

Decision Maker: A&C Portfolio Holder

Date: 27th July 2010

Decision Type: Non-Urgent Non-Executive Non-Key

Title: REVIEW OF ALLOCATIONS POLICY & HOUSING REGISTER BANDING

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Chief Officer: Terry Rich - Director of Adult and Community Services

Ward: BOROUGHWIDE

1. Reason for report

- 1.1 This report advises on the scope and progress made to date in respect of the review of the Housing Allocations Policy, together with the key findings resulting from the preparatory consultation exercises undertaken across internal and external partners and a range of service users.
- 1.2 It then goes on to outline the proposed revisions to the Policy needed to fulfil the latest statutory guidance in respect of housing allocations and ensure the operation of a fit for purpose allocations scheme. The full draft policy is contained within Appendix A of this report for consideration prior to undertaking formal consultation to finalise the necessary revisions.
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2. **RECOMMENDATION(S)**

- 2.1 The PDS committee is recommended to: -
- a) Note and comment on the consultation findings,
 - b) Comment on and agree, subject to any amendments arising from these comments, to recommend to the Portfolio Holder that the draft policy can now be circulated for formal consultation to come back to the November cycle for formal approval to adopt and implement the revised policy.
- 2.2 The Portfolio Holder is recommended to:
- a) Consider the recommendations from the PDS committee,

- b) Subject to any agreed amendments to approve the initial draft of the revised policy to be circulated for formal consultation during August and September. It is then proposed that all consultation feedback will be considered during October, alongside formatting of the policy in order to bring this back to the November cycle for formal adoption and approval to implement.

Corporate Policy

1. Policy Status: Existing policy. The proposed revisions are inline with the overall aims & objectives of the existing policy.
 2. BBB Priority: Excellent Council.
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Financial

1. Cost of proposal: Estimated cost £1,380 Communities & Local Government grant already provided to facilitate implementation.
 2. Ongoing costs: Non-recurring cost.
 3. Budget head/performance centre: Housing Needs
 4. Total current budget for this head: ££1,635k gross (Housing Needs Service)
 5. Source of funding: Area based Grant - one off funding of £1,380
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Staff

1. Number of staff (current and additional): 7.5 current FTE undertake the full range of statutory duties in relation housing allocations, managing Bromley Homeseekers & maintaining the housing register..
 2. If from existing staff resources, number of staff hours:
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Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): There are currently in excess of 6,100 households on the Housing Register with, on average, a further 440 new applications being received each month.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: Members' comments will be sought as part of the formal consultation process.

3. COMMENTARY

Legislative Background/Scoping of the review:

- 3.1 LBBromley's housing allocation policy and housing register provides the route for nomination to all social rented housing to which the borough has nomination rights. The scheme also includes all Affinity Sutton stock within the borough and Affinity Sutton tenants seeking transfers, for which Affinity Sutton pay the Council for the administration cost. Increasingly the other RSLs operating within the Borough are moving towards a common housing register by joining the Borough register for lettings to all available stock including the proportion to which the Borough does not have nomination rights. The roll out of 100% of properties being advertised and let via the housing register and choice based lettings will be concluded once the new policy has been implemented.
- 3.2 The way in which social rented housing is allocated is largely governed by the legislative framework set out within Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002. This provides the broad framework in terms of who is eligible/ineligible for inclusion within the allocations scheme, together with certain groups of people who must be given a level of reasonable preference within any scheme. It also sets out the basic administrative framework for allocation schemes including information dissemination, appeals and so on.
- 3.3 Bromley's current allocations policy was implemented in response to the Homelessness Act 2002, with small subsequent minor amendments being introduced in 2005 to comply with the most up to date guidance/case law at the time, and also in preparation for the implementation of Bromley Homeseekers' choice based lettings system.
- 3.4 Since this date there have been a number of updated statutory directives, including the latest Code of Guidance issued in November 2009, which encourages all local authorities to undertake a review of their allocations schemes.
- 3.5 In addition, over the past year there has been a 300% increase in the level of new applications being received, meaning that large volumes of administrative resources are having to be re-directed at assessing applications with no real chance of successful nomination against the level of social housing supply.
- 3.6 Finally, with Bromley Homeseekers' now having been live for approximately 20 months a number of lessons learnt, which can be fed into increasing the responsiveness and effectiveness of an allocations scheme.
- 3.7 It is therefore a pertinent time for LB Bromley to be reviewing its allocations policy.

Aims of the review:

- 3.8 Whilst adhering to the overarching aims and direction of the existing policy, the review aimed to:
 - Update the policy in line with the latest statutory guidance/directives to ensure the operation of a 'fit for purpose' scheme.
 - Make the policy as transparent and easy to understand as possible, helping to dispel myths and assist in adopting a policy which is perceived as fair.
 - Manage expectations by tightening the robustness of the assessment process including reducing time on assessing low banding applications that would have no realistic chance

of receiving an offer of social rented housing and continuing the focus on meeting the highest level of housing need

- Reframing the policy in a suitable format to enable progress towards the introduction of automated banding
- Further strengthening the link to alternative housing options and solutions to meet a range of housing needs as an alternative to applying to go onto the housing register
- Making full use of the increased flexibility contained within the latest guidance to reflect local priorities and consultation feedback.

