

Southend-on-Sea Borough Council

Agenda
Item No.

Report of Deputy Chief Executive (People)

to

Cabinet

on

Tuesday 25th June 2019

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Officer

Allocations Policy Review 2019

Policy and Resources Scrutiny – Cabinet Member: Councillor Ian Gilbert
A Part 1 Public Agenda item

1. Purpose of Report

- 1.1 To inform Cabinet about the Council’s Social Housing Allocations Policy review and proposed policy positions.
- 1.2 To seek Councillor views on item 3.6, appendix 1.

2. Recommendations

- 2.1 That agreement is given to consult upon the proposed policy changes (as outlined in appendix 1).
- 2.2 That Cabinet agrees that, following consultation, any minor changes to the draft policy can be made under delegated authority to the Deputy Chief Executive (People), and the Director for Housing in consultation with the portfolio holder for housing, but that any major proposed changes be returned to Cabinet for decision.

3. Background

- 3.1 Under Part VI of the Housing Act 1996 (as amended and extended by the Homelessness Act 2002 and Localism Act 2011, hereafter referred to as “The Act”) all Local Authorities must have an allocations scheme for determining the priorities between applicants and the procedure that must be followed when allocating social housing. Southend-on-Sea Borough Council’s Allocations Policy was last reviewed in 2013/14 and Council’s adopted *Housing, Homelessness and Rough Sleeper Strategy 2018 - 2028* identifies a need to review our Allocations Policy during 2019.
- 3.2 As set out in Southend Council’s *Housing, Homelessness and Rough Sleeping Strategy* it was agreed a new evidenced-based Social Housing Allocations

Policy is required. In order that this is informed by full and meaningful consultation a two stage consultation process has begun:

- Phase 1: a first phase of engagement has been underway since February 2019 with a focus on capturing broad views and comments around key aspects of policy/procedure, combined with legislation, data and equality analysis, in order to develop draft policy positions;
- Phase 2: following June Cabinet, a second phase of consultation is proposed. This will focus on new draft policy, highlighting key proposed changes. Responses to the consultation will lead to one of two outcomes:
 - If major changes are required to the policy, return to Cabinet in the September 2019 for further consideration;
 - If no, or only minor amendments are required to the draft policy document, the policy will be adopted under delegated authority given to the Deputy Chief Executive (People) and the Director for Housing, in consultation with the portfolio holder for housing. If this instance arises, a special meeting of the Housing and Homelessness Working Party will be called to present and discuss the policy/minor amendments.

Progress to date

- 3.3 A consultation e-survey (with the option to complete by phone/paper) ran from the 12th– 25th March 2019. Over 500 people participated in the survey, including staff from across the council, South Essex Homes and Housing Associations, officers from partner organisations, tenants, current housing applicants and those who have applied for social housing at some point in the past.
- 3.4 In addition to the wide ranging survey, the views/experiences of guests at the Church Winter Night Shelter were captured; targeted phone calls were conducted with disabled housing applicants, people who have been housed through our Allocations Policy and applicants who are currently on the housing register in priority bands, but do not currently log on to 'bid' (register an interest) in properties; and, lettings and housing register data were analysed to help inform policy proposals and will continue to help inform the implementation process.

Policy proposals.

- 3.5 The Act gives Local Authorities the power, within certain restrictions, to choose which groups do or do not qualify for inclusion within their Allocations Scheme; however "reasonable preference" must be afforded to the following categories of person:
- Those who are homeless within the meaning of Part VII of the Act (including intentional and non-priority need);
 - Those being assisted under a housing duty;
 - Those occupying overcrowded or insanitary conditions;
 - Those who need to move on medical or welfare grounds (including relating to a disability);
 - Those who need to move to a particular locality where failure to do so would cause harm.

- 3.6 All proposed policy amendments continue to permit the above groups to qualify for inclusion on our housing register. Additional groups that currently qualify for inclusion on our register will continue to do so, that is; social tenants with spare rooms in their properties that are willing to downsize, care leavers who are ready to live independently and those who are ready to move on from council funded supported housing. In addition, the proposed new policy would also introduce the ability for the following groups to qualify:
- Those subject to an SBC approved regeneration scheme who wish to permanently vacate the site and have been served notice of demolition within 12 – 18 months. (ss.2.19-2.23, appendix 1)
 - Low income households, spending over a third of their income on rent (ss.2.27-2.29, appendix 1)
 - Homeless households being assisted under statutory homeless prevention and relief duties (ss.2.11-2.12, appendix 1)
 - Homeless households who accept a suitable offer of private rented accommodation whilst we are assisting them under our new Statutory homeless prevention, or relief duties (to encourage early engagement and free up temporary accommodation/avoid B&B usage) (ss.2.13, appendix 1)
 - Former care leavers under the age of 25, without a housing need, to whom the council has acted as the 'corporate parent'.(ss. 2.24-2.26, appendix 1)
- 3.7 Those who qualify for inclusion on the housing register are given a banding (A – D) and 'effective date' (length of time in band) to determine the level of priority that should be afforded to their application. We also currently have an emergency band for rare/exceptional cases where a household needs accommodating immediately, and 'low band' where those with low level arrears are positioned but not able to place 'bids' for social housing. We will continue to operate an 'emergency' band, but as per ss. 2.3 – 2.5, of appendix 1, propose removing Low band.
- 3.8 Section 2 of the Appendix sets out how each housing needs group would be banded under the new policy. Key changes here include the removal of band B priority for medical/welfare and disrepair (ss.2.6-2.10), downgrading the priority for those with a need to move to a particular area to band C, and enabling single homeless people found to have no 'priority need' for housing to be placed in band B, rather than band C (ss. 2.14).
- 3.9 As at present, those with no local connection would be placed into band D and therefore stand little prospect of ever being accommodated in social housing. Section 3 of the appendix sets out stricter local connection criteria being proposed in ordinary circumstances, but with a new/more flexible approach to rough sleeping/single homelessness. Councillors are advised to specifically consider and give views on s.3.6 of the appendix which questions how long a rough sleeper should have needed to have engaged meaningfully with council commissioned support services before we deem them to qualify for a local connection within our Allocations Policy.
- 3.10 All social housing is currently allocated via a 'Choice' based lettings (CBL) scheme, where void properties are advertised, and applicants 'bid' (register their interest) in the properties they would like to be considered for. CBL aims to increase transparency over the supply of social housing and minimise void

