

Wiltshire Council

Council

20 February 2018

Subject: Proposed changes to the Councils Allocation Policy

**Cabinet Member: Councillor Richard Clewer - Cabinet Member for
Corporate services, heritage, arts, tourism and Housing**

Executive Summary

An identified priority last year was to both upgrade our existing IT system and review our social housing allocation policy and make recommended changes for improvement. This report provides an update on the IT upgrade as well as recommendations following a consultation to make amendments to our existing policy.

It is recommended that Council consider and approve the recommendations approved by Cabinet to amend the council allocation policy

Proposal

To approve the adoption of the amended allocations policy

Reason for Proposals

To make improvements to the allocation policy in line with recommendations following recent consultation as well as welfare reform and legislative changes to help make the system more effective and efficient.

Alistair Cunningham, Corporate Director

Wiltshire Council

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Subject: Proposed changes to the Councils Allocation Policy

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Purpose of Report

1. To consider and approve the recommendations approved by Cabinet in October 2017 to amend the council allocation policy

Relevance to the Council's Business Plan

2. The council's allocation policy helps to deliver on the council's vision to create stronger and more resilient communities by ensuring we make best use of our social stock and allocate to local people. This will also help bring communities together to enable and support them to do more for themselves which is a key priority within the plan.

Background

3. The Homes4Wiltshire (H4W) policy was developed in partnership with Wiltshire Council and 32 other housing providers who have social housing stock in Wiltshire. The policy is used for letting and selling affordable housing and allows applicants to make informed choices about the type of accommodation that best meets their housing needs and aspirations. The policy meets the statutory requirements for the allocation of social housing and the recommendations include suggested amendments following consultation, legislative changes, welfare reform and customer feedback and learning from complaints received.
4. The recommended changes in this document have been discussed and agreed with providers in meetings throughout 2016 and the start of 2017 as well as a 9 week external formal consultation period from January 17 to April 17, which generated 157 snap* responses and 12 responses after the consultation closed.

** SNAP is a cloud-based integrated survey software system used by Wiltshire Council to produce electronic and paper based customer surveys that can be efficiently reported on.*

Main Considerations for the Council

5. When the new allocation system went live on 3rd February 2015 we had a total of 1184 on our housing register who were identified as having a housing need on the 6th February 2018 we had 1739 which is an increase of 47%.

5.1 Below is a breakdown of the register taken on 1st April 2015 as well as a more recent breakdown from 6th February 2018. It shows the number of applicants on the register by band; Band 1 and 2 are the highest need while the open market register is those applicants with no identified housing need.

1 st April 2015		6 th February 2018	
Band 1	129	Band 1	131
Band 2	7	Band 2	5
Band 3	564	Band 3	820
Band 4	484	Band 4	783
	1184		1,739
OMR*	141	OMR*	666
*OMR – Open Market Register. This is the register for client who have no identified housing need			

5.2 Applicants on the open market register make up just over 36% of the register. This is an area that we have recently prioritised to increase numbers by working with local housing providers, developers and parish councils on a marketing campaign to try and increase demand in areas where new developments are taking place. We have now introduced a much simpler process to register on the open market register which requires less documentation to be provided by the applicant and significantly reduces the administration burden on the H4W staff.

Recommended Changes

5.3 In producing the recommended policy changes we have carried out a 9 week external consultation as well as consulting with housing managers and staff, the housing providers through the Homes4wiltshire partnership, other internal departments as well as considering the learning from a number of complaints and reviews we have dealt with since the revised policy was implemented

Below is a list of the 12 recommended changes

6.0 Recommendation One

6.1 An additional section (s4.7) has been included on page 4&5 of the Allocation Policy¹ to clarify the situation for single applicants aged under 21 who due to the changes in Welfare Reform have no entitlement to housing costs, and although they can still join the register they will need to satisfy the landlord that they can pay the rent and meet their living costs as well as for those single and aged under 35 who are subjected to single room rent.

6.2 From the 1st April 2017 the government introduced through the Welfare Reform Act 2012 that most single applicants aged 18 – 21 years old who claim universal credit are no longer entitled to assistance with rent costs. The government has however introduced some exclusions which include, those who are claiming Personal Independence Payment or the care component of medium or high rate Disability Living Allowance, care leavers before the age of 18 and for those in temporary accommodation.

¹ Appendix 1 – Allocation Policy

6.3 This recommendation has been supported by all Housing providers across Wiltshire and is something that they currently consider when doing shortlists for this age group.

7.0 Recommendation Two

7.1 Due to issues associated with the current definition and interpretation of what unacceptable behaviour is we have strengthened the wording in section 4.8, page 5 of the Allocation Policy to make it easier for officers to apply and applicants to understand.

