

ADULTS AND COMMUNITIES SCRUTINY COMMITTEE	AGENDA ITEM No. 7
17 NOVEMBER 2020	PUBLIC REPORT

Report of:	Mohamed Hussein – Director: Housing Needs & Supply	
Cabinet Member(s) responsible:	Cllr Steve Allen - Cabinet Member for Housing, Culture and Recreation	
Contact Officer(s):	Sarah Scase –Housing Needs Operations Manager	07920 160502

PETERBOROUGH HOMES ALLOCATIONS POLICY

R E C O M M E N D A T I O N S	
FROM: Executive Director: Place and Economy	Deadline date: N/A
<p>It is recommended that Adults and Communities Scrutiny Committee:</p> <ol style="list-style-type: none"> 1. Reviews the contents of the report and endorses the development of a new Housing Allocations Policy 2. Supports the commencement of the consultation period by Cabinet 	

1. ORIGIN OF REPORT

1.1 This report is required as the Housing Allocations policy is a Major Policy that must be considered by the Scrutiny Committee prior to amendment and implementation.

2. PURPOSE AND REASON FOR REPORT

2.1 The report is being presented to the committee to update them on the direction of travel for the Housing Allocations Policy, gather views from members on the proposed amendments and support the commencement of a 12-week consultation period prior to bringing back a further report with the results of the consultation and the final draft version of the policy.

2.2 This report is for the Adults and Communities Scrutiny Committee to consider under its Terms of Reference Part 3, Section 4 - Overview and Scrutiny Functions, paragraph No. 2.1 Functions determined by Council:

3. Housing need (including homelessness, housing options and selective licensing)

2.3

2.4 This report links to the following Corporate priority:

6. Keep all our communities safe, cohesive and healthy:

Providing affordable, warm, safe and secure housing is the cornerstone of a strong society, and the Common Housing Allocations Policy is one of the vehicles available to the council and its social landlord partners to achieve this.

Whilst this work cuts across the entire Sustainable Community Strategy, it most closely aligns with the priority to achieve strong and supportive communities.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	14/3/2021
Date for relevant Council meeting if applicable	TBC likely July 2021	Date for submission to Government Dept.	N/A

4. BACKGROUND AND KEY ISSUES

4.1 The Peterborough Homes Allocations Policy was last updated in 2013 with subsequent minor amendments being made since. Although there have not been any major statutory changes, the current policy does not now reflect some significant local developments which have happened since its creation. It is therefore imperative that a new policy is created which is accepted by Registered Providers (RPs) and which reflects Housing as a wholistic preventative service.

4.2 Peterborough Homes Partnership

The Peterborough Homes Partnership is a collection of Registered Providers who advertise properties through the Choice Based Lettings Scheme. The Allocations Policy is the policy which is used to set out who is eligible for an allocation or Social Housing and the priority bands.

4.3 Cross Keys Homes

A major development in the Peterborough Homes Partnership came in June 2020 when Cross Keys Homes (CKH) took the decision to leave the partnership. Cross Keys Homes properties fall into one of two categories -

1. Properties which were transferred to CKH in 2004 as part of the Large Scale Voluntary Transfer or,
2. Subsequent new builds since 2004

Both categories have differing nominations agreements and different service standards contained, which we must adhere to. As with all of our Registered Provider partners, allocations to Cross Keys Homes properties are subject to the client being eligible in accordance with the Allocations Policy. We are therefore going to ensure that our RP partners are consulted and their views considered in any changes to the allocations policy.

4.4 Prevention of Homelessness

Levels of homelessness have significantly increased since the current allocations policy was written. In 2012/13 there were 1172 presentations to the service. This increased to 2269 in 2019/20. We are also in the process of re-writing the Homelessness and Rough Sleeping Strategy. This strategy will evaluate the current programmes of work that are in the city and reflecting on current and forecasted future demand, set out how our service should be shaped. A key feature of this strategy will be around homelessness prevention. Prevention is undoubtedly heralded as the most effective way to manage demand on housing and homelessness. Current work on the service re-design will harness this prevention ethos to ensure that is embedded within our service structure. The new Allocations Policy will need to reflect prevention as being at the core of Housing Needs.

