to clarify and thereby reduce the additional preference currently linked to training and volunteering. The government’s original intentions were to assist those who were seeking training in order to gain employment or who were undertaking voluntary work in lieu of paid employment which benefitted their community. In practice applicants have sought to gain additional preference for their housing application through the listing of many and various forms of training and qualification many of which are short term or even self taught and with no realistic effect on the ability to seek work. Similarly many applications have listed parental activities such as helping with a son or daughter’s sports team as opposed to a genuine long term commitment to undertaking voluntary work with a registered charity.
- 6.6 This report is not meant to be critical of residents efforts in any way and while all are welcomed, it has lead to an impossible situation in which officers are asked to determine the relative merits of a whole variety of training or ‘volunteering’ events to potentially award greater priority to an application. The recommendation therefore is that in future training or volunteering will only be considered if it is undertaken over the same timeframe as full or part time work and for a sustained period. This will not have a significant effect on the size of the waiting list but will improve the efficiency of its administration by giving a much clearer steer as to how additional preference is allocation. To date such assessments have only been credited to 4 persons undertaking volunteering and 27 in full time training but have required staff to expend many hours in assessing applications.
- 6.7 Applicants who own alternative properties available for their occupation – the current policy excludes those with savings or assets valued in excess of £20,000 from the waiting list. Officers are recommending that further clarification is provided so that prospective applicants are aware that property ownership is an automatic exclusion from the register, regardless of the level of equity in the property.
- 6.8 Applicants requiring move on accommodation from Young People’s accommodation – the current policy gives additional preference to those within this category and while there is always a need to provide independent accommodation for single persons currently in Young People’s accommodation, such a broad classification covers a multitude of cases and officers recommend that a further clarification is introduced. Former looked after children and care leavers are covered by a separate classification which ensures their eligibility for housing as would those in young persons accommodation who are in employment or vocational training or with on-going support needs. However there appears no over-riding reason why a young person, hypothetically, excluded from the family home due to unreasonable behaviour and then not engaged in training or employment should be rewarded with the offer of a council home. They will of course continue to be assisted into a private rented unit which meets their needs but it would seem perverse to reward such behaviour and non engagement.

6.9 Local lettings policies for new build council housing – the adopted policy states that new affordable and social housing developments (both housing association and Council) and some existing estates or communities, may be subject to a local lettings policy adopted by the Council. The key objective will be to help build and sustain diverse balanced communities. Any such schemes will be in response to local circumstances and will specify clear objectives, duration of the scheme, review mechanisms and commitment to equal opportunities.

Such schemes may involve elements of the following:

- Allocate properties to non priority applicants
- Allocate properties to Slough Borough Council or Housing Association tenants holding secure or assured tenancies
- Allocate properties to those tenants who demonstrate a good track record, having paid rent and kept their current home in good order
- Disregard of household type/property type matching rules

6.10 For the first time in a generation the Council is again able to build council houses and officers would propose that in allocating such a valuable resource, it would be appropriate to allocate such houses to existing tenants with a proven track record of rental payments, no ASB or wilful damage to their existing properties.

For each development across the borough and any unexpected relets within the first 12 months, the following lettings criteria and eligibility will be applied to each scheme

- Applications will be invited from SBC or RSL transfer applicants with priority given based upon
- geographic proximity to the new development
- working a minimum 16 (single) or 24 (couple) hours per week
- with a minimum of 5 year tenancy
- living in flats
- families with young children
- in schemes where 1 bed units are offered, further priority will be for those tenants wishing to downsize to release family sized units for re-allocation.

6.11 Other households on the waiting list would not be prejudiced by such a policy as they would simply become eligible for the resultant void when an existing tenant is allocated to a new property.

7 **Conclusion**

7.1 The 'new' Housing Allocation Scheme has reduced the onerous administration of the function for the council, provided greater clarity and certainty for eligible residents and the inclusion of the above amendments will further the aims of the policy and assist in ensuring that council assets are allocated to the most deserving.

8 **Appendices Attached**

- A - Allocations Policy
- B - Allocation Policy guidebook