7.2 This recommendation has been supported by the Housing Providers,

8.0 Recommendation Three

8.1 We have also suggested a number of amendments in section 4.9, page 5&6 of the Allocation Policy to strengthen the wording in regard to rent arrears and housing related debt to explain that even if applicants with rent arrears are able to join the register, some housing providers may still refuse them due to having rent arrears even when a 6 month repayment programme has been maintained.

8.2 Due to Universal Credit being paid in arrears of around 4-6 weeks, we will start to see an increase in the number of applicants who will have current rent arrears.

8.3 A recommendation from the Pause Pilot* operational and strategic group has been included in section 4.9.4, page 6 of the Allocation Policy which confirms a reduction in the exclusion period from 6 months to 3 months for those who are successfully engaging with the Pause Pilot*

**Pause Pilot - Pause works with women who have experienced – or are at risk of – repeated pregnancies that result in children needing to be removed from their care. The programme gives women the chance to pause and take control over their lives, breaking a destructive cycle that causes both them and their children deep trauma.*

These amendments have been supported by our housing providers with some minor amendments to the wording of this section.

9.0 Recommendation Four

9.1 We have suggested some changes in regards to the references to fraud in section 4.11, page 6 of the Allocation Policy to explain that the council takes it very seriously and appropriate action will be taken

This recommendation has again been fully supported

10.0 Recommendation Five

10.1 To assist further with the understanding of section 4.13.3, page 8 of the Allocation Policy we have further defined within our exclusion group* the

definition of someone who is homeless, those fleeing abuse and a person from the transient community.

**Exclusion Group - If an applicant meets any of the definitions defined within 4.13.3, a local connection to Wiltshire will not be required to qualify for the register and they will be considered as households in the 'local connection exclusion group'.*

10.2 An amendment has been recommended by the Armed Forces task and finish group for armed forces personal to remove the requirement to have left the army within 5 years and to apply the exclusion to anyone who has served in the armed forces and to also include separated or divorced spouse who area being asked to leave services family accommodation. This helps to further enhance our support for those who have served in the Armed Forces

10.3 As part of the recommendation from the Armed Forces task and finish group we have suggested that a minimum service time of at least three years should be included as well as an exclusion if the officer had been dishonourably discharged. We would also like to see that for those being considered after the 5 years they should be able to confirm a connection to Wiltshire as this is an additional benefit above the statutory requirement and should benefit those with a connection to this area.

10.4 The suggested re wording is:

- a person who has left the Armed Forces within the last 5 years or
- any veteran who can demonstrate a connection to Wiltshire as well as serving a minimum of three years and who has not been dishonourably discharged,

11.0 Recommendation Six

11.1 We have amended the wording in Section 4c, 4.14 page 9 of the Allocation Policy to help clarify the financial resource limit for all applicants to ensure that if they have the financial resources available to meet their housing need in the market place they will not be considered as having an identified housing need.

11.2 This recommendation has again been fully supported with some minor amendments being made to the wording

12.0 Recommendation Seven

12.1 To clarify in more detail and update the examples in regard to the definitions in s4.17, page 10 of the Allocation Policy for deliberately worsening circumstances.

This was included as part of the consultation feedback

13.0 Recommendation Eight

13.1 We have clarified in s5.1, page 10 of the Allocations Policy on how we will assess who a dependent child resides with as her/his main or principal home.

No issues or concerns were raised throughout the consultation on the revised wording

14.0 Recommendation Nine

14.1 Due to increasing number of applicants wanting to share a home to provide mutual support/minimise living costs we have expanded s6.1, page 11 of the Allocation policy to provide greater clarity for customers and staff

No issues or concerns were raised throughout the consultation on the revised wording

15.0 Recommendation Ten

15.1 In section 9.4 and 9.5, page 15 of the allocation Policy we have worked with housing providers to provide improved wording in regard to the development of local lettings and sensitive letting plans.

15.2 We have also included an additional section s10.1, page 16 of the Allocation Policy for when direct lets can be used on occasions where it is unreasonable for an existing tenant to remain in her/his home because of harassment or violence and it would be considered a risk if they were to remain

This recommendation has again been fully supported with some minor amendments being made to the wording

16.0 Recommendation Eleven – Banding changes

16.1 To reinforce our commitment to Armed Forces personnel and to strengthen the use of Band 2 we would like to remove section 8.4 and 8.5 from the allocation policy and insert an additional section in Band 2 to re confirm our priority to injured, sick or disabled serving or former armed forces personnel. The suggested wording for Band 2 is:-

16.2 In accordance with the legislation (section 166A(3) of the 1996 Act) as amended by Regulation 2, applicants who are confirmed as being someone from the reasonable preference category, have an urgent housing need and who meet one of the following criteria:

- a) a person serving in the regular forces who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service, or
- b) a person who has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of the person's spouse or civil partner who was serving in the regular forces and whose death was attributable (wholly or partly) to that service, or
- c) a person serving or formerly serving in the reserve forces who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

And Band 4 will read:-

16.3 In accordance with the legislation (section 166A(3) of the 1996 Act as amended by Regulation 2, applicants who are confirmed as being someone from the reasonable preference category, have an urgent housing need and who are a person formerly served in the regular forces.

