

Social Housing Allocation

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| Lead Member/Relevant Portfolio Holder | Leader of the Council & Portfolio Holder for Housing, Leisure & Landlord Services |

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| Corporate Priority: | Theme 2: High quality council homes and landlord services |
| Wards Affected: | (All Wards); |
| Date of consultation with Ward Member(s): | N/A |
| Exempt Information: | No |

1 Summary

- 1.1 This report provides an update on the following areas:
- 1.2 An understanding of how a customer can be considered for social housing allocation
- 1.3 How the council carries out the function of allocating all social housing properties
- 1.4 The demand on the waiting list over the last 2 years
- 1.5 The changes made to the council's allocations policy since 2021.

2 Recommendation

That Scrutiny Committee

- 2.1 considers the report and provides comments for reflection by Cabinet ahead of the approval of the new allocations policy.

3 Reason for Recommendations

- 3.1 To enable the Scrutiny Committee to fulfil its responsibilities in relation to scrutinising matters relating to social housing allocations, on behalf of the Council.

4 Background

- 4.1 Applications for and allocations to social housing in Melton (including both social and affordable rent) are administered through a Choice Based Lettings (CBL) scheme known as Melton Home Search.
- 4.2 The allocations policy, outlines how the scheme works, sets out how properties are advertised, who can bid, how bids are made and how lettings and offers of accommodation are made.
- 4.3 A draft version of the policy is included at Appendix 1.
- 4.4 The policy does not cover the allocations of social housing made outside the Melton Home Search CBL system. For example:
- i. Mutual exchanges
 - ii. Right to Buy
 - iii. Temporary decants to another property
 - iv. Introductory tenancies becoming secure tenancies
 - v. Succession to a qualifying person after a tenant dies
 - vi. Offers of tied accommodation to Council employees
 - vii. Tenancies changed by a Court Order (Matrimonial and Children)
 - viii. Local lettings policies.

5 Main Considerations

- 5.1 The **Housing Options Function** is comprised of the following officers:
- 5.1.1 Strategic Lead, Supporting Communities - Rachel Chubb is responsible for managing the team and ensure delivery of objectives which contribute towards the Council's homelessness strategy and that the team adheres to the council's housing allocations policy.
- 5.1.2 Rachel is also the Council's Lead Officer for Resettlement & Asylum, Domestic Abuse and Care Leavers. These service areas are outside the scope of this report.
- 5.1.3 Housing Options Officer (HOO) – Michelle Partridge is responsible for delivering the council's homelessness statutory duties. Michelle has worked in the Housing Options team for 16 years
- 5.1.4 Housing Options Officer (HOO) – Oliver McElroy is also responsible for delivering the council's homelessness statutory duties. Oliver was recruited to the role in Nov 2023. Whilst never formally working in a local authority environment his experience is with rough sleepers and chaotic homelessness via a homeless charity in a 56-bed hostel in Nottingham.
- 5.1.5 Housing Options Officer (HOO) – Jim McGarvey is also responsible for delivering the Council's homelessness statutory duties. Jim was recruited to the role in Nov 2023. Jim was a long serving police officer working with Leicestershire Police in Public Protection

(MOSOVO) and Major Investigation teams. He has also worked for a specialist housing provider managing tenancies for people with complex needs.

5.1.6 Temporary Accommodation Officer (TAO)– William Frost. William was recruited to the role in Oct 2023 with experience of providing support to people facing unemployment. He is responsible for managing the moves in and out of people in temporary accommodation and working with customers to reduce stress and anxiety during this process.

5.1.7 Housing Options Support and Systems officer – Nicholas Evans. Nick has worked for Melton Borough Council for 11 years but has worked with the Housing Options team for 7. Nick’s role is to maintain the administration of the housing register, shortlist applicants for properties and ensure the IT system meets the needs of the team.

5.2 The Allocations Policy

5.2.1 The Melton Home Search housing allocations policy details the criteria for how someone can be accepted onto the housing register. The allocations policy is a set of rules that decide who can apply for rented accommodation through the Council.

