

Members' Library Service Request Form

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Document Title	Council Housing Allocations Policy 2019 - Consultation Exercise

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Additional information:

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Designation	Head of Development
Date	01/03/19

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REPORT TO: Members' Library Service

MEETING DATE:

BY: Depute Chief Executive (Partnerships and
Community Services)

SUBJECT: Council Housing Allocations Policy 2019 –
Consultation Exercise

1 PURPOSE

- 1.1 To outline the findings of the consultation exercise on the proposals for changes to the Council's Housing Allocations Policy.
- 1.2 To outline the key aspects of the consultation process.

2 RECOMMENDATIONS

- 2.1 Members are asked to note the findings of the consultation exercise.
- 2.2 Members are asked to note the scope and methodology of the consultation exercise.

3 BACKGROUND

- 3.1 The Housing (Scotland) Act 1987 (as amended) states that all social landlords have a duty to consult on and set out how they will prioritise the allocation of houses, transfers and exchanges and to publish these rules in an allocations policy.
- 3.2 The Housing (Scotland) Act 2014 requires all social landlords to consult the following groups before making or altering their allocations policies:-
 - Applicants on the housing list;
 - Their tenants;
 - Registered Tenants Organisations;
 - Such other persons as the landlord sees fit.

The law does not specify the extent or type of consultation to be used. However, it is good practice to use a variety of consultation methods. Social landlords should also ensure that they take into account the needs of specific groups, such as disabled people and people with learning and support needs.

3.3 The 2014 Act also requires social landlords to prepare and publish a report detailing the outcomes of the consultation on its allocation policy.

3.4 The Consultation Report can be found at Appendix 1. This Report contains the methodology used and approach taken during the consultation process. As required the report will be placed in the Consultation Hub on the Council's website www.eastlothian.gov.uk.

Consultation Outcomes

3.5 The vast majority of responses/feedback was received via the use of an Allocations Survey which was sent to all of the Groups specified in legislation. Over 12,000 surveys were posted out and over 2,300 replies were received – which is a 19% response rate.

3.6 Other consultation methods included a dedicated email address and Freephone number. A public meeting was held jointly with East Lothian Tenants & Residents Panel in November 2018 to discuss the proposals. There were also articles relating to the consultation in the Council's tenant magazine, Homefront. Social media was used to reach a wider audience, along with the use of local community radio station East Coast FM.

3.7 Analysis of all of the responses/feedback gathered through the various consultation methods noted that there was wide support for all eight of the proposals for change to the Allocations Policy. This analysis forms part of the Housing Allocations Policy – Consultation Report as attached.

4 POLICY IMPLICATIONS

4.1 This action will ensure that the Council meets its legal obligations under the Housing (Scotland) Act 2014

5 INTEGRATED IMPACT ASSESSMENT

5.1 The new Allocations Policy has been through the Integrated Impact Assessment process and no negative impacts have been identified.

6 RESOURCE IMPLICATIONS

6.1 Financial – None.

6.2 Personnel – None.

6.3 Other – None.

7 BACKGROUND PAPERS

7.1 Report to Cabinet – Council House Allocations Policy – March 2019

AUTHOR'S NAME	Douglas Proudfoot
DESIGNATION	Head of Development
CONTACT INFO	James Coutts x 7483
DATE	March 2019

Housing Allocations Policy – Consultation Report

January 2019

look bungalow right old many new pay unfair find parents know ELC priority support
private put council tenants may now paying rent good offered take never
applicants circumstances family way children Council needs one
private rent tenants bedroom houses given etc home time feel
benefits also years old live always years system council
age people sheltered housing house go property
East
Lothian need offered house think cases points due
council house housing list move place rent Please
homeless applied working health help understand will first still
keep application waiting list make points system want issues built disabilities
waiting housing list years change hope buy larger person since flat bedroom stay
elderly use disagree allocated considered

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Introduction

East Lothian Council has a range of policies that set out our overall approach to providing services for our tenants and residents - alongside the relevant performance standards that help to improve the quality and value of those services as part of the Scottish Social Housing Charter.

The Housing Allocations Policy explains how we manage our stock, let our houses and meet our legal obligations as social landlords. The Allocations Policy was last reviewed in 2014, however, following changes brought about by the Housing (Scotland) Act 2014, it was reviewed in 2018.

During this period, staff from various East Lothian Council departments such as Community Housing & Homelessness, Adult Wellbeing, Children's Wellbeing and NHS Lothian worked in partnership with East Lothian Tenants & Residents Panel to discuss the allocations policy and consider the proposals for change. Once finalised these proposals then formed the basis of a wider consultation with our service users.

The consultation period began on the 1st November and lasted until the 31st December 2018.

Legal Background

The Housing (Scotland) Act 2014 outlines the legal duty for all social landlords to set out how they prioritise the allocation of houses, transfers and exchanges and to publish these rules in an allocations policy. The Act states that social landlords are legally required to consult with the following service users before making or altering their allocation policies: -

- Applicants on their housing list
- Tenants
- Registered tenant organisations
- Other stakeholders

The Act also states that once consultation has taken place, social landlords must publish a Consultation Report which details the consultation process, methods, feedback and outcomes.

