

NON-CONFIDENTIAL



Borough of Tamworth

11 November 2019

Dear Councillor

You are hereby summoned to attend an **extraordinary meeting of the Council of this Borough** to be held on **TUESDAY, 19TH NOVEMBER, 2019** at 6.10 pm in the **TOWN HALL, MARKET STREET TAMWORTH** for the transaction of the following business:-

AGENDA

NON CONFIDENTIAL

1 Apologies for Absence

2 Declarations of Interest

To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.

3 To receive any announcements from the Mayor, Leader, Members of the Cabinet or the Chief Executive

- To receive a nomination from the Leader of the Council to confer the title of Honorary Alderwoman to Maureen Gant;
- To receive a nomination from the Leader of the Council to confer the title of Honorary Alderman to Michael Greatorex

4 To consider the following motion, notice of which has been duly given in accordance with Procedure Rule No. 4.12.1 by Councillors R Ford, J Oates, S Goodall, B Price and R Pritchard (Pages 3 - 4)

Tamworth Borough Council declares a "Climate Emergency" that requires urgent action.

Further details are in the attached document.

5 Allocations Policy (Pages 5 - 152)

(Report of the Portfolio Holder for Housing Services and Neighbourhoods)

Yours faithfully

A handwritten signature in black ink, appearing to be 'AOS', followed by a long horizontal line extending to the right.

CHIEF EXECUTIVE

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

The Protocol requires that no members of the public are to be deliberately filmed. Where possible, an area in the meeting room will be set aside for videoing, this is normally from the front of the public gallery. This aims to allow filming to be carried out whilst minimising the risk of the public being accidentally filmed.

If a member of the public is particularly concerned about accidental filming, please consider the location of any cameras when selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

Marmion House
Lichfield Street
Tamworth

Council meeting – 19th November 2019

Motion on Notice – Climate Emergency

The 'Special Report on Global Warming of 1.5°C', published by the Intergovernmental Panel on Climate Change in October 2018, (a) describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5°C rise, and (b) confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector.

It is noted that the impacts of climate breakdown are already causing serious damage around the world. It is also acknowledged that strong policies to cut emissions have associated health, wellbeing and economic benefits

Recommendations:

1. Tamworth Borough Council declares a 'Climate Emergency' that requires urgent action;
2. Make the Council's activities net-zero carbon by 2050;
3. Ensure that political and chief officer leadership teams embed this work in all areas and take responsibility for reducing where practicable, as rapidly as possible, the carbon emissions resulting from the Council's activities;
4. The Council (including the Executive and Scrutiny Committees) consider the impact of climate change and the environment when adopting and reviewing Council policies and strategies;
5. Receive a report to the relevant scrutiny committee regarding the level of investment in the fossil fuel industry that any of our investments have;
6. Ensure that all reports in preparation for the 2021/22 budget cycle and investment strategy will take into account the actions the council will take to address this emergency.
7. Ask Council to note there will be an as yet undefined financial impact to any plan to achieve net zero carbon operations.

Supported by:

Councillors R Ford, S Goodall, R Pritchard, B Price, J Oates.

This page is intentionally left blank

TUESDAY, 19TH NOVEMBER 2019

**REPORT OF THE PORTFOLIO HOLDER FOR HOUSING SERVICES AND
NEIGHBOURHOODS****ALLOCATIONS POLICY 2020****PURPOSE**

Cabinet approved the draft Allocations Policy on 24th January 2019¹ subject to consultation and subsequent council approval.

Allocation of housing is covered in Part 6 of the Housing Act 1996. It has been substantially amended by the Homelessness Act 2002, Localism Act 2011 and more recently Homelessness Reduction Act 2017. There is also a series of statutory guidance notes which Local Authorities have to consider when designing and implementing their Allocation schemes.

Within this comprehensive legislative and regulatory context the purpose of the report is to:-

- Provide details of the full Allocations Policy 2020, shown at annex one
- Summarise feedback from the detailed consultation exercise that ran from 7th May 2019 – Friday 30th August 2019
- Reflect scrutiny committee observations (both IS&G and Health & Wellbeing)
- Set out the implementation arrangements should Council approve the final scheme

RECOMMENDATIONS

Council are recommended to:-

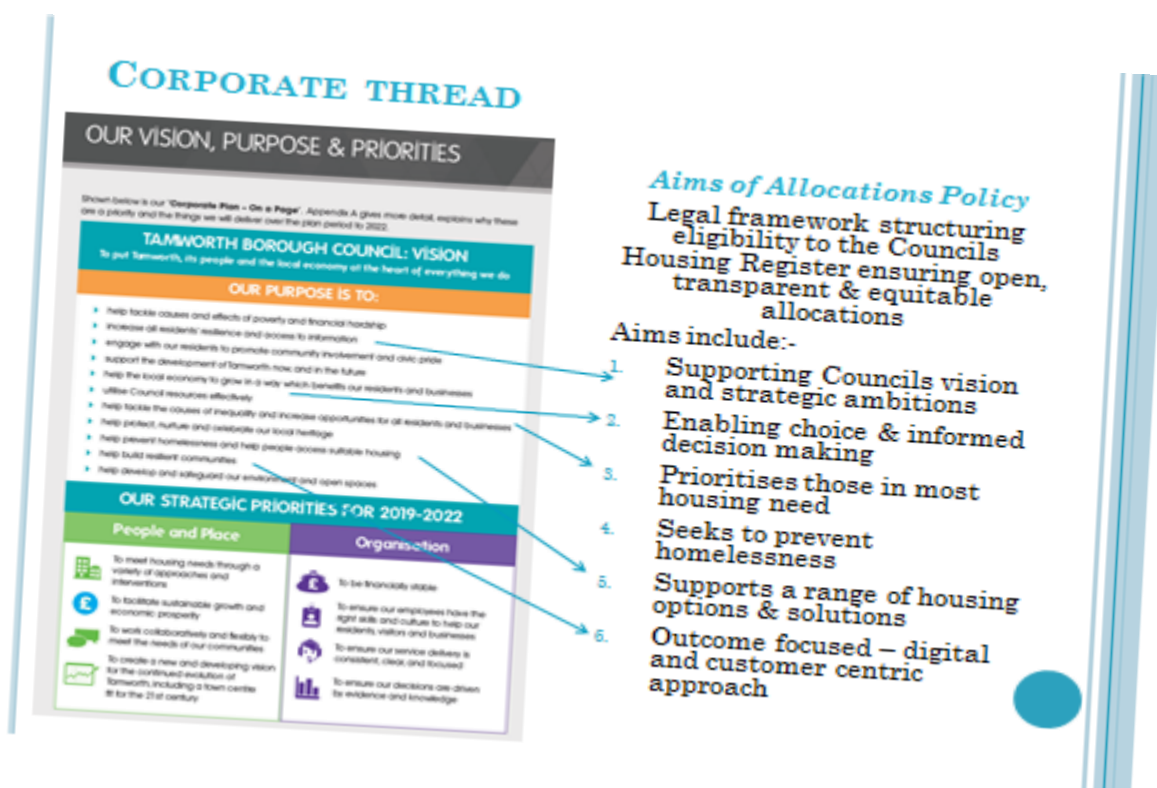
- 1. Approve the Council's Allocations Policy 2020, shown at annex one**
- 2. Support Health & Well-being scrutiny committee observations shown at annex three which have been incorporated into the revised policy**
- 3. Endorse the Equality Impact Assessment set out at annex six**
- 4. Acknowledge feedback from the detailed consultation exercise that ran from 7th May 2019 – Friday 30th August 2019, full details set out in annex seven**
- 5. Approve the implementation action plan, should Council approve the final scheme, highlighted in the report and shown at annex eight**

¹ [http://tammodgov.tamworth.gov.uk/documents/s24881/Allocations%20Policy.pdf?\\$LO\\$=1](http://tammodgov.tamworth.gov.uk/documents/s24881/Allocations%20Policy.pdf?LO=1)

EXECUTIVE SUMMARY

The review of, and the proposed Allocations Policy 2020, has taken place against a national context of emerging policy, legislation and regulatory requirements. The Government's paper on a **“New deal for social housing”** (2018/9) alongside requirements for refreshed Homelessness and Rough Sleeping strategies demands an allocations policy that is both ‘fit for the future’ and capable of balancing the rights and flexibilities of its service users with meeting housing need and challenging shortages in supply.

An extract from the presentation to Health & Wellbeing Scrutiny Committee on the 15th October 2019 shows how the aims of the allocations align with Tamworth's Corporate Plan in relation to meeting housing needs through a variety of innovative approaches and interventions. Tamworth continues to be supported by HAST² who recommended Tamworth to the MHCLGs task force on reviewing the Homelessness Reduction Act 2017 and therefore continues to be at the forefront of learning and able to apply best practice to our own policy development; including Allocations.



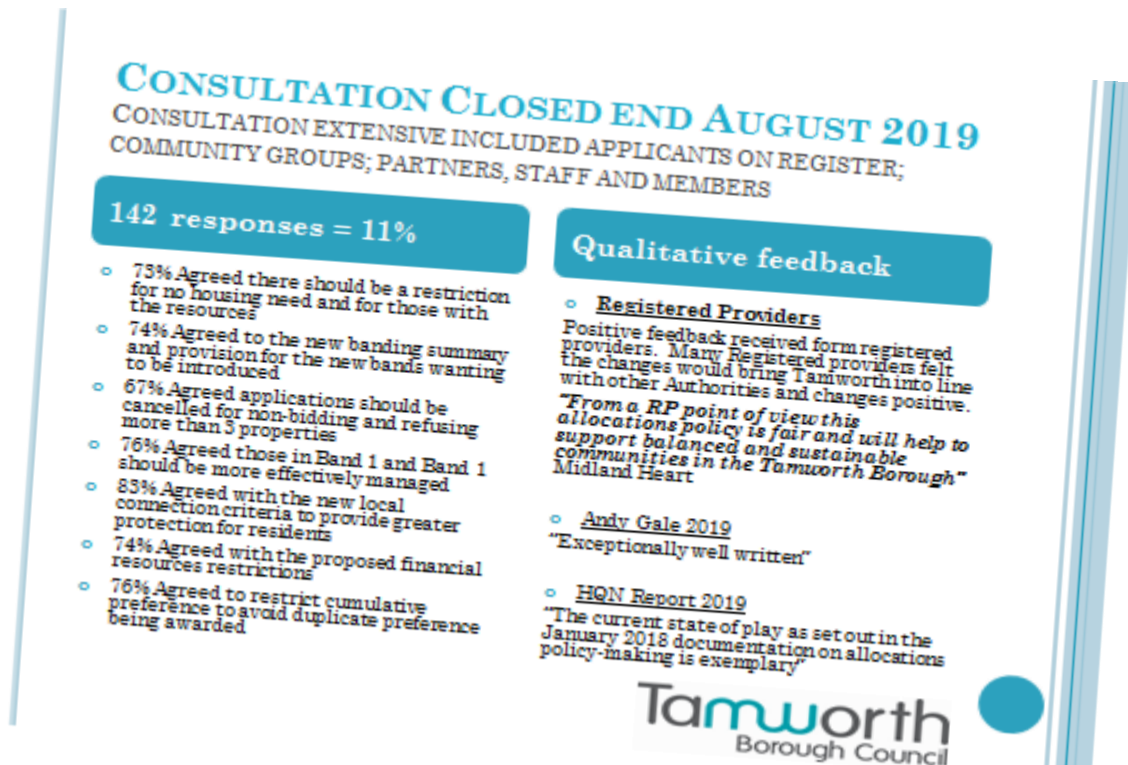
The legislative and regulatory guidance is comprehensive and detailed in the proposed Allocations policy. It is recommended to Council following a detailed consultation and assessment process including :-

- A legal and sector (Housing Quality Network) review
- Full stakeholder consultation from 7th May 2019 – 30th August 2019 including applicants on the register; new applicants; registered providers', statutory partners including social and health care practitioners', third sector partners, voluntary sector organisations and TBC's own staff
- Ongoing member scrutiny via Health Wellbeing Committee in October 2018 and 15th October 2019 as well as a full member seminar August 2019

² Homelessness Advisory Services Team (MHCLG)

- Externally facilitated Equality Impact Assessment engaging stakeholders' and members

The report details the consultation and evidences 142 responses from the key stakeholder groups listed. A full summary is shown at annex seven and illustrates the support for the key policy changes; the background data has been omitted as it does include personal details but has been shared with the Portfolio Holder. From the extract presented to Health & Wellbeing Scrutiny on the 15th October 2019 there was majority support for all the key changes.



The key changes are detailed in full at annex two and the impact of each detailed later in the report. The headlines are summarised below and reflect the recommendations made by Health & Wellbeing Scrutiny committee members:-

1. Disqualification of those with no housing need
2. Cancelling applications where there have been no bids placed in the last 12 months (noting this will only be applied if there were suitable bids to place)
3. Cancelling applications where applicants have refused 3 suitable properties (noting this will only be applied where it is evidenced the offers were suitable)
4. Focused management of band 1 and band 1+ cases to ensure they have a priority card facilitating active management
5. Amendment to cumulative preference to ensure priority reflects differing needs
6. Inclusion of a financial threshold of £60k per family household or £30k for single person households. This has resulted in the greatest discussion and whilst 74% of those responding are in agreement; this has been modified in view of feedback; particularly from Health & Wellbeing Scrutiny Committee. Put simply, going forward under the proposed policy a full income and expenditure assessment will be completed and even where households do

exceed permitted limits; if there is evidence of financial hardship &/or there is a management gain to the Council by letting a more difficult to let property; then applicants will be permitted access. Further the £60k household income will disregard income of non-dependants and specialist benefits such as disability benefits and those received by armed forces veterans. Further this will be kept under review for 12 months so a full financial impact of these thresholds can be fully tested; as currently income details are not captured and this area is therefore assumed under the impact assessment using wider income intelligence.

7. Strengthening of local connection

If Council approve the report then it is intended to launch the new policy in June 2020. Preparation for the policy launch will begin immediately. The implementation plan is shown in full at Annex five. Prior to June 2020 the following steps will include:-

- Individual tailored letters to all applicants setting out their banding priority including
- Frequently asked Questions booklet (also on the web)
- Web details and links to Finding a Home with range of housing options
- Freephone help line to capture feedback
- Monthly housing surgeries from February until May 2020 promoting all housing options
- Market Place event in March 2020 to support public; private and home ownership opportunities engaging a range of partners
- Full launch of the new policy in June 2020

RESOURCE IMPLICATIONS

Costs arising from the implementation from the revised Allocations scheme can be met from existing budgets. There will be an inevitable increase in customer demand as applicants are contacted to advise on the impact of the revised policy. It is intended to resource this from within existing arrangements but this will be kept under review; and should additional resources become necessary then this will be reported separately.

LEGAL/RISK IMPLICATIONS BACKGROUND

A range of external partners have reviewed the proposed allocations policy and their comments and observations incorporated. Trowers Solicitors have confirmed that the allocations policy and associated equality impact assessment is legally compliant. In addition the Housing Quality Network reviewed the draft policy and this was reported to Cabinet on 24th January 2019, which evidenced HQN endorsed the proposals. An external adviser has also facilitated the production of the Equality Impact Assessment (shown at annex 6) and this has been the subject of stakeholder feedback; in particular Health & Wellbeing scrutiny who considered it on 15th October 2019, adding further and invaluable input.

All best endeavours have been made to ensure the Allocations Policy is fit for purpose; however this area is subject to considerable scrutiny and often litigation and therefore avoiding challenge cannot be guaranteed. A risk assessment has been

kept under review throughout the project and headline risks summarised below:-

Risks	Mitigation
<p>Service User dissatisfaction as those with no housing need are not able to access the housing register</p> <p>High</p>	<p>This is likely to affect around 55% on the housing register. Although they currently have no identified need are likely to contact the Council for advice. The implementation plan allows for housing option surgeries as well as a market place initiative to provide information on a range of housing based opportunities including within the owner occupied and private sector.</p> <p>Most Local Authorities have now implemented similar policies, some choosing to close the register. By better assessing housing need this will allow targeted and tailored support for those facing particular challenges.</p> <p>The impact assessment shows that previously band 4 applicants were most likely to be let sheltered accommodation and this will be unaffected as properties will continue to be advertised through the Councils Finding a home service.</p> <p>Additionally officers are currently working on the Housing Strategy and Homelessness Strategy – the evidence base for both will inform future lettings planning and assessment of how best to meet wider housing needs.</p>
<p>Rationalisation of the Housing Register may lead to demand issues elsewhere within the Council's stock</p> <p>Low</p>	<p>Properties will continue to be advertised via the Finding a Home service and are let based on need and then waiting time – this will remain unchanged.</p> <p>The Council is reviewing its Asset Management Strategy, and making best use of its stock is key to this and will feed into other strategic documents which remains under review including the HRA Business Plan, Housing Strategy and Homelessness Strategy.</p>
<p>Higher level of complaints as people want to remain on the register 'just in case'.</p> <p>Medium</p>	<p>The housing register is not designed to be a 'waiting list just in case'. Effective management of the register will allow true housing need to be mapped and assessed; so appropriate strategies can be put in place to target earliest help and support vulnerable households.</p> <p>The implementation plans are designed to offer tailored individual advice as well as housing based surgeries to manage applicants' expectations.</p>
<p>Insufficient properties (supply) to meet demand</p>	<p>This is a national challenge and well documented. It is complex as often applicant expectations are</p>

High	for property type and location. In Tamworth Housing need in the local plan is assessed as requiring 183 units of which 40 should be affordable; in 2018/19 144 affordable units were granted with 77 completed.
Confusion during implementation of the new policy Medium	Project implementation will involve individual letters; advice line; housing option surgeries and ongoing monitoring.
Further changes to the Homelessness Reduction Act 2017 may require further change to the allocations policy High	Tamworth are well supported by Homelessness Advisory Support Team (HAST) and are part of the Governments task force on reviewing the HRA 2017 and therefore are best places to assess the impact of changes.
Inadequate resources for implementation High	This will be kept under review.

SUSTAINABILITY IMPLICATIONS

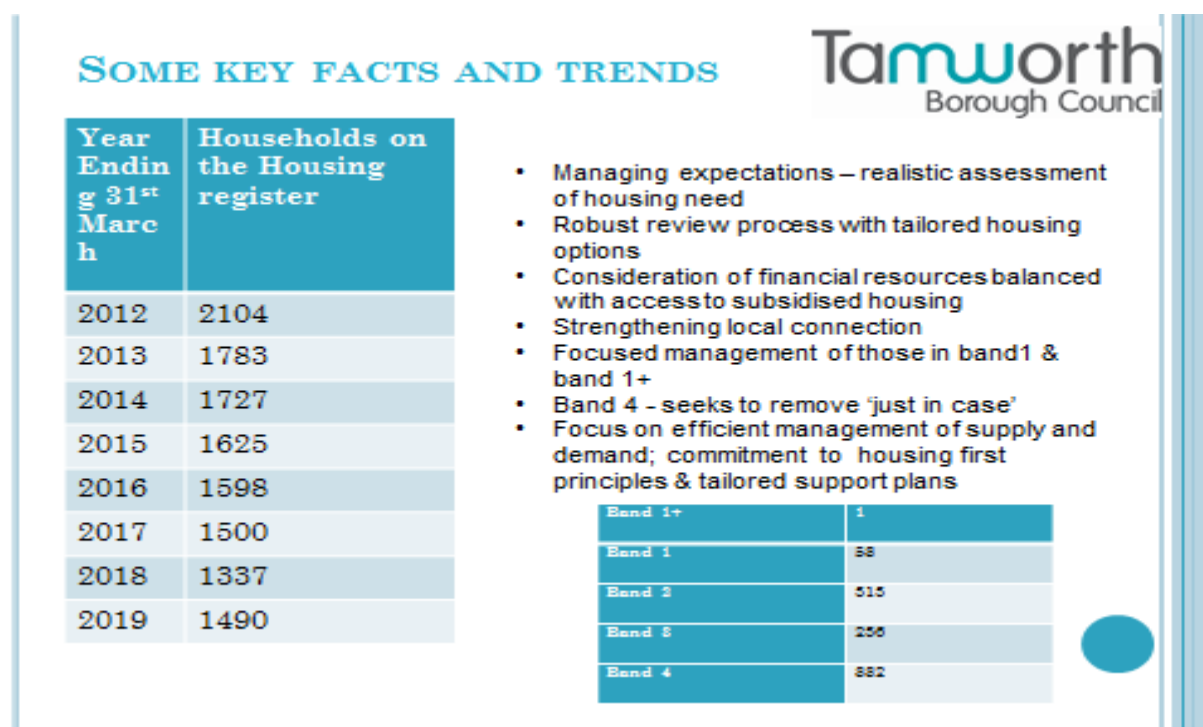
Sustainability of balanced and vibrant communities is part of the Councils strategic DNA around achieving its vision “***to put Tamworth, its people and the local economy at the heart of everything we do***”. Allocation of accommodation is fundamental to this to ensure aspiration and housing needs are managed recognising the overall shortage of affordable housing.

MATTERS FOR CONSIDERATION

For Member reference the following attachments are referenced:-

	Annex	Details
1	Full Allocations Policy 2020	Full policy amended to incorporate all agreed feedback
2	Summary Policy Changes	Description of key changes
3	Health & Wellbeing Scrutiny Feedback October 2019	Scrutiny member observations and recommendations with the management recommendations
4	Cabinet Report 24 th January 2019	Background
5	Health & Wellbeing Presentation October 2019	
6	Equality Impact Assessment November 2019	Externally facilitated impact assessment covering all protected characteristics under the Equality Act 2010. Health & Wellbeing Scrutiny contributed to this in October 2019
7	Full Consultation Summary on Proposed Changes (May-Aug 2019)	Comments and feedback listed in relation to each proposed change
8	Implementation Action Plan 2019/2020	Next steps to give effect to the new Allocations Policy

Numbers on the housing register invariably fluctuate but the latest details shared with Health & Wellbeing Scrutiny on 15th October 2019 are illustrated below.



The summary of detail shows that there is around 1490 currently on the register and this has been fairly static over the year. It is likely this will fall to around 600 when the changes have been applied.

- o <https://www.findingahometamworth.co.uk/index.aspx>



- Stock c4200
- c250 lettings of council accommodation per year
- c160 RP nominations per year
- c60 mutual exchanges per year
- Average void cost c£2500
- Highest churn 1 & 2 beds across Sheltered and high rise accommodation
- Highest demand is for 1 & 2 bed general needs stock
- 3 and 4 bed houses lower demand & more limited supply (often let on band 3)
- Average bids c30 for 1 beds; c 60 for 2 beds and c15 for 3 and 4 beds
- Impact new & affordable housing – over 200 additional units in 2019/2020

Of the c600 likely to remain on the list – officers expect this to increase as applicants challenge their ‘no housing need’ status - so a more realistic assessment is around c1000. Based on the c400 lettings per year (council and RP lettings/nominations) this should serve to manage expectations; noting the complexities’ around what households want/desire as opposed to need.

As the Housing Strategy; Asset Management Strategy and Homelessness Strategy are reviewed the approach to managing demand will be monitored in the context of making best use of stock; homeless prevention and promoting wider housing choices and solutions.

Summary changes of the Allocations Policy

For consistency the key proposals and impact assessment conclusions are shown below; and have been updated following on from the Health & Wellbeing Scrutiny meeting on 15th October 2019:-

Proposed change	Summary Information
1 Disqualification of those with no housing need	Likely to affect 802 of 841 in band 4. Band 4 will not be removed
2 Cancel housing applications where no bids received in preceding 12 months	706 applicants have not bid in 12 months, this is aimed at changing the culture to one of management of the register rather than allowing households to sit on a “waiting list – just in case”
3 Cancel applications where 3 offers have been refused	This would have only affected 12 in the last 12 months, but if implemented would ensure a more targeted and effective use of housing resources

4 More focused support of those in band1 and band 1+	73 households are currently in these bands and this is an increasing figure. Tailored housing based support plans is a principle already used for homelessness and used across the register, it will ensure expectations are managed and the widest possible housing solutions explored including the private sector
5. Added categories of the bandings	to better equip the Council to meet the new duties & responsibilities of the Homeless Reduction Act
6. Amendments to cumulative preference	Review with partners (particularly GPs) around how combined needs impact on priority to ensure housing need is not escalated for non-related issues, such as incentive to move schemes
7. Introduction of a financial threshold allowing access to the register only if they are unable to fund an alternative solution	This is based on the based on savings &/or income levels of the main applicant(s) against local income levels & house prices. Exemptions have been built in to take account of debts.
8. Strengthening of local connection	This is already robust in Tamworth but will be extended to ensure living or caring within Tamworth for 2 consecutive years and employment is having a contract for at least 12 months

The full Equality Impact Assessment is shown at annex six , and sets out the impact on protected groups.

Scrutiny Observations

Health & Wellbeing scrutiny were involved in the development of the Equality Impact Assessment and the officer responses are attached for Council approval and have been incorporated into the Policy. Further details are shown at annex three.