5.2.2 The policy takes account of the Council’s statutory duties and ensures that priority is given to applicants in the greatest housing need and makes best use of the homes available to let.

5.3 Applications to the housing register

5.3.1 To apply for social housing in the Melton borough the following must apply:

- i. There must be a housing need. This could range from affordability in their current property, overcrowding, trapped in a house due to medical reasons, to fleeing domestic abuse. Anyone who is deemed as adequately housed would not be permitted to apply. Adequately housed would mean secure, financially viable, meets guidelines for space requirements and free of Category 1 hazards.
- ii. The applicant needs to not have been engaged in unacceptable behaviour which has caused them or would have caused them to lose a tenancy.
- iii. The applicant needs to have paid their rent on previous addresses or provided reasons why this was not possible.
- iv. The Council owe a statutory homeless duty which means they have not made themselves intentionally homeless from their last address and have a local connection as stated in the Housing Act 1996 as amended by the Homelessness Act 2002.
- v. Local Connection – a person can only be accepted onto the housing register if they have lived in the borough for 2 years OR been employed in the borough for 12 months OR need to provide or receive support to/from someone in the borough.

5.4 Banding criteria:

5.4.1 The banding criteria stands currently as below. Applicants are placed into these bands based on the circumstances they tell us about.

5.4.2

| Priority | High | Medium | Low |
|-------------------------|---|---|--|
| Urgent medical priority | Owed a Homeless relief duty and likely to be owed Main duty | Homelessness Prevention with a Local Connection and | Only those aged over 60 who are adequately |

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|--|---|--|---|
| | | likely to be owed main duty | housed but want to move to a hard to let MBC sheltered scheme |
| Home is subject to a demolition order or regeneration scheme | Personal protection/Harassment | Homeless Prevention without local connection and unlikely to be offered a main duty | |
| Home is subject to Environmental Health action | Move on from supported accommodation when referred by MBC | General overcrowding | |
| Flood or fire | Transfers affected by the under-occupancy housing benefit restrictions | Moderate medical - Home seeker whose household includes a person whose illness or disability is made worse by their present home, and who need to move to improve their condition, but a move is not essential | |
| Statutory overcrowding | Severe Overcrowding incl. gender overcrowding | Welfare need to move - Home seeker who experience hardship in their current accommodation and who need to move to improve their situation, but a move is not essential | |
| Urgent management cases for MBC tenants | Under-occupation – Tenant of partner registered provider and live in Melton Borough | Insecure accommodation – living as a licensee/lodge or sharing accommodation and no security of tenure | |
| Under occupation by 2 or more bedrooms as an MBC tenant | High medical priority | Home seeker aged under 50 with no children and with no other housing need | |
| Adaptations which are no longer required | Foster carers | | |
| Succession where the property is not suitable | Care leavers (time permitted) | | |

5.5 Bedroom Requirement

5.5.1 Applicants can only bid for properties with a specified number of bedrooms. To determine the bedroom requirements for a household the following are considered:

- i. Age and sex of children.
- ii. Specific medical issues of any member of the household which require a separate bedroom.
- iii. The need for an overnight carer.
- iv. Permanent residency of dependents. If the child is not living with the parent for over 70% of a week they will not be considered as a permanent member of the household. The parent would need to be claiming child benefit or other associated benefit for a child. They would not be considered unless evidence was provided confirming residency.

5.6 A Bid Cycle

5.6.1 Properties are advertised every week in a “bid cycle” and for applicants to be successful a bid must be placed. This can be done automatically via the system, online or by ringing the council. Properties are advertised from Thursday 00:02 – Tuesday 23:59.

5.6.2 Whilst properties from other housing providers are advertised. They do have their own criteria which can be outside of the MBC allocations policy. This is largely in relation to level of income, number of people in a property and requirement for adaptations.