Consultation Methods

Audience	Method	Aim
Tenants	Letter directly to all tenants (8,600+)	To provide information regarding the consultation process & advise of the proposed changes. Include allocations survey form and invitation to comment/feedback. Invitation to attend public consultation event held jointly with East Lothian Tenants & Residents Panel.
Applicants	Letter directly to all applicants (3,000+)	
Stakeholders e.g. Other Council depts., RSL partners, NHS, Bridges Project	Email	
Voluntary Organisations e.g. Carers of East Lothian, ELVON	Email	
East Lothian Tenants & Residents Panel	Email	
Tenants & Residents Association	Email	
General Public	Public Event	

Stakeholder Event	Consultation event (part of the Housing Forum)	Enable stakeholders to comment on the key policy changes
General Public	Radio Advertising via East Coast FM	Raising awareness of the consultation & public event
	Social Media	ELC Facebook & Twitter feeds – highlighting the consultation
	Freephone Number	Leave feedback or request call back. Area housing offices were involved in responding to general enquiries.
	Dedicated email address	For further information & feedback. Area housing offices were involved in responding to general enquiries.
	Dedicated web page	Publish information, draft policy & supporting documents
	Survey Monkey	To enable online survey responses & statistical analysis

Survey - Proposals for Change

Towards the end of October 2018, a letter outlining the proposed changes to the allocations policy was delivered to over twelve thousand tenants and applicants on the Council's housing list. The letter signposted where to go for further information, outlined the various ways to become involved and provided details of the public consultation event – which was held jointly with East Lothian Tenants & Residents Panel as part of their Annual General Meeting in November 2018.

The letter also enclosed a copy of the consultation survey, which asked for comments/feedback on eight specific aspects of the proposed changes:-

1. Overcrowding
2. Bedroom Size
3. Applicants accepted for housing under homelessness legislation
4. Home Ownership
5. Application Suspensions
6. Insecurity of Tenure
7. Homelessness – review of areas of choice
8. Transfer applicants in a shared stairway

By the end of the consultation period over 2,300 (19%) completed surveys were returned via Royal Mail (68 were completed online). The paper surveys were entered into a web based analytical tool for further statistical analysis.

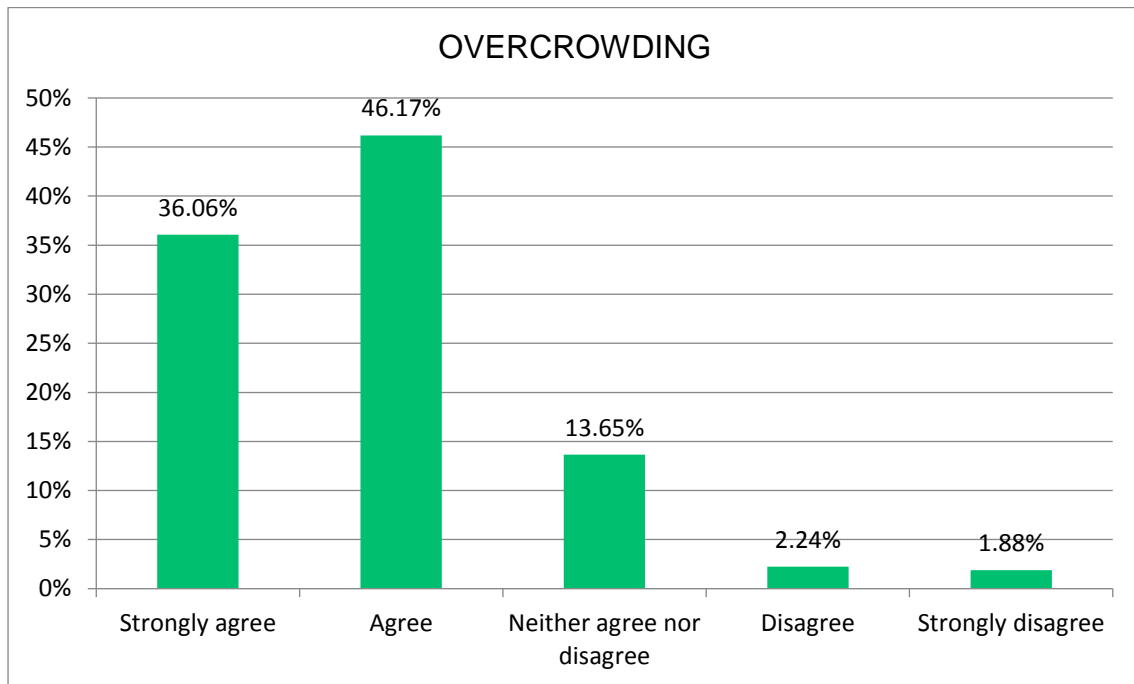
All comments/responses from the completed surveys were then considered by the Allocations Working Group, which in turn informed the final direction of the Council's Housing Allocations Policy.

Consultation Survey Analysis

After analysis of the consultation survey returns, it was noted that there was majority support from respondents for all eight proposals for change. The following graphs and tables document each survey question by number of responses.

