

HOUSING ALLOCATIONS POLICY

Housing & Health Advisory Committee - 27 November 2018

Report of Chief Officer, Communities & Business

Status For Consideration

Also considered by Cabinet - 6 December 2018

Council - 26 February 2019

Key Decision No

Executive Summary: It is necessary to revise the Sevenoaks District Housing Allocations Policy to incorporate changes in legislation and to ensure that social housing allocations prioritise those with the greatest housing need. Members are asked to approve the Housing Allocations Policy, set out at Appendix B.

This report supports the Key Aims of providing the right support at the right time and reducing health inequalities and improving health and wellbeing for all.

Portfolio Holder Cllr. Michelle Lowe

Contact Officer Hayley Brooks, Ext. 7272

Recommendation to Housing & Health Advisory Committee: That Members agree the recommendation to Cabinet below.

Recommendation to Cabinet: That Members recommend to Council approval of the Housing Allocations Policy.

Recommendation to Full Council: That Members approve the Housing Allocations Policy.

Reason for recommendation: The Council has a legal requirement to produce a Housing Allocations Policy in line with current housing and homelessness legislation. Updates are required to the existing Policy due to legislative changes and to reflect the current demands for social housing.

Introduction and Background

- 1 All local authorities with responsibility for housing are required by law to publish a Housing Allocations Policy, which sets out how social housing properties will be allocated to those in priority need. The Council must

ensure that the District's Housing Allocations Policy complies with all legislative requirements, case law, national and local housing policies.

- 2 When producing this Policy, this Council must ensure that it clearly details how social housing will be allocated, to comply with Part 6 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and Homelessness Reduction Act 2017). The Localism Act 2011 introduced significant amendments to Part 6 of the Housing Act, giving housing authorities greater powers when allocating social housing locally, based on local housing and priority needs.
- 3 This Council's Social Housing Register and waiting list is operated by West Kent Housing under a series of Service Level Agreements. This arrangement has been in place since the social housing stock transfer in 1989. This Council remains legally responsible for the District's Housing Allocations Policy. This includes ensuring the Policy is up to date and adhered to, when social housing is allocated through the Housing Register.
- 4 The Housing Allocations Policy was last approved by Cabinet on 3 August 2006, with minor wording amendments in 2014 and 2016 approved by Portfolio Holder Decision. The draft version of the updated Housing Allocations Policy was approved for consultation by Members of the Housing and Health Advisory Committee on 27 February 2018.

Updated Housing Allocations Policy and Consultation

- 5 Following Member approval of the draft Policy in February 2018, a six week public consultation was held between 26 March 2018 and 7 May 2018 to seek the views of partners, housing applicants and members of the public on the proposed changes to the Policy.
- 6 The consultation asked people to comment on the changes and state whether they agreed or disagreed with each Policy change. An overview of the main changes include:
 - Eligibility and Qualification - updates to existing criteria including local connection, income limits, exclusions and exemptions;
 - Allocating properties - adding clearer criteria for bidding and offers;
 - Priority needs - Updates to the Banding scheme criteria and definitions for those with a housing and priority need.
- 7 An online survey was widely promoted to key partners and sent to over 90 key voluntary sector organisations, statutory agencies and housing providers. The survey was also sent to all current Housing Register applicants on the waiting list for social housing, published on the Council's website and featured in the Council's In-Shape magazine. Hard copies of the survey were posted out on request.
- 8 As part of the consultation, workshops were held with 18 representatives from key partner organisations including housing associations, voluntary

sector organisations and Members. Their comments have been taken into consideration for the final version of the Policy.

- 9 In total, the Council received 163 responses to the survey, with 86% completed by individuals and 13% completed by organisation representatives. Overall, 88% of the responses stated that they agreed or selected 'maybe' to the changes and 8% disagreed (the remaining 4% of answers stated 'not applicable').
- 10 A summary of the consultation survey responses to each question is attached at Appendix A.
- 11 The updated and final version of the Housing Allocations Policy is attached at Appendix B.

Implementation of the revised Policy

It is intended that the new policy will be used to allocate new applications to the register with effect from 1st April 2019 and to reassess existing registrations when they become due for their Annual Review.