5.7 Shortlisting

5.7.1 When the property cycle finishes the bids are sorted in the following order:

- i) By band
- ii) Date of when application was placed into the band
- iii) Date of when application was registered

5.7.2 If a bid has not been placed for a property, an applicant will not be considered.

5.7.3 Applicants will be bypassed for properties and not considered if the property has specific adaptations, they have an auto-bid which has placed a bid for property on the wrong floor or the applicant has requested specific criteria which is deemed reasonable.

5.8 Allocations

5.8.1 For a person to be allocated a property a “sense check” is conducted by the tenancy services team as an extra measure to confirm the applicant meets the needs of the property. This “sense check” includes up to date rent checks, anti-social behaviour checks and checks on potential safety issues that may arise in that area

5.8.2 A pre tenancy interview is then completed with the housing officer and the applicant to ensure the property is affordable, that all information is correct, make aware of location and of potential challenges that may arise.

5.9 Local Lettings Policy

5.9.1 A local lettings policy is a set of guidelines which dictate a lettings criteria for a certain area of properties. They can be introduced in the following circumstances:

- v. Evidence of high levels of anti-social behaviour.
- vi. Where properties are difficult to let - the council could make criteria more flexible.

- vii. Where there is a new build scheme or regeneration scheme underway.
 - viii. In an area deemed appropriate for specific demographic.
- 5.9.2 Local lettings arrangements made by the council must be fair and proportionate to the entire stock within the area. The demand and needs of the borough must also be taken into consideration. It would be unfair to say that all 1-bedroom flats can only be allocated to working people as this would be disproportionate to people who were unemployed. The council can introduce a local lettings arrangement where there is an evidenced need.
- 5.9.3 A lettings arrangement can include planning agreements which typically state people with a local connection to an area will get priority for that set of properties. This agreement overrides any level of banding on the housing register and is where an applicant with a medium band with a local connection would be considered over someone in a priority band with no local connection.
- 5.9.4 The council also has separate lettings arrangements for supported, sheltered housing and our extra care schemes. In these arrangements there are criteria for age, support needs, proof of disability and in the case of extra care, a requirement for a social care assessment.
- 5.9.5 Housing providers will also stipulate separate guidelines if they have a large social housing development. This would be following discussions between the housing provider and council's planning team to reach an agreement. A recent example is for 50% of applicants to be employed and for applicants to be from different bands. The aim of this is to ensure community cohesion and minimise anti-social behaviour.
- 5.10 Allocations Policy Refresh 2024**
- 5.10.1 The allocations policy was overhauled in May 2022 and since this date minor changes have been made to wording in response to complaints upheld or decisions from the Local Government and Social Care Ombudsman (LGSCO).
- 5.10.2 Changes are being proposed to cabinet in December. The 2 major changes are:
- i. To move people owed a homeless prevention duty into the same band as those in a homeless relief duty. At present people owed a homeless prevention duty are placed in a medium band. Those owed a homeless relief duty are placed in a high band. The proposed changes mean that someone who has been served a notice would be on the same level as someone who's notice has expired. This is proposed to encourage people to approach earlier. A longer waiting time on the housing register can increase an applicants chances of being successful for a property.
 - ii. That properties are now classed under bedroom and household size rather than just bedroom size. This would mean that properties with a separate reception room downstairs and bigger bedrooms would be prioritised for bigger families of 3+ children.
- 5.10.3 Other changes to the policy are listed in Appendix 2. They include:
- i. A reordering of wording to make it easier to read for customers. The sections will now follow the process of applying- bidding-shortlisting – allocation
 - ii. Sections pertaining to unacceptable behaviour and rent arrears are now much clearer and provide information as to what we is isn't relevant
 - iii. Further guidance has been issued in relation to household members with a neuro diversity need. This is from guidance from the LGSCO.

