

**REPORT TO:** East Lothian Council

**MEETING DATE:** 25 February 2014

**BY:** Depute Chief Executive (Partnerships & Community Services)

**SUBJECT:** Housing Allocations Policy Review 2013/2014

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## **1 PURPOSE**

- 1.1 To seek Council approval of the new Housing Allocations Policy prior to implementation.
- 1.2 To explain the background to, methods undertaken, and the key outcomes of the review.

## **2 RECOMMENDATIONS**

2.1 Members are asked to:-

- (i) Approve the Draft Housing Allocations policy prior to implementation. This has been published in the Members' Library – Ref: 23/14 (February 2014 Bulletin);
- (ii) Approve the implementation date of 1 April 2014;
- (iii) Note that the consultation process undertaken meets the Council's legal requirements as set out by the Housing (Scotland) Act, 2001 and also reflects good practice; and
- (iv) Note that the policy aspect relating to Registered Social Housing Tenants will follow later on in the year after further discussion with our Housing Association partners.

## **3 BACKGROUND**

- 3.1 The main purpose of the Allocations Policy is to meet the Council's legal obligations specified by Allocations and Homelessness legislation. The policy, along with other associated actions, also assists the Council to make best use of Council housing stock. In addition, the policy helps the Council to

achieve, along with other complimentary actions, balanced and sustainable communities through Local Lettings Plans.

- 3.2 The current policy was introduced in July 2007 after extensive consultation. It was subject to further review in 2008, after a year of live running, to ensure that the policy met its stated aims and objectives. However, in the period following the last review there have been significant changes in housing legislation and allocations good practice – with guidance relating to social housing lets being produced by the Scottish Government. In addition, the East Lothian housing context in 2013 has changed significantly since 2007. Consequently, the need to review the allocations policy was recognised in the new Council Plan 2012-2017.
- 3.3 A review team comprising staff from Community Housing, Adult Wellbeing, Children’s Wellbeing, Legal Services, Homelessness and members of the East Lothian Tenants and Residents Panel (ELTRP) was constituted in November 2012 and was charged with the design of a new Allocations Policy that would ensure legal compliance, respond to the East Lothian housing context, promote good practice and help create sustainable communities.
- 3.4 Consultation Process & Feedback
  - 3.4.1 The Council has an obligation under the Housing (Scotland) Act, 2001 to consult with all tenants and Registered Tenants Organisations on any proposed changes to housing related policies, including the Allocations Policy.
  - 3.4.2 The first consultation phase of the review took place in November 2012 and involved an internal survey of staff & stakeholders. Staff feedback identified main themes that were taken forward for consideration by the review team. These main themes also informed the development of the wider public consultation survey.
  - 3.4.3 This first phase also confirmed that staff on the ground felt much of the policy was fair and should not be changed as part of the review; for example, the points levels and local lettings plans. There were, however, strong themes that needed to be considered further, including the setting aside of suitable ground floor properties for those with mobility needs.
  - 3.4.4 The second consultation phase took place from July – September 2013. A written invitation to take part in a survey to review the policy was sent to all current tenants and applicants on the housing list, Tenants & Residents Associations and Community Councils (approx. 13,000). The survey was also promoted on the Council’s Consultation Hub, through the Council tenant Homefront newsletter and was available in local libraries and Council offices.
  - 3.4.5 Over 1,400 (11%) of those sent a copy of the survey responded to register their comments and views.
  - 3.4.6 A public event was also held in Haddington on 17 September 2013 to provide an opportunity for those who wished to ask questions regarding the policy or who wanted further information on the changes. This event was publicised through the Council’s Homefront magazine for tenants and by ELTRP.

- 3.4.7 The findings of both consultation exercises were fully considered by the review team and incorporated into the new policy draft where appropriate. The Council will publish the results of the consultation survey via the Consultation Hub in due course. A copy of the findings will be made publically available as part of the consultation feedback process.
- 3.4.8 Amongst the feedback, it was noted that there was general support for the proposed policy changes along with some understanding of the supply issues and pressures faced by social landlords. However, the feedback also highlighted some continuing misconceptions regarding those groups thought to be given priority for housing.
- 3.4.9 Following approval, the Council will work towards the implementation of the new policy on 1 April 2014. There are some operational changes required to the Council's Housing Management System and supporting literature, i.e. application forms, information leaflets. etc. Allocation processes will also be updated in Nimbus to reflect the changes to allow for staff training and guidance.

### 3.5 Key Outcomes of the Policy Review

#### 3.5.1 **Use of Suitable Ground Floor Property**

- A proposal to set aside all suitable Ground Floor property for allocation to those with mobility needs was considered and agreed on the basis of helping expedite and meet the needs of applicants who have mobility issues.
- Suitable Ground Floor properties are those that do not have existing adaptations but have a ground floor bedroom and bathroom, are rampable or have a maximum of three steps to the front door. Such properties will be classed as '*Adaptable*' (where they are rampable) or suitable for the '*Ambulant Disabled*' (where there are three or fewer steps).
- Where no demand exists from those with mobility needs for this type of property, it will be allocated following normal allocation procedures.
- The Health & Housing Panel will assess applications from those with mobility needs and make awards based on supporting evidence, suitability of current housing and future housing needs.