It is therefore proposed that we will give high priority to those applicants who are threatened with homelessness who agree to work with us to prevent their homelessness where we are not able keep them in their current home.

Consequentially, those who do not agree to work with us will be given lower priority on the housing register. Those cases who we end up accepting a full housing duty under

s.193(2) Housing Act 1996 (as amended by Homelessness Reduction Act 2017) would remain in a lower band.

4.5 **Employment**

Peterborough's economic growth is a key priority for the authority. We want to encourage people to work and seek to raise levels of aspiration and ambition. We are keen to explore ways in which the Allocations Policy can support and encourage people into employment and so as part of our consultation we will be seeking views about this. One way in which we propose to encourage and promote the benefits of employment is through providing an uplift in time for those households who are working.

We are therefore seeking views on the priority of those in employment.

4.6 **Banding - Please refer to Appendix 1**

As a project team we have reviewed best practice across the country. Peterborough City Council currently has 5 bands, with band 1 being the highest and band 5 being the lowest. We are seeking to simplify this and reduce the number of bands to 3. Currently the number of people in each band is -

Band 1	Band 2	Band 3	Band 4	Band 5
359	3458	423	575	173

Band 1 would be for those with an extremely urgent need to move on. Examples would include:

- Those with an over-riding medical need.
- Those with a composite housing need where they fall into a number of high priority categories and have been reviewed by a Special Priority Needs Panel.
- Management Transfers. Those partner RP tenants who need to move urgently as they are at risk if they remain in their current property

Those in this band would be very few and we would expect that they would be re-housed very quickly. Those in this band would be made one reasonable offer of accommodation. Applications would be reviewed after 6 months to determine whether they still needed this priority or could be closed or moved to Band 2.

Band 2 will be those with a high need of re-housing. This band will include:

- Those who agree to work with us to try and prevent their homelessness,
- Those who have been accepted at the supported Accommodation Pathway panel (see below)
- Those who are under occupying a partner RP property or severely over occupying in their current accommodation,
- Those who have been awarded a high medical need after assessment by our Occupational Therapists.

Band 3 will be for all other applications and will include:

- Those who are adequately housed (will only be considered for sheltered accommodation)
- Those who do not have a local connection (will only be considered for sheltered accommodation)
- Those who have enough financial resources or are homeowners (will only be considered for sheltered accommodation)
- Those who have a low medical need after assessment by our Occupational Therapists
- Those who have been accepted as homeless and so have therefore failed to prevent their homelessness or work with us to do so.

We are proposing to remove the Social and Welfare ground category. This category

currently captures those -

- In temporary accommodation who would be captured under our prevention and relief category
- In supported accommodation who will now be captured in a separate category in band 2
- Who need to move due to Harassment/violence will now be captured under a separate category in band 2
- Who need to move due to financial difficulties who if is deemed to be very urgent can be considered by Special Needs Housing Panel

We are also proposing to remove the banding category for shared facilities. This will mean that they will be considered in one of the overcrowded categories.

We will be therefore consulting on reducing the number of bands to 3 with band 1 remaining the highest and band 3 the lowest. We will also be consulting on the proposals for the priorities within each band.

Supported Accommodation Pathway

4.7 During the height of the pandemic, we accommodated 140 rough sleepers in rest centres across Peterborough. Whilst focusing on our resettlement out of the rest centre, it was clear that there were a proportion of people who were stuck in supported accommodation who did not need the support that it offered. A Supported Accommodation Panel was created where providers refer individuals who are ready to move on. The panel meets fortnightly and is attended by Housing Needs, Longhurst, Cross Keys Homes and the support worker of the client. A decision is made as to the best way for that person to move on. If the person is deemed suitable for an allocation of social housing then they would be given a high priority for an urgent move. This would then enable us to ensure a clear pathway of accommodation for single homeless people in Peterborough.