Question 1. Overcrowding

Currently we give four overcrowding points where physical overcrowding exists for every extra bedroom a household requires over and above the number they currently have for their own use. We propose to increase the level of overcrowding points to eight per extra bedroom required when there are two children of different sex currently sharing a bedroom, one of whom is aged ten years or over. This is to acknowledge the greater pressure overcrowding creates in these circumstances. Do you agree that overcrowding points should be higher in these circumstances?

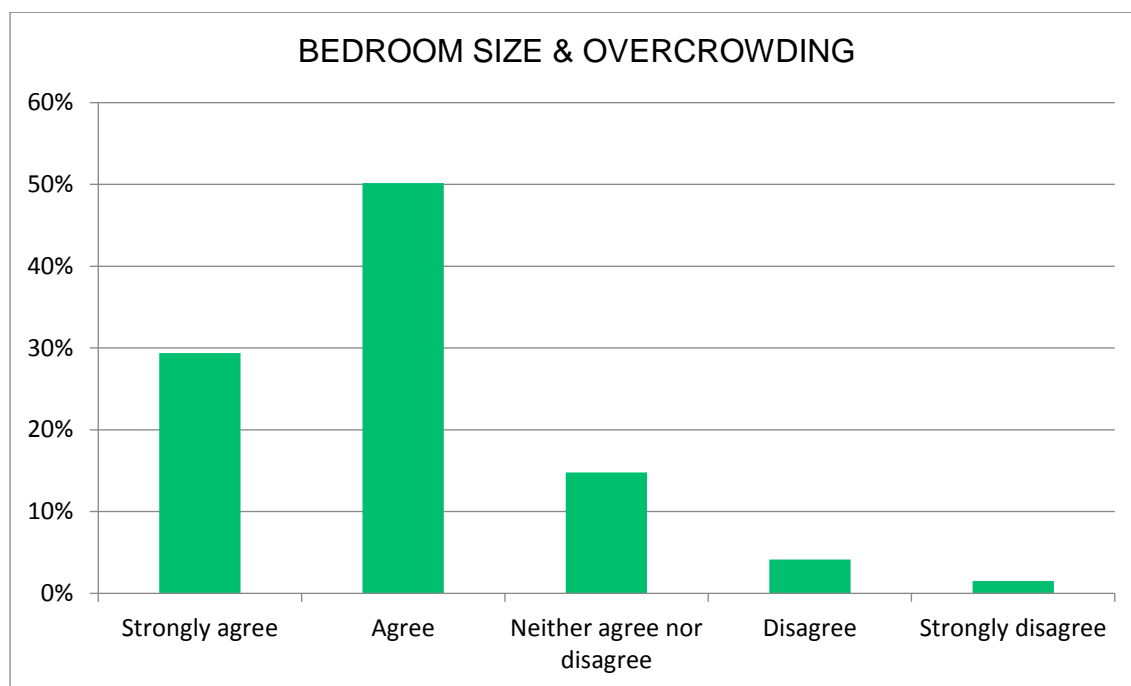


Answer Choices	Responses	
Strongly agree	36.06%	806
Agree	46.17%	1032
Neither agree nor disagree	13.65%	305
Disagree	2.24%	50
Strongly disagree	1.88%	42
Please make any additional comments here.		131
Answered		2235
Skipped		80

Question 2. Bedroom Size & Overcrowding

In most family sized houses, the bedrooms are suitable for two people. However, there are some bedrooms that cannot be considered suitable for more than one person.

In these circumstances, do you think it is appropriate to award overcrowding points if they are being shared? (Whether a bedroom is suitable for one or two people will be determined by housing legislation).



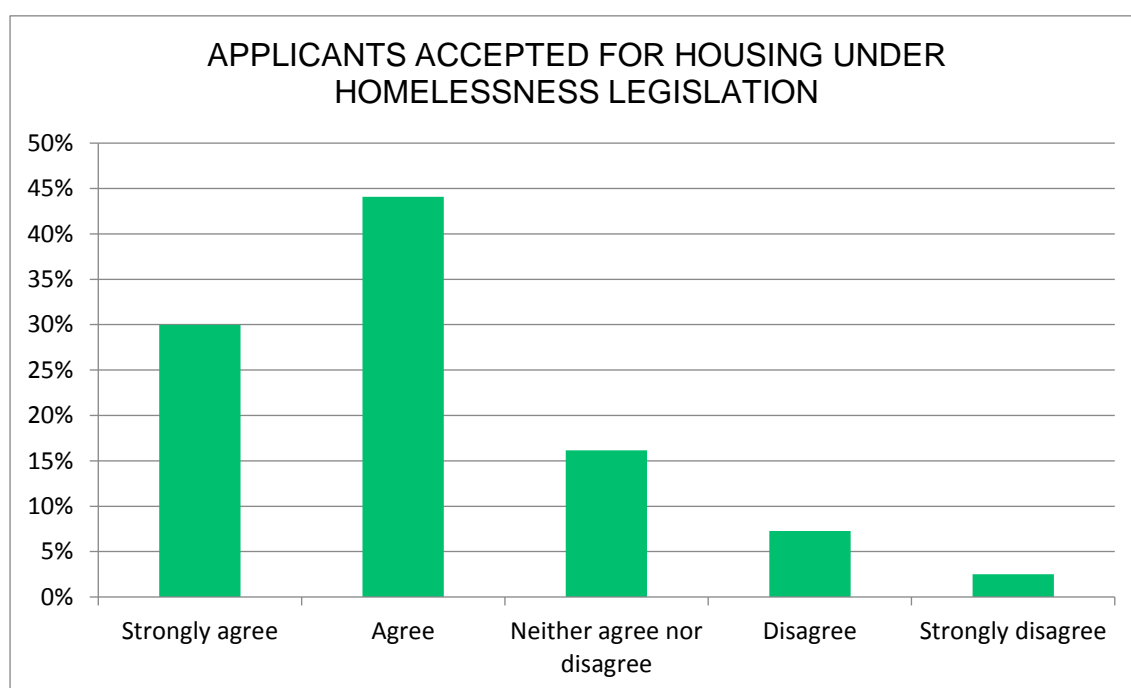
Answer Choices	Responses	
Strongly agree	29.40%	662
Agree	50.18%	1130
Neither agree nor disagree	14.79%	333
Disagree	4.13%	93
Strongly disagree	1.51%	34
Please make any additional comments here.		95
	Answered	2252
	Skipped	63