Comments	Officer Response
<p>Pleased to see took on board member earlier views, namely</p> <ul style="list-style-type: none"> • Applications cancelled based on 3 offers will read suitable offers • Financial thresholds will include a discretion and levels will be reviewed in 2021/2022 • Really pleased members have been involved throughout (member seminar, pervious scrutiny) and now opportunity to scrutinise EqIA and listened to 	<p>Response and feedback noted. For applications to be cancelled it will need to be suitable. All applications in band 1 will have a suitability assessment completed upon banding award as part of the process. There also remains the right to a review which would be undertaken by someone not involved in initial decision.</p> <p>EqIA has been independently reviewed to ensure it is legally compliant</p> <p>Financial resources thresholds were based on proportions of average house and rent prices will be reconsidered annually once baseline information has</p>

	been captured.
EqIA – support vulnerable people; discussion around portal / digital by default so that resources can be diverted to prevention and service then tailored to those with diverse needs	Those in band 1 will have officers assigned to monitor and support their bidding. Vulnerable persons already supported through bidding and this is recorded on the housing register. Those who are unable to access ICT will be supported to do so as part of the wider ICT inclusion policies. The Assistant Director for People will keep the committee informed on the development of the portal.
EqIA – can we update profiling information; discussion around census data and that shift to e-form will improve customer profiling	Most of the data currently held is in relation to historic application where the data was not required to be captured. All new applications ask for information on the equality strands and this will be considered through the development of the portal.
Support local connection	Response and support noted. Local connection has been further strengthened within the policy to protect residents as far as possible.
EqIA – disability concerns around providing information in different languages and 'browse aloud' ; confirmed this was captured and already part of equality planning	Concerns noted and acknowledged they have been addressed as part of the EIA. The Council will provide the application form in different languages as required and there is accessibility functionality in built within the bidding site.
Like financial thresholds and pleased to see market place initiative as part of the implementation	Financial thresholds were calculated based on a proportion of average house process and market rents. There is a commitment to review this in 2021/2022 once baseline information has been captured.
Will support be put in for those off the list; yes implementation allows for range of things including housing options surgeries; Freephone etc etc	The Council retains an advice and assistance duty for all, comprehensive housing options information is available for all, there is a housing assessment tool within the bidding site, and factsheets and details on housing options also displayed within the website.

Implementation Arrangements and Next Steps

Members at the Seminar in August 2019 and at Scrutiny on 15th October 2019 supported the arrangements for implementation shown below.

PUTTING ‘CUSTOMERS AT HEART OF WHAT WE DO’

o Implementation by June 2020, if approved,

1. Band review letters (January – February 2020)
2. Communications and customer support planning throughout including freephone number, email, customer services triage and scripting
3. Housing options surgeries
4. Market place event(s) – HTB; mortgage advice; shared ownership; RPs and private landlords
5. Ongoing review vis Homeless Strategy & Rough Sleeping Strategy update

<https://findingsahometamworth.co.uk/content/HousingOptions/Index.aspx>



Stakeholders particularly reflected back that they supported housing options surgeries; and particularly popular was a proposed market place event which would attempt to bring together a range of partners to look at private, public and home ownership possibilities. The action plan below therefore allows for these events to be organised:-

Event	Timescale
Preparation of orchard testing and banding letters	Up to December 31 st 2019
Preparation of procedures and training for Staff (inc. customer service scripts)	By February 2020
Banding review letters giving 28-day notice of change	Jan-February 2020
Housing Options Surgeries	1 event per month (Feb/March/April/May)
Market Place Event with Partners	March 2020
Launch of new Policy	End of June 2020
Review New Policy	2021/2022 (or sooner should legislation dictate)

REPORT AUTHOR

Tina Mustafa Assistant Director of Neighbourhoods ext 467

This page is intentionally left blank

Housing Allocations Policy

Revised: November 2019

Restricted: Draft

Version Control

Revision History

Version	Date	Author	Changes
1.0	4 th January 2017	Gemma Sidaway Rae Mann Claire Keeling	Major changes to existing scheme
2.0	5 th February 2018	Gemma Sidaway Rae Mann Sarah Finnegan	Changes to accommodate the Homelessness Reduction Act 2017
3.0	5 th November 2018	Gemma Sidaway Joanne Mallaband	Changes to reflect feedback from HQN Tim Brown
4.0	1 st November 2019	Gemma Sidaway	Changes to reflect Legal Advice

Approvals

Name	Title	Approved

Document Review Plans

This document is subject to a scheduled annual review. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

Distribution

The document will be available on the Intranet and the website.

It is a criminal offence to obtain accommodation from the Council or any other social housing provider by knowingly and recklessly giving a false statement or deliberately withholding information. By doing so you may be prosecuted and fined.

The Council or other Registered Provider will seek possession of any tenancy granted as a result of information later found to be false or misleading. Any offer of accommodation maybe withdrawn or result in an application being cancelled and an applicant being disqualified from the housing register.

Table of Contents

1.	Introduction.....	7
2	Definition of an ‘allocation’ of accommodation.....	8
2.1	<i>What is an Allocation?</i>	8
3	Legal Framework.....	9
4	Housing Options.....	11
5	Aims of the Scheme.....	15
6	Applying to join the housing register.....	16
	Who Can Apply?.....	16
	Who can and cannot be included on the application form.....	17
	Applications from Councillors, board members, employees and their close relatives.....	17
	Applicants under 18 years Old.....	18
7	Eligibility.....	18
	<i>Persons from abroad who are not eligible to join the register</i>	19
8	Qualification.....	19
	Local Connection.....	19
	A) <i>Residence</i>	19
	B) <i>Employment</i>	20
	C) <i>Close family with an additional health/welfare need</i>	20
8.4	Local connection exemptions.....	20
	Right to Move.....	21
	A. <i>Unacceptable behaviour or former tenant debt</i>	24
	B. <i>Property Ownership</i>	25
	C. <i>Financial resources</i>	27
	D. <i>Savings/Assets/Capital</i>	27
	E. <i>People with no housing need</i>	27
	Assessing Reasonable Preference without fulfilling the Qualification Criteria.....	28
	How to apply.....	29
9	Reduced Preference.....	30
9.1	Reasonable preference without fulfilling local connection.....	30
9.2	Rent arrears.....	30
9.3	Deliberate Worsening of Circumstances.....	30

10	Bedroom Requirements, Property eligibility and entitlement	31
	Bedroom Requirements	33
	Sheltered Housing	34
	Properties where bidding is limited to certain households or bands	35
11	Banding.....	35
	Summary of Banding	35
	Medical grounds for rehousing	39
	Social, welfare and hardship grounds.....	41
	Overcrowding	43
	Move on from Supported Housing.....	44
	Under- Occupation banding.....	45
	Incentive to Move scheme	45
	Negotiated tenancy surrender	46
	Unsanitary or otherwise unsatisfactory housing.....	47
	<i>Decanting social housing tenants for major repairs</i>	48
	Best use of stock or tenants with an urgent need to move	48
	Move-On from Care (Staffordshire County Council)	49
	Accepted statutory homeless households	50
	<i>Review of 'suitability' of an offer of accommodation for households accepted as statutory homeless</i>	51
12	Procedure after an application has been registered.....	51
	How the application is processed.....	51
	Change of circumstances	52
	Annual Review of applications.....	52
	Cancelling Applications	53
	Band 1 and Band 1+ review (Priority Card).....	54
13	Reviews/ Appeals	55
	Review of Banding	56
	Review of Disqualification	57
	Further reviews.....	57
14	Affordability.....	57
15	Lettings plans	58
	Annual lettings plan.....	58
	Local lettings plan.....	58

16	Exceptional circumstances where the Allocations Scheme may be over-ridden	59
	Overriding the Policy	59
	Direct Lets	59
	Serious Offenders	60
	National Witness Mobility Scheme (NWMS)	61
17	Data Protection and Confidentiality	62
18	Fraud and Misrepresentation or information withheld by the applicant	62
19	Equality and Diversity	62
20	Tell Us about complaints, compliments and comments	63
21	Review of this Scheme	63

DRAFT

1. Introduction

- 1.1. Every local Housing Authority is required to have a Housing Allocations Scheme, which is also known as the Authority's Allocations Policy. This document is Tamworth Borough Council's (the Council's) Allocations Scheme in accordance with the requirements of The Housing Act 1996 (Part VI) as amended. The Allocations Scheme determines priorities and defines the procedures to be followed in allocating social housing¹.
- 1.2. This Allocations Scheme sets out in detail who is and who is not eligible for housing, who is qualified to join the scheme and how this assessment is made. It also sets out how applicants can apply for and access housing and what service standards an applicant can expect.
- 1.3. The policy also provides advice on other housing options that applicants are advised to consider.
- 1.4. Tamworth Borough Council operates a Choice Based Lettings (CBL) scheme called Finding a Home, which can be accessed online at www.findingahometamworth.co.uk . Finding a Home Tamworth is independent from the Council's website and is focussed on housing options.
- 1.5. This document explains how the Council will allocate its properties and make nominations to registered provider landlords within the Borough where the Council has nomination rights. However, individual registered providers will have their own policies, and these will apply where appropriate.
- 1.6. Registered providers which may advertise properties through finding a home include:
 - Platform Housing Group (previously Waterloo Housing) www.waterloo.org.uk
 - Derwent Living www.derwentliving.com
 - Midland Heart www.midlandheart.org.uk
 - Hanover Housing Association www.hanover.org.uk
 - Orbit www.orbithomes.org.uk
 - Metropolitan Thames Valley www.metropolitan.org.uk
 - Walsall Housing group www.whg.uk.com
 - Clarion Housing Association Limited www.myclarionhousing.com
 - Bromford Living www.bromford.co.uk
 - Sage Housing www.sagehousing.co.uk

¹ Social housing includes council owned housing and housing association (referred to as Registered Providers) homes that are let under a nominations agreement with the Council.

- 1.7. A copy of the Allocations Scheme is available free of charge. A summary is available routinely to everyone making an application for social housing.
- 1.8. Advice and assistance relating to access to housing is also available free of charge from the Housing Solutions team based at Marmion House, Lichfield Street, Tamworth, Staffordshire (telephone 01827 709709 or email housingsolutions@tamworth.gov.uk).
- 1.9. Anyone can approach the Housing Solutions service for advice and assistance. However, social housing in Tamworth is very limited, and the Council no longer holds an 'open' register'. Instead, the Council operates a 'managed register', which requires applicants to meet qualification criteria. Where an applicant does not qualify to join the housing register, the Council will still provide advice and assistance, which can include signposting and referring the applicant to alternative routes into housing where possible and where appropriate.
- 1.10. This Allocations Scheme is focussed on the assessment of applications for the housing register, and it is not a statement of how the Council deals with homelessness. Whilst there are references made to the provision of homelessness within this scheme, there are separate processes and procedures for dealing with homeless applications. The Council has a Homelessness Prevention Strategy which sets out how the Council aims to prevent Homelessness within the borough and this document and supporting evidence can be found on the Council's website: www.tamworth.gov.uk/housing-policies.

2 Definition of an 'allocation' of accommodation

2.1 *What is an Allocation?*

The Housing Act 1996 as amended provides that the Council allocates housing accommodation when they²:

- Select a person to be an introductory or secure tenant of housing accommodation held by the Council
- Select a person to be a fixed term tenant of housing accommodation held by the Council
- Nominate a person to be an introductory or secure tenant of housing accommodation held by another housing authority
- Nominate a person to be a starter tenant (also known as probationary) or assured tenant of housing accommodation held by a Registered Provider

² S159 Housing Act 1996 as amended by the Homelessness Act 2002

2.2 What is not an Allocation?

Secure, introductory or demoted tenancies arising in the following circumstances are not covered by the allocations provisions of the Act³, and therefore fall outside of the scope of this document. These are contained within the revised Tenancy Management Policy (2009):-

- Succession to a tenancy on the death of a previous tenant
- Assignment of a tenancy by way of a mutual exchange
- Assignment of a tenancy to a person who would be qualified to succeed to the tenancy on the death of a current tenant
- Transfer of the tenancy pursuant to a court order under family law or the Civil Partnership Act 2004
- Where a person becomes a secure tenant on ceasing to be an introductory tenant.

2.3 Transfers

Transfer tenants (Tamworth Borough Council tenants) who do not have an identified housing need in accordance with the Allocations Scheme must pursue mutual exchanges and will not be ordinarily entitled to join the housing register.

Tenants with identified housing needs and who would usually be considered to be owed a 'reasonable preference' such as medical priority or would be considered to have a housing need under the terms of the policy for example overcrowding or under-occupancy are eligible to join the housing register and can also pursue mutual exchanges.

For transfer applicants the Council will expect a clear current rent account before the tenant is allowed to move and they will also be required to have a property inspection to ensure there have been no breaches of the tenancy.

3 Legal Framework

3.1 Legislation relating to allocation schemes is set out in the following:

- Housing Act 1996 (as amended 2002)
- Homelessness Act 2002

³ S160 Housing Act 1996 as amended by the Homelessness Act 2002

- Localism Act 2011
- Allocation of accommodation: Guidance for local housing authorities in England (Department for Communities and Local Government [DCLG])
- Right to Move- Statutory guidance on social housing allocations for local housing authorities in England 2015 (DCLG)

3.2 When framing the allocations policy further guidance has been sought from:

- Homelessness Reduction Act 2017
- Homelessness Code of Guidance for Local Authorities
- The Council's Housing and Health Strategy
- The Council's Homelessness Prevention Strategy
- The Council's Tenancy Strategy

3.3 The Housing Act 1996 (as amended) requires all Local Authorities to give '**reasonable preference**' to certain groups of people who are in most housing need⁴. These groups are set out as follows;

- All homeless people as defined in Part VII of the Housing Act 1996, including people who are intentionally homeless and those who are in priority need.
- People who are owed a duty by any local housing authority under section 190(2), 193(2), 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
- People occupying unsanitary, statutory overcrowded or otherwise unsatisfactory housing
- People who need to move on medical or welfare grounds (including grounds relating to a disability)
- People who need to move to a particular locality within the district to avoid hardship to themselves or others

3.4 In framing this Housing Allocation Policy the Council is also required to have regard to the following considerations:

- The scheme must be framed so as to give reasonable preference to applicants who fall within the categories set out in s.167 of the Housing Act 1996 over those who do not;
- Whilst there is no requirement to give equal weight to each of the reasonable preference categories, housing authorities should demonstrate why applicants are given a particular priority;
- There is no requirement for housing authorities to frame their scheme to afford greater priority to applicants who fall within more than one reasonable

⁴ S167(2)

preference category (cumulative preference) over those who have reasonable preference on a single non-urgent basis.

4 Housing Options

There is a shortage of housing in the borough of Tamworth and demand far exceeds supply. Unfortunately it is not possible for the Council to re-house everyone who applies. This means that there is likely to be a lot of people bidding when properties are advertised. Those people with the most urgent need and those that fall into the priority groups listed above receive the highest priority.

Due to this shortage there are other housing options available which might help applicants move to a more suitable property for them. Here are some other housing options you may wish to consider:

4.1 Mutual exchanges for social tenants

If you are the tenant of a local authority or a housing association, mutual exchange or swapping properties with other tenants gives you the best chance of moving.

You can exchange your property with any other social housing landlord's tenant, anywhere in the country. The Council has developed a mutual exchange service for its tenants which runs through the Homeswapper website www.homeswapper.co.uk . This service is free for Tamworth Borough Council tenants to register on.

If you are looking to move for work or to be near to family and friends, Homeswapper is a national service which means that you will be able to see homes across of the whole of the UK, not just in Tamworth.

You can exchange with other social housing tenants if everybody involved in the exchange process agrees. Normally an exchange will be agreed by the Council providing:

- Both properties are the right size for the incoming family's needs
- Neither party is having legal action taken against them for breaking their tenancy

If you are not a Tamworth Council tenant please contact your landlord as they will have their own mutual exchange service.

4.2 Low Cost Home Ownership/ Help to Buy options

If you are interested in owning your own home then there are schemes which are backed by the government which may be able to assist. More information on help to buy options can be found on www.helptobuymidlands.co.uk

➤ Shared Ownership

If you are interesting in registering for shared ownership properties you can apply to help to buy midlands. More information on what this entails and how to apply is found on www.helptobuymidlands.co.uk/help-to-buy---shared-ownership

Shared Ownership is a great opportunity for those who want to get a foot on the property ladder but can't afford to buy a home outright on the open market. The scheme gives you the chance to buy a share in a brand new leasehold property (either a house or an apartment) on a part buy/part rent basis.

You buy a share of between 25% and 75% of a home from a registered provider, usually a housing association. You then pay a subsidised monthly rent to the housing association for the remaining share.

➤ Help to buy Equity Loan

The scheme helps you to buy a newly-built home with an equity loan of up to 20% of the full price of the property. Interest charges on the loan are not paid for the first 5 years and you own 100% of your own home from the start.

The Help to Buy Equity Loan scheme is open to both first time buyers and existing homeowners.

More information on how this scheme works, who is eligible and how to apply can be found on www.helptobuymidlands.co.uk/help-to-buy---equity-loan

4.3 Private renting

The Council is not able to help everyone who registers for re-housing as demand far exceeds the supply. Considering moving to private rented accommodation allows you to decide where you move to, what type of property you move to and when you move.

There are many Internet sites that are very good with up to date properties to rent, including:

Right Move www.rightmove.co.uk

Zoopla www.zoopla.co.uk

Gumtree www.gumtree.com

Spare Room www.spareroom.co.uk

Loot www.loot.com

Property Wide www.propertywide.co.uk

Home www.home.co.uk

DSS move www.dssmove.co.uk

On the Market www.onthemarket.com

Additionally, you may be able to find private rented accommodation through a letting agent which may save a lot of time. It is worth remembering that letting agents may require you to have the finances available to be able to secure the property, whilst fees they can charge are restricted under the Tenant Fees Act 2019 they may still require money for a deposit, rent or have a rent guarantor and you may also have to be able to provide references. You will find letting agents listed in the local papers, Yellow Pages, or Thompson Local or on www.zoopla.co.uk/find-agents/letting-agents/tamworth/

If you have difficulties in securing private rented accommodation, the Housing Solutions team may be able to assist you. Please email housingsolutons@tamworth.gov.uk or call 01827 709709 for more information on the assistance that we may be able to provide.

4.4 Adaptations

If you would prefer not to move home, but are looking to do so because you or a member of your household are disabled or have a chronic illness that affects your housing requirements, you may like to consider having your current home adapted to meet your needs.

There may be financial assistance that can be provided to help you do this, depending on your circumstances, in the form of a disabled facilities grant. Further information on disabled facilities grants can be found on the website: www.tamworth.gov.uk/grants-housing

Self –referrals can be made to Staffordshire Cares for an occupational therapy assessment of your property and your needs. This assessment may then help indicate what additional support or adaptations may be required by you. Applicants may wish to contact Staffordshire Cares to arrange this by telephone 0300 111 8010 or by email: staffordshirecares@staffordshire.gov.uk

Alternatively, if you are a Council tenant, speak to your tenancy sustainment officer or if you are a tenant of a housing association speak with your estate manager or housing officer.

If you are a homeowner or private tenant, please contact the Housing Solutions Team on housing-solutions@tamworth.gov.uk 01827 709709.

4.5 Help and Advice

The Housing Solutions Team can offer specialist housing advice to help you keep your current home, source alternative accommodation or provide advice on alternative housing options.

Assistance may be provided by but not limited to:

- Mediation services
- Referrals to supported accommodation
- Advice on joining the housing register and applying for social rented accommodation
- Advice to those threatened with homelessness
- Assistance to obtain private rented accommodation
- Specialised housing options for victims of domestic abuse

A wealth of advice on housing options can be found on www.findingahometamworth.co.uk/content/HousingOptions/

4.6 Housing Associations

The Council has nomination rights to most of the housing associations with properties across the Borough. The Council will generally have 50% nomination rights to offers of accommodation made by Housing Associations within the Borough.

This means that we advertise properties from time to time that belong to another landlord. You can place a bid on these and the landlord lets to the applicant know if they have been successful.

The Registered Providers which nominations may be made to include:

- Platform Housing Group (previously Waterloo Housing) www.waterloo.org.uk
- Derwent Living www.derwentliving.com
- Midland Heart www.midlandheart.org.uk
- Hanover Housing Association www.hanover.org.uk
- Orbit www.orbithomes.org.uk
- Metropolitan Thames Valley www.metropolitan.org.uk
- Walsall Housing group www.whg.uk.com
- Clarion Housing Association Limited www.myclarionhousing.com
- Bromford Living www.bromford.co.uk
- Sage Housing www.sagehousing.co.uk

The lettings criteria for other landlords may differ to that of Tamworth Borough Council. Please make sure you read and understand who is able to bid on each nomination property before you make your bid. The property advert will list information on the landlord of the property and also the lettings criteria specific to that landlord. Whilst Housing Associations will retain their own lettings criteria they must give due regard to this Allocations Policy when making decisions.

Applicants may wish to contact registered providers directly to establish what their lettings policies are and if they allocate properties through any other means they may be able to access.

Housing Associations may also make direct allocations in accordance with their own policies and procedures.

5 Aims of the Scheme

5.1 The aims of this scheme are to:

- Enable applicant choice and informed decision-making, which encourages applicants to pursue all housing options which are open to them including supported housing, affordable housing, and affordable home ownership.
- Ensure social housing is allocated and prioritised to those who are in most housing need, and thus help prevent homelessness
- Comply with statutory obligations, government policy and guidance from government and ensure that all allocations of properties are equitable, fair and transparent.
- Contribute to the council's strategic priorities namely living a quality life in Tamworth, growing strong together in Tamworth and delivering quality services in Tamworth.

How do we know whether this scheme is achieving our objectives?

- 5.2 We will carry out annual impact assessments of the scheme to check whether it is still achieving its aims.
- 5.3 The Council recognises that people need to understand how social housing is allocated to inform their decisions about housing. We will therefore communicate information about this scheme and how it is delivering through:
- Dedicated web and online information, including performance information
 - Regular articles in the Council's Landlord publication Open House
 - Regular dialogue with tenants' through tenants forums and involvement groups
 - Monitoring customer satisfaction
- 5.4 This allocations scheme has been framed in accordance with equality legislation. The Equality Impact Assessment will be attached as an appendix to this document.

6 Applying to join the housing register

Who Can Apply?

- 6.1 In order to be considered for an allocation and take part in the choice based lettings scheme, a person/household has to be registered on the Council's Housing Register.

Anyone can apply to join the Housing Register however not all applications will be accepted onto it. The Council will consider each application on the basis of whether they:

- Are eligible to apply for housing

- Qualify under the scheme rules
 - Have housing need within the reasonable preference categories or within additional preference categories incorporated within the policy.
- 6.2 The eligibility and qualification criteria are set out in sections 7 and 8 of this policy – people who intend to apply should check whether any of these apply to them and their household.
- 6.3 Multiple or duplicate applications for the same household are not allowed.

Who can and cannot be included on the application form

- 6.4 The Council will accept single and joint applications. Joint tenancies will only be granted between husbands/wives/civil partners/un-married couples or between siblings. Additional persons who can be included on a housing application must be members of the applicant's immediate family who normally live with the applicant. Any other person will only be included on an application if the Council is satisfied that it is reasonable for that person to live with the applicant for example, emerging families. This will exclude lodgers or anyone subletting from the applicant. Anyone over 16 years of age included on an application as part of a household will also be included in the full assessment of the application including income, capital and assets.
- 6.5 Children of applicants are only allowed on the application of the parent who has residency of the child(ren) and to whom Child Benefit is paid. For the purposes of this scheme a child is defined as someone who is either under the age of 18 or who is still dependant on the applicant e.g. due to continuing education. Where a Child Benefit award letter can no longer be provided the Council will accept a bank statement addressed to the applicant clearly showing the correct amount being paid directly by Child Benefit as long as there is also proof of relationship for example, a child's long birth certificate to show the parentage of the child.

Applications from Councillors, board members, employees and their close relatives

- 6.6 Councillors or members of the board of a Registered Provider working with the Council as well as employees of Tamworth Borough Council and their close relatives (parents, children, spouse or former spouse) can apply to the housing register.
- 6.7 In order to ensure that the Council is seen to be treating all applicants fairly, any application for housing or re-housing from Members of the Council, employees of the Council, or associated persons must disclose their relationship at the point of application or if circumstances change, after the initial application has been submitted.

6.8 All applications will be assessed in line with this policy, and shall be treated equitably and fairly. The Council will neither give an advantage to, nor disadvantage, an applicant falling into this category. All such applications that are processed will be notified to management so they can be signed off by a senior officer in the housing solutions team. Furthermore, prior to any offer of accommodation being made to any application of this nature, approval from the Executive Director of Communities will be required, in line with the Disclosure Policy of the Council, which will be attached as an appendix to this policy.

Applicants under 18 years Old

6.9 Applicants aged 16 or 17 will not normally be able to join the housing register. The only exceptions to this are as follows:

- Where a statutory homelessness duty is owed
- For care leavers 6 months before their 18th birthday to allow the Council to work with them effectively to help source suitable alternative accommodation to try and prevent them from becoming homeless.
- Where the applicant has been accepted into supported accommodation provided by the Council and there is a requirement for the application to be processed to enable the occupant to pay rent and other charges.

6.10 All efforts, including family mediation, referrals to supported accommodation will be made to prevent homelessness and assist young people to achieve an appropriate housing solution to meet their need.