We therefore propose to give high priority to those who are accepted at the supported accommodation pathway.

4.8 **Refusal of a suitable property/Failure to attend viewings**

Choice Based Lettings is widely accepted as a transparent way to let properties. It allows people choice to express an interest (bid) for a suitable property when one becomes available. As discussed above, it's imperative that if we wish to keep band 1 for those with the most urgent need to move, we must put measures in place to ensure that we investigate if someone in this band refuses a reasonable offer.

We therefore propose that if someone in band 1 refuses what turns out to be a reasonable offer, or fails to attend a viewing without explanation which would have been a reasonable offer; then they are re-assessed as band 2 or their application closed if their situation has been resolved.

Additionally, if someone in band 2 or 3 fails to attend two viewings without explanation or refuses two properties that would have been reasonable for them to accept; then their application will be cancelled for 12 months.

Forces Personnel

4.9 Currently we give the following priority for forces personnel -

Despite not having a local connection with the council's district, an applicant is a qualifying person in any of the following circumstances -

- They are members of the British regular forces working in the council's district.
- They are former members of the British regular forces working in the council's district or

are due to leave the forces within the next 12 months whose principal home prior to them joining the forces was in the council's district.

Furthermore, the following are awarded additional priority -

- If they are a former member of the regular forces (where the application is made within 5 years of discharge).
- If they are entitled to a reasonable preference and have urgent housing needs and a) they are serving in the regular forces and suffering from a serious injury, illness or disability which is attributable (wholly or partly) to their service; b) they formerly served in the regular forces c) they have recently ceased, or will cease to be entitled to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service; or d) are serving or have served in the reserve forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to their service.

We want to extend our current priority to the below groups by backdating their date in band by 3 months.

- serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- former members of the regular forces
- bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service
- existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.

We therefore propose to further highlight our commitment to the Armed Forces Covenant by awarding additional time in band to those mentioned above.

Amending the Income Threshold

- 4.10 Currently the Allocations Policy states -
An applicant is ... not a qualifying person if their household's gross annual income is in excess of £40,200 per annum, or has savings or assets totalling more than £16,000. They will be considered to have sufficient income to secure a suitable home by purchase or by renting privately.

We are keen to consult on what is thought to be an acceptable level of income, assets and savings.

We propose that the income threshold is based on a sliding scale which considers bedroom need be applied. For instance -

1-bedroom accommodation £30,000
2-bedroom accommodation £40,000
3-bedroom accommodation or larger £50,000

We propose to consult on current threshold levels and alter on a sliding scale of income.

Reconsidering applications from those who have been found to be Non-Qualifying

- 4.11 Currently the following people are deemed to be Non-Qualifying and so therefore unable to have a live application -

- An applicant is not a qualifying person if they are the subject of an anti-social behaviour

injunction.

- An applicant is not a qualifying person if they have current tenant arrears in excess of 8 weeks' rent or any outstanding former tenant arrears. Applicants can request a review of a decision where they can first demonstrate that they have entered a regular arrangement to re-pay the arrears and have maintained that agreement for at least 13 weeks.

Each RP has their own lettings policies and so we want to ensure that the allocations policy considers these policies as far as reasonably possible, in relation to excluding applicants. This is to ensure that customers are not accepted onto the housing register, only to be excluded by RPs prior to an offer.

We will be asking at wider public consultation what people deem to be reasonable in terms of levels of current and former tenant arrears.