Question 3. Applicants Accepted for Housing Under Homelessness Legislation

Our Allocations Policy currently awards varying levels of points depending on the applicant’s reason for homelessness – this was to reflect the urgency of the applicant’s need for re-housing but can mean that some applicants are waiting for longer and other homeless applicants can be offered rehousing ahead of them.

We propose to introduce a flat rate of points for all applicants accepted for housing under homelessness legislation. Applications would receive the same number or points and be offered housing ordered by the date of their acceptance. This would prevent newer applications being housed ahead of older applications.

Do you agree that all applicants accepted for housing under Homelessness legislation receive a flat rate of points and are offered housing by date order thereafter?

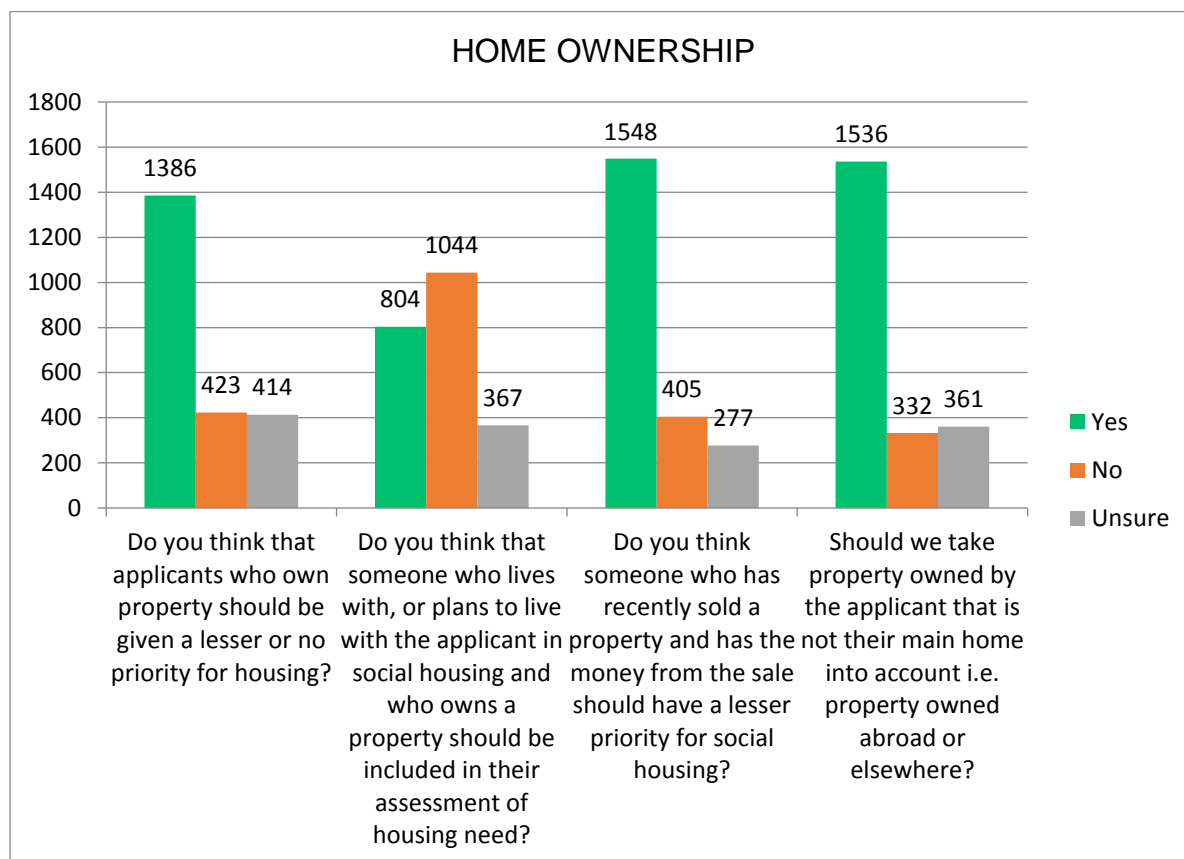


Answer Choices	Responses	
Strongly agree	29.98%	673
Agree	44.10%	990
Neither agree nor disagree	16.17%	363
Disagree	7.26%	163
Strongly disagree	2.49%	56
Please make additional comments here.		194
Answered		2245
Skipped		70

Question 4. Home Ownership

Currently we are unable to take home ownership into consideration. Changes to the Housing (Scotland) Act 2014 now allow us to take home ownership into account when assessing an applicant’s priority for social housing. This can be the ownership or value of property that is owned by the applicant or a member of their household or someone who intends to live with them.