6.11 Where an applicant under 18 is unable to join the housing register but is threatened with homelessness full advice and assistance will be offered to the young person for them to return home where it is safe for them to do so or for alternative accommodation to be sourced for them.

6.12 The Council has signed a joint protocol with partners across Staffordshire local authorities and the County Council for homeless 16/17year olds. The aim of this protocol is to ensure a county wide approach to assist the 16 or 17year old and to help prevent their homelessness. As part of this protocol there is an agreement in place for joint assessments to be completed with colleagues from Staffordshire County Council. The Council will make the relevant referrals to enable this to happen.

6.13 As a 16/17 year old cannot hold a tenancy in law, there will also be a requirement for a 16/17 year old to have an approved person to act as their trustee in relation to the tenancy agreement. This would normally be a family member or other suitable third party.

7 Eligibility

- 7.1 The statutory eligibility criteria for social housing are set out in section 160ZA (1-5) of the Housing Act 1996, as amended by the Localism Act 2011.
- 7.2 An applicant may be ineligible for an allocation of accommodation under section 160ZA (2) or (4). Authorities are advised to consider applicants' eligibility at the time of the initial application and again when considering making an allocation to them, particularly where a substantial amount of time has elapsed since the original application was made.

Persons from abroad who are not eligible to join the register

- 7.3 The following persons are not eligible to join the register:
- People who are “subject to immigration control” (unless they fall within a class prescribed by regulations made by the Secretary of State (section 160ZA(2))
 - People who are not subject to immigration control, but are nevertheless prescribed by regulation as being “persons from abroad” (this may include British citizens who are not habitually resident in the UK)
 - Any other person as prescribed by the Secretary of State.
- 7.4 If a person who has been admitted to the register ceases to be eligible under the above criteria, he or she will be removed from the register with immediate effect.

8 Qualification

- 8.1 The Council will only allocate to a person who is a qualifying person. The Council will only allocate housing accommodation to a person that does not come within any part of section 7 of this policy.

Qualified Persons

- 8.2 Only an applicant with a local connection is considered a qualifying person. Local connection is defined below. There are some exemptions to this which follow the local connection criteria.

Local Connection

- 8.3 Applicants or a permanent member of their household will need to meet, and provide evidence of the fact they meet, at least one of the following criteria in order to be defined as having a local connection to the Borough of Tamworth:

A) Residence

Have been resident within the borough of Tamworth continuously for the last 2 years immediately preceding the date of application and for the duration of their application

For the purposes of residency we will only usually consider settled forms of accommodation. Secure accommodation would generally be considered as secure and medium to long term accommodation and generally where there is a legal right to occupy the accommodation. For example, owning the accommodation, renting the accommodation or where they have resided with family with the intention of it being a long term arrangement.

B) Employment

Have permanent employment or be self-employed within the Borough of Tamworth for a continuous period of at least 12 months immediately preceding the date of application and for the duration of the application or for the (although any employment need not necessarily be/have been with same employer).

This employment must be for more than 16 hours per week. Where working hours fluctuate i.e. casual or zero hour's contract, an average will be taken over 12 months.

C) Close family with an additional health/welfare need

Local connection can be established through family where there has been frequent contact and dependency and:

- the applicant has a close relative* who has been living in the borough of Tamworth continuously for the last 5 years and where the relative has health or care needs which require the support of the household that is applying to move to be in the area.
- a family member needs to move to the borough of Tamworth to be closer to family who live there from whom they require care/support.

Applicants will need to provide medical evidence to support this criteria along with evidence to show frequent contact or dependency.

*Close relative for this purpose is defined as parents, children, siblings, grandparents or grandchildren including step relatives.

8.4 Local connection exemptions

The only exemptions to satisfying this criteria are as follows:

- The applicants are relevant persons for the purpose of the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012-

Armed Forces

- 8.5 The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 stipulate that a person would satisfy local connection if a person;
- A) Is serving in the regular forces or who has served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act;
 - B) Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where—
 - i. the spouse or civil partner has served in the regular forces; and
 - ii. their death was attributable (wholly or partly) to that service; or
 - C) Is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.
- The applicants satisfy the right to move criteria below and therefore do not need to have a local connection to the borough of Tamworth.

Right to Move

- 8.6 The Right to Move qualification regulations 2015⁵ states that Local Connection criteria must not be applied to existing social tenants who seek to move from another local authority district in England and who have a need to move for work related reasons to avoid hardship.
- 8.7 To qualify the applicant must be a social housing tenant living in England
- 8.8 Applicants wishing to join the Housing Register due to work related reasons to avoid hardship are able to do so provided that they can evidence these requirements.
- 8.9 Applications accepted under 'Right to Move' will be awarded Band 1 priority.

⁵ The Allocation of Housing (Qualification Criteria for Right to Move) England Regulations 2015 and Right to Move: Statutory guidance on social housing allocations for local housing authorities in England 2015 (DCLG)

- 8.10 The Council must be satisfied that the tenant needs, rather than wishes, to move for work related reasons and if they were unable to do so this would result in hardship.
- 8.11 In determining whether the tenant needs to move the Council will consider the following factors:
- The distance and/or time taken to travel between work and home
 - The availability and affordability of transport, taking into account the tenant's level of earnings
 - The nature of the work and whether similar opportunities are available closer to home
 - Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move
 - The length of the work contract
 - Whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects.
- 8.12 The qualification regulations only apply if work is not short-term or marginal in nature, nor ancillary to work in another district. Voluntary work is also excluded.
- The applicant is homeless and the Council has accepted a full duty to them under the Housing Act 1996 (as amended) S193(2)
 - Applicants who are homeless and who are owed a duty requiring the Council to help them secure accommodation under S189B of the Homeless Reduction Act 2017, but only for as long as that duty is owed to the applicant
 - Applicants who are threatened with homelessness and who are owed a duty requiring the Council to take reasonable steps to help applicants ensure that their accommodation does not cease to be available for their occupation under S195 of the Homelessness Reduction Act 2017 but only for as long as that duty is owed to the applicant
 - The applicant does not have a local connection to any other Council
 - The applicant has been unable to establish normal residency due to rough sleeping.
 - Where the applicants are travellers or gypsy's and this has prevented local connection through the normal residency criteria
 - There are significant and special circumstances with overriding reasons requiring the move into Tamworth for reasons of safety; when an applicant is fleeing domestic abuse from another area, is on a witness protection programme or where by not moving to Tamworth would be detrimental to their wellbeing or cause significant hardship. This would be assessed on a case by case basis and would require approval from a Senior Officer within the Housing Solutions Service.

- Local connection through special reasons may also be granted where applicants have been staying temporarily with friends or family, or otherwise referred to as 'sofa surfers' and where there are supplementary links to the area for example recent previous residency, or where they have only been residing with them temporarily due to the threat of homelessness or if they require to be in Tamworth for a medical or welfare need.

An applicant will retain their local connection where they have left the area due to:

- Being in Hospital
- Having to move out of the area for care
- Being accommodated in supported accommodation outside the district
- Being placed in temporary accommodation outside of the borough by the Council

Disqualified persons

- 8.13 There are some circumstances where people are disqualified from joining the housing register as the Council will only allocate social housing to those people that it has defined as "qualifying persons" under Section 160ZA(6)(a) of the Act. These criteria are set out in the rest of this section.
- 8.14 Disqualified applicants can ask for a review of the decision – see section 13 of this policy.
- 8.15 Where applicants are disqualified from the housing register they will still be able to access advice and assistance on other housing options, such as privately renting, mutually exchanging and/or access to shared ownership from the Housing Solutions team of the Council.
- 8.16 Where an applicant has been accepted onto the housing register but subsequently becomes disqualified for an allocation (for example, for reasons of behaviour) or is discovered to have been disqualified when the application was made, the applicant will be notified in writing that the Council intends to cancel their application and of the reasons for this. The applicant has a right to ask for review of this decision (see section 13). If the Council has not received a request for a review within 28 days of the date of the notification letter, the application will be cancelled.

Disqualification criteria

A. *Unacceptable behaviour or former tenant debt*

Where an applicant or a member of their household who would be rehoused with them has been guilty of 'unacceptable behaviour' in the conduct of their current or a previous tenancy, they will not be qualified to join the register. An exception will be made where someone is homeless and the council has accepted a main section 193 housing duty.

Unacceptable behaviour can include, but is not limited to:

- i. Owing rent or other housing-related debt from a current or former tenancy with a registered housing provider or a private landlord of 8 weeks or equivalent of their rent
- ii. Using premises for illegal or immoral purpose
- iii. Causing nuisance and annoyance to neighbours or visitors
- iv. Convictions for criminal offences in or near to the applicant's home where the applicant still poses a threat to neighbours or the community
- v. Convictions for a criminal offence relating to abusive behaviour towards a Tamworth Borough Council employee, partner or contractor
- vi. Convictions for housing or welfare benefits-related fraud
- vii. Being violent towards a partner or members of the family or anyone in the neighbourhood and been convicted of an offence in relation to this or where it has met the threshold for an injunction or court order for example a non-molestation order.
- viii. Obtaining a tenancy by deception, for example by giving false information
- ix. The applicant is subject to a civil injunction due to unreasonable behaviour

In determining whether an applicant is disqualified due to unacceptable behaviour, the Council will consider:

- Has the applicant or a member of the applicant's household been guilty of unacceptable behaviour?
- Was the unacceptable behaviour serious enough to have entitled a landlord to obtain an order for possession, whether or not such an order was sought?
- At the time of the application, is the applicant still unsuitable to be a tenant by reason of that behaviour, or the behaviour of a member of his/her household?

Unacceptable behaviour will initially result in disqualification for 12 months, which may be extended unless the applicant has rectified the wrong doing. To be admitted

to the register the disqualification must have been rectified, for example if an applicant pays off or significantly reduces their current or former rent arrears. If an applicant's behaviour has been such that they have received a criminal conviction resulting in a then a fixed term disqualification may apply until any conviction has been spent. For convictions which may never be spent then the Council would consider admitting them onto the housing register once they have served any sentence imposed and would any licence conditions they are under.

An applicant can re-apply to the Housing Register at any time for their situation to be reviewed if they feel they are entitled to now qualify.

The Council will not disqualify someone from the housing register once the conviction has been spent.

Where the disqualification is as a result of rent arrears and the applicant has demonstrated that they have a payment plan in place, that they have been making regular payments for a period of 3 months, which are of a reasonable and proportionate amount to the debt owed amount, then the Council will allow them to join the register with a reduced preference. The amount required to be paid on a payment plan would be subject to an affordability assessment and based on the applicants income and expenditure.

Where applicants are disqualified they would be notified of the decision in writing and offered the chance of appeal.

B. Property Ownership

Under s160ZA Housing Act 1996 the Council is only allowed to allocate to an eligible and qualifying person. The Code of Guidance recommends that local authorities should avoid allocating social housing to people who already own their own homes. The Council will therefore only allocate social housing a person who owns their own home in exceptional circumstances.

Applicants who own their own homes will be provided advice and guidance on other housing options.

Applicants will not qualify to join (or remain on the register) if they own a property either in the UK or abroad (either freehold, leasehold, under mortgage or shared ownership), unless they can demonstrate that:-

- They are in housing need and/or it is unreasonable for them to continue to occupy the accommodation

And

- They cannot liquidate or sell the property which would enable the owner occupier to purchase or rent an alternative property suitable to meet their needs.

Examples may include:

- They are homeless or likely to become homeless within 3 months of their request due to the repossession of their current home and if they receive any equity this will not be enough to secure alternative accommodation
- A joint owner who has left the property, or is leaving the property in order to escape domestic violence and the violent partner is the other joint owner and the property cannot be sold.
- There has been a breakdown in a relationship between joint owners and one has requested housing, the property has been sold, and they have insufficient resources secure alternative accommodation.
- A homeowner who has been accepted as statutory homeless.
- Where a closure order or prohibition notice due to serious disrepair has been served on the home

All alternative housing options must also have been exhausted before homeowners can join the housing register. In case of needing to move due to medical reasons then funding any necessary adaptations by any other means will also be considered.

Applicants who own property and who rent that property out will be expected to take all necessary legal steps to regain possession of it. This will apply to properties that are owned outright or still mortgaged and to properties where an applicant's family may currently be residing. Where a homeowner has tried and exhausted all legal routes to regain possession of the property but has been unable too then the Council would allow them to join the register subject to approval by a Director.

Those who are disqualified from the register because they are homeowners can still access appropriate advice regarding their housing options (as per Section 4 above) and assistance in resolving their housing needs.

Where applicants are able to register, before any offer of accommodation is made, proof will be required that the property has been sold or proof of the fact that a sale has been agreed. Only in exceptional circumstances and where there are significant material overriding reasons would a property be allocated where the applicant still retains ownership of a property and this would require approval from a Director.

C. Financial resources

The Council is permitted to take into account the financial resources available to an applicant to meet their own housing need. If a household's income exceeds the following they will not qualify to join the register.

- i. Single person households with a household net income of £30,000 or more per year
- ii. Family households (this includes couples) with a household net income of £60,000 or more per year.

A family household is defined as a household that is not a single person and includes couples. A household income will take into account the income of all household members other than the income of non-dependent children. Income will also include all sources of income for the household, including (but not limited to) benefits, grants and income from employment.

Disability Living Allowance or personal independence payments or any other replacement benefit for the above will not be included for the purposes of this calculation. Payments awarded as a result of injury sustained whilst serving in the armed forces shall also not be included in any income calculation. Payments for compensation of injury would also not be included.

These income ranges will be reviewed annually in line with Central Government Directive and legislation.

The procedure for calculating household income will be attached as an appendix to this policy.

D. Savings/Assets/Capital

Applicants with capital/savings/assets/investments in excess of £16,000 will not qualify to join the housing register as they will be regarded as having sufficient resource to source alternative suitable accommodation. This amount is in line with the DWP criteria for eligibility for Housing Benefit.

Where these savings are derived from a payment due to injury or disability for members of the armed forces who have recently been discharged, unless there is an award towards meeting their housing costs they will not be included in this calculation.

E. People with no housing need

Applicants will not qualify for and be registered/allowed to remain on the Council's housing register if the Council is satisfied, that following an assessment, they are suitably and adequately housed, that is, they have no recognised housing need under the Council's Housing Allocation Scheme or fall into a reasonable preference category.

The demand for social housing in the area exceeds supply and therefore social housing has to be awarded to those who are in the most housing need. The Council wants to manage demand and manage applicant's expectations accordingly.

Where such applicants are disqualified from joining the housing register they can still discuss other housing options available to them with the Housing Solutions Service.

For current social housing tenants who are adequately housed but still wish to move they may still be eligible for a mutual exchange.

F. Refused 3 tenancy offers within 12 months

Where applicants have refused 3 suitable tenancy offers within a 12 month period they will be disqualified from the housing register for a period of 12 months.

The 12 months will commence on the date of the refusal of the third offer.

The only exception to this will be where applicants have had a significant change in their circumstances following the making of the third offer and this will be at the discretion of the housing solutions manager.

Assessing Reasonable Preference without fulfilling the Qualification Criteria

- 8.17 The Council's Allocations Scheme must give reasonable preference to applicants who fall into the categories set out in section 3 above (Legal Framework) and more specifically, sections 3.3 and 3.4. The Council cannot automatically reject an applicant who does not qualify under local connection criteria but who may still fall into a reasonable preference group for housing need.
- 8.18 Applications will be considered using the reasonable preference criteria set out in this Scheme. Successful applications where there is a reasonable preference, but where there is no local connection to the borough of Tamworth will be assessed at a reduced priority and be demoted to the band lower than the one the applicant would usually be awarded if they had a local connection.

8.19 If applicants fall into a reasonable preference category they will only usually be disqualified in exceptional circumstances and where the applicant has committed serious anti-social behaviour or has high rent arrears⁶.

How to apply

8.20 An application to join the housing register must be made using a Council housing application form. These can be downloaded online at www.tamworth.gov.uk or alternatively are available from Marmion House, Lichfield Street, Tamworth, Staffordshire B79 7BZ. If a form cannot be downloaded or collected from the Council offices then one can be requested to be posted out.

8.21 Applications are subject to verification checks and will be assessed:

- At the point of initial application
- Following any change of circumstance notified to the Council by the applicant
- Following routine validation audits
- Following an annual review of the application
- At the point when an offer of accommodation is made
- At the point of letting.

8.22 Applications must be accompanied by any supporting information and evidence as well as relevant proof of identification. The Council will return all forms where such documentation has not been provided. Applicants will usually be contacted and given the opportunity to bring the information in first, before it is returned.

8.23 The Council will contact any current and/or former landlords in a five year timeframe to check the applicant's eligibility pursuant to the Policy the following checks. This applies equally to private or social landlords.

8.24 Where applicants are privately renting and any reference request to their current landlord may result in them being served with a notice to leave that tenancy, applicants will be required to provide proof of their rent account or proof of rent payments for the previous 6 months, or since the start of the tenancy if it commenced within the last 6 months. A tenancy reference will be mandatory at the time an applicant is offered a property. Where applicants will be unable to provide this any offer may be withdrawn.

8.25 Advice and assistance regarding any aspect of the housing application process is available free of charge from the Housing Solutions team, Tamworth Borough Council, Marmion House, Lichfield Street, Tamworth, Staffordshire, B79 7BZ, or by phoning 01827 709709 or by emailing housingsolutions@tamworth.gov.uk.

⁶ Allocation of accommodation: guidance for local housing authorities in England- 2012 DCLG

9 Reduced Preference

9.1 Reasonable preference without fulfilling local connection

Where applicants fall under a reasonable preference category but would not ordinarily meet the local connection requirements their band will be reduced to a band lower than they would be awarded if they had a local connection.

9.2 Rent arrears

Where applicants owe housing debts to their current or a former landlord of £250.00 or over, or 4 weeks rebated rent⁷ their band will be reduced by one band below that indicated by their housing need.

So, for example, applicants whose housing need would place them into Band 2 would be placed into Band 3.

Where the applicant owes arrears of rent that are lower than either of these two amounts, then their application will not be demoted but they will be expected to clear the arrears before being signed up for any new tenancy.

The Council reserves the right not to apply reduced preference for rent arrears where these are directly attributable to bedroom subsidy sanctions, and there is a sound business case to do so. The Council's Allocations Panel must approve any such decision.

The Council will not apply a reduced preference when an applicant has rent arrears but has been accepted as homeless and where they are entitled to the S193 housing duty.

For transfer applicants the Council will expect a clear rent account before the tenant is allowed to move and will be required to have a property inspection to ensure no breaches of the tenancy agreement.

9.3 Deliberate Worsening of Circumstances

Where applicants have been deemed to have deliberately worsened their circumstances their banding will be reduced to one band lower than they would usually have been awarded. Examples of this could include but are not limited to:

⁷ 'Rebated rent' means the net amount that the tenant is expected to pay over and above any housing benefit or housing allowance.

- i. Applicants who give up a home that they own, rent, or have rights to but choose to leave or dispose of it without good reason in the 5 year period immediately preceding the making of their application. This includes 'gifting' a home to friends and/or relatives, both within and outside the UK, where they could have reasonably been expected to reside, or to sell it.
 - ii. Applicants who have given up a social housing tenancy in the five year period immediately preceding the date of their application and this was , not due to violence / threats of violence / harassment / anti-social behaviour / domestic abuse / hate crime, or any other similar danger to life and welfare. This will require clear evidence that the issues had arisen.
 - iii. Applicants who deliberately overcrowd accommodation other than where it is necessary to prevent homelessness.
 - iv. Applicants who deliberately move to a home which was clearly unaffordable at the point they move into it.
 - v. Applicants who deliberately move into accommodation which will be overcrowded other than to prevent their homelessness and prevent the homelessness of their family.
 - vi. Applicants who leave suitable accommodation without making suitable provision unless there was good reason to leave
 - vii. Applicants who deliberately deprive themselves of capital, equity or income following the sale of a property belonging to them whether jointly or in their sole name in order to qualify or gain priority for housing. Deliberate deprivation includes gifting money to relatives and friends and payments to third parties.
- 9.4 Where an applicant applies to the housing register and is accepted into a band, but subsequently makes a homeless application and is deemed to be intentionally homeless they will be demoted to a band lower as appropriate and /or applicable. For example an applicant may have been awarded medical banding when applying to the housing register but is then found to be intentionally homeless. Whilst they would still be awarded the medical banding, a reduced preference would then apply and they would be placed in one band lower than they were in.

10 Bedroom Requirements, Property eligibility and entitlement

10.1 Summary of which households can bid for certain properties

Property Type	Household Criteria
Bedsit / studio flat	Single person
One bed flat	Single person / couple
One bed Bungalow	<p>Single person or couple with mobility disabilities and a need for this type of accommodation (as assessed by an Occupational Therapist).</p> <p>Priority is given where one person is 60 years or above. In the absence of 60+ year olds, those under this age will be considered.</p>
High rise – one bed flats	Single persons or couples - at least one person must be 50 years or above.
High rise – two bed flats	<p>Couples where at least one person is 50 years or above who have either:</p> <ul style="list-style-type: none"> • An assessed need for separate bedrooms or • Require an overnight carer.
Two bed bungalow	<p>Single persons or couples who either have :</p> <ul style="list-style-type: none"> • An assessed need for separate bedrooms or • Require an overnight carer. <p>Priority is given where one person is 60 years or above. In the absence of 60+ year olds, those under the age will be considered.</p>
Sheltered Housing	Single persons or couples - at least one person must be 55 years or above and they must have an assessed need for sheltered housing.
Two bed flats (not high rise), maisonettes and houses	Households, whose bedroom requirements are as indicated in section 10.2.
Three bed flats, maisonettes and houses	
Four bed houses	
Five bed houses	
Seven bed houses	

Bedroom Requirements

- 10.2 The Council will make best use of its stock. Accommodation will normally be offered according to applicants' needs and the criteria below:

One bedroom is allowed for:

- Every adult couple
 - Any other person aged 16 or over
 - Two children of the same sex under the age of 16
 - Two children under the age of 10 regardless of their sex
 - Any other child
 - A carer (who is not part of your household) if you or your partner need overnight care
 - Any other person who cannot share a bedroom because of a severe disability or medical condition or where there is a need for medical equipment for example dialysis equipment
- 10.3 A household containing a pregnant woman will be eligible for a bedroom for the unborn child at 20 weeks gestation if there is no other bedroom that the child could be expected to share. Since this would be deemed a 'spare room' prior to the child's birth, the financial implications of accepting the offer of a property with a room for the unborn child will be explained to the applicant prior to their acceptance of the offer. They will be entitled to refuse such an offer.
- 10.4 These household criteria largely reflect the changes made by Government to Welfare Benefits. This approach seeks to ensure that applicants are not allocated accommodation that has a 'spare' bedroom for benefit purposes and which would be unaffordable and unsustainable as a result.

Carers

- 10.5 Applicants claiming bedrooms for carers will need to provide evidence sufficient to satisfy the Council of the caring relationship, which must include supporting evidence from Adult Social Care evidencing the need for overnight care. Even where the Council recognises a need for an overnight carer for the purposes of a housing need, the applicant may still need to satisfy other authorities of this, such as for Housing Benefit / Universal Credit payments.

People with disabilities who cannot share

- 10.6 Applicants will need to provide evidence sufficient to satisfy the Council of the need for separate bedrooms, which must include supporting evidence from senior medical professionals. Awarding an additional bedroom will be assessed on a case by case basis and will involve considering not only the nature and severity of the disability but also the nature and frequency of care required during the night, and the extent and regularity of the disturbance to the sleep of the other person who would normally be required to share the

bedroom. Even where the Council recognises a need for an additional bedroom for the purposes of a housing need, the applicant may still need to satisfy other authorities of this, such as for Housing Benefit / Universal Credit payments.

Fostering

- 10.7 Approved foster carers and adopters who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority can apply to the Council to bid for homes that provide an additional bed space. This provision also includes special guardians, holders of a residence order and family and friends carers who are not foster carers but who plan to take on the care of a child. Approval for a 'size over-ride' will be considered by the Allocations Panel subject to supporting information being provided.

Under-occupying homes

- 10.8 The Council reserves the right to allow for the under-occupation of its homes if this is the best use of housing stock which will be determined by demand for that particular stock, whether it is an adapted property or the individual personal need of the applicant. Any such "over-ride" will be approved by a Director and will be subject to an affordability check on the part of the applicant.
- 10.9 Where under-occupation of a home would result in a reduction in Housing Benefit because there is a spare room, the implications will be discussed with the applicant prior to acceptance of an offer, to ensure that the applicant can afford to pay the rent and that the tenancy will be sustainable.

Over-occupying homes

- 10.10 Where a household requires a larger property, the type of which does not become available frequently, they may apply to the Council to be allowed to bid for properties that have one bedroom less than required under these eligibility criteria, provided they would not be statutorily overcrowded.
- 10.11 Approval for a 'size over-ride' will be required to be authorised by a manager in the Housing Solutions service.
- 10.12 A policy over ride would not apply for bedroom entitlement where it has been awarded based on medical need and following receipt of medical evidence.

Property Eligibility

Sheltered Housing

- 10.13 The Council has a number of sheltered schemes across the town and allocations are in accordance with this Scheme. The applicant (or at least one of a couple) must be 55 years or above.