16.4 This amendment has been strongly supported with 68% of those responding either strongly agree or agree with this amendment and only 9% in disagreement. This amendment again helps to further enhance our support for those who have served in the armed forces

16.5 Due to our corporate parenting responsibilities it has been recommended that we introduce care leavers into Band 1 to provide them priority for re housing once ready to leave the care system into independent accommodation. Band 1 for care leavers will read:-

Applicants leaving care in a planned way where planned housing options have not been successful. The applicant must have been assessed as ready to move into independent living accommodation by both Children's Services and the Housing Department

16.6 This amendment has been strongly supported internally with 76% of those responding to the consultation either strongly agreeing or agree with this amendment and only 6% in disagreement.

16.7 Due to recent corporate pressures on residential placements it was suggested that we included a corporate duty section within Band 1. These are for exceptional cases and the suggested wording is:-

Referrals from both Adult Care and Children's Services will be considered under this band where it is identified that a corporate duty exists and it is demonstrated that an allocation will prevent a residential placement or a placement outside the council's area.

17.0 Recommendation Twelve

17.1 To retain the current wording in regard to the criteria for family local connections but discontinue with the authorisation process and just conduct random checks as required

17.2 The family local connection criteria is well liked by parish councils and rural provider's as it helps to build stronger communities with better support for families. Cabinet agreed to support the recommendation and ensure random checks on applications are made to ensure compliance with the policy

18.0 IT Upgrade

18.1 We have been running on version 6.4 of our IT system since 2010 and have not made any annual upgrades. We had none of the latest features and the system was becoming very inefficient and was no longer being supported by Abritas so caused a number of issues for providers and our staff. For the past 6

months we have been working on a revised specification and programme to upgrade to 8.5 which also comes with annual free upgrades. Version 8.5 is now in place and running effectively.

18.2 As part of the new upgrade which went live on 1st June it introduced the ability to bid on mobile phones. This was in place of the telephone bidding line which was no longer being used by applicants. In the 4 bidding cycles since we went live with the new system we received a total of 3391 bids and 1689 of these were made from a mobile phone device rather than the main Homes4Wiltshire site. This is 49.8 % of bids in that period and is enabling a more accessible and digital service.

19.0 Overview and Scrutiny Engagement

19.1 Environment and Select committee considered this report and its recommendation during its meeting held on 19th September 2017. Full support was provided for recommendations 1 – 12.

20.0 Safeguarding Implications

20.1 As a corporate parent it has been recognised that the local authority has a duty to ensure that care leavers are able to access and secure suitable accommodation once they are ready to live independently and therefore the policy has been amended to reflect this.

21.0 Public Health Implications

21.1 This report has no known health implications

22.0 Procurement Implications

22.1 The amendments contained within this report have no procurement implications

23.0 Equalities Impact of the Proposal

23.1 An EIA was completed during the consultation and development of this policy. Once the recommendation have been finalised the EIA will be completed.

24.0 Environmental and Climate Change Considerations

24.1 There are no significant environmental or climate change implications associated with this proposal

25.0 Financial Implications

25.1 The only direct financial impact of the changes discussed in this report would be if Cabinet recommend, Option 1 in Recommendation Twelve. This option however is not recommended by Housing Officers for reasons set out in the report. If the policy were to remain as it is and option one agreed then additional staffing is likely and there is no proposals as to how the circa £28k

(including on-costs) for this post would be funded and as such it is not supported as a viable option.

26.0 Legal Implications

26.1 The Homes4wiltshire policy is considered to be a lawful policy and in line with the governments allocation framework. The recommended changes contained within this report are still within the government framework and would continue to be a lawful policy.

27.0 Risks

27.1 The risks associated with amending or not the allocations policy is minimal. If the policy is not amended the following risks are likely to apply

- We would not be able to amend the criteria associated with the armed forces which has been agreed at a task and finish group which was set up to review and improve the offer to armed forces personnel
- Clarity would not be provided in the policy for under 35s following the changes to Welfare Reform which could cause some confusion.
- The definition of unacceptable behaviour would continue to be interpreted in different ways along with clarity in regard to the wording around rent arrears, fraud, financial resource limit and deliberately worsening circumstances.
- We would not be able to improve our responsibilities in housing in relation to being a corporate parent and providing care leavers with additional priority within the policy.
- Continued complaints in regard to the allocation of homes in rural locations to those who have a local connection to the area but due to the current policy they are not able to bid for these homes

28.0 Options Considered

28.1 The options considered have been detailed in the report

29.0 Conclusions

29.1 To approve the councils revised allocation policy

Alistair Cunningham, Corporate Director

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Appendices

Appendix One – Allocation Policy 2018

Background Papers

None