- iv. Detailed criteria for the low banding which was not previously included following advice from an internal audit.
- v. Clarification on how medical priority is assessed

5.11 Demand to the service

5.11.1 As of 18th October 2024 there were 763 people on the housing register broken down into the following band and bedroom need:

| Bedroom Need and Banding | 1 No on register | 2 No on register | 3 No on Register | 4 No on Register | 5 No on Register | Total |
|---------------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|--------------|
| Priority | 19 | 6 | 7 | 3 | 0 | 35 |
| High | 105 | 26 | 15 | 9 | 6 | 161 |
| Medium | 261 | 132 | 87 | 28 | 1 | 509 |
| Low | 44 | 8 | 4 | 2 | 0 | 58 |

5.11.2 Reason for homeless approaches

| Reason for approach | Year 22/23 | Year 23/24 | Year 24/25 (as at18/10/24) |
|--|-----------------------|-----------------------|---|
| Total no of approaches | 385 | 351 | 211 |
| Departure from custody | 7 | 3 | 2 |
| Departure from Hospital | 2 | 2 | 1 |
| Domestic abuse (alleged perpetrator) | 10 | 10 | 3 |
| Domestic abuse- victim | 30 | 40 | 36 |
| End of private rented tenancies | 118 | 124 | 69 |
| End social rented | 20 | 17 | 10 |
| Eviction from supported housing | 7 | 5 | 5 |
| Family and friends asked to leave | 130 | 91 | 55 |
| Emergency – fire/flood/war | 1 | 5 | 0 |
| Home no longer suitable due to disability/ill health | 11 | 6 | 0 |
| Left HM Forces | 2 | 1 | 2 |
| Mortgage repossession | 1 | 0 | 0 |
| Non racially motivated violence | 7 | 5 | 4 |
| Property disrepair | 4 | 4 | 1 |
| Racially motivated violence | 1 | 0 | 0 |
| Breakdown of relationship | 34 | 34 | 20 |

| | | | |
|---|---|---|---|
| Required to leave Home office accommodation | 0 | 4 | 3 |
|---|---|---|---|

5.11.3 Waiting time on the register by band

| Band | Average waiting time | Longest waiting time | Reason for longest wait time |
|----------|----------------------|----------------------|--|
| Priority | 182 days | 361 | Applicant was detained but homeless duty had been accepted |
| High | 285 days | 1844 | 4 bed need |
| Medium | 990 days | 2033 | Bidding regularly but banding is not high enough |
| Low | 2521 days | 5011 | No bids made |

5.11.4 Waiting time in High-Low bands can be affected by the frequency of bids made for properties. Applicants in a priority band are placed on an auto-bid, The system will place a bid for an appropriate property.

5.11.5 Waiting time in a priority band can be affected if an applicant needs a specific type of property

5.12 Waiting time when allocated a property by band

| Band | Average waiting time (days) | Shortest wait (days) | Longest wait and reason (days) |
|----------|-----------------------------|----------------------|--|
| Priority | 133.20 | 6 | 2814 – MBC tenant wanting certain type of property and difficulty engaging |
| High | 213.53 | 19 | 2637 - certain type of property and difficulty engaging |
| Medium | 491.65 | 4 | 4900 – didn't want to move but on register as needed to move in the future |
| Low | 221.4 | 46 | 709 |

5.13 No of properties allocated by band per year

| | Year 22/23 | Year 23/24 | Year 24/25 (to 18/10/24) |
|----------|------------|------------|--------------------------|
| Priority | 46 | 57 | 47 |
| High | 44 | 63 | 23 |
| Medium | 17 | 29 | 9 |
| Low | 2 | 2 | 0 |

5.14 Case Studies

5.14.1 Case Study 1: Domestic Abuse

An MBC tenant approached the council following a threat from her ex partner towards her and their children. The perpetrator had moved in with family a few doors away from her address which resulted in him walking past her house, attacking her house and standing outside her house to intimidate.

The tenant approached saying she needed to move as she no longer felt safe. This was supported by social care and domestic abuse agencies.

It was deemed that because of the threat level to her supported by agencies that a homeless duty would be accepted. The applicant was first placed into a high band and was offered a property from the waiting list.

