

Common Allocations Policy

Draft

Ceredigion County Council has worked with its partners within the Social Housing Sector, to jointly review the Allocations Policy. Ceredigion has enjoyed a Common Allocations Policy for the past three years, but times have changed. The growing demand on Social housing coupled with the growing need to maintain and strengthen communities has led us to conduct a root and branch review of the way housing is allocated in the County.

Main Aims

The high level aims of the policy are to strengthen the role that social housing has in sustaining communities, especially in a rural county such as Ceredigion. To work to deliver housing to people most in need, whose housing options cannot be met outside of the Social Housing sector, and to streamline the Housing register application process for customers and partner agencies, with a view to managing peoples' expectations of, and aspirations towards Social Housing.

The allocations policy review has benefitted from being prepared concurrently with the publication and implementation of the Housing White Paper, and during the lead in to the introduction of the full range of Welfare reforms. This has enabled us to plan for, amongst other things, the expected changes to Homelessness legislation, and housing benefit. Also it has allowed for the opportunity to put greater emphasis on the policy as a tool for preventing housing need, by dealing with issues that would have, in the past, triggered entry into the Social Housing sector – namely housing standards.

Strengthening Communities

The proposed allocations policy seeks to sustain communities through a number of different policy statements:

1. Revise and align Ceredigion's Local Connection policy to reflect the needs of our locality and other housing enabling services offered by the Local Authority.
2. Recognise employment as a positive factor and values its contribution to sustaining thriving communities.
3. Act on the County's lower than average pay levels, by enabling Social Housing to be a mitigating factor, for working families.
4. Mitigate the impact of Welfare Reform, and enable tenancy sustainment in the long term, by identifying vulnerable groups and prioritising their need.

5. Clearly state acceptable standards of behaviour, and tenancy history, in terms of arrears, and equalise treatment of Private Sector and Social Sector tenants.
6. Actively seek to build sustainable communities, by allocating housing from each of the three 'reasonable preference' bands (A-C) via a quota system – Band A 40% Band B 30% and Band C 30% (interim figures).
7. Strengthen local connection criteria by equalising time frames (period of time as five years) with other affordable housing tools i.e. s.106 agreements, and use Local Connection as a deciding factor (excluding Homelessness – Full Duty applicants) for banding purposes.

Delivering on Housing Need

The proposed policy reinforces the legislative framework surrounding 'reasonable preference' categories, that are stipulated by law as having to be given due emphasis in any allocations policy. In tandem with this, the policy has been drafted in light of the expected changes to homelessness duty, and the growing role the Private Rented Sector will be expected to play in meeting demand. The proposal:

1. Acts upon the welfare reform changes most likely to impact on Social Housing tenants.
2. Works to free up adapted accommodation to allow greater numbers of adapted properties to be accessed by people in most need.
3. Reflects greater need through the multiple need categories, within the reasonable preference bands.
4. Works in tandem with the Public Health Protection team, to address standards of accommodation in the Private Rented sector, and thus reduce the demands on the Social Housing Sector.
5. Recognises housing need that is better met outside of the Social Housing sector, and signposts to the most suitable housing option.

Managing Expectations

One of the central aims of the proposal is that the applicant will have a clearer understanding of their chances of obtaining a Social Rented tenancy, and offer more realistic options to those who do not fulfil the requirements for social housing. The proposed policy will:

1. Use a banding system, rather than points, to offer a clear message to applicants as to their position on the list, across the whole county.

2. Introduce an element of 'time –waiting' as a fairer, more understandable way of allocating housing to people assessed as having similar housing need.
3. Clearly delineate between the 'reasonable preference' bands and the non-reasonable preference bands and sign post applicants to other housing options as appropriate.
4. Realign the role of the housing register away from being the solution to poor quality housing in the private sector, by working in tandem with Public Health Protection, to identify poor housing in the County.