We want to ensure that the new allocations policy is inclusive and that anyone who is deemed to be Non Qualifying has a clear route in order for their application to be re-assessed. Our starting point in considering arrears are -

Band 1 Applicants

Applicants in Band 1 will not be subject to the rehousing with rent arrears policy. Although any rent arrears will not be considered for the purposes of rehousing it is expected, where there are arrears, an agreement is made to reduce/clear the arrears.

Band 2, 3 and 4 Applicants

Applicants in Bands 2, 3 and 4 will be required to have a clear rent account for any current tenancy at the point of offer/sign up for alternative accommodation.

Former Rent Arrears

Applicants who have held their current tenancy for 12 months or more with a clear rent account

Former rent arrears will be disregarded where the applicant is a current tenant and has held that tenancy for 12 months or more with a clear rent account. They will however be expected to have entered into an agreement to repay their debt, but their application for re-housing will not be suspended and offers of accommodation can be made. Evidence will be required.

Applicants who have not held their current tenancy for 12 months or more

Applicants who have not held their current tenancy for more than 12 months or do not hold a current tenancy and have former rent arrears will be suspended on the Housing Register. The suspension will only be lifted once confirmation has been received the former rent arrears have been cleared or substantially reduced.

We will also be seeking views about Anti-Social Behaviour and how long applications should be suspended for. We propose that time spent in Temporary Accommodation without issue should be included in consideration for any suspension to be lifted.

We therefore need to consult specifically with RPs in relation to suspended applications and come to an agreement as what is reasonable. We also propose to seek views as part of the consultation on this matter.

Priority to households with young children when shortlisting houses

4.12 The current policy does not distinguish between those households with adult children and those with younger children.

We propose to amend this to include that households which contain children under the age of 18 years old whom permanently reside in the household will be given preference for houses.

This is to ensure fair allocation and best use of suitable stock to families with children under the age of eighteen years.

Process of registering

4.13 The current process of registering which is set out in the allocations policy is that an application cannot be made live until such time that -

- The applicant has provided all of their identity documents and proofs of circumstances
- The team have verified their identity, confirmed their address, confirmed additional household members details and carried out current and previous tenancy checks.

As demand has increased and during periods of reduced resource levels due to annual leave etc, often a backlog of applications forms which results in people having to wait for a period of time for their application to be assessed.

Once an application is assessed, it is often several years before they reach a position where they will shortlist for a property. At this point, their circumstances are likely to have changed from the time that they registered. We therefore have to undertake further assessment of their application.

Also, with social housing being such a scarce resource many applicants who apply will not be successful in receiving an offer of accommodation.

We therefore propose to allow people to register by completing the online housing register application form. Their application will be assessed on the information they have provided via the documents they have submitted and the answers to the questions asked. Verification will not happen until such point that they start shortlisting. This will make the process far more efficient as it will reduce the time for application to be assessed. It will also reduce the resource as assessments will only need to be undertaken once.

The consequence of this will be that there will be larger numbers of people on the housing register. However, we will conduct 12 monthly reviews of all applications to ensure that only those who are regularly expressing interest in properties are considered.

We therefore propose to change the process for assessing applications on the housing register to make it more efficient and prevent backlogs formulating.

5. CONSULTATION

5.1 We are going to embark on a very thorough consultation process which is detailed below. Our proposals so far have come together from looking at allocations policies which have been suggested to us by our Housing, Advice and Strategy Team adviser from the Ministry of Housing, Communities and Local Government.

We have spoken to other project team leaders to ensure that our proposals fit within wider projects such as the Homelessness Strategy and the Housing Needs Service redesign work.

5.2 We will ensure that all the proposals go through rigorous consultation over the next 12 weeks. As well as a public survey which we will advertise as widely as possible, we will be consulting separately with -

- Registered Providers
- Services such as Outside Links, Probation, Light Project Peterborough
- Childrens Services, Housing Enforcement, Occupational Therapists, Adult Social Care

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 The anticipated outcome of consideration of this report is that it is support from the Committee for proceeding with formal consultation based on a draft policy of the ideas outlined herein.