#### 3.5.2 **Areas of Choice**

- A proposal to remove the current restrictions in relation to the number of areas an applicant must select in a main town in their application for housing has been considered and agreed.
- Previously, as a minimum requirement, an applicant was required to select two areas within a main town in order to maximise their opportunity for housing. This was due to levels of Council housing being low in some areas - particularly of larger properties and in some villages where there was no longer Council stock.

- Following removal of this restriction, an applicant will be able to select as many or as few areas for housing as they wish. The applicant will be advised of stock and turnover in the areas they have selected to enable them to make an informed decision regarding any impact this may have on their housing prospects.
- Applicants that have been accepted for re-housing under Homelessness legislation will meet with the Council after a period of 12 months to discuss widening their areas of choice should no offers of housing have been made to them during that time.

### **3.5.3 Number of Offers**

- As a part of a review of the Allocations Policy in 2007, and in response to the high demand for social housing and pressure to turn around properties quickly, the Council introduced a limit on the number of offers made to applicants for housing.
- As demand continues to increase, it is proposed to further reduce the number of offers made to applicants from three to two 'reasonable' offers. A 'reasonable' offer is one that meets the applicant's requirements, in terms of size, property type, area of their choice and any assessed health needs. Should an applicant refuse the second offer, their application would be suspended for a period of 12 months.
- Applicants that have been accepted for housing under Homelessness legislation will be made one reasonable offer of housing. Should this offer be refused, the homeless priority would be removed. Any further offers would depend on the applicant's remaining levels of housing need. If a subsequent offer is made and refused by the applicant, their application would be suspended for 12 months.
- It is proposed that, from the policy implementation date, the number of offers an application has received will be reset - all applications will be considered to have received no offers.

### **3.5.4 Discharge from Prison**

- Feedback from the staff and stakeholder consultation suggested that the weighting given to those discharged from prison (and requiring risk assessment) was too high and should be reduced from 80 points to 40 points – giving those applicants a similar priority to those who have lost their home in the private rented sector. This proposal was strongly supported in the public consultation.
- At the time of writing this report there were no applicants on the Council's housing list that would be affected by this change.

### 3.5.5 Registered Social Housing Tenants

- It was proposed that the tenants of East Lothian Housing Association and Homes for Life Housing Association be accepted onto the Council's housing list as transfer applicants.
- Feedback from the public consultation survey suggests that there is strong support for this proposal. However, the survey feedback also suggests that there was a general misconception that this would be an automatic reciprocal arrangement between the Council and the housing associations. Formal discussions with both housing associations have begun to progress this arrangement.
- This element of the policy has been agreed in principle but further discussions are necessary and this will mean a longer implementation date.
- Once an agreement is reached with the Housing Associations, a further report will be prepared for Elected Members.

### 3.6 Implementation

3.6.1 The proposed 'go live' date for the Allocations Policy is 1 April 2014.

3.6.2 The literature supporting the policy; e.g. application form, guidance information and leaflets, have been updated to reflect the changes.

3.6.3 Prior to 'go live,' all existing applicants on the housing list will be contacted in writing and informed of the policy changes. The letter will also invite applicants to contact the Council to update the details held against their housing application.

3.6.4 Training has been provided for staff and the Nimbus process maps and procedures have been updated where necessary.

## 4 **POLICY IMPLICATIONS**

4.1 Approval of the new policy will ensure that it continues to comply with good practice and current legislation.

4.2 The new policy, when approved, will meet one of the Council Plan 2012-2017 objectives.

4.3 The new Allocations Policy has identified the links to, and is cognisant of, other Council housing policies and strategies.

4.4 The policy will be reviewed after a year of live running to assess for operational impacts, alongside any changes that may be required following the enactment of the current Housing (Scotland) Bill.

## **5 EQUALITIES IMPACT ASSESSMENT**

- 5.1 A Combined Impact Assessment has been completed and no negative impacts have been found.
- 5.2 The Impact Assessment has been passed to the Council's Policy Team.

## **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – The costs of developing and implementing the policy will be contained within the Housing Service Development Team budget.
- 6.2 Personnel – None.
- 6.3 Other – None.

## **7 BACKGROUND PAPERS**

- 7.1 Draft Allocations Policy. This Document has been published in the Members' Library; Ref: 23/14 (February 2014 Bulletin).

[http://www.eastlothian.gov.uk/meetings/meeting/5473/members\\_library\\_service](http://www.eastlothian.gov.uk/meetings/meeting/5473/members_library_service)

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