We can also consider land ownership, as well as anything built on land and property that is currently owned or that has been previously owned in Scotland, the UK or abroad. This applies to tenants who are looking for a transfer as well as new applicants.



	Yes	No	Unsure	Total			
Do you think that applicants who own property should be given a lesser or no priority for housing?	62.35%	1386	19.03%	423	18.62%	414	2223
Do you think that someone who lives with, or plans to live with the applicant in social housing and who owns a property should be included in their assessment of housing need?	36.30%	804	47.13%	1044	16.57%	367	2215
Do you think someone who has recently sold a property and has the money from the sale should have a lesser priority for social housing?	69.42%	1548	18.16%	405	12.42%	277	2230
Should we take property owned by the applicant that is not their main home into account i.e. property owned abroad or elsewhere?	68.91%	1536	14.89%	332	16.20%	361	2229
					Answered		2447
					Skipped		68

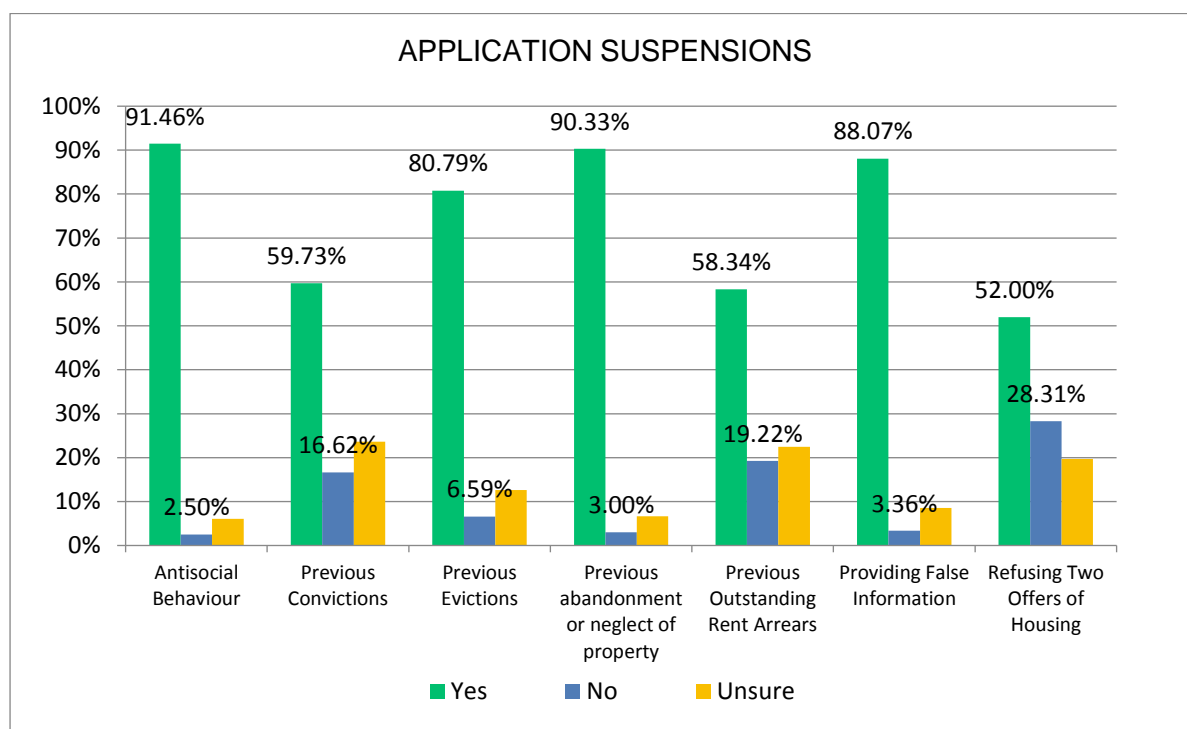
Question 5. Application Suspensions

East Lothian Council can now by law, suspend any new application for up to a maximum of three years to prevent them from receiving an offer of housing from the date they apply. There are several reasons when this can happen:-

- The applicant has acted in an antisocial manner
- The applicant has certain previous convictions
- The applicant has been previously evicted on certain grounds
- A previous tenancy was abandoned or neglected
- There were outstanding rent arrears relating to a previous tenancy
- The applicant made false statements in their housing application
- The applicant has refused more than two offers

Sufficient evidence to suspend must be provided and the applicant can appeal the landlord’s decision to suspend them and they have the right to appeal to the Sherriff Court.

Do you think it is appropriate to suspend an applicant for a reasonable period for the above reasons?