The first offer however was on the same street as the ex partner's new partner and brother. It was agreed that this street would not be any better for her and her children and so this was deemed a reasonable refusal.

The tenant had short term safety measures in place but did not want to move into temporary accommodation. She was moved into a priority band after a homeless duty was accepted and she was allocated a property 7 months after joining the register

5.14.2 Case Study 2: Mortgage Repossession

A household approached after they received notice their home was to be repossessed.

The couple ran a business together but one became ill after suffering a stroke. The other then tried to keep the business going whilst caring for their partner. The business went into trouble and eventually folded.

The business had been very successful and whilst the mortgage was high, the family had had more than enough income to manage their expenditure if the business had continued.

The family had tried to maintain mortgage payments but the strain of keeping the business afloat, caring responsibilities and dealing with the life changing effects of a stroke meant the property was no longer affordable.

The family were deemed to not be intentionally homeless because they had not intentionally committed any acts which caused them to lose their home. It was the sudden illness which started a chain of events and at every step, it was found the family tried to keep their home.

The family were placed into temporary accommodation in an MBC property where we were able to offer a 2 bedroom property from the housing register.

"I personally would like to thank you for your support and advice and being so responsive to my questions always when I made contact with you. Thank you all at Melton Borough Council for supporting my family and also special thanks to our housing officer; who has also supported us with advice and supporting avenues. From my children and I; we are forever grateful for all the support we have received. This year has been the worst year of our lives and the children and I have found it extremely hard living out of a suitcase and sleeping at family members houses, we finally have the safe location that we can start to rebuild our lives and have our own safe home again. We are absolutely delighted!!"

“Thank you again, as a department you have all been beyond amazing. I seriously cannot thank you guys enough :)”

6 Options Considered

- 6.1 The housing register is a statutory function and as a local authority the council has a greater freedom to set its own policy under The Localism Act 2022.
- 6.2 The law, as it applies to local housing authorities, requires that reasonable preference for housing must be given to those in the categories set out in the Housing Act 1996 (as amended).
- 6.3 Applicants with reasonable preference must be given a reasonable head start in terms of accessing housing over those who do not have reasonable preference. Reasonable preference does not mean that applicants will have an absolute priority over all other applicants.

7 Consultation

- 7.1 A 30 day consultation was carried out to communicate the proposed changes to the allocations policy.
- 7.2 The consultation was sent to tenants, placed on the council’s website, to external stakeholders, to members and to colleagues working within the council.

7.3 Responses to the Housing Allocations Policy Consultation

| Question | Agree | Disagree |
|---|-------|----------|
| Do you agree that those awarded a prevention duty should have the same status on the housing register as those awarded a relief duty? This means placing people in a prevention duty in a high band rather than medium | 14 | 2 |
| Do you agree that households with a larger family size should be prioritised for larger 3 bed houses? | 15 | 1 |

7.4 Comments from consultation

- 7.4.1 Because they may still be able to find & afford private rented accommodation. If there were more council houses available I would agree
- 7.4.2 If you’ve made yourself homeless it’s not fair coming before those or jointly with those who haven’t
- 7.4.3 Because it would create more overcrowding for example I am a single parent with 3 children so that would mean that we would be given a 2 bedrooms house so 3 of my children would hypothetically have to share a room

8 Next Steps – Implementation and Communication

- 8.1 Feedback from the consultation has been looked at and further clarity has been provided in sections relating to bedroom need and eligibility
- 8.2 Scrutiny feedback will be included in the report to cabinet for consideration.

9 Financial Implications

9.1 The cost of temporary accommodation has significantly increased in 20224/25 with the latest monitoring showing a potential overspend of £318k which is impacting on the council's finances and contributing to overall projected in year deficit. This would mean an overall spend of £384k of supporting homelessness.

9.2 This is due a range of factors including, number of approaches, high caseloads of officers, homelessness factors. The implementation of the changes within the allocations policy should have a positive impact on the requirement for temporary accommodation and the high costs associated with this.

