

**CABINET
8 OCTOBER 2019**

HOUSING ALLOCATIONS POLICY

**Responsible Cabinet Member - Councillor Lorraine Tostevin
Housing, Health and Partnerships Portfolio**

**Responsible Director – Ian Williams
Director of Economic Growth and Neighbourhood Services**

SUMMARY REPORT

Purpose of the Report

1. Members are requested to approve the proposed changes to the Common Allocations Policy for the Tees Valley Lettings Partnership.

Summary

2. The current policy requires updating to meet the following requirements:
 - (a) To enable the Council to meet its commitments in respect of the Tees Valley Lettings Partnership.
 - (b) To ensure consistency of policy across the sub region, ensuring clarity and transparency for applicants.
 - (c) To ensure that the policy is aligned with the legislative requirements – Homelessness Reduction Act 2017 and therefore meeting our statutory requirements.
 - (d) To ensure that the policy is reflective of stakeholder feedback provided during the consultation process.

Recommendation

3. It is recommended that Cabinet approve the proposed amendments to the Tees Valley Common Allocations Policy.

Reasons

4. The recommendations are supported by the following reasons:-
 - (a) To meet the legislative requirements of the Homelessness Reduction Act 2017
 - (b) The policy has not been reviewed since 2012 and requires updating

- (c) There have been recent changes to the Tees Valley Partnership
- (d) A consultation has been carried out and there is strong support for the proposals.

Ian Williams
Director of Economic Growth and Neighbourhood Services

Background Papers
 Digital Lettings Solution Report

Janette McMain: Ext 6945

S17 Crime and Disorder	There are no Section 17 considerations relating to this report
Health and Well Being	The Allocations Policy prioritises housing based on applicant's needs, including any health considerations
Carbon Impact	There is no carbon impact
Diversity	There are no equality and diversity considerations relating to this report. If the proposed changes are approved an Equality Impact Statement will be undertaken on the proposed revised Common Housing Allocations Policy
Wards Affected	All wards in Darlington and throughout the Tees Valley
Groups Affected	Applicants applying for housing within the Tees Valley
Budget and Policy Framework	This report does not represent a change to the budget or policy framework
Key Decision	This is not a key decision
Urgent Decision	For the purpose of the 'Call-in' procedure this does not represent an urgent decision
One Darlington: Perfectly Placed	The report has no implications for the Sustainable Community Strategy
Efficiency	The Allocations policy ensures a consistent approach across the Tees Valley
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

Background

5. Darlington Borough Council has been part of the sub-regional scheme for allocating social housing since 2009 and a Tees Valley Common Housing Allocations Policy was adopted by the five local authorities and their partner housing organisations. The current Allocations Policy has been in place since 2012 and details of the full policy are provided via the link below.
<http://www.compasscbl.org.uk/content/CustomDocuments>
6. The policy is overseen by a sub-regional Steering Group and due to regulatory and other changes it has become apparent that the existing policy is no longer fit for

purpose. The requirements of the Homelessness Reduction Act 2017, the announcement from Thirteen Housing Group to adopt its own lettings policy and the work of the Service Development Officer (employed by the Steering Group on a fixed term of 12 months from June 2018) has identified proposals to update and improve the Allocations Policy and the supporting IT system.

7. The review of the Tees Valley Common Allocations Policy was centred on:
 - (a) Removal of additional preference for low paid workers;
 - (b) Amending some of the criteria for a priority band award in line with the Homelessness Reduction Act 2017 and in line with local needs;
 - (c) Amending how reduced preference is applied for applicants with less serious rent arrears and anti-social behaviour.
8. The five Tees Valley local authorities and the registered provider partners who form the remaining Tees Valley Partnership have consulted on key elements of the Common Allocation Policy with, existing tenants, applicants, staff, stakeholders and their partners across the sub region. The consultation was advertised on Darlington Council's website and social media.

Policy Review and Proposed Amendments

9. Applicants in Low Paid Employment:
 - (a) The Code of Guidance issued by the Government in June 2012 urged local authorities to consider how they could use their allocation policies to support households in low paid employment and contributing to their community. Preference is currently given to applicants in low paid employment, in addition to any housing need priority band that they have been awarded. To ensure fairness and consistency in applying the allocations policy across all the partner organisations, the consultation asked if applicants in a priority band should compete on their housing need only, regardless of employment status.
 - (b) Most of the responses to the consultation agreed with this proposal.
 - (c) This change would only affect 0.4% of applicants. The Tees Valley Lettings Partnership has therefore proposed to remove additional preference for people in low paid employment from the policy.
10. Under Occupancy
 - (a) Additional Preference is currently awarded to transferring tenants (of partner landlords) who are under-occupying their homes and who are subject to a reduction in Housing Benefit, within Band 1 and Band 2. Band 1 is awarded if the tenant is under-occupying by two or more rooms and Band 2 is awarded if the tenant is under-occupying by one room. All partners wish to continue to support their tenants who are under-occupying their property and are financially affected, however they wish to achieve this in a fair and consistent manner. The consultation asked if the additional preference for under-occupation should be removed.