Addressing Housing Standards

Social Housing has, in the past, acted as a panacea for poor housing standards in the Private Rented Sector. As demand out strips supply, and in light of the White Paper proposals in relation to the Private Sector, the policy proposes that the Register act as a means of identifying and improving housing standards, both to minimise the pressure on Social Housing Supply, and to improve the Private Rented Stock in general. The policy will:

1. Align the register requirements to the Housing Health and Safety Rating System (hereafter HHSRS), to create a clear line of accountability and reduce duplication of work.
2. Create a concrete link between the applicant and Public Health Protection, to close the loophole that is currently open under the points based system. This is achieved through an explicit link between the application and housing standards involvement via automatic contact with the landlord, if substandard housing has been highlighted as the reason for the application.
3. Allow for a period of grace between application and banding allocation (outside of the remit of 'unreasonableness') to allow current accommodation to be improved, and thus negate the need for re-housing via the register.

The manner in which the HHSRS is aligned with the allocations policy is as follows:

- Qualification for Band B will be triggered by one or more Cat 1 hazard (HHSRS), but that does not meet the qualification of homelessness legislation as 'unreasonable to remain', or a Category 1 Hazard (in the HHSRS Band C) or more than 2 Cat 2 (HHSRS 'band D' to 'band F'). Such issues qualify for the Local Authority to consider serving a notice on the owner.
- Qualification for Band C will be triggered by a Category 2 Hazard (HHSRS) being present, but it is reasonable for the applicant to remain at property after minor repair works take place. The Local Authority's involvement would be to consider talking to the owner about carrying out remedial action, but not trigger notice being served.

- Qualification for Band D would be triggered by a Category 2 Hazard (HHSRS) being present, but that would be minimised by action the tenant could take. Such a hazard would not qualify for the reasonable preference bands, due to the applicant being able to improve their housing standard without the involvement of the Landlord.

Allocations: A Three Stage Process

The process will take the applicant through three distinct phases, each of which will help Housing Services, Partners and applicants themselves, to understand their housing need; and ensure Social Housing is accessible to those most in need, and that the strategic priorities of all partners can be achieved.

1. Identifying Housing Need

The proposed policy follows legislation as set down in s.167(2) of the 1996 Housing Act. The Reasonable Preference Criteria are as follows:

- (i) people who are homeless within the meaning of Part 7 of the 1996 Act.;
- (ii) people who are owed a duty by any local authority under section 190(2), 193(2) or 195(2) of the 1996 Act or who are occupying accommodation secured by any local authority under section 192(3).;
- (iii) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- (iv) people who need to move on medical or welfare grounds, and
- (iv) people who need to move to a particular locality in the area of the local authority, where failure to meet that need would cause hardship (to themselves or to others).

Whilst the policy recognises the reasonable preference criteria, additional needs have been identified locally. These are:

- Under occupation in social rented accommodation within Ceredigion, to address Housing Benefit issues arising from Welfare Reform.
- Adapted housing occupied by tenants without the need for an adapted property, to enable the current stock to better target those in need.
- Applicants who are due to be discharged/ move on from supported facilities and Care. Whilst these applicants traditionally come through homelessness, this addition will allow for a better planned move on.

- Applicants who are in fulltime (or equivalent) employment, within Ceredigion for five years at the point of application, but who satisfy the income thresholds set for Social Housing.

Assessing Non-Reasonable Preference Housing Need

The policy proposal aims to ensure Social Housing is allocated on need, and that applicants who do not fulfil the criteria are fully aware of their housing options, other than socially rented properties. The following criteria are recognised in the non-reasonable preference categories (Bands D – E):

- Inappropriate accommodation, by virtue of lack of garden for children (under eight years), as per the policy currently.
- An applicant whose current housing has a Category 2 Hazards (HHSRS) present that would be minimised by action the tenant could take.
- No disrepair, medical, mental health and/or welfare issues
- Suitably housed_at present

2. Assessing Reduced Preferences

The proposed policy offers a more robust assessment of applications in relation to the reduced preference criteria. The criteria are as follows:

- A history of arrears in Social Housing and Local Authority housing, up to and including five years ago. This applies also to the Private Rented Sector but in recognition of the additional work that including the Private Rented Sector in this assessment, it would be limited to either the last five years or the previous three Private Sector tenancies.
- A history of persistent Anti-Social Behaviour that is judged serious enough to preclude an applicant or a member of the applicant's household from sustaining a tenancy, as per the Housing act 1996 s167(2B)
- The refusal of one reasonable offer, assessed as 'suitable' in accordance with The Housing Act 1996 193(5). This standardises the manner in which refusals are dealt with between homelessness and general needs applicants, as well as acts upon the growing demand on Social Housing, and the need to allocate based on need rather than choice.
- No local connection as per the allocations policy (excluding Homelessness applicants with full duty)

- Applicants whose current application form is under investigation for HHSRS issues. Applicants remain within this band up to and including a period of nine weeks.
- Applicants with equity and savings of more than £75K and/or a household income of more than £25K. This is a response to the lower than average wages earned in Ceredigion. The policy targets Social Housing for working people earning below the median annual wage for Ceredigion, and people who do not have the equity to enable them to access other forms of housing and/or affordable housing options. The exception to this criteria is for older persons seeking sheltered/extra care accommodation. The equity and income criteria should preclude their access from older person's accommodation.