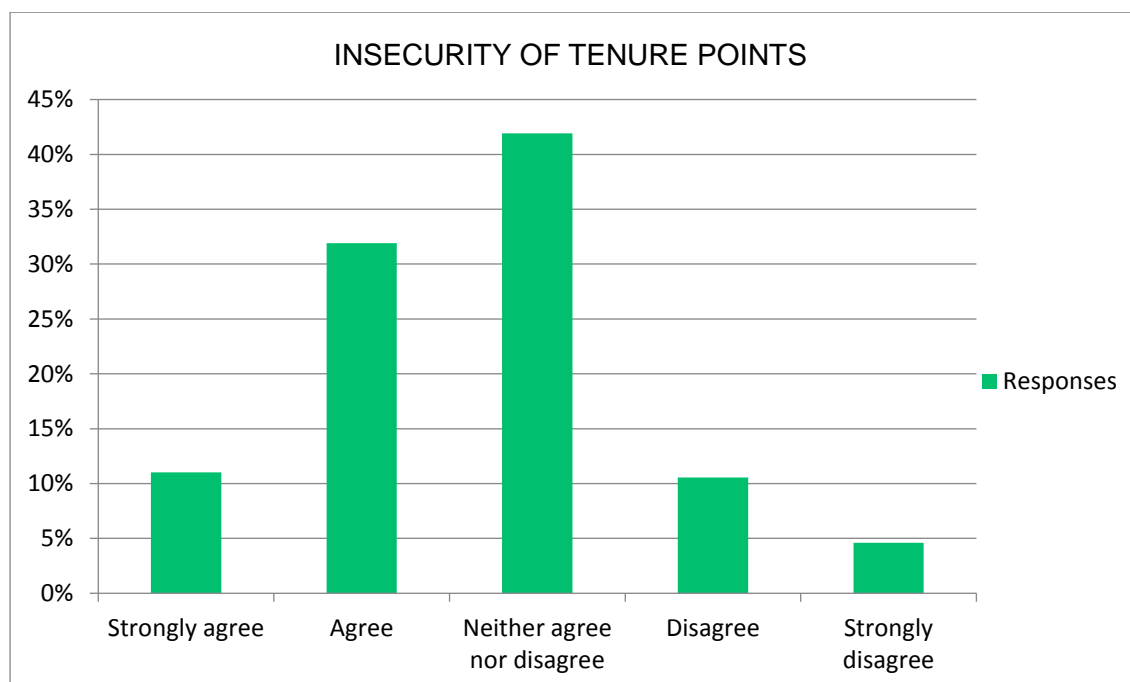


	Yes	No	Unsure	Total
Antisocial Behaviour	91.46% 2045	2.50% 56	6.04% 135	2236
Previous Convictions	59.73% 1308	16.62% 364	23.65% 518	2190
Previous Evictions	80.79% 1766	6.59% 144	12.63% 276	2186
Previous abandonment or neglect of property	90.33% 1989	3.00% 66	6.68% 147	2202
Previous Outstanding Rent Arrears	58.34% 1290	19.22% 425	22.43% 496	2211
Providing False Information	88.07% 1942	3.36% 74	8.57% 189	2205
Refusing Two Offers of Housing	52.00% 1146	28.31% 624	19.69% 434	2204
			Answered	2248
			Skipped	67

Question 6. Insecurity of Tenure

In December 2017 the Scottish Government introduced a new type of secure tenancy agreement for use by private landlords & tenants. This new agreement offers more security for those renting privately:-- they are open ended and have no set length - the landlord cannot ask their tenant to leave because they have been in the property for six months- there are longer notice periods, if the tenant has been in the property for six months, they will be given a minimum of 84 days notice to leave- the rent can only be increased once a year, with 3 months prior notice given.

Given this tenancy is now more secure, we propose to remove insecurity points from applications with a new private residential tenancy agreement only. (Note: Insecurity points will still be applied to those applications who have an assured or short assured tenancy). Do you agree that tenants with a new private residential tenancy have more security, therefore, the insecurity needs factor should not be applied to their application?