Any future minor changes or amendments, to ensure the Policy complies with current legislation and operational procedures, would be made through a Portfolio Holder Decision, approved by the Council's Portfolio Holder responsible for Housing.

Key Implications

Financial

The Housing Register is operated by West Kent Housing as part of a new Service Level Agreement at the cost to this Council of £88,000 per annum. This Council is part of the Kent Homechoice Partnership and contributes £10,861 per annum to the partnership for the online Choice Based Lettings System (online bidding and application system for social housing properties). The system is provided by Locata for all Kent local authorities and housing providers.

Legal Implications and Risk Assessment Statement

As a local housing authority, this Council has a legal duty to provide and publish a Housing Allocations Policy in order to comply with Part 6 of the Housing Act 1996 (as amended by the Homelessness Act 2002).

The updated Housing Allocations Policy also takes into account the Government's Code of Guidance for allocating housing. As well as the Council's duties within the Equalities Act 2010, Localism Act 2011 and the new Homelessness Reduction Act 2017.

Risk Assessment Statement - The following risks have been assessed with the knowledge and detail available to the Council at the time of writing this report:

Risk	Likelihood	Impact	Total	Comments and controls
That the Housing Allocations Policy does not comply with housing and homelessness legislation resulting in a possible legal challenge by applicants	1	4	4 Low	The revised Policy takes account of the Government's Code of Guidance for allocating housing and relevant legislations, as stated above.
That the new Policy is perceived to lack transparency and fairness by applicants.	1	4	4 Low	Public, applicants and partner consultations were carried out prior to the Policy being adopted. Detail within the Equalities Act and Code of Guidance were included in the updated Policy. Updated Policy includes clear processes for assessing applications to promote transparency and fairness. It also sets out a clearer outline of review and appeal processes for applicants.
That the new Policy may change the way in which applications are processed.	2	4	8 High	Clearer operational processes and definitions will make the procedures more efficient. Close working with the managing agent will ensure that the updated processes are in place for all applicants.
That the new Policy may change the way in which priority need is assessed, which may impact on those with lower needs.	2	3	6 High	New Policy provides clearer definitions for banding and priority categories in line with legislation. New removal and qualification rules ensure that only people with genuine housing needs are accepted onto the Register. This will result in the waiting list being shorter and vacant properties more available to those with priority housing needs.

Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from

different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The impact has been analysed and does not vary between groups of people. The results of this analysis are set out immediately below.

The updated Housing Allocations Policy will result in clearer definitions and transparency for those with an identified housing need, including reasonable preference groups and protected characteristics. This will provide greater opportunities for people with an identified housing need to join the Sevenoaks District Social Housing Register as well as prioritising those with the greatest need. The Equalities Impact Assessment is set out at Appendix C.

Resource (non financial)

Applications for the Sevenoaks District Housing Register are managed by West Kent Housing's Allocations Team who work closely with this Council's Housing Advice Service. Any changes to the Policy should be managed within existing resources.

Safeguarding Children and Vulnerable Adults

The updated Policy emphasises and provides clearer definition relating to those who are in the greatest need and require social housing. This Policy highlights 'reasonable preference' groups as identified in Section 166A(3) Part 6 of the Housing Act 1996 (as amended). This includes people who may be in priority need of housing due to safeguarding related issues such as: people occupying unsanitary, overcrowded or unsatisfactory living conditions; those with welfare and medical issues relating to a disability; people suffering hardship; and urgent re-housing due to violence. The amended Branding criteria ensures that priority is given to these groups.

Council Housing Officers work closely with West Kent Housing to refer customers using the Council's Safeguarding Policy in relation to any safeguarding concerns. All staff are trained in Safeguarding and keep their knowledge up to date, as well as working closely with the Council's Safeguarding leads.

Conclusions

The Sevenoaks District Housing Allocations Policy has been updated following a consultation period and Members are asked to recommend that this Policy is approved and adopted by this Council.

Appendices

Appendix A - Summary of Consultation Responses

Appendix B - Updated Housing Allocations Policy

Appendix C - Equalities Impact Assessment

Background Papers

[Communities and Local Government - Allocation of accommodation: guidance to local housing authorities in England](#)

[Part 6 of the Housing Act 1996 \(as amended\)](#)

Lesley Bowles
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