times (as applicants will only bid for properties they would genuinely consider living in).

- 3.11 Three quarters of housing applicants participating in the survey supported retaining a choice based lettings approach, therefore we will be retaining this, with some tweaks: We propose enabling disabled applicants to have equal opportunity to participate in the bidding process (see s.1 , appendix 1), and provide better information/advice to applicants (s.4, appendix 1).

4. Other options

- 4.1 As stated above it is a requirement that the Council has an up to date allocations policy and agreement was reached in adopting the Housing, Homelessness and Rough Sleeping Strategy that this review should be undertaken during 2019. It is possible that decisions on the policy are deferred until the September Cabinet but, should this be the case it is recommended that consultation still go ahead on a draft policy document over the Summer of 2019, to enable the policy implementation and re-design of software to commence as soon as possible.

5. Reasons for Recommendations

- 5.1 The proposed changes are based on targeted engagement, data insights, legislative requirements and strategic objectives outlined through Southend 2050 and the Housing, homelessness and Rough Sleeper Strategy, and are believed to represent an inclusive and balanced proposal for an updated and amended allocations policy. It is therefore recommended that the proposals are suitable to allow for further consultation on the draft policy and to allow further consideration of the implications of these changes and preparation for their implementation in order that this is swift and effective.

6. Corporate Implications

- 6.1 Contribution to the Southend 2050 Road Map
The Allocations Policy review supports a range of Southend 2050 outcomes, including the Safe & Well outcomes that “we are well on our way to ensuring everyone has a home that meets their needs” and are “effective at improving the quality of life for some of the most vulnerable in our community”, and Opportunity & Prosperity outcomes of “key regeneration schemes, such as Queensway...are underway” and our “children are school and life ready”.
- 6.2 Financial Implications
The implementation of the Allocations Policy will require additional resource in respect of software changes that will be required, including commissioning changes from our supplier, IT expertise on the project team, and potentially temporary business support to assist with testing the new software/data entry and re-assessment of all existing applications against the new policy.

These additional one-off costs will be absorbed within the Housing Needs budget in the first instance. Should more resource be required, it will be met from the temporary additional resource made available through the 2019/20 budget for the implementation of the *Housing, Homelessness and Rough Sleeping Strategy*. Detailed costs are yet to be understood and this will form part of the next phase of the project and will be undertaken alongside finance colleagues.

Additionally, as part of the implementation project we will explore whether additional Occupational Therapy resource is required to deliver on the project aims and if so this will need to be met within the existing budget of the relevant service areas.

6.3 Legal Implications

Under the Housing Act 1996 (as amended and extended by the Localism Act 2011, Homelessness Act 2002), all local authorities are required to have an allocations scheme setting out the policy and procedure that will be followed in allocating social housing. The policy must have regard to the adopted Tenancy and Homelessness Strategies. The council's current Allocations Policy does not reflect our new duties under the Homelessness Reduction Act 2017 therefore it is important that a revised policy is adopted. The final draft policy will be referred for a specialist legal view.

6.4 People Implications

Staff, partners and applicants will be impacted by the changes made. An equality analysis is informing the policy development process

6.5 Property Implications

The Allocation's policy will directly affect which categories of person qualify for inclusion on the housing register, and their likelihood of being housed in void and new build council and housing association stock.

6.6 Consultation

The first phase of public engagement has been undertaken, informing the recommended proposals. A second consultation phase, on the policy document itself, will follow Cabinet.

6.7 Equalities and Diversity Implications

The policy review is informing and being informed by Equality Analysis, and a key proposal is to enable disabled people to be given equal opportunity to bid for social housing.

6.8 Risk Assessment

Due to purdah, the first phase of engagement was very short (2 weeks) however through the engagement methods used, we were able to capture the views of a wide range of people in a short space of time. The timeframe for the policy development is short, considering the people impacts and the scope for challenge over the lifetime of the policy.

Failure to implement a revised policy will impact our ability to support homeless people into accommodation, and recognise new duties under the Homelessness Reduction Act 2017.

6.9 Value for Money

Changes to the Allocations Policy will result in ICT costs as our online housing register, CRM process and advertising software will need to be adapted to reflect the policy. The proposals also aim to help reduce Bed and Breakfast spend on homeless families.

6.10 Community Safety Implications

Through the review we will have the ability to increase the chances of a person who is sleeping rough to be able to access social housing.

6.11 Environmental Impact

None

7. Background Papers

None

8. Appendices

Appendix 1: Proposed Housing Allocations Policy changes