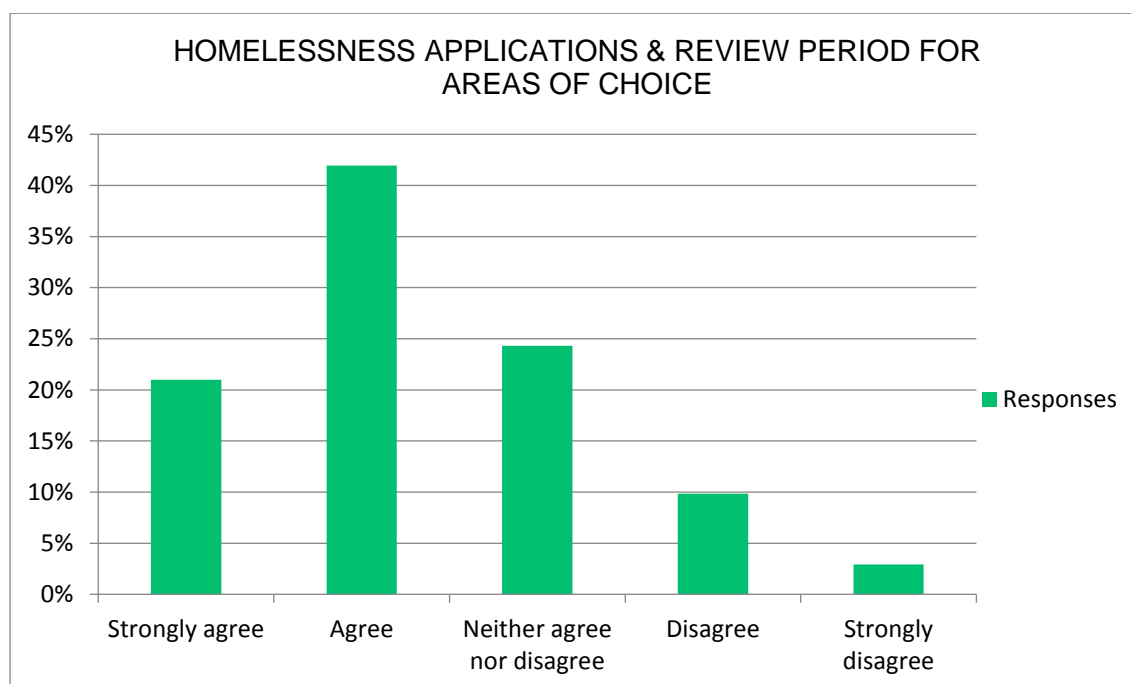
Answer Choices	Responses	
Strongly agree	11.01%	244
Agree	31.90%	707
Neither agree nor disagree	41.92%	929
Disagree	10.56%	234
Strongly disagree	4.60%	102
Please leave additional comments here.		131
	Answered	2216
	Skipped	99

Question 7. Homelessness Review Period

From November 2017, applicants that had been accepted for rehousing under homelessness legislation were asked to review the areas of choice contained in their application for housing if they had not received an offer within six months.

Given their urgent need for rehousing it was reasonable that following the review they are asked to select at least one main town and all suitable property types & sizes within that area - with a view to maximising their housing options. Due to the low turnover of lets available as a whole (493 lets across East Lothian in 2017/18), we propose that this should continue.

Do you feel that after a period of six months, that obtaining good quality, secure and affordable property should take precedence over being able to wait for a particular area and property type?

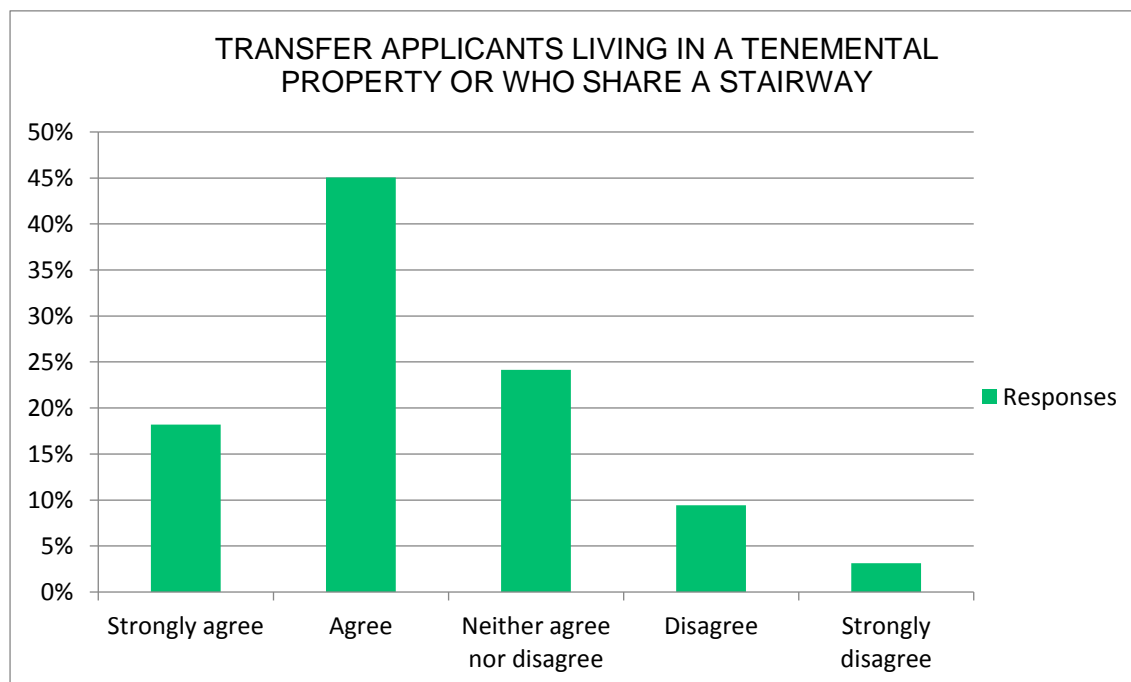


Answer Choices	Responses	
Strongly agree	20.99%	467
Agree	41.93%	933
Neither agree nor disagree	24.31%	541
Disagree	9.84%	219
Strongly disagree	2.92%	65
Other (please specify)		161
Answered		2225
Skipped		90