Review Process:

3.9 The review process to date has included the following elements:

1. **Desktop Research:** Updating the policy to comply with all the latest statutory guidance, directives, good practice findings and case law.
2. **Benchmarking:** comparing the policy with other local authorities.
3. **Consultation/Feedback:** lessons learnt from the bedding in process of Bromley Home seekers, feedback from appeals, comments and complaints, together with a consultation programme of focus groups encompassing internal and external partners and a range of service users.

Proposed revisions to the policy

3.10 Based upon the above, the following key revisions are proposed:

- Readdressing the priority banding level of certain groups within the reasonable preference categories to better manage expectations and encourage the pursuit of alternative options to resolve housing need.
- Aligning the bed size categories to mirror those within the housing benefit regulations to offering consistency on bed size eligibility across both sectors
- Strengthening the local preference groups – most notably around overcrowding, underoccupation to make best use of available stock and to reflect local requirements in terms of applicants undertaking critical voluntary work, and to encourage take up and sustainment of education, training and employment
- Making use of the increased allowance for local flexibility to focus on local priorities and supply/demand realities by limiting out of borough applications to those with overriding or essential grounds to move into the Borough due, for example to essential support, or where the host borough is offering a reciprocal mobility scheme for Bromley residents.
- Ensuring the policy supports wider strategic objectives, such as the learning disability housing strategy, supporting independence and tackling anti-social behaviour.
- Ensuring the policy supports those returning from the armed forces requiring additional advice & assistance that are not already included within the existing statutory framework.

- To simplify the medical/social welfare assessment to reduce the level of ‘points chasing’ by those with lower levels of need to better manage expectations and focus on greatest need.
- To simplify the system, taking away complex ‘composite need’ assessments by placing applicants in the highest applicable band for the range of issues.
- To proactively promote the options and solutions model by ensuring that applicants have comprehensive options assessments to pursue a range of alternative solutions to meet their housing need wherever possible.

3.11 In order to assist with ease of understanding that the policy has been updated, it is further proposed to rename the bandings, to signify the changes that have been made.

3.12 There is currently a separate allocation policy for the Gypsy Traveller sites and it is proposed that this policy will be contained within the overall updated Allocations Policy when published.

3.13 The full draft policy covering the above proposals is attached for consideration in Appendix A of this report. This is obviously currently in draft format and will also be subject to ‘Plain English’ testing, inclusion of a glossary and so on before returning for final approval.

3.14 Whilst the full policy has been included for reference, the key details of the scheme which include the revisions referred to in this report are contained within pages 14 – 32 of the draft policy, with details of the priority bands being set out on pages 30 & 31.

Future Process:

3.15 The process for consultation and implementation is set out below:

August - September	Formal consultation on the draft revised policy
October	Collation of consultation responses Resultant updates to revised policy Formatting of the revised policy
November	Policy returned to PDS & Portfolio holder for final comments & sign off to adopt and implement
December - January	Publishing of revised policy and summary guidance
December - March	Implementation of the new policy including progress on automated banding, re-registration and training for partner agencies.

3.16 In addition an initial equalities impact assessment has been completed which will be kept under review throughout the process and will be reported back alongside the policy in the November cycle.

4. POLICY IMPLICATIONS

The purpose of the policy review is to ensure that the policy adopted and operated by the London Borough of Bromley and its partner RSLs is fit for purpose, meeting all statutory and good practice requirements and reflecting local priorities and pressures in order to make best use of all available stock to meet housing need.

5. FINANCIAL IMPLICATIONS

- 5.1 A small grant of £1,380 has already been provided to the local authority by Communities & Local Government via Area Based Grant to cover the cost of the Allocations review in light of the changes contained within the latest statutory guidance.

6. LEGAL IMPLICATIONS

- 6.1 The Council has a number of statutory obligations in relation to housing allocations. These include having a published criteria and policy which meets the requirements of the legislative framework and complies with current guidance and case law. The policy must detail both the priorities and procedures for operation of the scheme. All proposed changes are considered and approved by Legal Services to ensure compliance with the statutory framework.
- 6.2 There is also a statutory obligation to consult with RSLs, service users and partners who may have an interest in the scheme before any changes or updates are adopted.

Non-Applicable Sections:	Personnel
Background Documents: (Access via Contact Officer)	Part VI of the Housing Act 1996 Homelessness Act 2002 Bromley Allocation Policy (last updated 2005) Allocation of Accommodation Code of Guidance for Local Authorities, 2002 Allocation of Accommodation: Choice Based Lettings, Code of Guidance for Local Authorities, 2008 Housing Allocations – Members of the Armed Forces (circular 04/2009), 2009 Fair and Flexible: Statutory Guidance on Social Housing Allocations for Local Authorities in England, 2009