- 10.14 Prospective tenants will be required to have a needs and risk assessment before an offer is made to ensure that the property and support available will meet their needs. This assessment will usually take place at the scheme if this is acceptable to the applicant.
- 10.15 Property advertisements for sheltered schemes include information on who can bid, and the charges payable.

Properties where bidding is limited to certain households or bands

- 10.16 Some other properties are designed and intended for households with specific characteristics. These include properties that are usually allocated to older people, or to disabled people.
- 10.17 Where properties are so designated, the property advertisement will state which types, or bands, of applicants are eligible to bid and how their relative priority will be determined.
- 10.18 The property advertisement will also state where a Local Lettings Plan applies, and who is entitled to bid for the property.
- 10.19 Some properties, e.g., some that are in high demand, will only be open to bids from applicants in higher bandings, as determined by the Annual Lettings Plan. This will also be stated in the property advertisement.

11 Banding

Summary of Banding

11.1 Band 1+
Applicants in the following circumstances will be placed in this highest band:
<ul style="list-style-type: none"> • Applicants assessed as having exceptional additional housing need namely where a main homeless duty is owed to the applicant and the applicant has one further criteria in Band 1 • Applicants who have an urgent housing need (as defined in Band 1) <u>and</u> <ul style="list-style-type: none"> i. Are serving or formerly served in the regular forces and suffer from a serious injury, illness or disability which is attributable (wholly or partly) to the person’s service

- ii. Have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner who served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- iii. Who are serving or have served in the reserve forces and are suffering from a serious injury, illness or disability that is attributable (wholly or partly) to the person's service.

11.2 Band 1

Applicants in the following circumstance will be awarded Band 1, these circumstance encompass reasonable preference groups:

- Applicants whose current home is within the borough of Tamworth and which is due to be demolished, or is subject to a Demolition Order.
- Applicants assessed as statutorily homeless and owed a main duty in the borough of Tamworth.
- The applicant's current home is subject to a Prohibition Order served by Tamworth Borough Council covering a main part of the dwelling, or is otherwise unsatisfactory or unsanitary and the defects to the property cannot be readily remedied following an assessment by the private sector housing team.
- Applicants who are unable to continue to occupy their current accommodation due to high medical need or disability
- Applicants with a high need for alternative accommodation on the grounds of significant social welfare. This includes applicants with a need to move to a particular locality where significant hardship would be caused if they did not move, and this banding is also awarded to those with a 'right to move' as stipulated
- Applicants who are deemed by the Private Sector Housing team to be statutorily overcrowded, or who are overcrowded by two or more bedrooms according to this Policy
- Applicants who have a social housing tenancy and are under-occupying social rented accommodation by two or more bedrooms
- Applicants awarded Incentive to Move that are presently tenants of Tamworth Borough Council, and are prepared to move to a flat or bungalow, thereby making their current home available to an applicant that needs a house (not subject to cumulative

preference)

- Applicants that are presently living in supported housing and are required to move on. In accordance with the move on protocol, where specific Service Level Agreements exists or there are other specific arrangements, the supported accommodation provider will be required to confirm that the applicant has completed a support programme and is ready to move on
- Applicants who are a looked after child and leaving care.
- Where a former Tamworth Borough Council tenant has negotiated and agreed tenancy surrender
- Applicants who are Tamworth Borough council tenants and have an urgent need to move and to make best use of stock for reasons where banding has not been otherwise provided for in the policy.
- Applicants who have a reduced preference from Band 1+
- Applicants who were assessed as threatened with homelessness but through successful mediation have remained within the home for a minimum period of 6 months

11.3 Band 2

Applicants in the following circumstances will be placed in Band 2:

- Applicants with a medium medical need who have been assessed as requiring suitable alternative accommodation.
- Homeless applicants owed a duty requiring the Council to help them secure accommodation under S189B Homeless Reduction Act 2017 (for as long as that duty is owed to the applicant) (not subject to cumulative preference)
- Applicants with a medium need for alternative accommodation on the grounds of serious social/welfare.
- Applicants who are overcrowded by one bedroom according to the bedroom requirement in this Policy.
- Applicants who have a social housing tenancy and are under occupying social rented housing by one bedroom.
- Applicants who are leaving Armed Forces accommodation

and who have not been dishonourably discharged. A Discharge Notice will be required

- Applicants who have been verified as rough sleeping who are determined not to be owed the main s193 duty.
- Have a reduced preference from Band 1.

11.4 Band 3

Applicants in the following circumstances will be placed in Band 3:

- Applicants who have been assessed through the homeless legislation but where a main duty is not owed due to non-priority, intentionality or refusing a suitable offer of accommodation.
- Applicants who are threatened with homelessness and who are owed a duty requiring the Council to take reasonable steps to help them ensure that their accommodation does not cease to be available for their occupation owed under S195 of the Homelessness Reduction Act 2017 (for as long as that duty is owed to them) (not subject to cumulative preference)
- Applicants with a low medical need or a disability of such a nature that requires them to move.
- Applicants who have a low housing need on welfare grounds.
- Applicants who are single and aged 35 or over who are living in shared accommodation that includes sharing facilities such as the bathroom or kitchen with other people in unrelated households
- Joint applicants who are a couple and living in shared accommodation that includes sharing facilities such as the bathroom or kitchen with other people in unrelated households
- Have a reduced preference from Band 2.

11.5 Band 4

Applicants in the following circumstances will be placed in Band 4:

- Applicants that are owed an accommodation duty under section 193C (4) namely those applicants who have had their homeless duty discharged for failing to co-operate.
- Applicants that have a reduced preference from Band 3.
- Applicants that were referred into Supported housing temporarily but not yet ready for move-on in accordance with the move on protocol

11.6 There are 5 bands, with Band 1+ being the highest priority. Each of the bands is categorised according to need

11.7 Relative priority amongst bidders for any particular home is determined:

- Firstly by the Band, and
- Secondly by the date that the application joined the Band, so that those that have been in any Band for longer periods of time are given preference over those that joined the Band at a later date

11.8 Where an applicant's circumstances change and an alternative banding is awarded, the date the applicant is accepted into the Band is used to prioritise their application compared to bidders in the same Band.

Cumulative Preference

11.9 Applicant(s) meeting two or more of the categories described in Band 2 will be promoted to Band 1. This is to recognise their exceptional and urgent housing need.

11.10 For cumulative preference from Band 1 to Band 1+ this would only apply to those awarded the full s193 housing duty and those from the armed forces who have been injured as a result of their service, or their family and an unconnected characteristic in Band 1.

11.11 Some categories will be exempt from cumulative preference where they may be of similar reasoning to prevent any duplication of banding.

11.12 Banding categories exempt from cumulative preference are detailed within the banding summary

Banding Priorities Explained

Medical grounds for rehousing

11.13 The Council has three levels of medical priority that determine which band an application will be placed in:

Band 1 = High Medical Award
Band 2 = Medium Medical Award
Band 3 = Low Medical Award

- 11.14** The assessment process requires the applicant to provide evidence from relevant care or medical professionals that clearly links the health concern to the current accommodation

11.14.1 High medical need

Where current housing conditions are having a major adverse effect on the medical condition of either the applicant or a member of their household, the application will be placed into Band 1. This will generally require evidence from a senior health practitioner or a consultant and be a tailored assessment clearly linking the medical condition with the current accommodation and making a recommendation as to which type of property would alleviate the condition.

Examples might include:

- A wheelchair user occupies a home where facilities are upstairs and therefore inaccessible and flatted accommodation or a bungalow is recommended
 - An applicant is due to be discharged from hospital and cannot be discharged into their current accommodation because its design is totally unsuitable.
 - A referral has been received from a consultant or other similar health care professional stating that their current housing is having a severe effect on an applicant's (or member of their household's) mental well being
 - An applicant or a member of their household who needs to move to suitable adapted accommodation because of their serious injury, medical condition or disability. This would be assessed by an Occupational Therapist.
- An award will be subject to approval by a senior officer in the housing solutions team.

11.14.2 Medium medical need

Applicants who have been assessed as requiring suitable alternative accommodation because their medical condition and/ or disability is having a detrimental effect on their ability to live independently at home would be placed into Band 2. This would require evidence from medical practitioners who must also recommend suitable property types or the required characteristics for a property based on their knowledge of the applicant's medical needs.

Examples might include:

- An applicant who requires a different type of accommodation or a different layout of accommodation including but not limited to someone who needs level access accommodation.

11.14.3 Low medical need

Applicants whose move to suitable alternative accommodation would improve their health will be placed in Band 3. This is typically evidenced by a letter from the applicant's GP or community health services. It must also recommend suitable property types and/or the required characteristics for a property based on their knowledge of the applicant's medical needs.

Examples might include:

Someone with a degenerative condition whose needs are likely to occur in the future, typically within 12 months' time.

Social, welfare and hardship grounds

11.15 The Council has three levels of social, welfare and hardship priority that determine which band an application will be placed in:

- Band 1 – High Social, Welfare and Hardship Grounds
- Band 2 – Medium Social, Welfare and Hardship Grounds
- Band 3 – Low Social, Welfare and Hardship Grounds

11.16 The Council seeks to sustain tenancies and will engage in multi-agency discussions to determine the best way to resolve issues. Social, hardship and welfare is an umbrella term that will include any discretionary issues other than medical.

11.16.1 High Social, Welfare and Hardship need

Those applicants needing to move urgently on social, hardship and/or welfare grounds will be placed in Band 1. Priority for this level will only be awarded if the current situation is so significant that it will have a serious impact on the wellbeing of the applicant or a member of their household.

This will require supporting evidence from a third party such as a statutory agency (e.g. safeguarding, police, MARAC) and/or senior professional who are involved in the case.

Examples might include:

- Child/ren separated from parents (where they previously lived together) because the child cannot currently occupy the home of the parent, which prevents them living as a family unit.
- Applicants with a high degree of vulnerability whose housing situation is having a detrimental effect on their life

- Applicants who need to move to recover from the effects of violence, emotional or sexual abuse
- People who need to move because of racial or homophobic abuse
- An applicant needing to move to be closer to a relative where either is very vulnerable, there is no alternative solution and where not to do so would cause significant hardship or either or both
- An applicant who is under witness protection, through the national witness mobility service and requires a move to another area.
- Applicants who have been accepted as having a Right to Move (in accordance with section 8.6).
- An applicant needing to move to take up employment where not doing so would cause financial hardship.
- Cases in relation to a child in need where they meet the criteria stipulated in the section below.

The Council will carry out a home visit if this is deemed necessary in order to verify the details provided by the applicant.

Any award will be subject to approval by a senior officer within the housing solutions team.

Child / Children in Need in an existing household

For this purpose of this part in accordance with the Children Act 1989 a child shall be taken to be in need if :

- ‘(a) he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority under this Part;*
- (b) his health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services; or*
- (c) he is disabled.’*

and “family”, in relation to such a child, includes any person who has parental responsibility for the child and any other person with whom he has been living.

A high social need banding will be applied to the application for rehousing, placing the application into Band 1, where:

- The child has been assessed by children’s Social Services via a statutory assessment procedure, and
- Social Services have clearly indicated what aspects of the child’s development are being hindered by their current housing circumstances, and
- The Council’s safeguarding and designated officers within housing are satisfied that the evidence supports an urgent need to move

For the purposes of this assessment the household to be considered is that which has care and control of the child for the majority of the time.

11.16.2 Medium Social, Welfare and Hardship need

Applicants who have a medium housing need on welfare grounds will be placed in Band 2; this would require third party supporting evidence from (local support team, social workers etc.).

Examples might include:

- Applicants who need to move as part of an agreed support plan to re-integrate them into the community.
- Lower level and regular police involvement

11.16.3 Low Social, Welfare and Hardship Grounds

Applicants who have a low housing need on welfare grounds will be placed in Band 3. This would require third party evidence from support workers or equivalent.

Examples might include:

- Applicants with limited access arrangement to their children for example living in a property where children cannot visit.
- Applicants who are privately renting and who are struggling financially. This will be assessed on a case by case basis and subject to supporting evidence being provided, for example in the form of an income/expenditure check undertaken through the Citizens Advice Bureau. This will only be awarded where the applicant's needs are not due to lifestyle choices that the applicant has made. The Council reserves the right to refer the application to its debt advice provider for such confirmation.

Overcrowding

11.17 For households that are living in overcrowded accommodation, banding is awarded on a tiered approach, as follows;

- Band 1 is awarded to applicants who are deemed by the Private Sector Housing Team to be statutorily overcrowded, or who are overcrowded by two or more bedrooms according to this Policy
- Band 2 is awarded to applicants who are overcrowded by one bedroom.

11.18 Provided the applicant is not considered to be statutorily overcrowded, overcrowding banding awarded by the Policy will only be awarded where applicants are considered to be in settled accommodation. This is typically secure, and medium to long term housing where there is a right of occupation.

This would usually be where they own or rent their home or where they have lived with family for more than 6 months.

11.19 The reasons why the applicant became overcrowded, whether the applicant is able to afford a larger home and whether the space within the dwelling is being used effectively will be taken into account.

11.20 Evidence will be required to support the overcrowding.

11.21 Overcrowding assessments will only take into account people who live permanently within the home.

11.22 Home visits may be undertaken by the Council to verify the information provided.

11.23 The Council retains the right to remove banding on this basis should the overcrowding not be evidenced, or circumstances alter and lead to the overcrowding situation being resolved.

Move on from Supported Housing

11.24 The Council works in partnership with a number of agencies that support move-on arrangements from hostels, supporting people funded accommodation and/or other specialist accommodation.

11.25 Applicants moving on from short term accommodation (being of up to 2 years duration) who are capable of independent living (with or without care and support plans) will be placed into Band 1, provided there is evidence from the support provider to confirm that they have been resident for a period of at least 6 months and:

- Their rehousing requirements constitute a high social and/or medical need and an appropriate move on package is in place

Or

- Rehousing will free up a place for a vulnerable person in supported housing

11.26 If applicants fail to bid, then the Council will make bids on their behalf. If applicants are not satisfied with any resulting offer of accommodation then they can request a review of the suitability of the offer.

11.27 Applicants in this category will receive one offer of suitable housing only. If applicants refuse a move on offer of accommodation a reduced preference will be applied.

11.28 In accordance with the Move on protocol adopted by the Council when a resident is ready to live independently and move on from the supported accommodation, the support accommodation provider will need to complete a 'ready to move on' form before banding will be awarded. The move on protocol will be attached as appendix to this policy which contains the form which is required for completion.

11.29 Where the applicant still has support needs the supported accommodation provider must continue to supply these for a period of 6 weeks following the date on which the applicant is re-housed.

Under- Occupation banding

11.30 For households that are under occupying social housing, banding is awarded on a tiered approach as follows;

- Band 1 is awarded to applicants who are deemed to be under occupying by two or more bedrooms according to the bedroom standard in this Policy
- Band 2 is awarded to applicants who are deemed to be under occupying by one bedroom according to the bedroom standard in this policy

11.31 Banding for under- occupation will only apply to those who are permanently occupying a property as their main and principal home and have a social housing tenancy.

11.32 Evidence may be required to support this such as evidence of a social housing tenancy and confirmation from the applicant's social landlord that the applicant is in fact under occupying.

11.33 Where the Council is unable to verify these circumstances the Council retains the right to remove banding on this basis.

Incentive to Move scheme

11.34 The incentive to move scheme is a landlords discretionary scheme and subject to budgetary provision

11.35 In making best use of stock the Council uses it's Incentive to Move scheme to encourage people to move out of under-occupied properties. The policy enables a payment to be made towards moves from:

- Houses to flats or bungalows
- Adapted properties to non-adapted properties (where a suitable match has been made for the adapted property)
- Chain lets – namely where 2 or 3 households give up their properties to move into 1 larger property

11.36 Where someone has moved and received an incentive payment, they should expect to stay in that property for 3 years before making an application to transfer home again.

11.37 The payment will be recovered from tenants that move within 3 years unless there is an exceptional circumstance which include but are limited to:

- Moving into residential care or long-term hospice
- Death
- Moving in with relatives

11.38 The terms of the Incentive to Move scheme are subject to review and set out in the Guide which will be attached as appendix to this policy.

11.39 Where an applicant has arrears which would ordinarily mean that they would be subject to a reduced preference, the Council reserves the right not to apply the reduced preference as long as any payment awarded for the incentive to move clears the arrears. Where the arrears exceed the amount of the incentive to move payment the reduced preference will still apply.

Negotiated tenancy surrender

11.40 In order for the Council as a landlord or make the best use of resources available, the Council will consider awarding an applicant Band 1 in exchange for the surrender of their tenancy in order limit eviction costs, reduce the period of time properties are left vacant or to prevent rent arrears from occurring.

11.41 This is subject to the surrender of the tenancy of the tenancy being done in a planned way and subject to the following provision;

- The applicant is a tenant of Tamworth Borough Council and has been taken into custody or has to go into a mental health or other special facility for an extended period and
- If any offence they committed did not constitute a breach of their tenancy agreement; and
- They have or are likely to be sent to prison or a mental health/special facility for more than 13 weeks; and
- They have conducted their tenancy in a reasonable way; and
- Their rent is up to date

11.42 If the above criterion is met then written confirmation of the surrender will be provided and agreement when they are released they would be awarded Band 1.

11.43 Band 1 for tenancy surrender will not be awarded unless the Council has agreed to the Band 1 before they surrendered their tenancy and confirmation was given.

11.44 The Band 1 will be awarded at the point the applicant is moving from custody or their mental health facility and upon receipt of a housing application.

- 11.45 Tenancy surrender would be subject to completion of a comprehensive report being completed by an officer and authorised by a manager or review officer in the housing solutions service or the allocations panel.
- 11.46 An applicant, who has been granted negotiated surrender priority, may be able to bid for properties within 28 days of their confirmed release date. However, if an applicant is not in a position to sign tenancy agreements and move into the property once it is ready or the offer of accommodation may be withdrawn and the band award deferred.
- 11.47 An applicant would only be awarded this priority where they would not be disqualified from the housing register due to any other circumstances.

Unsanitary or otherwise unsatisfactory housing

- 11.48 The law states that a council is required to give reasonable preference to those living in unsanitary or otherwise unsatisfactory housing.
- 11.49 We will award Band 1 to applicants living in unsanitary or unsatisfactory housing where there is at least one verified Category 1 hazard⁸ that cannot be resolved by the landlord within six months and where the condition of the accommodation has at least an on-going moderate effect on the applicant's health or a member of their household.
- 11.50 We will award Band 1 to applicants living in properties where the landlord has been served with a prohibition order covering a main part of the dwelling, or where the applicant's property has been included within a clearance area or has a lack of facilities (as specified in 11.46 below). This would include situations where the condition of the property occupied is seriously detrimental to the health of any of the household and the defects in the property cannot be easily remedied following an assessment by the private sector housing team within 6 months
- 11.51 The following will be considered to constitute a lack of facilities namely where an applicant does not have access at all to any of the following facilities:
- Bathroom or kitchen
 - An inside WC
 - Hot or cold water supplies
 - Adequate heating
- 11.52 Where conditions have been deemed to have been caused as a result of an applicant's behaviour or lifestyle banding would not be awarded. This would include where an applicant has refused to allow the issues to be remedied.

⁸ The Housing Health and Safety Rating System (HHSRS) introduced by the Housing Act 2004 assess 29 categories of housing hazard. Each hazard has a weighting which will help determine whether the property is rated as having category 1 (serious) or category 2 (other)

Decanting social housing tenants for major repairs

- 11.53 Where the applicant lives in a Tamworth Borough Council property, the Council will seek to deal with any repairs before it considers moving them. However, where major works are required, the tenant may need to move out in order for these to take place. Any letting made will be on the basis that it is a temporary move (a decant) and the tenant will be able to return to their original home once the works have been completed.
- 11.54 These tenants will therefore be offered a licence agreement to occupy the temporary home, as their substantive and principle dwelling will remain their tenancy.
- 11.55 Decants to allow major repairs to private sector housing will be managed in accordance with the Housing Act 2004 and/or other relevant legislation or statutory instruments. Where issues of disrepair are so significant that an Emergency Prohibition Order is necessitated, the occupier(s) of the dwelling will qualify for Band 1 status from the date of the Order.

Best use of stock or tenants with an urgent need to move

- 11.56 In order to make the best use of stock and if by moving a Council tenant hardship to them will be avoided, the Council can award priority banding Band 1.
- 11.57 This will only be awarded in exceptional circumstances and where banding has not otherwise been awarded through the Policy for the same circumstance.
- 11.58 Applicants are not automatically entitled to this banding and cases will be assessed on a case by case basis. Awards of this nature will also have to be supported by evidence and any award of banding will have to be agreed by a manager or review officer in the housing solutions service.
- 11.59 Cases which may fall in this category could include but are not limited to the following:
- Tenants who are enduring significant financial hardship where they are engaged and working with the tenancy sustainment team and all other options have been considered, and by moving to a smaller property would alleviate hardship but where they are not eligible for an incentive to move payment.
 - Where there has already been a succession from one spouse to another but an adult child who has lived in the property all of his life is living in the property
- 11.60 Applicants awarded the priority will only be entitled to one offer of suitable accommodation.

- 11.61 Where an applicant is not bidding for all available and suitable properties the Council retains the right for an officer to make proxy bids on their behalf to suitable properties.
- 11.62 A suitability of accommodation assessment would be completed as part of the band award to ensure the one offer would meet their housing need.
- 11.63 If applicants are offered a suitable property and refuse it, the banding for this priority will be removed. The applicant would be entitled to a review of suitability.

Move-On from Care (Staffordshire County Council)

- 11.64 A care leaver or 'looked after child' (LAC) of Staffordshire County Council will be awarded high priority to move within this Policy if they are ready to move into independent settled housing provided they satisfy certain criteria (see below) and in order to try and prevent homelessness. The care leaver will be awarded Band 1.
- 11.65 A care leaver from Staffordshire County Council will be eligible to join the housing register and be in Band 1 6months prior to their 18th Birthday.
- 11.66 Where a suitable property is identified before their 18th as they are unable to hold their own tenancy, any tenancy would be held in trust until their 18th Birthday.
- 11.67 A supporting letter will be necessary from Staffordshire County Council confirming their status and that they are ready and prepared to move on to independent settled housing, (which may be in the social or private sector), and the care leaver :
- i. possesses the life skills necessary to sustain a tenancy, and
 - ii. has been assessed for a support package, and one is in place.

Homeless Households and applying to join the housing register

- 11.68 Where applicants are homeless and have also applied to join the housing register they will not be disadvantaged.
- 11.69 Where applicants have made a homeless application but are still considered to be entitled to banding under another reasonable preference category they will still be entitled to their normal banding until there has been a change of circumstance which mean the banding is otherwise no longer applicable, for example overcrowding or medical banding associated to a property which they have moved away from.
- 11.70 Due to the Homeless Reduction Act 2017 the Council has framed this policy in order to aid the Council in preventing homelessness and discharging its duty.

- 11.71 Homeless households will be awarded banding on a tiered approach depending what homeless duty may be owed to them and this is covered in further detail below.

Accepted statutory homeless households

- 11.72 *Households to whom the Council has accepted a main housing duty under Part 7 of the Housing Act (as amended) are entitled to one offer of suitable accommodation.*
- 11.73 Applicants are able to bid for advertised properties.
- 11.74 Within the provisions set out in the Localism Act 2011, they may also be considered for an offer of suitable private rented accommodation in line with the Council's Discharge of Duty into the Private Rented Sector Policy (which can be found on the Council's website).
- 11.75 All bids will be monitored by the Council and if an applicant does not bid on suitable properties an officer of the Council will make suitable proxy bids on their behalf. If applicants are not satisfied with any resulting offer of accommodation then they can request a statutory review under s202 of the Housing Act 1996, or appeal to the County Court under S204 of the Housing Act 1996.
- 11.76 If the offer is deemed to be suitable but the applicant refuses the offer, the Council may discharge its duty to the applicant and their priority for housing will be reassessed in line with this Allocations Scheme. Applicants will also have a right to a review of the decision to the discharge of duty under s202 and s204 of the Housing Act 1996.

Households which are homeless but where the main housing duty is not owed

- 11.77 Applicants that are owed a duty requiring the Council to help them secure accommodation under s189B of the Homeless Reduction Act 2017 will be placed into Band 2 for as long as that duty is owed to the applicant. This banding is not subject to cumulative preference.
- 11.78 Applicants that are owed a duty requiring the Council to take reasonable steps to help applicants ensure that their accommodation does not cease to be available for their occupation under s195 of the Homelessness Reduction Act 2017 will be placed into Band 3 for as long as that duty is owed to the applicant. This banding is not subject to cumulative preference.
- 11.79 Applicants who have been assessed through the homeless legislation but where a full duty is not owed due to a finding that they are not in priority need, they are intentionally homeless or they have refused a suitable offer of accommodation will be placed into Band 3 until there has been a change in

their circumstances or where in the case of intentionality, there been an occurrence which breaks the chain of causation in this respect.

- 11.80 Applicants who are owed an accommodation duty under section 193C (4) of the Housing Act 1996 namely applicants who have had their homeless duty discharged for failing to co-operate.