7. REASON FOR THE RECOMMENDATION

7.1 Part 6 of the Housing Act 1996 as amended regulates the allocation of social rented housing by local authorities.

Local housing authorities are required by s.166A(1) of the act to have an allocation policy for determining priorities, and for defining the procedures to be followed in allocating housing accommodation.

Local housing authorities must allocate in accordance with the allocation policy (s.166A(14)).

All aspects of the allocation process must be covered in the policy including the people by whom decisions are taken.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Alternative options at this stage are to leave the current policy in place. This is not a viable option as the current policy is not only outdated but it also does not fit with our visions of a Prevention service. As we are going through both a service re-design and the creation of a new Homeless strategy, it is vital that the allocations policy reflects the direction of the service and the current needs of Peterborough residents.

Other alternative options would be to make amendments to the current policy but not the changes that are proposed in this document. We are confident that the proposals suggested meet our aims to -

- Assist those in the highest need
- Let properties in a fair and transparent way
- Support vulnerable households
- Ensure there is a clear way of being reconsidered after a Nonqualifying decision

However, we expect that consultation will shape and define the proposals contained in this document. We will also spend the consultation period considering unintended consequences as a result of the proposals.

9. IMPLICATIONS

Financial Implications

9.1 There are not any financial implications linked to this item

Legal Implications

9.2 The policy must meet the legal requirements for the allocation of social housing as set out in the Housing Act 1996 (as amended) and statutory guidance such as the Localism Act 2011. It must also consider any subsequent case law.

Once the final draft has been written, we will be seeking legal advice to ensure that it complies with all statutory duties.

Equalities Implications

9.3 It is not envisaged that there will be any implications for anyone falling into a protected characteristic group. However, during the consultation period will undertake equality impact assessment and report back to scrutiny with our findings.

Rural Implications

9.4 There are not any rural implications for this policy.

Carbon Impact Assessment

9.5 There were not any Carbon Impacts that were highlighted as a result of the assessment.

Other relevant Implications

9.6 Corporate Priorities: Environment Capital

The allocations policy does not have any implications on the corporate priority of Environmental Capital.

Crime and Disorder / Community Safety

The allocations policy does not have any implications on crime and disorder/community safety.

Discrimination and Equality

It is not envisaged that there will be any implications for anyone falling into a protected characteristic group. However, during the consultation period will undertake equality impact assessment and report back to scrutiny with our findings.

Human Resources

The allocations policy does not have any implications on Human Resources

ICT

The allocations policy will have an impact on ICT. Once the final allocations policy draft has been approved, we will be working to re-configure our Jigsaw housing system to reflect these amendments.

Property

The allocations policy does not have any implications on property.

Procurement

The allocations policy does not have any implications on procurement

Cross-Service Implications

We will be consulting with Housing Enforcement, Childrens Social Services and the Occupational therapy team.

Risk Assessment

We have not conducted a formal risk assessment however during the consultation period will be ensuring we have considered the unintended consequence of each of our proposals and ways we can ensure risk is mitigated.

Consultees

We will be consulting with the following during our 12 weeks consultation period -

Ward Councillor(s)
Parish Council(s)
Community Association(s)
Partner Organisation(s)
GPP or Partnerships

We currently have 16 live applications from people who have been awarded band 1 due to being in care.

Our proposals keep band 1 for those who need to move urgently. Care leavers will therefore be given band 2. We do not envisage this negatively affecting this group, in fact we are confident that redesigning our service as a prevention service will mean that this group will be supported into suitable accommodation before there is any threat of homelessness. We also have the ability to discuss and agree a band 1 nomination for any client where there is a mixture of concerns

which require the applicant to be housed urgently.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 10.1 Peterborough Homes Allocations Policy v3
Allocation of accommodation – statutory code of guidance

11. APPENDICES

- 11.1 *Appendix 1 – Current and Proposed Bands*