Question 8. Transfer Applicants who share a stairway

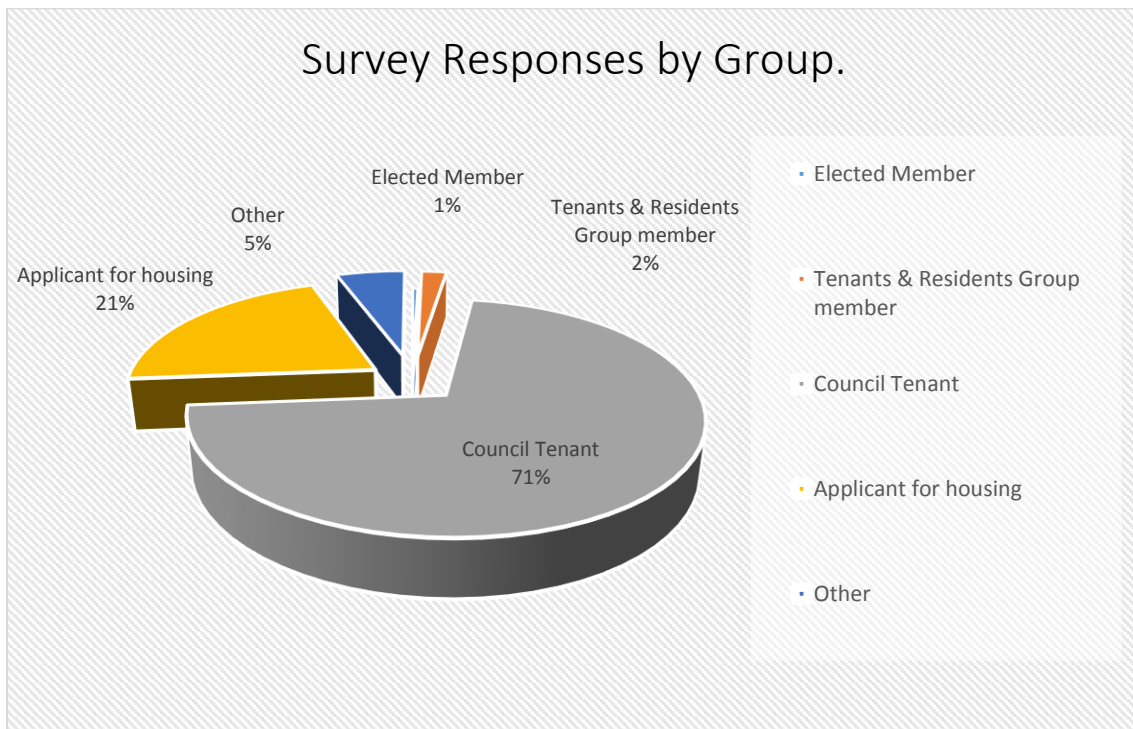
Some applicants already live in an East Lothian Council tenemental flat or a flat with a shared stairway. These Council tenants may wish to move from their flat to another type of Council property. It is proposed to award four points to those tenants with children aged 5 or under, when they apply to transfer to another property, and award three points to all other tenants who live in this type of flat.

Do you agree with this proposal to enable existing tenants in flats with shared stairways to move?



Answer Choices	Responses	
Strongly agree	18.20%	401
Agree	45.07%	993
Neither agree nor disagree	24.15%	532
Disagree	9.44%	208
Strongly disagree	3.13%	69
Please make additional comments here.		150
Answered		2203
Skipped		112

Survey Responses by Service User Group



Client Group	Total
Elected Member	9
Tenants & Residents Group member	44
Council Tenant	1607
Applicant for housing	472
Other	121
If other, please note here	41
Answered	2253
Skipped	159

Public Event – East Lothian Tenants & Residents Panel AGM

The letter sent to tenants, applicants & stakeholders in October 2018, included an invitation to attend a public meeting to be held jointly with East Lothian Tenants & Residents Panel as part of their Annual General Meeting on the evening of 6th November 2018.

Over forty people attended the meeting, where Community Housing Staff gave a short presentation on the legal background to social housing allocations, along with the proposals for change. This was followed by a questions and answers session.

Stakeholder Event – Housing Forum

East Lothian Council regularly hold a topical discussion event for local housing professionals and stakeholders e.g. registered social landlords, third sector organisations etc., called the Housing Forum. At the meeting of 15th November 2018, the eight proposals for change were tabled and discussed by those who attended. Copies of the supporting documentation, consultation survey and draft policy were available to delegates.

Feedback received from the event was positive and supported the proposals for change.

Social Media

The use of social media can reach a different demographic than written surveys or public meetings. East Lothian Council have successfully used social media such as Facebook and Twitter in previous consultation exercises. During the consultation period posts and tweets were placed on the Council's news feeds to reach a wide an audience as possible.

Consultation Findings

As noted previously, there have been good levels of support for all of the proposed changes to the housing allocations policy and the majority feedback across all of the consultation methods used has been positive.

This feedback has provided East Lothian Council with a mandate to progress with the proposals for change

Consultation Register

Over 1,650 comments were recorded as part of the consultation process. Details of all feedback received across the various consultation methods e.g. email, freephone, survey etc., have been noted and responded to by Community Housing Staff and will form part of the Consultation Register which is available on the Council's web page & Consultation Hub.