Review of 'suitability' of an offer of accommodation for households accepted as statutory homeless

- 11.81 Applicants that have been accepted as statutorily homeless are entitled to request a statutory review where they consider that an offer of accommodation was not suitable.
- 11.82 Where an applicant has refused a suitable offer of accommodation and the Council discharges its relevant duties they would then be placed in Band 3.
- 11.83 Requests for a review of suitability must be made within 21 days of the date the applicant is notified of the Council's decision
- 11.84 When refusing an offer of accommodation and requesting a review, the reasons for refusal must be provided to the housing solutions service, where a review officer or manager will review the case and make a decision on the applicant's review request within 8 weeks (56 working days).
- 11.85 The applicant will be advised to accept the offer, as the property will not be held whilst the review decision is being made. Any other bids made on other properties during this period will be discounted.
- 11.86 If the decision is that the offer was not suitable the applicant's priority will be reinstated to that prior to the refusal and they will be able to continue to bid.
- 11.87 If the review decision is that the offer was suitable and the applicant did not accept the property prior to requesting a review, the Council will notify the applicant that it has discharged its duty under homelessness legislation and that no further offers will be made. The application will then remain in Band 3.
- 11.88 If an applicant remains dissatisfied they can request a further review on a point of law through the courts.

12 Procedure after an application has been registered

How the application is processed

- 12.1 Once an applicant, with their household, has been checked against the eligibility and qualification criteria, their application will be assessed in

accordance with this scheme to ensure that those in greatest need are given preference for an allocation, and the application will be awarded a banding (see section 11 for determination of bands).

- 12.2** The application will be registered by entering details onto the Council's Housing IT system. Once an application has been registered, the applicant will be sent written confirmation of key details including their registration number and date, the band they have been assessed for, and which types of properties they can bid for. The letter will also confirm how to register and bid for properties.

Change of circumstances

- 12.3 Once registered it is the applicant's responsibility to inform the Council of any change in their circumstances that affects their eligibility, qualification and/or priority or banding for housing. Examples could include but are not limited to:-
- A change of address, for themselves or any other person on the application.
 - Any changes in the household of where the applicant lives or in the household included on the application.
 - Any change in income and/or savings of the applicant.
 - If the applicant becomes a property owner.
 - Any medical/welfare or mobility needs which will affect the type of accommodation required by the applicant
 - Any changes to the immigration status of the applicant
- 12.4 If the change in circumstances results in a change to the application's banding or position within a band then a letter will be issued informing the applicant of the change.
- 12.5 Applicants must inform the Council of any change in their contact details.
- 12.6 If a change of circumstances is not notified to the Council prior to any offer of accommodation being made, the offer of accommodation may be withdrawn/bypassed and the applicant's position within the register will be reassessed.
- 12.7 The Council carries out an automated review of the Housing Register, and failure to respond to any contact made as a result of such a review will also result in the application being cancelled. Further details of the annual review are set out here.

Annual Review of applications

- 12.8 In order to maintain a Housing Register which accurately reflects current housing need, applicants will be required to respond to a review of their application at least once per year. This review process involves confirming

whether any changes in circumstances need to be reported and if they want to remain on the register.

- 12.9 If an applicant fails to respond to the review letter within the allocated time of 28 days from the date of the letter and they have not been actively bidding, their application will be cancelled and removed. The applicant will then need to register a new application and be reassessed with a new band and priority date, should they still have a housing need.
- 12.10 Cancelled applications will only be reinstated in exceptional circumstances at the discretion of manager in the housing solutions service provided the request is received within 6 weeks and provided there were strong grounds for not responding, e.g. the applicant was in hospital and appropriate evidence is provided.
- 12.11 Where the Council identifies that an applicant has special requirements such as in terms of how the Council communicates with them, the Housing Solutions team will make all reasonable efforts to contact the applicant in a way that is acceptable to them. For example, if the applicant has sight issues, any communication can be sent in a specified font size, or if the applicant is vulnerable, any communication can be through a nominated third party.

Cancelling Applications

- 12.12 Applications will be cancelled from the housing register in the following circumstances:
- A written request has been received to do so from the applicant/s
 - There is no reply to the annual review,
 - The applicant has been rehoused through the housing register, by being nominated to a Registered Provider or by a mutual exchange.
 - The applicant has become disqualified
 - The applicant has not placed any bids on properties within a year
 - The applicant has refused 3 suitable offers of accommodation within a 12 month period.
- 12.13 The Council reserves the right to cancel an application where 3 offers of suitable accommodation have been refused by the applicant within a 12 month period. There is a subsequent right to a review of this decision which would be conducted by an officer not involved in any initial decision. An application will not be cancelled until applicants have refused 3 offers of suitable properties made since this policy was implemented.
- 12.14 Applicants will only have their application cancelled where they have failed to make bids on properties within a 12 month period since this policy was implemented.

- 12.15 Where any application has been cancelled, there will be a right to a review of this decision and the process to be followed in this respect is set out in section 13.
- 12.16 All applicants will be given a period of 21 days from the date of the Council's notification of its intention to cancel the application for the applicant to submit a review request and to provide the evidence necessary in this respect.
- 12.17 Where an application has been cancelled as a result of the applicant's failure to bid, applicants will not be able to re-join the housing register for a 3 month period unless there has been a significant change in the applicant's circumstances.

Band 1 and Band 1+ review (Priority Card)

- 12.18 It is expected that all applications awarded Band 1 or Band 1+ have the most need to move and need to move quickly, therefore all applicants placed into Band 1+ and Band 1 will be subject to a 2-month initial time limit.
- 12.19 At the end of the initial 2 months, subject to a satisfactory review, the band 1/band 1+ status can be extended by a further 2 months, by which time there is an expectation that the applicant's housing needs would have been met.
- 12.20 Where an applicant does not bid or refuses 3 suitable offers of accommodation within this timeframe an application may forfeit their Band 1 status. If it is determined that the applicant should indeed forfeit their Band 1/1+ status, a reduced preference will be applied which will place them in Band 2, unless it is a homeless offer in which case different rules apply.
- 12.21 An applicant is entitled to review of the removal of the Band 1 status and this would be conducted by a more senior officer not involved in the original decision or the allocation panel.
- 12.22 Applicants will have 21 days in order to submit a review following a decision to demote the banding or following a refusal of accommodation by them.
- 12.23 Applicants awarded Band 1 through homeless, move on or best use of stock are only entitled to one offer of suitable accommodation.
- 12.24 Should following the review it be deemed there has been insufficient or suitable properties the applicants banding awarded would remain and will be reviewed every 2months until the banding can be discharged.
- 12.25 All applications in these top bands will be assigned an officer to ensure bids are being placed and where bids are not being made proxy bids will be made on available properties.
- 12.26 The review will ensure that housing staff are monitoring and supporting applicants in bidding or identifying other housing options.

- 12.27 This review does not apply to households accepted as statutorily homeless as they are processed differently and subject to different rules.
- 12.28 All applicants who are placed in these priority bands will require a suitability of accommodation assessment completed when they are placed in these bands. This will help identify which properties in which areas may or may not be suitable and will assist the officer assigned to their case when making proxy bids (if applicable). Any proxy bids made should be in line with this suitability assessment.

13 Reviews/ Appeals

13.1 Applicants have the right to request a review of these or any other decisions made by the Council. Examples of circumstances where a review of the Council's decision can be requested are where:

- The applicant is found to be ineligible
- The applicant is found to be disqualified
- The applicant's application has been cancelled due to their failure to bid.
- The applicant accepts the disqualification but is unhappy with the duration of the exclusion from the housing register
- Due to a change in circumstances, the applicant's banding is altered
- The applicant is unhappy with the banding awarded
- The applicant does not believe that an offer of accommodation was reasonable or suitable.

13.2 This review/appeal process only applies to decisions in relation to the housing register. Reviews and appeals in relation to homelessness decisions are subject to separate processes not covered within this Policy other than where there is an overlap for example, a review of suitability of accommodation.

13.3 Dependent on what the applicant wants reviewing or is appealing will depend upon which of the process outlined below will be followed.

13.4 The request for a review should be addressed to:

Housing Solutions Service
Tamworth Borough Council
Marmion House,
Lichfield Street
Tamworth

Staffordshire

B79 7BZ

- 13.5 Where the applicant cannot write their own letter, they can visit the Council's reception at Marmion House, or telephone the Housing Solutions Service and a Council officer will help them.
- 13.6 Applicants will have a period of 21 days in order to request a review of any given decision. Officers will then have 28 days in order to complete a banding review or a period of 56 days in order to complete a suitability of accommodation review.
- 13.7 Whilst applicants are under review any bids applicants make will be discounted.

Review of Banding

- 13.8 All new applications, any change of circumstances or where new supporting information has been provided will initially be assessed by a Housing Solutions Advisor. The applicant will be advised of the decision by a notification letter in writing which could include by email if this is appropriate.
- 13.9 If the applicant is dissatisfied with the decision that has been reached, the applicant can request a banding review within 21 days of the date of the notification letter.
- 13.10 A banding review will be dealt with by a more senior officer within the Housing Solutions Service than the one who made the original decision, who will assess all known facts and information available to them and will review the decision. The officer has 28 days from when the banding review has been received to make a decision and the applicant will be notified in writing.
- 13.11 If the senior officer determines that the information provided results in an amendment to the band then the date of the banding will apply from the date the latest piece of supporting information was received. If no new information has been supplied the band date would remain the original band date. The applicant will be advised in writing of the outcome of this review
- 13.12 If the applicant remains dissatisfied they have a final right of review which would be conducted by a manager. This must be received within 21 days of the 1st banding review. The manager will review the existing information and if the policy has been applied correctly, and will advise the applicant of the outcome within 28 days in writing.

Review of Disqualification

- 13.13 Most decisions will initially be made by the Housing Solutions Advisors and any review of such decisions is undertaken by a more senior officer in the team not involved in the initial decision or the allocation panel. For any decisions that are made by a Senior Officer, Review officer or the Allocations Panel the reviews will be dealt with by the Housing Solutions Manager or a housing manager who has not had any previous involvement in a given case.
- 13.14 Decisions to disqualify from the Housing Register under the grounds of unacceptable behaviour or rent arrears would be made by the Council's Allocations Panel. The applicant will be called into an interview to discuss this and the interviewing officer would then present the case to the allocations panel. The applicant will be notified of the Panel decision by letter. When a decision has been made to disqualify an applicant from the Register they have the right to a review of this. The review will be carried out by the Housing Solutions Manager or manager not involved in the original decision.
- 13.15 All requests for a review must be made within 21 days of the date of the relevant notification letter.
- 13.16 The review must be considered on the basis of policy, law and known facts at the date of the review. The review will consider any representations, whether written or otherwise, made by the applicant or an advocate if the applicant is unable to put forward their own representation due to being vulnerable.
- 13.17 The disqualification review must be conducted within 56 days of the request being made.
- 13.18 A written notification of the decision, including the grounds of the decision, will be sent to the applicant. All correspondence will be sent to the applicant's home address or a mailing address of their choice. If the applicant is of no fixed abode, the decision letter can be collected from the Council offices at Marmion House in Tamworth where it will be held for 28 days from the date the decision is made.

Further reviews

- 13.19 Where an applicant is unhappy with the Council's review decision, they are entitled to write to the Housing Ombudsman, 81 Aldwych, London, WC2B 4HN.
- 13.20 If an applicant remains dissatisfied and feels the Council have not acted correctly an applicant may also apply for a judicial review of the decision.

14 Affordability

- 14.1** All successful bids will be screened for affordability.
- 14.2 Where an applicant applies to the housing register and they have nil income, the Housing Solutions Service will refer the applicant to the Council's debt advice service for further advice on income maximisation.
- 14.3** All applicants must be able to show that they are working and have sufficient income to pay their rent or that they are in receipt of appropriate benefits in order to afford the total amount payable for their property i.e. rent and additional costs such as service charges.
- 14.4** Tamworth Borough Council has a duty to protect the public fund it administers. Therefore, where an applicant is unable to demonstrate that they will be able to afford any offer of accommodation made to them, the Council retains the right to withdraw the offer.

15 Lettings plans

Annual lettings plan

- 15.1** The Council retains the right to develop a Lettings Plan based on an estimate of the number and type of properties that are anticipated to be available for letting. This plan could include specific opportunities for bidding, which may include limiting bidding for homes in higher demand to those in higher bands.
- 15.2 Should an annual lettings plan be developed this would be included as an Appendix and any annual lettings plan will be published on the Council's website www.tamworth.gov.uk .

Local lettings plan

- 15.3 *The Housing Act*⁹ allows the Council to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall the Council demonstrates compliance with the Housing Act 1996.
- 15.4 The Council may at times use local lettings plans to allocate a property and facilitate sustainable communities. Factors that may prompt these include:
- Particular management problems identified in an area.
 - Allocation of a new or refurbished development to ensure the creation of a balanced and sustainable community, for example consideration of child density levels.
 - Planning requirements (also known as section 106 conditions)

⁹ S167(2E) 1996 Housing Act

- Assistance with the wider strategic objectives of the Council, for example to remedy under-occupation of existing social rented homes.
- 15.5 Any local lettings plan, subject to member approval, will be published and appended to this Policy.
- 15.6 Annual impact assessments will be undertaken of local lettings plans, allowing for detailed consultation, review and monitoring of each as appropriate and enabling the Council to respond to a changing social and economic climate.

16 **Exceptional circumstances where the Allocations Scheme may be over-ridden**

- 16.1 There may be exceptional circumstances which are minor in number and nature such as direct lets, non-application of reduced preference, and best use of stock where an override to the policy may be approved by a Director subject to a sound business case.

Overriding the Policy

- 16.2 There are some exceptional circumstances where this Scheme may be over-ridden in order for a specific property to be allocated. Examples could include:

- On a hard to let property where there are no natural eligible applicants the bidding criteria could be further expanded
- The home is adapted but applicants needing this adaptation would not ordinarily be eligible for that property type

- 16.3 Similarly, an over-ride may be approved in respect of certain applicants, for example:

- A direct match of a property is required for reasons of vulnerability or witness protection – in this case the home will not be advertised
- A need to decant tenants where their homes require major repairs, refurbishment or rebuilding
- Where applicant households are eligible for a 4 or 5 bedroom property but they are willing to consider a smaller home. This will be subject to considerations as to the sustainability of that home, and the legislation on overcrowding.

Direct Lets

16.4 By way of exception to the choice based lettings there will be some direct lets, often referred to as management moves, direct offers or direct lets. These will occur where:

- The letting is sensitive and it should not be advertised either due to the property or the person, e.g., MARAC¹⁰ referrals.
- An offer of accommodation to an applicant on a witness protection programme.
- An adapted property is identified by an Occupational Therapist as a suitable match for someone on the adaptations waiting list with requiring the need for significant or multiple adaptations. The requirement alone for a level access shower would not suffice due to them usually being more readily available and a lot of people requiring them on the housing register.
- The property is to be used as a decant or temporary accommodation

16.5 A direct let is simply an offer made direct to an applicant without the property being advertised, and therefore direct lets will only be made in exceptional circumstances in accordance with the criteria set out above. Allocations of this nature will be kept to a minimum to maintain a fair and transparent allocation scheme, with the majority of applications being made to applicants that fall within the reasonable preference categories as set out in the Housing Act 1996.¹¹

16.6 Where an applicant refuses a direct match no further direct matches would be considered but would otherwise be entitled to remain on the housing register should they otherwise comply with the criteria of the policy and assessed under the same criteria.

16.7 An applicant who is subject to a direct let will only be entitled to one offer of accommodation. Any offer will need to be suitable and be subject to the review of suitability procedures

Serious Offenders

16.8 Applications made by applicants who are subject MAPPA will be subject to a robust and appropriate assessment of their eligibility and will be considered where an applicant needs accommodation that can be suitably monitored and managed due to the risk the applicant may pose or any risk to the applicant themselves.

16.9 An allocation will only be made following a multi-agency risk assessment and once suitable accommodation has been identified and approved by a vulnerability panel.

¹⁰ Multi-Agency Risk Assessment Conference

¹¹ S167(2) Housing Act 1996 as amended by Homelessness Act 2002

- 16.10 This will consider MAPPA (Multi-agency Public Protection Arrangements) guidance for high risk offenders.
- 16.11 Applications following a referral of MAPPA will only be entitled to a direct let in order manage any risk involved.
- 16.12 They will be restricted as to which properties they can bid for and properties will be identified and recommended for serious offenders by the Vulnerability Partnership. They will not be issued a band and will be subject to a direct match.
- 16.13 The final decision in relation to a property lies with the Housing Solutions Manager.

National Witness Mobility Scheme (NWMS)

- 16.14 The Council and its partner Registered Providers support the NWMS and may consider at its discretion referrals made to house witnesses. In order to assist the national police force to tackle serious crime and to support witnesses in the legal process, the Council works in partnership with colleagues in the NWMS.
- 16.15 The scheme enables witnesses to relocate outside their area to a place of safety.
- 16.16 On receipt of a referral, the Council will take into account the level of risk the applicant is facing, and the demand and supply issues at the time in the borough of Tamworth and any acceptance of a referral will be determined by the Allocations Panel or Head of Service.
- 16.17 In order to protect the identity of the witness, the applicants will only be required to complete a housing application form, on acceptance of the referral. It will be necessary for the applicants to meet the eligibility criteria for entry onto the register in accordance with Section 7 and 8 of this policy, and the proof of identity requirements must be complied with. The local connection criteria will not be applicable.
- 16.18 The Council will identify a suitable property and an offer of accommodation will be made direct to the applicant.
- 16.19 Only one offer of suitable accommodation will be made and no restriction on the type of property to be offered will be accepted. The application will be cancelled if the offer is refused.

17 Data Protection and Confidentiality

- 17.1 The Council abides by the Data Protection Act 2018 and any other relevant legislation to protect applicants' personal information and will process it for the purposes stated, and in accordance with the applicants' rights.
- 17.2 Data collected from applications for housing is processed in line with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

18 Fraud and Misrepresentation or information withheld by the applicant

- 18.1 Tamworth Borough Council has a duty to protect the fund it administers, and to this end may use the information provided for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.
- 18.2 It is a criminal offence for anyone to try and obtain accommodation from the Council or any other social housing provider by knowingly and recklessly giving a false statement or deliberately withholding information. Offences are prosecuted in the magistrates' court and are punishable by a fine of up to £5,000.
- 18.3 As part of the process to prevent fraud, applications may be subject to a full credit checking process. By making an application for social housing an applicant is agreeing to this process. There is also a declaration on the application form which an applicant is required to sign regarding sharing of information with other agencies and agreeing to the council to make all relevant enquiries.
- 18.4 The Council will refer applications to the Corporate Fraud Officer if there is any reason to suspect fraud and/or deception and this may lead to prosecution.
- 18.5 Applicants found guilty of such an offence will be considered ineligible for access to the Housing Register for 12month period.
- 18.6 The Council or other Registered Provider will also seek possession of any tenancy granted as a result of information later found to be false.
- 18.7 Where applicants are found to have committed fraud or supplied fraudulent information they will be disqualified from the housing register for a period of 12 months.

19 Equality and Diversity

- 19.1 The Council's Choice Based Lettings Scheme and Allocations Policy have been designed to ensure that its services are fair and equitable for all of its customers.
- 19.2 The Allocations Policy is accessible to all of those eligible and does not discriminate against anyone on the grounds of age, disability, gender, race, colour, national origin, sexual orientation or any other factor that may cause disadvantage.
- 19.3 Due to legal circumstances there may be occasions when applicants are unable to join the housing register. This criteria has been outlined within the Eligibility and Qualification sections 7 and 8 of this Policy.
- 19.4 This Policy has been drafted with reference to the Equality Act 2010 and also with regard to the Council's Public Sector Equality Duty.
- 19.5 The Council remains committed to help customers and applicants who have difficulties and who are vulnerable, to access this scheme
- 19.6 The Allocations Policy and application forms can be provided in other formats if required, such as large print or braille.
- 19.7 This policy has been developed following a consultation

20 Tell Us about complaints, compliments and comments

- 20.1 The right to review is included in section 13.
- 20.2 If there are any complaints, compliments or comments about this process, applicants are encouraged to use the Council's 'Tell Us' scheme. Details of the scheme which includes the Council's formal complaints procedure and the 'Tell Us' Policy can be found on the Council's website www.tamworth.gov.uk

21 Review of this Scheme

- 21.1 Where there are changes that are required urgently for legal reasons, minor in nature or changes in government policy and / or legislation, these changes will be approved by the Executive Director of Communities or equivalent.
- 21.2 Any major change required to the scheme will be subject to a full public consultation and member approval.

- 21.3 All changes to this Scheme will be noted within the Version Control of this Scheme and an updated policy document will be uploaded to the Council's website www.tamworth.gov.uk

DRAFT

Summary of key Policy Changes

Proposed change	Summary Information
1 Disqualification of those with no housing need	Likely to affect 802 of 841 in band 4. Band 4 will not be removed
2 Cancel housing applications where no bids received in preceding 12 months	706 applicants have not bid in 12 months, this is aimed at changing the culture to one of management of the register rather than allowing households to sit on a “waiting list – just in case”
3 Cancel applications where 3 offers have been refused	This would have only affected 12 in the last 12 months, but if implemented would ensure a more targeted and effective use of housing resources
4 More focused support of those in band1 and band 1+	73 households are currently in these bands and this is an increasing figure. Tailored housing based support plans is a principle already used for homelessness and used across the register, it will ensure expectations are managed and the widest possible housing solutions explored including the private sector
5. Added categories of the bandings	to better equip the Council to meet the new duties & responsibilities of the Homeless Reduction Act
6. Amendments to cumulative preference	Review with partners (particularly GPs) around how combined needs impact on priority to ensure housing need is not escalated for non-related issues, such as incentive to move schemes
7. Introduction of a financial threshold allowing access to the register only if they are unable to fund an alternative solution	This is based on the based on savings &/or income levels of the main applicant(s) against local income levels & house prices. Exemptions have been built in to take account of debts.
8. Strengthening of local connection	This is already robust in Tamworth but will be extended to ensure living or caring within Tamworth for 2 consecutive years and employment is having a contract for at least 12 months

This page is intentionally left blank

Member Health & Wellbeing Scrutiny Committee 15.10.19

The committee received a presentation of the revised Housing Allocation policy and key changes, as well considered the policies Equality Impact assessment, which both inform the planned Full Cabinet Report of November 2019.

The Member feedback is captured below:

Comment	Officer Response
<p>Pleased to see took on board member earlier views, namely</p> <ul style="list-style-type: none"> • Applications cancelled based on 3 offers will read suitable offers • Financial thresholds will include a discretion and levels will be reviewed in 2021/2022 • Really pleased members have been involved throughout (member seminar, pervious scrutiny) and now opportunity to scrutinise EqIA and listened to • Any final scrutiny comments on EqIA to TMM/DK by 31/10/19 	<p>Response and feedback noted. For applications to be cancelled it will need to be suitable. All applications in band 1 will have a suitability assessment completed upon banding award as part of the process. There also remains the right to a review which would be undertaken by someone not involved in initial decision.</p> <p>EqIA has been independently reviewed for legal advice.</p> <p>Financial resources thresholds were based on proportions of average house and rent prices will be reconsidered annual once baseline information has been captured.</p>
<p>EqIA – support vulnerable people; discussion around portal / digital by default so that resources can be diverted to prevention and service then tailored to those with diverse needs</p>	<p>Those in band 1 will have officers assigned to monitor and support their bidding. Vulnerable persons already supported through bidding and this is recorded on the housing register. Those who are unable to access ICT will be supported to do so as part of the wider ICT inclusion policies. The Assistant Director for People will keep the committee informed on the development of the portal.</p>
<p>EqIA – can we update profiling information; discussion around census data and that shift to e-form will improve customer profiling</p>	<p>Most of the data currently held is in relation to historic application where the data was not required to be captured. All new applications ask for information on the equality strands and this will be considered through the development of the portal.</p>

Support local connection	Response and support noted. Local connection has been further strengthened within the policy to protect residents as far as possible.
EqIA – disability concerns around providing information in different languages and ‘browse aloud’ ; confirmed this was captured and already part of equality planning	<p>Concerns noted and acknowledged they have been addressed as part of the EIA.</p> <p>The Council will provide the application form in different languages as required and there is accessibility functionality in built within the bidding site.</p>
Like financial thresholds and pleased to see market place initiative as part of the implementation	Financial thresholds were calculated based on a proportion of average house process and market rents. There is a commitment to review this in 2021/2022 once baseline information has been captured.
Will support be put in for those off the list; yes implementation allows for range of things including housing options surgeries; Freephone etc	The Council retains an advice and assistance duty for all, comprehensive housing options information is available for all, there is a housing assessment tool within the bidding site, and factsheets and details on housing options also displayed within the website.