3. Assessing for Local Connection

The policy strengthens the criteria for Local Connection and aligns with the s.106 Local Connection policy. To satisfy Local connection criteria an applicant will be any of the following:

- A person who has resided in the Local Authority area for five years from the date of application to the Register. The five year period aligns with the s.106 criteria, but raises the threshold by insisting that the applicant has resided in the County for five years immediately prior to the application being submitted. This ensures that the housing needs of existing residents are taken into consideration first.
- In recognition of the importance of supporting economically sustainable communities, a person who is presently employed In Ceredigion, on a full time equivalent basis, but excluding seasonal contracts, for the previous three years, from the date of application.
- Has close family (parents or parental equivalent or brothers and sisters) in Ceredigion, resident there for at least 10 years.
- As per legislation (to be enacted), is an ex-service personnel or a serving member.

Review and Management Decisions

Once a person is banded in accordance to the three stages, their options are far clearer.

- Applicants in Bands A – C are in the position to be considered in the first instance, for Social Housing. This is a result of them satisfying one or more

reasonable preference categories, or fulfilling the criteria for an agreed Locally agreed target group.

- Applicants in Band D – E are eligible for other forms of Affordable Housing options, and will be signposted to the Affordable Housing register. The policy does not preclude applicants in Band D and E from Social Housing allocations, especially in hard to let areas.
- Applicants who are in the Reduced Preference band (F) are entitled to an annual review of their circumstances, to enable any changes in circumstance (i.e. local connection criteria, and arrears account) to be adjusted as per the policy.
- In order to reflect urgent needs, as per the current policy, management decisions can be used to expedite applicants, in exceptional cases, where failure to do so would cause immediate hardship, detriment, or danger. Examples could include imminent discharge from hospital. Whilst points will no longer be available to perform this function, the ability to re-band or change time-waiting could be used.

Bands – At a Glance

Band A

- High medical/ mental health / welfare (including Learning Disabilities) needs for one or more people.
- A Ceredigion Social Housing tenant occupying an adapted property for which they have no need.
- A Ceredigion Social Housing tenants under-occupying current accommodation by two or more bedrooms
- In full time (or equivalent) employment in Ceredigion, for the previous five years, prior to the date of application.
- Multiples of Band B

Band B

- Medium Medical/ mental health and/or welfare needs including learning disabilities
- Homeless - full duty
- Planned discharge/ move-on from institution, Supported project and/or Care system (excluding prison).

- A Ceredigion Social Housing tenants under-occupying current accommodation by one bedroom
- An HHSRS 'band C', Cat 1 Hazard or more than 2 Cat 2 ***
- A Ceredigion housing tenant who is overcrowded by two or more bedrooms
- Multiples of Band C

Band C

- Low medical/ mental health and/or welfare needs including learning disabilities
- Homeless but not full duty
- Category 2 HHSRS issue ***
- A Ceredigion housing tenants who is overcrowded by one bedroom.
- To meet the need to support or be supported in Ceredigion.
- Economic factors / Key Workers - move closer to work (full time/ permanent position)

Band D

- Inappropriate accommodation, by virtue of lack of garden for children (under eight years)
- Cat. 2 Hazards present that would be minimised by action the tenant could take.

Band E

- No disrepair, medical, mental health and/or welfare issues
- Suitably housed at present

Band F

- History of arrears - RSL LA and PRS
- History of persistent Anti Social Behaviour
- Refused one reasonable offer.
- No local connection as per allocations policy (excluding Homelessness applicants with full duty)

- Equity and Savings of +75K and/or earning above the Median household income
- *** Identified hazard that is being addressed through HMO/ Licensing. (9 weeks)