- (b) Most of the responses to the consultation agreed with this proposal.
- (c) This change would affect less than 1% of applicants. The Tees Valley Lettings Partnership has therefore proposed to remove additional preference for people who are under-occupying.

11. Overcrowding

- (a) The current policy gives two different levels of priority to applicants who are overcrowded. Band 2 is for those who are three or more bed spaces short of requirements and Band 3 is for those who are one or two bed spaces short of requirements. To ensure fairness and consistency in applying the allocations policy, the consultation asked if all applicants who are overcrowded should be awarded an equal priority.
- (b) Most of the responses to the consultation agreed with this proposal.
- (c) Tees Valley Lettings Partnership has therefore proposed to introduce one level of priority for applicants who are overcrowded.

12. Applicants' Behaviour

- (a) An applicant (or members of their household) with a history of unacceptable behaviour not considered serious (that is, rent arrears of under £1,500 or mid to low-level behaviour issues), can register on the scheme and bid on advertised properties. However, until a positive change in behaviour can be demonstrated (for example, they have complied with a repayment plan for arrears or they have modified their behaviour), they will be considered after applicants with a record of good behaviour (in the same band). This is called reduced preference.
- (b) The process of reduced preference is confusing for applicants. To provide clarity, it is proposed that such applicants will now have their application suspended from bidding until they have complied with a repayment plan for arrears or have modified their behaviour. Applicants who have been suspended will be notified of the decision and the reasons for this decision will be given in writing. An applicant will be able to request a review of the decision to suspend their application. Each case will be considered on an individual basis and exceptional circumstances will be considered.
- (c) Most of the responses to the consultation agreed with this proposal.
- (d) The Tees Valley Lettings Partnership has therefore proposed to remove reduced preference from the policy and adopt suspension for these applicants.

13. Housing Need Banding

- (a) In line with legislation, specific housing needs must be included within the allocations policy. Once assessed, applicants are awarded a band relevant to their housing needs and each band represents differing housing need criteria. The current five-tiered banding structure has been reviewed to recognise changes in legislation with the introduction of the Homelessness Reduction Act

2017. It has also been simplified to reflect changes in housing need across the Tees Valley. The consultation proposed that:

Band 1+ will be removed and incorporated in Band1

Band 1 will become urgent/high housing needs to include anyone owed a statutory homeless duty.

Band 2 will become medium housing needs

Band 3 will become low housing needs

Band 4 No housing need will have no changes

- (b) Most of the responses to the consultation agreed with this proposal, as can be viewed at **Appendix 1**.

The Tees Valley Lettings Partnership agreed to implement policy changes where survey responses showed a very clear majority in favour. The reasons for recommending the policy changes are provided in the Summary of Comments and Response/Recommendations sections included in Appendix 1

- (c) The Tees Valley Lettings Partnership consultation therefore propose to adopt the new banding however, it is also proposed that applicants affected by domestic abuse and HM Forces leavers should remain in band 1.

Outcome of Consultation

14. Consultation took place between 3 June and 12 July 2019 through:

- (a) The Compass website;
- (b) Partner organisations websites;
- (c) E-mail to all third sector, voluntary and public-sector organisations across Tees Valley;
- (d) An on-line questionnaire for staff and residents to complete and shared across the Tees Valley by press teams and through social media.

15. 465 Responses were received to the consultation across Tees Valley, 51% of which were from residents. From those who gave their postcodes, 31% were Hartlepool residents, 22% Redcar & Cleveland, 18% Stockton, 17% Darlington and 12% from Middlesbrough.

16. Of the other responders, 52% were from staff members of the Tees Valley Letting Partnership's current partners. 13 members of staff from Darlington Borough Council responded to the consultation, 7 from Beyond Housing, 6 from Hartlepool Borough Council, 6 from North Star, 4 from Stockton Borough Council, 3 from Redcar and Cleveland Borough Council and 2 from Middlesbrough Council. These numbers include single responses on behalf of a whole team. The results from the consultation are summarised and attached at Appendix 1.

17. Adults and Housing Scrutiny Committee considered the proposals on 3 September 2019 and had no comments.

Equalities considerations

18. An Equality Impact Assessment (**Appendix 2**) was considered and the conclusion was that the impact is likely to be only positive.