FULL COUNCIL

TUESDAY, 19TH NOVEMBER 2019

REPORT OF THE PORTFOLIO HOLDER FOR HOUSING SERVICES AND NEIGHBOURHOODS

DRAFT ALLOCATIONS POLICY 2019 - 2020

EXEMPT INFORMATION

PURPOSE

The purpose of the report is to

- Detail the proposed changes to the Councils Allocations Policy subject to the statutory consultation process
- Set out the arrangements for statutory consultation on the proposed changes set to take place between 7th May and 30th August 2019
- Confirm the timescales and arrangements for transitioning to the new Policy
- Set out the community based impact assessment which will remain under review and presented as part of the final policy document, highlighted within the report

RECOMMENDATIONS

Cabinet are recommended to:-

1. Approve, in principle, the draft allocations policy, shown at Annex 1-3, subject to the requisite consultation arrangements
2. Approve the consultation plan detailed within the report commencing 7th May 2019 and running until Friday 30th August 2019.
3. Delegate authority to the Portfolio Holder for Housing Services & Neighbourhoods & Executive Director of Communities to approve the final policy for Full Council approval October 2019, save any material changes which would be referred back to Cabinet and the timescales amended accordingly
4. Support comments arising from discussions with the Councils Health & Wellbeing Scrutiny on the proposed matters relating to the management of the Councils Housing Register – presentation attached at Annex 4. Noting further detailed Scrutiny forms part of the consultation plan detailed in the report.
5. Note the independent Report, shown at Annex 6, provided by the Housing Quality Network (HQN) highlighting the exemplary approach to the Councils review of its Allocations Policy.
6. Approve the draft community & equality based impact assessment noting the effect of the key changes on existing and potential service users

EXECUTIVE SUMMARY

The Localism Act, 2011, provides considerable freedoms for Councils in designing and implementing allocations and lettings policies. In refreshing its approach to the management of the Housing Register, the Council has a dual responsibility to not only comply with its strategic housing aims as well as ensure compliance with tenancy standard regulations, monitored by the Social Housing Regulator, given its landlord obligations around the management of its own stock.

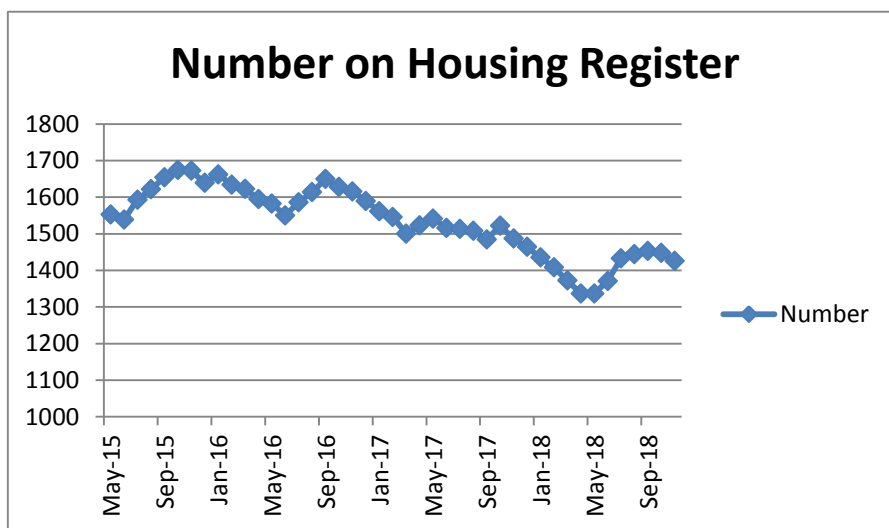
The MHCLG is currently analysing feedback from consultation conducted over the Summer (August – November 2018) on its new Social Housing Green Paper, ‘A new deal for social housing’, and further announcements are expected in the new calendar year. Whilst there was little mention of allocations and lettings it is expected that there will be a significant evidence collection exercise, led by the government, on developing the national understanding of how the allocations system operates across the County. The focus of this will be to understand how Councils use their flexibilities; the relationships between Councils and registered providers of housing around nominations; as well as the effectiveness of choice based letting schemes. It is therefore likely that the recommendations to Cabinet will require further review and this has been built into the communications timetable detailed in the report, likely into 2020.

Nationally, according to the Housing Quality Network (HQN), as of April 2018, there were 1.16million households on Councils registers. This compares with 1.85million in April 2012. This is primarily the result of the Localism Act 2011 enabling local residency qualifications to be adopted and Councils being better prepared to manage demand.

Tamworth, through its continued and robust approach to the management of its housing register has also seen a reduction in numbers on the register, as evidenced from the numbers below.

Year ending 31st March	Households on the Housing Register
2012	2104
2013	1783
2014	1727
2015	1625
2016	1598
2017	1500
2018	1337

This is not surprising as the Council continues to prioritise its work around allocations and homeless prevention – the management of the housing register forming part of the intelligence around mapping demand, in line with the Tamworth communities offer.



Clearly the Councils ambition, through its local plan and strategic priorities, is to invest in more new and affordable housing. The management of the housing register and understanding of housing need directly contributes to this, although it is just one of the tools in managing the housing based challenges around supply and demand.

Effective management of the housing register is fundamental to understanding housing need. The legal framework detailed in the report is complex and is often a highly litigious area and can lead to judicial review with regard to its decisions. Therefore the proposals before Cabinet have been independently tested by HQN and have also been subject to a detailed community based equality impact assessment. Health & Wellbeing Scrutiny have also considered the proposals and welcome the opportunity to host a workshop to go through the detail during the consultation phases.

Cabinet are therefore being asked to approve the draft documents for statutory consultation only. Subject to this detailed process and save any material changes (as a result of the consultation or as a result of legal and/or government regulation changing) then it is recommended authority is delegated to the Portfolio Holder in conjunction with the Executive Director of Communities to approve the final policy document.

The details of the consultation methodology and timeline are shown below

Consultee	Details and Methodology
Existing applicants on the housing register	Letter with FAQ, summary of changes and indicative banding
Tenant Consultative Group	Workshop with HQN
Registered Providers with nomination potential (and those with formal agreements)	Copies of Correspondence with on-line survey for feedback as well as telephone update
Third sector Partners on the electronic directory	Electronic email with FAQs and feedback sheet
SCC Adult Social Care and Childrens Services	Electronic email with FAQs and feedback sheet
Health Sector and CCGs regarding medical priorities (including retained GP	Electronic email with FAQs and feedback sheet

advice)	
Tamworth's Health & Wellbeing Scrutiny Committee	February Workshop (2019) as requested October 2018
Focus Group involving potential applicants from the current housing application pool	Officer led workshops with combination of tenants' on the active database and residents from 'Tamworth Listens'
Portfolio Holder & Cabinet	Detailed discussions based on community impact and localised modelling as feedback is used to inform further development of the policy

The legal and best practice position is detailed later in the report, based on delivering that timescales are proposed below; noting this is of course subject to change should there be a legitimate request to extend this from a key stakeholder:-

Consultation & Implementation Plan	Timescales
Cabinet approval for Statutory Consultation	24 th January 2019
Testing and modelling within orchard to enable statutory consultation to begin	25 th January – 29 th March 2019
Preparation of FAQs, literature and website material	April 2019
Statutory Consultation begins	7th May 2019 – 30th August 2019 (additional time allowed for given summer holidays)
Correspondence sent out to all consultees including indicative banding to those on the housing register	By end of June 2019
Workshops and focus groups completed	By end of August 2019
Evaluation of all feedback	By end of September 2019
Report for Portfolio Holder to approve and refer for Full Council final approval	By end of October 2019
Revised Banding letter to all service users	By November 2019
Production of new policy, summary booklet and updated web site	By end of December 2019
Training and staff guidance for 'go live' of new policy	Ongoing until launch December 2019
Annual Review of allocations impact	2020
Full review of the policy in the context of the Homelessness Reduction Act 2017 and future allocations requirements	2020/2021

The main body of the report details the impact of each of the proposed changes and members are referred to that section to inform a full understanding. In summary the head line changes are simply listed below:-

	Proposal	Summary Information
1	Disqualification of those with no housing	Likely to affect 802 of 841 in band 4. Band 4 not removed

	need	
2	Cancel housing applications where no bids received in preceding 12 months	706 have not bid in 12 months, this is aimed at changing the culture to one of management of the register rather than allowing households to sit on a “waiting list – just in case”
3	Cancel applications where 3 offers have been refused	This would have only affected 12 in the last 12 months, but if implemented would ensure a more targeted and effective use of housing resources
4	More focused support of those in band1 and band 1+	73 households are currently in these bands and this is an increasing figure. Tailored housing based support plans is a principle already used for homelessness and use across the register, will ensure expectations are managed and the widest possible housing solutions explored including the private sector
5	Amendments to cumulative preference	Review with partners (particularly GPs) around how combined needs impact on priority to ensure housing need is not escalated for non related issues, such as incentive to move schemes
6	Introduction of a financial threshold allowing access to the register only if they are unable to fund an alternative solution	This is open for consultation as currently this can be based on savings &/or income levels and is a useful consultative question.
7	Strengthening of local connection	This is already robust in Tamworth but will be extended to ensure living or caring within Tamworth for 2 consecutive years and employment is having a contract for at least 12 months.

RESOURCE IMPLICATIONS

There are no direct financial implications arising from implementing changes to the allocations policy. There are associated costs arising from the consultation, but on the basis costs are likely to be minimised by using digital forms of communications, it is expected these are likely to be ‘de minimus’. Costs are likely to be less than £5k and can be met from within existing budgets within the housing solutions based funding streams.

LEGAL/RISK IMPLICATIONS BACKGROUND

Legal and risk implications have been assessed throughout the project and it is recommended that legal advice is obtained prior to final implementation in 2019. Headlines risks are summarised below:-

Risks	Mitigation
Service user dissatisfaction as those with no housing need are not able to access the housing register	Whilst this may potentially remove a lot of those in Band 4 from the register, these are generally applicants who are highly likely not to be allocated and have no identified housing need and therefore helps to manage expectations.

	<p>Most local authorities have now implemented similar policies with some more stricter, by not doing so potentially we are not protecting those applicants with high housing needs in the same way.</p> <p>This is generally In line with powers from the Localism Act and also in line with code of guidance for allocation as well as other regulation and guidance from MHCLG.</p> <p>Most applicants who were allocated in Band 4 were ones that were offered sheltered accommodation and this will be un affected as advertising of properties will still continue through the Councils Finding a home service.</p>
Rationalisation of the housing register may well lead to demand issues elsewhere within the councils stock	The Councils 'finding a home' service is essentially an advertising tool and allocation is based on need and then on waiting time so properties will continue to be let on this basis
Approach to review of housing applications may be considered aggressive as people are removed from the register	The Housing register is not designed to be a 'waiting list just in case'. Effective use of the register will allow 'true' housing need to be assessed and appropriate strategies within the wider allocation and homelessness strategy enabled to target earliest help and expand the widest possible housing based solutions
Insufficient properties (supply) to meet demand	This is true and represents, largely a national picture. Housing need in the local plan is assessed as requiring 183 affordable units of which 40 are viable. Management of the housing register is part of regulating this demand, alongside other measures within the Housing Strategy to secure innovative approaches to increasing supply
Confusion to service users during transitional phases	A summary of changes including a set of FAQs will be developed for the web site. Implementation will not take place until full consideration as been given to the proposals and final authority given for implementation – effectively meaning business as usual up until formal implementation
Impact of Homelessness Reduction Act 2017 may require the allocations policy to be restructured again leading to more confusion	There are likely to be opportunities for review and HQN are being engaged to work on the gathering of homeless insight and intelligence to inform the

	development of the homelessness strategy as well as support integration and links with the allocations policy
Resources may well be stretched as this represents a complex project	That is true and a project team with clear resourcing plan with detailed work-streams will be agreed through the councils programme management arrangements

SUSTAINABILITY IMPLICATIONS

Sustainability of balanced and vibrant communities is part of the Councils strategic DNA around achieving its vision of “One Tamworth perfectly placed, open for business since the 7th Century AD”. Allocation of accommodation is fundamental to this to ensure aspiration and housing need are managed recognising the overall shortage of affordable housing.

MATTERS FOR CONSIDERATION

Documents attached

Allocation of housing by the Council is covered by Part 6 of the Housing Act 1996. It has however been substantially amended by the Homelessness Act 2003 and the Localism Act 2011, there is also a series of statutory guidance notes which Councils have to consider when designing and implementing new schemes. Further the Homelessness Reduction Act 2017 has led to Councils reviewing allocations policies specifically around linked areas such as qualification, homeless prevention, homeless relief and how reasonable preference categories support aims around settled and sustainable tenancies.

For these reasons Tamworth has fully reviewed its allocations policy as part of its continued focus on homelessness prevention as well as recognising its own landlord obligations as it makes best use of its own stock. The Housing Quality Network reviewed all of its documents and confirmed the “current state of play on allocations policy making is exemplary” and their feedback has been incorporated ahead of more formal consultation.

Document Annex	Purpose
1. Draft Housing Allocations Policy 2018-2020	Full draft policy setting out the Councils approach to the management of its housing register
2. Finding a home	Details of the management of the Councils scheme to advertise and allocate properties
3. Escalation Protocol	Arrangements for ensuring transparency where allocations involve the letting of properties to relatives and/or friends of councillors, staff and where there is a presenting perception of a conflict of interest
4. Health & Wellbeing Scrutiny Presentation 16/10/18	Summary presentation to the Councils scrutiny committee detailing the matters for consideration when reviewing its Allocations policy
5. Summary of Proposed	All key changes listed and explained

Changes	
6. HQN review September 2018	Independent report based on the proposals and endorsing the councils approach
7. Community & Equality Impact Assessment	Each of the changes explained and the impact assessed for client groups and demographics effected

Consultation Plan & Timeline

The only formal requirement is that Councils consult with housing associations that are covered by nominations agreements. However, good practice and feedback from Scrutiny, suggests this is extended and will therefore cover the following:-

Consultee	Details and Methodology
Existing applicants on the housing register	Letter with FAQ, summary of changes and indicative banding
Tenant Consultative Group	Workshop with HQN
Registered Providers with nomination potential (and those with formal agreements)	Copies of Correspondence with on-line survey for feedback as well as telephone update
Third sector Partners on the electronic directory	Electronic email with FAQs and feedback sheet
SCC Adult Social Care and Childrens Services	Electronic email with FAQs and feedback sheet
Health Sector and CCGs regarding medical priorities (including retained GP advice)	Electronic email with FAQs and feedback sheet
Tamworth's Health & Wellbeing Scrutiny Committee	February Workshop (2019) as requested October 2018
Focus Group involving potential applicants from the current housing application pool	Officer led workshops with combination of tenants' on the active database and residents from 'tamworth listens'
Portfolio Holder & Cabinet	Detailed discussions based on community impact and localised modelling as feedback is used to inform further development of the policy

In the relevant housing legislation and guidance, there is no time limit period specified. However general government guidance states that normally a 12-week period should be adopted by public bodies on consultation. Therefore in discussion with the Portfolio Holder a minimum of 12-weeks will be allowed to ensure:-

- Overall clarity of purpose is captured within the consultation process
- Areas are highlighted and the focus remains on the updated areas and as feedback is incorporated the impact assessment can be properly assessed
- Ensuring material is readily available, easy to understand and time is given to digest the FAQ and wider detail

On this basis the timetable for consultation is summarised above in the executive summary

Summary of Changes & Community Based Impact Assessment

Each of the proposed changes have been assessed with regard to the Councils duties around the Equality Act 2010. Full details are shown at Annex 7 but Cabinets attention is drawn to the summary details below.

Change 1- Disqualification of those with no housing need

One of the largest changes being consulted on is the potential for those with no housing need and no local connection to be disqualified from the housing register. Whilst this would not remove Band 4 in its entirety a substantial amount of those in Band 4 would be affected.

- How many may be affected by this change?

As of the end of March 2018 - there were 841 people in Band 4. 18 of these were in Band 4 as they had a local connection but they also had a reduced preference from Band 3, these would not be affected and would be expected to be able to remain.

There are 21 applications which have no local connection but have a housing need, depending on whether they met the new local connection criteria they may or may not be able to remain on the housing register.

There are 802 applications in Band 4 due to having no housing need in accordance with the policy, of which 536 also have no local connection, with the remaining 266 having a local connection but no housing need.

Based on this information approximately 802 applicants would be at risk of removal from the housing register for having no housing need.

Whilst this information was taken at the end of March and end of financial year there has only been a marginal change in the numbers in Band 4 with only a reduction of 4 overall.

- Why this change may be positive?

The council wants to make this change for several reasons, as an authority the council is trying to effectively manage demand and reduce costs and drive efficiency's. Of those in Band 4 many will rarely if ever get allocated. Properties tend to be allocated to those in much higher bands; it's exceptionally rare for customer to be housed who is Band 4. As a council it is also important to manage customers' expectations and based on the data available, many of those have an unrealistic expectation of being housed.

Change 2- Cancel applications where no bids have been placed for 12 months

The council are consulting whether to include provision within the allocation policy for cancelling applications where they have not bid for 12 months. The council want the housing register to remain an active reflection of those in housing need that need to move. The council believe that within a 12 month period there would be sufficient available and suitable properties for households to bid on. Should a property not become available within this time this may be because of unrealistic expectations customers have on being housed in particular type properties and in restricted areas.

A report indicates that as of the end of March 2018, 706 applications had not bid within a 12 month period, this represents that around 50% of those on the housing register either do not want to move or need to move.

It would be expected there would be cost efficiency made in reducing the numbers of the housing register, and therefore in redistributing resources or staff time to be used for other more meaningful work, i.e. assist in triage or preventing homelessness. There are ongoing costs to the council to keep the housing register up to date and associated ongoing administration. Additionally each year on an annual anniversary of their application input, all applicants are written too to confirm whether their application is to be renewed; therefore costs may also be saved here through reducing the register.

Additionally, it may encourage more applicants to bid on properties and so hard to let properties may also mean they have bids placed on by applicants. Whilst there were 705 applications that had not bid the vast majority of these were in Band 4 and most would be at risk of removal due to having no need- However, 195 applications which had not had a bid placed in the previous 12 months were in Bands 1+-3 and therefor these would potentially be at risk of removal in addition to the 802 at risk of disqualification for having no housing need.

Change 3- Cancel applications where applicants refuse 3 suitable properties

The council are consulting where applicants who refuse 3 or more suitable properties have their application cancelled.

The council are exploring this as another way to manage demand, customer expectation and make efficiencies. The council want to encourage that when applicants are bidding they are bidding on properties they have a reasonable expectation they would accept.

Following a report there are only 12 applications currently active that have refused more than 3 properties so this change would not affect a large volume of applications but would still help contribute to a more active housing register and one that is more reflective of need, however this would need to balance up whether given this change is affecting few whether the time taken to administrate this issue would be effective and serve a useful purpose.

Change 4- More focussed management of Band 1 and Band 1+ and changes to 'priority card'

Applicants should only be in these highest bands where they represent having the highest housing need and most urgent need to move.

Through analysis of those in these bands as of the end of March there were 73 applications which fell in these bands of which 7 were in Band 1+ and 66 in Band 1. Of these applications currently there are 14 applications in Band 1 which have never placed a bid. Furthermore there are an additional 32 applications which have not placed a bid within the last 3 months.

It is stated in the current allocations policy with regards to applicants given a priority card the following;

“Applicants placed into Band 1+ and Band 1 will be subject to a 2 month ‘priority card’. This will ensure that housing staff are monitoring and supporting applicants in bidding or identifying housing options. At the end of the 2 months, subject to a satisfactory review, the priority can be extended by a further 2 months, by which time there is an expectation that the applicant’s housing needs would have been met or the duty to re-house discharged.”

This clearly indicates there is a reasonable expectation from the council that such applicants with this housing need and urgency to move will have been housed within 2 months or at the outset 4 months. The data indicates therefor that Band 1s are not being adequately monitored controlled or that the policy is not being enforced. In order to ensure the register remains active of those who want and need to move, Band 1 needs to be properly monitored and applicants given this priority are supported to do so, where applicants are resistant to this they may find their application is cancelled or their banding demoted to reflect that their need to move was not as high or urgent as initially deemed. There may be further clarity needed within the allocations policy to address this and powers given to officers to ensure this can be done.

Through implementing this change the council could ensure that those in Band 1 do have an urgent need to move and are willing to do so, helping to contribute that the housing register is one that remains active, reflective of need and that officers time and resource is not spent administering applications where there is little intention to move.

Change 5- Amendment of cumulative preference categories

The council wants to ensure that where applicants are encountering multiple housing issues that they are adequately banded to reflect this. However this has to be properly managed to ensure that those most housing need still retain the highest band. Sometimes applicants may be awarded several bandings resulting from the same set of circumstances. For example some council tenants are awarded incentive to move due to under occupying a property but are also awarded under occupancy banding. The resulting effect would mean someone who is under occupying 2 bedrooms and accepted for incentive to move, are placed into Band 1 + and also rewarded financially for in effect the same set of circumstances. Whilst the council recognises that it is important to adequately encourage applicants to move and free up larger accommodation it is also important to balance this with other groups on the housing register that is also important to house- for example applicants occupying unsuitable accommodation or placing a financial burdens on the Council through placement in expensive temporary accommodation.

Looking at the available data there are currently 7 applications in Band 1+. Of these 3 are in band 1 due to the cumulative effect of incentive to move and under occupancy, 1 high medical and overcrowding, 1 under occupancy and best use of stock, 1 for high medical and social needs and 1 for member of armed forces with serious injury. Only one of these applications have placed a bid within the past 3 months, with one applicant having not bid since 2014.

Change 6- Inclusion of Financial Threshold

As little information is currently captured regarding finances of applicants it is difficult to predict the impact this may have in terms of numbers that may be disqualified. However there are several ways financial threshold may be implemented within the

allocations policy and this is an area we hope to focus on through the consultation and conclude how it best be may be applied. The key issue to focus on is what threshold may entitle an applicant is able to access other tenures such as private rental accommodation.

The current proposal is to have 2-fold financial threshold-

- a) Savings threshold
- and
- b) Income cap

With the current proposal using a savings threshold standing at £16,000 and income threshold

- Single person households with a household net income of £30,000 or more per year
- Family households (this includes couples) with a household net income of £60,000 or more per year.

Whilst the income threshold includes all income, disability benefits would be exempt as would money attributed to injury whilst serving in armed forces.

When exploring the current market rent summary for Tamworth it shows the average cost of property rents within Tamworth are as follows:

<u>Average property rents in Tamworth:</u>	£707 pcm
Property Rents in Tamworth by Number of Bedrooms	
	Average rent
<u>One bedroom</u>	£500 pcm
<u>Two bedrooms</u>	£656 pcm
<u>Three bedrooms</u>	£758 pcm
<u>Four bedrooms</u>	£1,048 pcm
Property Rents in Tamworth by Type	
	Average rent
<u>Room</u>	£364 pcm
<u>Flat</u>	£581 pcm
<u>House</u>	£786 pcm

**Data taken from [Home.co.uk](https://www.home.co.uk)
https://www.home.co.uk/for_rent/tamworth/current_rents?location=tamworth
 Therefor when using these figures when using the average market rent of £707 pcm this would equate to approximately 14% of the total yearly income, and the top -end of the property scale using a 4 bed average private rental property would equate to approximately 21% of yearly income.

As a general rule, for accommodation to be affordable, housing costs should not be higher than approximately a 1/3 of annual income. Therefore on this basis, for applicants earning above this amount it would generally be able to afford alternative accommodation when their income is above £60,000 for family households.

When considering a savings threshold of £16,000 using these same figure it would generally be acceptable to consider when an applicant has this amount of savings they could also access accommodation in the private sector. Generally to secure accommodation applicants would be required to provide approximately one month's rent as a deposit and one month's rent in advance. Therefore in equating this to the average rental price this would be in the region £1414 and therefore this would still leave more than sufficient savings for applicants to use personally and for other needs. Given this is also in-line with the threshold universally used by DWP it would also represent this be a fair assumption.

Change 7- Changes to qualification and local connection criteria

As little information is currently captured regarding the new criteria it's difficult to predict how many might be affected by this change. However in analysing the register most applicants with a current local connection will be un-affected by the change as most appear to have been resident for more than 2 years. Furthermore many of applicants who haven't may still be able to qualify due to employment or other family/welfare reasons. Additionally there are several more special criterion and discretions which may be utilised for them to be still be considered and for exceptional circumstances and due regard has been given groups included in the public sector equality duty.

Housing Supply

Demand for social Housing in Tamworth continues to far outstrip the supply the information below helps illustrate this further.