Financial Implications reviewed by: Director for Corporate Services

10 Legal and Governance Implications

10.1 There is a wide range of legislation which is relevant to a local authority's Social Housing Allocations Policy. The principal obligations are created by Part VI of the Housing Act 1996 which has been amended at various points to refine those requirements. The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 are made under the 1996 Act and specify certain categories of person who are or are not eligible for allocation of local authority housing.

10.2 In addition, the 1996 Act requires local authorities to have regard to Guidance issued by the Secretary of State when exercising its housing allocation functions. The latest amendment to that Guidance was issued in June 2024. The Guidance highlights specific legal obligations which are relevant to allocation of housing for example the duties applying to certain people who left Afghanistan since 2021 or those who left Ukraine after the Russian invasion.

10.3 The Council must ensure that its Allocation Policy does not prevent those who may be eligible for allocation of housing from registering and being considered under the scheme.

10.4 The additional legislation and guidance which has amended or is relevant to housing allocation includes the Homelessness Reduction Act 2017, Homelessness Code of Guidance 2018, Domestic Abuse Act 2021, Localism Act 2011, National Rough Sleeping Strategy 2018,

Children Act 2004, Equality Act 2010, Care Act 2014 and Armed Forces Act 2021. The proposed policy has been drafted taken account of these provisions.

Legal Implications reviewed by: Monitoring Officer.

11 Equality and Safeguarding Implications

11.1 An Equality Impact Assessment will be undertaken on the changes to the Housing Allocations Policy prior to sign off.

12 Data Protection Implications (Mandatory)

A Data Protection Impact Assessments (DPIA) has not been completed because there are no risks/issues to the rights and freedoms of natural persons arising directly from this report.

13 Community Safety Implications

13.1 The housing allocations policy makes specific reference to checks for applicants in relation to unacceptable behaviour. Persons deemed to have shown unacceptable behaviour will not be permitted onto the register

14 Environmental and Climate Change Implications

14.1 None

15 Other Implications (where significant)

15.1 Health and Wellbeing: Changes to the allocations policy have looked at social and economic living conditions and changes have been proposed to ease pressure on larger families as well as reduce the need for temporary accommodation.

16 Risk & Mitigation

| Risk No | Risk Description | Likelihood | Impact | Risk |
|---------|--|------------|--------------|--------|
| 1 | Failure to fulfil statutory duties in relation to Housing Act 1996 | Very Low | Critical | Low |
| 2 | Failure to follow procedures set out in allocation policy leading to inappropriate applications on the housing register | Low | Critical | Medium |
| 3 | Lack of staff resilience, competence and expertise exposes the council to risk of poor management and administration of allocations / associated reputational risk | Very Low | Catastrophic | Medium |

| | | Impact / Consequences | | | |
|------------|---------------------|-----------------------|----------|----------|--------------|
| | | Negligible | Marginal | Critical | Catastrophic |
| Likelihood | Score/ definition | 1 | 2 | 3 | 4 |
| | 6 Very High | | | | |
| | 5 High | | | | |
| | 4 Significant | | | | |
| | 3 Low | | | 2 | |
| | 2 Very Low | | | 1 | 3 |
| | 1 Almost impossible | | | | |

| Risk No | Mitigation |
|---------|--|
| 1 | Quarterly audit of homeless applications and checks made during monthly 121's to ensure applications are investigated thoroughly |

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| 1 | Trialling roll out of changes to policy to ensure all relevant teams are aware and adhere |
| 2 | Procedures in place for checks during the application and allocation process to ensure allocations policy is adhered to |
| 3 | Training of all staff across Housing Options and Tenancy Services to ensure processes are communicated. Procedural notes produced to ensure guidance is available for all officers and this is relevant and up to date |

17 Background Papers

17.1 None

18 Appendices

18.1 Appendix 1 – DRAFT Melton Home Search Allocations Policy

18.2 Appendix 2 – List of changes made to allocations policy