Number of Lettings

The number of lettings made over the previous three years is as follows (excluding mutual exchanges and use in occupation):

2015	258
2016	261
2017	259

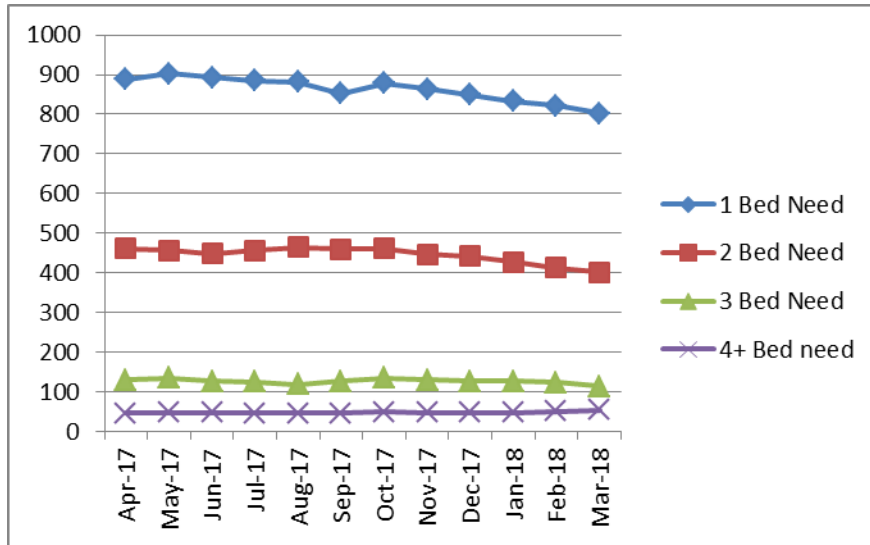
Comparatively speaking the average number of applications on the housing register for the previous 3 years has been the following;

2015/16	1624
2016/17	1585
2017/18	1491

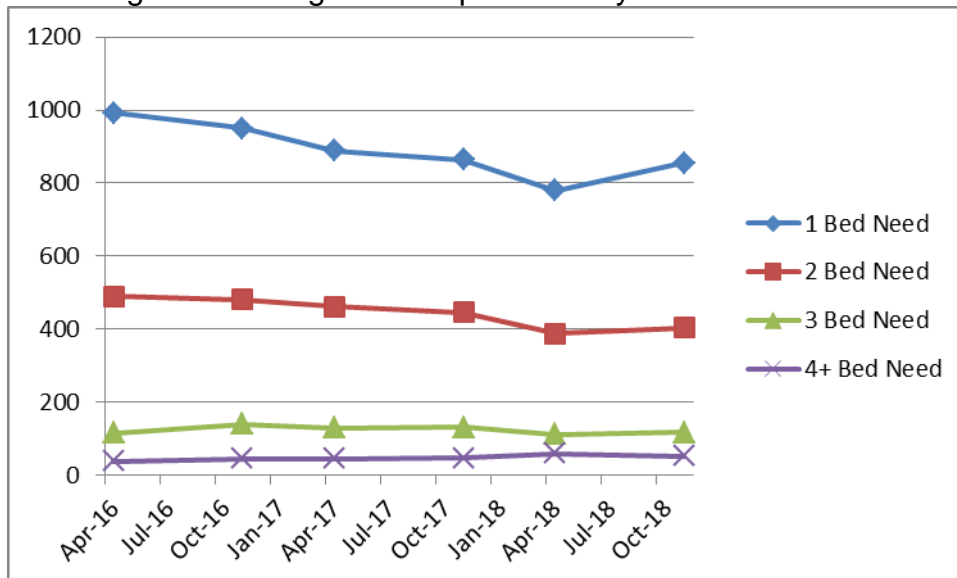
Housing demand

The demand for 1 bedroom accommodation far outstrips the needs of any other bedroom accommodation.

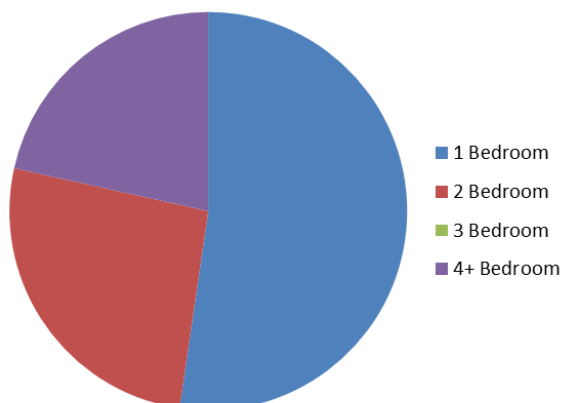
Over the course of the previous financial year, 1 bedroom accommodation has continued to be most in demand, with over 50% of those on the register requiring it. 2 bedroom accommodation is next in demand with much less applications requiring 3 bedroom accommodation or being 4+ bedroom need.



This is again reflecting over the previous 2 years as demonstrated below.



Of those in Band 1 and Band 1+ most of those also require 1 bedroom accommodation- from the latest list of those in Band 1 taken from the end of March 2018- over 50% of those in the highest bands required a 1 bedroom property, the chart below illustrates this further.



Affects of the proposed changes on bedroom need demand
When considering the changes its

important to consider the changes in the dynamics of the housing register, given a large number of applicants would be risk of removal from the housing register if these changes went ahead it's important to consider if these changes would affect the dynamics of the housing register.

As of the end of November 2018 there were 837 applicants on the housing register which fell into band 4- their bedroom need is made up of follows-

Bedroom Need	Number of applicants
1	522
2	241
3	64
4+	10

If we only consider those in Band 4 that would be likely to remain, as they otherwise would have reasonable preference but have been temporarily reduced this would be the approximate dynamics of band 4:-

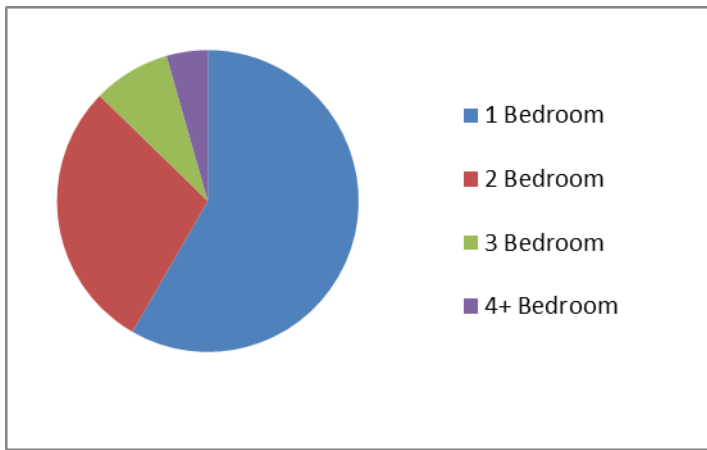
Bedroom Need	Number of applicants
1	17
2	13
3	7
4+	2

When looking at the dynamics of the register as a whole when we remove those applicants who have no housing need the dynamics of the housing register may approximately resemble more as follows:-

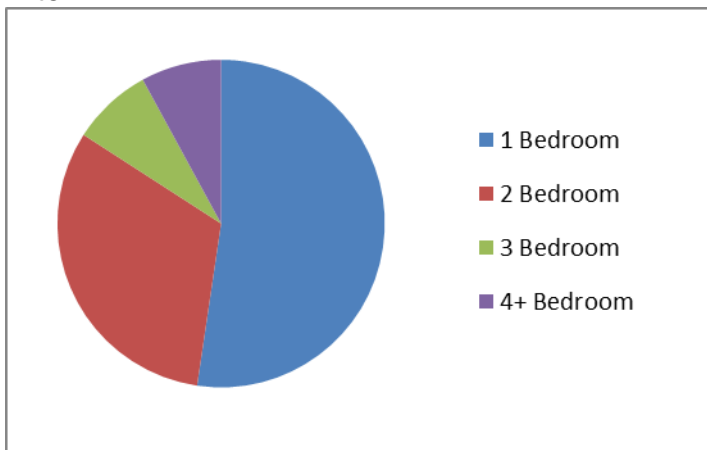
Bedroom need	Number of applicants
1	290
2	176
3	44
4+	44

This can be further shown in the charts below that illustrate the affects of the removal of those with no housing need will have on the bedroom need before and after the changes.

Before-



After –



Whilst this does resemble a change in the number requiring a 1 bedroom property, 1 bedroom properties would still be most in demand and account for over 50% of the housing register, with 2 bedroom properties also increasing in share of the demand.

Consideration of closing list to ‘transfer applicants’

When exploring the impact of the Allocations Policy, due regard was given as to whether the council should adopt to close the list to transfer applicants. The current proposal is not to adopt this and still allow transfer applicants but only where there is a housing need. This has been proposed due to the increase of demand forcing applicants to resort to a mutual exchange only which may have an impact on resources and also when planning for the future based on properties that are being built and future numbers of nominations that will need to be filled.

Consideration of amending preference given to 60+ for bungalows

Due consideration was given as to whether the priority group for general needs accommodation should be amended, however it was decided not to propose this at this stage in order to protect the councils adapted stock from right to buy and also based on over 60+ continues to present as a prevailing demographic within the area and the need for accommodation suitable for the elderly will increase as the population ages. Additionally there are currently no issues with these being difficult to let properties.

Current Housing Demand and historical trends

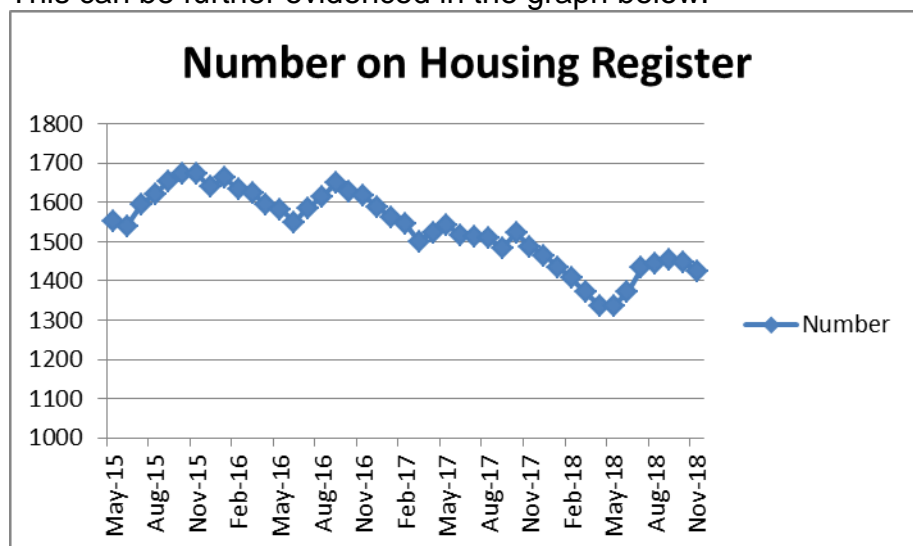
As of the 14th November 2018 there are currently 1426 on the housing register, this has gradually declined over the previous years due to greater management on the housing register and also changes to the Allocation Policy introduced in 2014 which disqualified more people.

How this has declined since 2012 is demonstrated as follows:

Year ending 31 st March	Households on the Housing Register
2012	2104
2013	1783
2014	1727
2015	1625
2016	1598
2017	1500
2018	1337

However the number on the housing register has increased slightly to 1426 as of the 14th November 2018.

This can be further evidenced in the graph below.



In terms of the current breakdown of the housing register and how the 1426 falls into banding categories and bedroom needs this is as follows:

Number of Applications by Band

	No of Apps
Band1	71
Band1+	3
Band2	301
Band3	214
Band4	837

Total:	1426
--------	------

Number of Applications by Bedroom Needs

No of Beds	No of Apps
1	855
2	404
3	116
4	38
5	11
6	1
7	1
Total:	1426

Number of Apps by Band and Bedroom Need

Banding	Bedroom Need	No of Apps
Band1	1	41
Band1	2	18
Band1	4	2
Band1	5	8
Band1	6	1
Band1	7	1
Band1+	1	3
Band2	1	160
Band2	2	81
Band2	3	33
Band2	4	24
Band2	5	3
Band3	1	129
Band3	2	64
Band3	3	19
Band3	4	2
Band4	1	522
Band4	2	241
Band4	3	64
Band4	4	10
	Total:	1426

REPORT AUTHOR

Tina Mustafa Assistant Director of Neighbourhoods ext 467

This page is intentionally left blank

**ALLOCATIONS POLICY REVIEW
HEALTH & WELLBEING SCRUTINY
COMMITTEE**

**PORTFOLIO HOLDER - HOUSING
SERVICES AND COMMUNITIES**

Page 105

15th October 2019

Tina Mustafa – Assistant Director Neighbourhoods

Dan Khan – Head of Homelessness & Housing Solutions

CONTEXT

- National and Local Changes – Allocations in context of Housing & Homeless Strategy(s) review
- Legislative Framework via Localism Act 2011, Housing Act 1996; and Homeless Reduction Act 2017
- Tamworth's role at MHCLG & HRA working group – Government commitment to end rough sleeping by 2027
- Regional impact is part of the evidence base informing the update of ***Homeless & Rough Sleeping Strategy*** - conversations with neighbours
- Changes to Council priorities and demand – balanced and sustainable communities through sector diversification
- Last Allocations Policy implemented in 2014/15
- Health & Wellbeing Scrutiny considered 15th October 2019
- Member Seminar 13th August 2019
- Cabinet approved draft policy 24th January 2019 subject to consultation and Full Council approval 19th November 2019



CORPORATE THREAD

OUR VISION, PURPOSE & PRIORITIES

Shown below is our 'Corporate Plan - On a Page'. Appendix A gives more detail, explains why these are a priority and the things we will deliver over the plan period to 2022.

TAMWORTH BOROUGH COUNCIL: VISION

To put Tamworth, its people and the local economy at the heart of everything we do

OUR PURPOSE IS TO:

- ▶ help tackle causes and effects of poverty and financial hardship
- ▶ increase all residents' resilience and access to information
- ▶ engage with our residents to promote community involvement and civic pride
- ▶ support the development of Tamworth now, and in the future
- ▶ help the local economy to grow in a way which benefits our residents and businesses
- ▶ utilise Council resources effectively
- ▶ help tackle the causes of inequality and increase opportunities for all residents and businesses
- ▶ help protect, nurture and celebrate our local heritage
- ▶ help prevent homelessness and help people access suitable housing
- ▶ help build resilient communities
- ▶ help develop and safeguard our environment and open spaces


Page 107

OUR STRATEGIC PRIORITIES FOR 2019-2022

People and Place

-  To meet housing needs through a variety of approaches and interventions
-  To facilitate sustainable growth and economic prosperity
-  To work collaboratively and flexibly to meet the needs of our communities
-  To create a new and developing vision for the continued evolution of Tamworth, including a town centre fit for the 21st century

Organisation

-  To be financially stable
-  To ensure our employees have the right skills and culture to help our residents, visitors and businesses
-  To ensure our service delivery is consistent, clear, and focused
-  To ensure our decisions are driven by evidence and knowledge

Aims of Allocations Policy

Legal framework structuring eligibility to the Councils Housing Register ensuring open, transparent & equitable allocations

Aims include:-

1. Supporting Councils vision and strategic ambitions
2. Enabling choice & informed decision making
3. Prioritises those in most housing need
4. Seeks to prevent homelessness
5. Supports a range of housing options & solutions
6. Outcome focused – digital and customer centric approach



SOME KEY FACTS AND TRENDS

Year Ending 31 st March	Households on the Housing register
2012	2104
2013	1783
2014	1727
2015	1625
2016	1598
2017	1500
2018	1337
2019	1490

- Managing expectations – realistic assessment of housing need
- Robust review process with tailored housing options
- Consideration of financial resources balanced with access to subsidised housing
- Strengthening local connection
- Focused management of those in band1 & band 1+
- Band 4 - seeks to remove 'just in case'
- Focus on efficient management of supply and demand; commitment to housing first principles & tailored support plans

Band 1+	1
Band 1	58
Band 2	313
Band 3	236
Band 4	882



LETTINGS RESULTS

- <https://www.findingahometamworth.co.uk/index.aspx>



- Stock c4200
- c250 lettings of council accommodation per year
- c160 RP nominations per year
- c60 mutual exchanges per year
- Average void cost c£2500
- Highest churn 1 & 2 beds across Sheltered and high rise accommodation
- Highest demand is for 1 & 2 bed general needs stock
- 3 and 4 bed houses lower demand & more limited supply (often let on band 3)
- Average bids c30 for 1 beds; c 60 for 2 beds and c15 for 3 and 4 beds
- Impact new & affordable housing – over 200 additional units in 2019/2020

SUMMARY KEY PROPOSALS

	Proposal	Summary Information
1	Disqualification of those with no housing need	Likely to affect 802 of 882 in band 4. Band 4 not removed
2	Cancel housing applications where no bids received in preceding 12 months	706 have not bid in 12 months, this is aimed at changing the culture to one of management of the register rather than allowing households to sit on a “waiting list – just in case”
3	Cancel applications where 3 offers have been refused	This would have only affected 12 in the last 12 months, but if implemented would ensure a more targeted and effective use of housing resources
4	More focused support of those in band1 and band 1+	59 households are currently in these bands and this is an increasing figure. Tailored housing based support plans is a principle already used for homelessness and use across the register, will ensure expectations are managed and the widest possible housing solutions explored including the private sector



SUMMARY KEY PROPOSALS

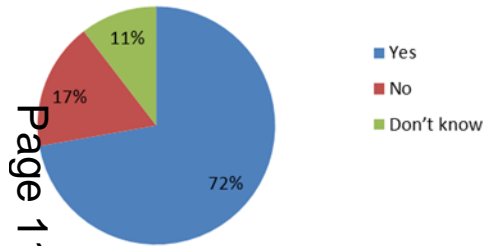
	Proposal	Summary Information
5	Amendments to cumulative preference	Review with partners (particularly GPs) around how combined needs impact on priority to ensure housing need is not escalated for non related issues, such as incentive to move schemes
Page 111	Introduction of a financial threshold allowing access to the register only if they are unable to fund an alternative solution	<ul style="list-style-type: none"> • Financial thresholds allows for income and expenditure assessment to prevent social and economic hardship • Discretion and exclusion of key benefits • Singles - £30k • Family households - £60k (excludes non-deps) • Savings thresholds - £16k in line with DWP
7	Strengthening of local connection	This is already robust in Tamworth but will be extended to ensure living or caring within Tamworth for 2 consecutive years and employment is having a contract for at least 12 months.



INTERIM FEEDBACK – END OF JULY 2019

126 respondents so far

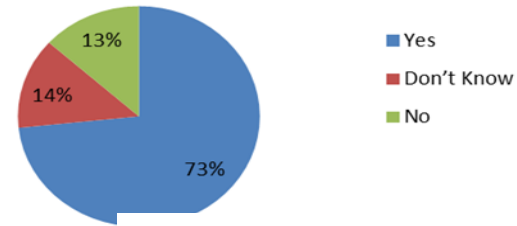
Overall Agreement across all questions



Page 112

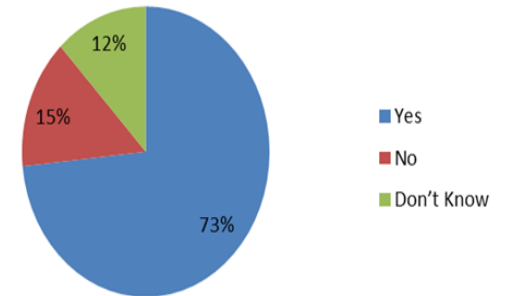
Q1- Qualification Criteria

To qualify should applicants need to have a housing need and without the financial resources to resolve it?



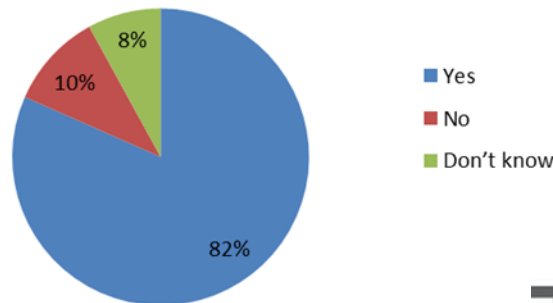
Q6- Financial Resources-

Should the Council implement the proposed financial resources thresholds?



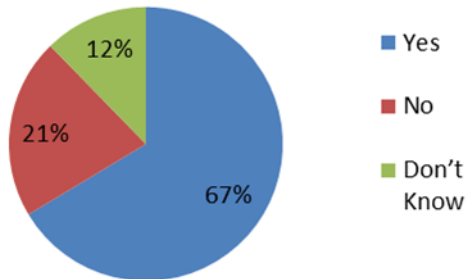
Q5- Revised Local connection criteria

Should the Council implement proposed new local connection criteria to further ensure those with a connection are given greater priority?



Q3- Cancellation of applications

Should the reasons for cancellation also include refusing 3 suitable offers and not bidding for a 12month period



CONSULTATION CLOSED END AUGUST 2019

CONSULTATION EXTENSIVE INCLUDED APPLICANTS ON REGISTER;
COMMUNITY GROUPS; PARTNERS, STAFF AND MEMBERS

142 responses = 11%

Qualitative feedback

- 73% Agreed there should be a restriction for no housing need and for those with the resources
- 74% Agreed to the new banding summary and provision for the new bands wanting to be introduced
- 67% Agreed applications should be cancelled for non-bidding and refusing more than 3 properties
- 76% Agreed those in Band 1 and Band 1 should be more effectively managed
- 83% Agreed with the new local connection criteria to provide greater protection for residents
- 74% Agreed with the proposed financial resources restrictions
- 76% Agreed to restrict cumulative preference to avoid duplicate preference being awarded

○ Registered Providers

Positive feedback received from registered providers. Many Registered providers felt the changes would bring Tamworth into line with other Authorities and changes positive.

“From a RP point of view this allocations policy is fair and will help to support balanced and sustainable communities in the Tamworth Borough”
Midland Heart

○ Andy Gale 2019

“Exceptionally well written”

○ HQN Report 2019

“The current state of play as set out in the January 2018 documentation on allocations policy-making is exemplary”

EQUALITY IMPACT ASSESSMENT 2019

What is the Equality Act?

- Under the Equality Act 2010, Tamworth Council must have due regard to the need to:
 - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by, or under the Act
 - b) Advance equality of opportunity between those with a protected characteristic and those without
 - c) Promote good relations between those with a protected characteristics and those without

Scrutiny questions?

- EqIA draft summary attached based on partner workshops
- Consider whether observations for each protected characteristic are extensive
- Scrutiny to inform EqIA and make recommendations for amendments by end of October 2019



PUTTING 'CUSTOMERS AT HEART OF WHAT WE DO'

Implementation by June 2020, if approved,

1. Band review letters (January – February 2020)
2. Communications and customer support planning throughout including freephone number; email; customer services triage and scripting
3. Housing options surgeries
4. Market place event(s) – HTB; mortgage advice; shared ownership; RPs and private landlords
5. Ongoing review vis Homeless Strategy & Rough Sleeping Strategy update

Page 115

<https://findingahometamworth.co.uk/content/HousingOptions/Index.aspx>

The collage features several key elements:

- Help to Buy Logo:** A circular logo with a house icon and the text 'Help to Buy'.
- Property Signage:** Four wooden signs on posts labeled 'For RENT', 'For LEASE', 'For SALE', and 'SOLD'.
- Property Listing:** A large image of Dunstall Park with a 'TO TAMWORTH CASTLE' banner. Text includes 'Dunstall Park', 'Meadow Road, Bittercote, TAMWORTH, STAFFORDSHIRE, B76 3HU', '2, 3 and 4 bedroom homes', and '£198,995 to £389,995'. A 'Help to Buy' logo is also present.
- Informational Guides:** Four guides with icons: 'Remortgage' (house with refresh), 'First-time buyer' (hand holding key), 'Home purchase' (house with pound), and 'Buy-to-let' (house with 'TO LET' sign). Each guide provides a brief overview of the process and a link to a more detailed guide.
- Additional Text:** 'Be at the heart of where it's happening, at our new development Dunstall Park. Located within walking distance to the well known Ventura Park, with great shops, cafes and restaurants on your door step, or' and 'COME AND VIEW OUR NEW SHOW HOMES' with bullet points: 'Built by an award winning site manager', 'Sales centre now open', and 'Brand new 2, 3 & 4 bedroom homes'.

NEXT STEPS

- Evaluation of consultation during September 2019
- Equality & Community Impact Assessment and workshops - September 2019
- Health & Well-being Scrutiny Committee – discussion around EqIA
- Legal Review of Final policy, EqIA and Council report
- Forward Plan – Full Council 19th November 2019
- Implementation June 2020



Allocations Policy Consultation Feedback

The Council engaged in thorough consultation between the 7th May and 30th August.

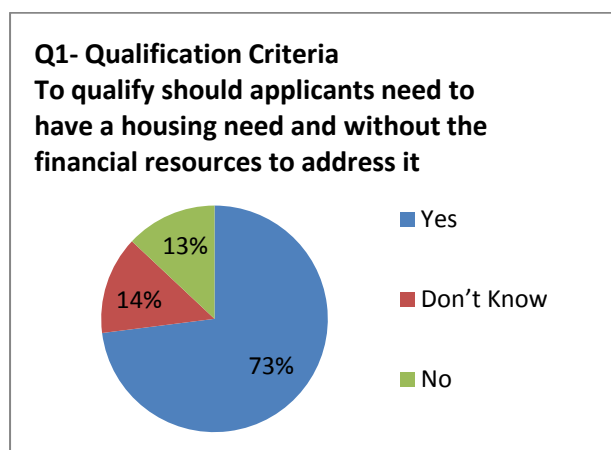
As part of the robust consultation postal questionnaires were sent to all applicants on the housing register by and those that joined the housing register during the course of the consultation. The information sent to those on the housing register was comprehensive including targeted letters explaining how they may be effected, questionnaires with prepaid envelopes and a detailed consultation booklet summarising the changes and containing FAQ's.

The council received 142 responses to the online questionnaire which equated to about 10% response rate. The consultation and all relevant documents was publicised on the website and press released were also done to gather further response.

The council consulted on 7 key proposed changed to the allocations policy. The key results from the consultation are as follows:

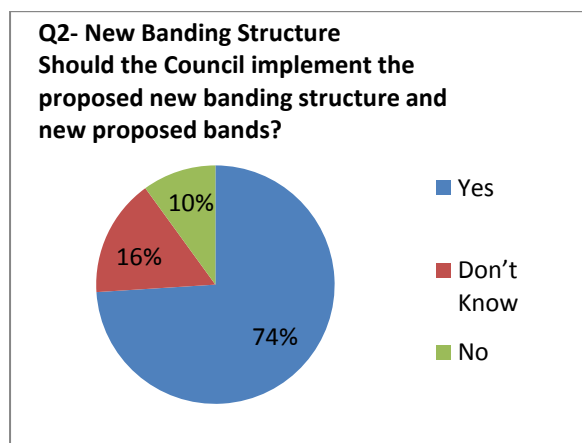
Proposed Change 1 – Qualification Criteria

73% Agreed there should be a restriction for no housing need and for those with the resources



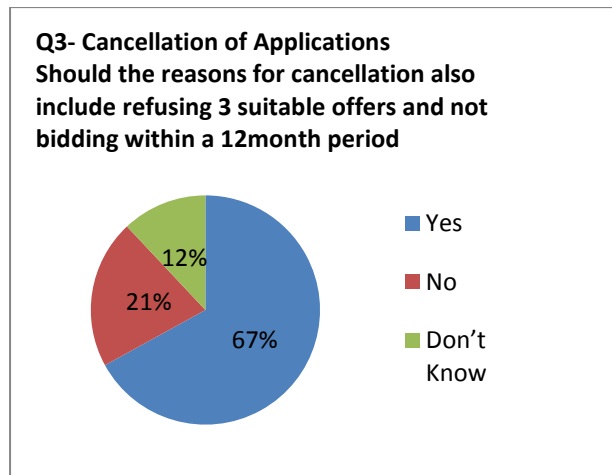
Proposed Change 2 - Revised Banding Summary and changes to banding priorities

74% Agreed to the new banding summary and provision for the new bands wanting to be introduced



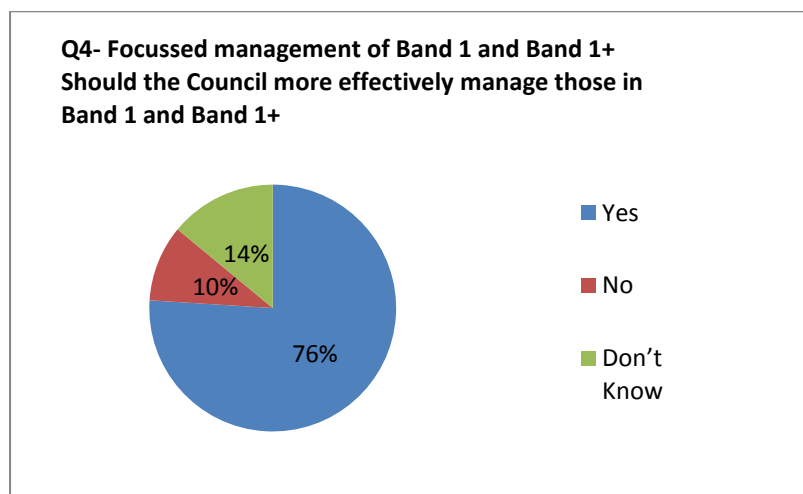
Proposed Change 3 - Cancellation of applications

67% Agreed applications should be cancelled for non-bidding and refusing more than 3 properties



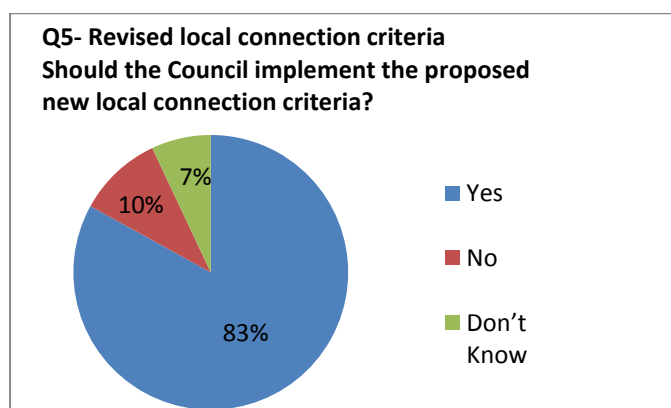
Proposed Change 4 - Focussed management of Band 1 and Band 1+

76% Agreed those in Band 1 and Band 1 should be more effectively managed



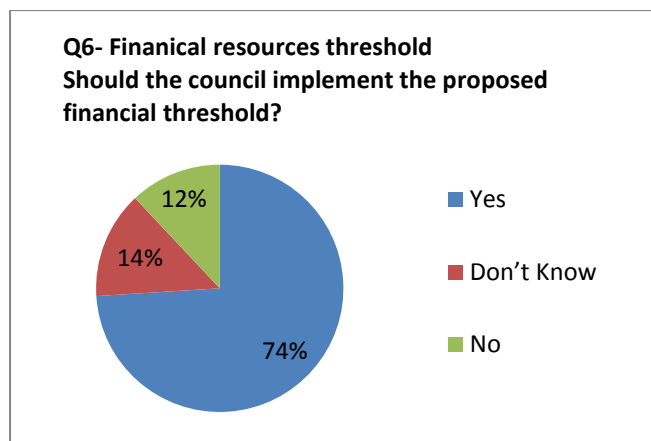
Proposed Change 5 - Revised Local connection criteria

83% Agreed with the new local connection criteria to provide greater protection for residents



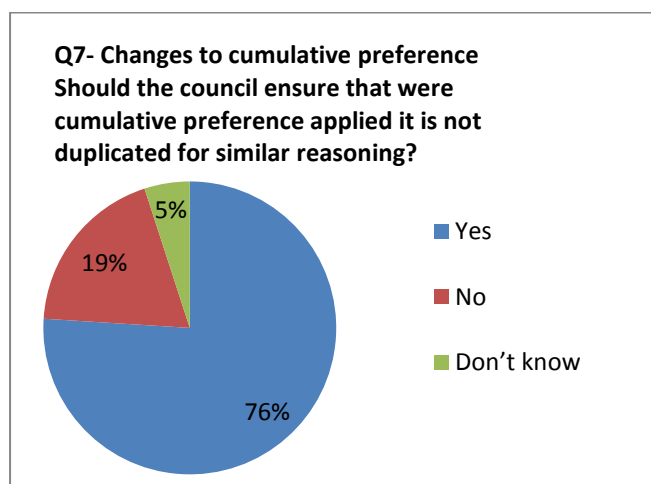
Proposed Change 6 - Financial resources threshold

74% Agreed with the proposed financial resources restrictions



Proposed Change 7 - Changes to cumulative preference

76% Agreed to restrict cumulative preference to avoid duplicate preference being awarded and to ensure those homeless and those injured through serving in the armed forces awarded ultimate priority



Registered Provider and Partner Agency consultation feedback

As well as consulting with all those who were registered on the housing register the Council also undertook significant consultation through other sources. This included registered providers the Council has nomination rights to and a number of other statutory agencies and voluntary sector organisations. Additionally consultation was also undertaken through briefings with staff and also with the tenant consultative group as body to represent the interest of tenants of Tamworth Borough Council.

Positive feedback received from registered providers. Many Registered providers felt the changes would bring Tamworth into line with other Authorities and changes positive. A summary of some of the key feedback received through consulting with partners is as follows:

Feedback	Management Response
<p><u>Registered Providers</u></p> <p>Agreed to all questions posed within the consultation. Overall stating from an RP point of view this allocations policy is fair and will help to support balanced and sustainable communities in the Tamworth Borough.</p> <p>Positive feedback received from the questionnaire and commenting the changes falls in line with other LA Allocations Policies and ensures that housing is prioritised for those in housing need.</p> <p>Feel limiting the number of refusals is a useful tool to stop people bidding on properties that they are not really interested in viewing.</p> <p>Agree those identified in the highest priority should have time limited banding status so as to what is realistic to meet housing need balance demand and manage expectation</p> <p>More broadly MH may be withdrawing from homes direct and going more independent with its remaining allocations.</p> <p><u>Points to consider</u></p> <ul style="list-style-type: none"> - Requested if any further support could be put in place for care leavers who are vulnerable client group to help sustain property. - Discussed exceptions around not bidding for 12 months, property maybe not come up in a rural location for example - Midland heart have £1000 FTA limit which they are considering lowering. - Bromford look at repayment plans for arrears and if kept for an 	<p>Positive feedback received from the largest registered provider within the area.</p> <p>Regarding care leavers a joint care leaver protocol is being developed between the County Council and all local authorities within Tamworth so this may form future discussions with a consideration as to what pilots Tamworth could consider going forward based on demand.</p> <p>The care leaver retains PA support until they are aged 25 so registered providers may want to document their details for any issues experienced.</p> <p>Additionally there is a current service arranged through TAM CAN for tenancy training which could be utilised.</p> <p>The Housing Solutions team have forged strong links with the Through care team to highlight particular individuals who may present concern and action plans are also devised.</p> <p>Additionally 2 new housing based PA's have also been employed by Staffs CC who's role is specifically targeting housing and homelessness issues with more specialised skills to aid in their transition from care to independent living.</p> <p>Whilst MH have a £1000 limit other RPs are more flexible and proposed changes may encompass those with higher debts as still other viable options for them.</p> <p>Given the proposals are largely in agreement with the position of other landlords stand in a good position form a consultative point of view regarding the proposed changes.</p>

<p>appreciable period of time before declining a nomination</p>	
<p><u>Staffordshire County Council- Through Care</u></p> <p>Positive feedback received from the proposed changes- and the new Band 1 banding that would be given to care leavers and the ability to join the register 6 months before 18th birthday.</p> <p><u>Points to consider</u></p> <ul style="list-style-type: none"> - Are care leavers only going to be given the Band 1 priority from leaving care into independent living? What consideration for those who move into other accommodation and so not had this priority before could they be awarded it later? Are they only entitled to this banding award once? - Concerns were raised as to the suitability of temporary accommodation for homeless care leavers 	<p>Procedures will be adopted to ensure thorough process for those who get the Care leaving Band 1 priority. Care leavers would generally only be entitled to this priority once upon leaving care to enable a structured and considered transition from care into independence and in order to reduce homelessness. Exemptions may be considered where care leavers leave care into not settled accommodation and haven't then had their Band 1 priority.</p> <p>In terms of suitability of temporary accommodation the council is already making good use of alternative temporary accommodation to Bed and Breakfast, including pilot of council stock and private sector leasing. Thorough risk assessments are completed for any provisions and good partnership working between officer's care and leavers and their PA's. Bed and breakfast would only be utilised as a last resort and where it was required to fulfil a statutory obligation. Discussions are also ongoing with the through care team and Staffordshire County Council regarding alternative arrangements for care leavers who are engaging with the service as a homeless case.</p>
<p><u>Tamworth- Probation service</u></p> <p>Generally happy with the proposed changes.</p> <p><u>Points to consider</u></p> <ul style="list-style-type: none"> - Probation had some reservations as to whether some of their clients may be affected by local connection for those not in settled accommodation and where they had not satisfied employment provision. 	<p>Following recommendations by Andy Gale- further revisions will be made to the local connection exemptions to include provision those not in settled accommodation. This will also account for sofa surfers, rough sleepers, gypsy/travellers. In these cases further consideration would be condition to length of residency, nature of residency, another supporting factors and support networks within the area. Additional factors would be considered so as not to have lax criteria comparatively to other authorities.</p>

<p><u>Third sector organisations - Supported accommodation</u></p> <p>Feedback received was positive for the revised changes. Nothing specifically will affect them as still provision for move on within the revised policy.</p>	
<p><u>TCG</u></p> <p>Generally her feedback was quite positive from TCG.</p> <p><u>Points to consider</u></p> <ul style="list-style-type: none"> - Concerns were given around the level of income thresholds being too high and too generous. 	<p>Response provided was to explain how the thresholds were determined and based on affordability and percentage of income to secure private accommodation and market rents and house prices within the area. This was generally more accepted when explained.</p>

Event	Timescale
Preparation of orchard testing and banding letters	up to 31 st December 2019
Preparation of procedures & training for staff (inc. customer service scripts)	by February 2020
Banding review letters giving 28 day notice of change	Jan- February 2020
Housing Options Surgeries	1 event per month (Feb/ March/ April/ May)
Market Place Event with partners	March 2020
Launch of new policy	End of June 2020
Review of New Policy	2021/2022 (or sooner should legislation dictate)

This page is intentionally left blank

TAMWORTH BOROUGH COUNCIL: REVISED HOUSING ALLOCATIONS SCHEME EQUALITIES IMPACT ASSESSMENT (EQIA) SEPTEMBER 2019

Date approved	October 2019
Approved by:	<i>Wellbeing and Scrutiny Committee</i>
Next Review Date:	October 2020

Background

Under Part VI of the Housing Act 1996, the Council is required to have a Social Housing Allocation Scheme, the purpose of which is to determine priorities in allocating housing and to set out the procedures to be followed. The Allocation Scheme determines individual priority for housing. Tamworth Council last reviewed the Policy in October 2014 and this new policy is an extensive revision with a number of Policy changes.

The Policy has been subject to an extensive period of public consultation from the 7th May 2019 to the 30th August 2019. The consultation incorporated a consultation booklet that was notified to all applicants on the Housing Register and sent to a wide range of relevant stakeholders. This is the Equality Impact Assessment (EQIA) and has been finalised in the light of the consultation responses. A copy of the consultation document is available on request.

As part of the consultation every relevant community group in Tamworth was written to. This included specialist organisations working with groups and individuals who have a protected characteristic including organisations for persons with a disability, mental health issues, who have suffered domestic abuse, older persons and various minority groups.

All relevant public sector bodies were invited to contribute to the consultation including Health and Social Services.

Relevant staff members who work in allocations and lettings were consulted with and their comments were used to shape the questions in the consultation pack. Details with a link to the full consultation pack were prominently displayed on the 'Finding a Home' Choice Based Lettings website.

Additionally the Council held a partnership event to discuss the proposals with registered providers and also involved other statutory partners and agency's in respect of the proposals that were being made. This event was successful and the attendees were in agreement with the changes.

There were 142 responses received to the consultation. Additionally feedback was also sought from registered providers and other relevant agencies as this information was also captured and feedback commented upon.

Comments received were logged and considered against the Policy proposals. Some minor changes have been made as a result of the consultation, however the main proposals remain in place. Council Members will consider the EQIA before deciding whether to give final approval to the revised Policy.

In accordance with s 149 of the Equality Act 2010, Tamworth Council must have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by, or under the Act
- b) Advance equality of opportunity between those with a protected characteristic and those without
- c) Promote good relations between those with a protected characteristic and those without

The 'protected characteristics' referred to are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination. The Equality Impact Assessment set out below, considers the impact of the changes to the Allocation Policy on groups and individuals with protected characteristics, and where there is an impact, sets out the actions the Council will take to reduce any impact that has been identified.

The current waiting list in Tamworth as at August 2019 is 1484 households. There are approximately 85 new applications processed each month. This Housing Register comprises of 2892 individuals. Applicants are typically on low incomes and many who are assessed as being in housing need are fully, or partially, benefit dependant. Many applicants will have to wait a considerable length of time before securing an offer of social housing. Many others without a statutory housing need have little prospect of being housed.

The revisions to the Allocation Policy aim to:

- a) Support local people most in need of housing
- b) Address the limited housing options available
- c) Ensure the Policy is transparent, is fair and is seen to be fair
- d) Aims to be realistic with applicants on their housing prospects by removing households from the register who do not have a statutory housing need and have little, or no prospect of being housed
- e) Contributes towards mixed and sustainable communities where people of different backgrounds and socio economic groups live side by side. In The Council's view this fosters better community relations.

What are the changes to the Tamworth Allocation Policy?

Tamworth operates a Choice Based Lettings (CBL) scheme called 'Finding a Home'. There are a number of important changes proposed to the Allocations Policy. These are set out in blue below.

Who would be eligible to join the housing register?

You can be on the housing register and apply to join if you:

1. Are aged 18 or over and
2. [Have a housing need as set out in the housing allocation bands. This change would mean that households without a statutory Housing Need would no longer be able to join the Housing Register](#)

Who would not be able to join the housing register?

You cannot be on the housing register or apply to join if you

1. Are subject to immigration control
2. Have not passed the habitual residence test
3. Have significant rent arrears (equivalent to over 8 weeks rent)
4. Are deemed to be guilty of unacceptable behaviour including anti-social behaviour
5. [Have the financial resources to resolve your housing issue](#)
6. [Have refused 3 suitable tenancy offers within a 12-month period \(which will result in a 12 month disqualification\).](#)

What are 'financial resources' determined as?

The Council are proposing to include financial resources thresholds as follows:

Income threshold

1. Single person households with a household net income of £30,000 or more per year
2. Family households (this includes couples) with a household net income of £60,000 or more per year.

Savings, Assets and Capital

Applicants with capital/savings/assets/investments in excess of £16,000 will not qualify to join the housing register as they will be regarded as having sufficient resources to source alternative suitable accommodation.

Home ownership

Applicants who own their own homes will not qualify to join (or remain on the register) if they own a property either in the UK or abroad (either freehold, leasehold, under mortgage or shared ownership), unless they can demonstrate that:

- a) They are in housing need and/or it is unreasonable for them to continue to occupy the accommodation and
- b) They cannot liquidate or sell the property which would enable them to purchase or rent an alternative property suitable to meet their needs

Applicants with a local connection to Tamworth

An applicant will have a local connection if they:

1. Have been resident in settled accommodation within the borough of Tamworth consecutively for the last 2 years
2. Have permanent employment or self-employment within Tamworth that has been on-going for more than 12 months for at least 16 hours per week.
3. Where an applicant has a close relative in the borough of Tamworth and where that close relative has been living in the borough consecutively for the last 5 years (Close relative for this purpose is defined as parents, children, siblings, grandparents or grandchildren, including step relatives) and
4. Where there are additional health, welfare or care/support needs that require a relative being within the area

Exemptions to Local Connection Rules

1. The applicant is homeless and the council has accepted a full duty to them under s193(2) of the Housing Act 1996 (as amended) , the applicant is owed a S189B Relief duty (and for as long as that duty is owed to them), the applicant is owed a S195 Prevention duty (and for as long as that duty is owed to them)
2. They satisfy the 'right to move' criteria
3. They satisfy the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 | There are significant and special circumstances with overriding reasons requiring the move into Tamworth for reasons of safety
4. Where applicants have a statutory housing need (a reasonable preference) but no local connection, they may be able to join the housing register but at a reduced level, this being a reduction by one housing band to the same band as applicants with a local connection.

Focused Management of Band 1+ and Band 1

It is important to note that by removing from the Housing Register applicants with no statutory housing need this will free up more time for officers to provide support for applicants in the top bands 1+ and 1. All applicants in these 2 bands will be assigned an officer to support them in making bids and to discuss bidding behaviour and options.

Many (but not all) applicants in these 2 bands will have a protected characteristic, for example they may have a disability. This will mean these applicants will receive additional support in helping them to bid or to make choices about their housing options.

The EQIA assessment

This EQIA considers the changes to the Allocations Policy and assesses their impact on those applicants/households within the protected characteristic groups. The assessment considers whether any impact is a positive, negative or neutral and sets out what steps Tamworth Council have taken or will take to reduce and address any negative impact identified.

The Council has been careful to build into the Allocation Policy discretion to consider exceptional circumstances.

Data used to assess the EQIA

This assessment has been drawn up using a broad range of data available to officers about those on the Housing Register. Regard has been had to s149 of the Equality Act 2010 and recent case law on the operation of that section.

The Council has considered a wide range of relevant data:

The key data is consideration of those on the Housing Register who have a protected characteristic. However, it is recognised that Tamworth does not have a comprehensive set of data for the households on the Housing Register and for those who have been rehoused. This is because a large number of applicants fail to complete the section of the application form that asks for details in relation to such personal data.

Importantly, moving forward the Council needs to be able to consider a breakdown of those on the Register who are bidding for properties and have been housed under the Policy. This will allow the Council to consider if those being housed who have a protected characteristic is proportionate to those who do not have such a protected characteristic.

To ensure that Tamworth has better information to enable it to review the EQIA in the future the following actions will be taken:

- a) The on-line applicant form will be amended to encourage more applicants to fully complete the relevant sections,
- b) Officers will on contact with all applicants ask any applicant who has not completed the relevant section information so they are able to complete it.
- c) Changes will be made to the home page of the on-line account for all applicants to show a message explaining the importance of providing the information.
- d) At the point all applicants are written to asking them if they wish to remain on the Housing Register they will be prompted to complete the personal data section

However, it has to be recognised that there are some limitations. The data sets available are not comprehensive. For example, information on key aspects of the current allocations process is not currently collected or monitored for all of the equality strands. This will be addressed so that information is more comprehensive. More information is needed about sexuality, gender reassignment, for example. Given that these are all reliant on the self-disclosure of sensitive issues the comprehensive gathering of this type of data may not be achievable.

Overall there is no reason to believe that certain groups will be over or under represented as a result of this decision. Data indicates that the following groups are already over-represented in the high priority groups on the Housing Register:

- BME households
- Households with disabled or long-term health problems.
- Female headed households

This is likely to remain the case under the new Allocation Scheme

The Council through its EqIA will have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The EQIA assessment is set out in the table below and is structured to consider those persons who share a relevant protected characteristic in the context of the changes, and then how the changes in the context of their impact on all of those persons

The EQIA: Assessment of Impact and outcomes

Part A – persons who share a relevant protected characteristic group in the context of the changes

Protected characteristic	Potential issue where there may be a positive or negative impact	Impact Judgement + / -	Observations and Recommendations	Relevant comments or Action/s to reduce any impact
Age				
	<p>Tamworth will encourage more applications to be made on-line as opposed to submitting a paper form.</p> <p>The impact could be that older people are less able to use an on-line application form and a system of bidding for properties through choice based lettings</p>	Negative	<p>On-line applications have been the normal method for residents to make their applications. The Council’s Housing Team can assist older people to:</p> <ul style="list-style-type: none"> ➤ Fill out their on-line application and ➤ Help them to make bids under CBL <p>CBL bidding on-line has been operating for several years. There is no evidence from applicants or stakeholders that people are finding difficulty in applying for accommodation or using the CBL system</p>	<p>The Finding a Home Website FAQs section will be amended to inform applicants that help is available if they are having difficulty in using any of the online application and bidding processes.</p> <p>There is a web chat option on the website to help applicants</p>

				and registered applicants
	There is evidence nationally that younger people find it easier to access services online rather by filling out forms and may be disadvantaged by a system where access is by paper form	Positive	The Housing Register is overwhelmingly made up of people under 35. Delivering the application and bidding system on line is an advantage to younger people	None additional
	Seeking to deliver more of the application and bidding process on-line will disadvantage those applicants without internet access and these tend to be older applicants, or applicants most impacted by poverty	Negative	<p>Libraries have free public PC's. There are also free computer training sessions available in Tamworth.</p> <p>Information is available from the Housing Team on the availability of free local public internet access.</p> <p>There are numerous PCs in Council venues and venues of other public authorities.</p> <p>Currently on Tamworth's CBL system 95% of bids are placed electronically. There are however alternative ways to bid such as text/SMS.</p> <p>The office of National Statistics reported that In 2018, 90% of adults in</p>	There are sufficient internet access points and support available in Tamworth to help people without access to the internet.

			the UK were recent internet users, up from 89% in 2017. 8.4% of adults had never used the internet in 2018, down from 9.2% in 2017. Virtually all adults aged 16 to 34 years were recent internet users (99%) in 2018, compared with 44% of adults aged 75 years and over	
	Young People - Care Leavers	Positive	Care leavers and young people ready to move on from supported accommodation benefit from the proposals as they are placed in Band 1 (second highest priority Band). This should mean that they are provided with an offer of social housing in a relatively short time period	No additional comments
Disability				
	What is the impact of the Policy on the housing prospects of applicants	Positive	<p>Tamworth's Allocations Policy actively promotes the needs of disabled groups by being designed to ensure that applicants with mobility problems are prioritised for accommodation that is suitable for them.</p> <p>Many applicants with a physical disability where their current housing circumstances impact on their disability will be prioritised for housing under the Allocation Policy</p> <p>Many applicants with a severe mental health condition and who are homeless will be prioritised under the Policy through being awarded reasonable preference for being owed a statutory homelessness duty</p> <p>The Council continues work to obtain better information about social housing void properties to classify those that have or can be adapted.</p>	No additional comments

	How accessible are the application and bidding processes for applicants with a disability?	Positive	The 'Finding a Home' website has an accessibility section. Actions include: a) The website is W3C 1.0 compliant b) Information on how to adjust type, font size, colour contrast and how to make the applicant's computer speak text aloud. c) Information for people who need to contact or talk to the Council in language other than English, or need a letter in audio.	The Council will seek in the future, where the IT allows, to monitor data on the frequency of applicants accessing their account to check whether some applicants are being disadvantaged
Transgender/ Gender reassignment				
	Is there an impact of the Policy, or the changes, on transgender/gender reassignment applicants	Neutral	Applicants who have undergone gender reassignment – can apply to join the housing register and will qualify as long as they meet the eligibility and qualification criteria	Only 1 person on the Housing Register has indicated that they are Transgender. Tamworth has recently started collecting monitoring information for this group but

				has insufficient data at present.																																				
Pregnancy and maternity																																								
	No further impact identified	Positive	54% of applicants in households are female and applications from female single parents make up an estimated 55/60% of the housing register and a percentage will be pregnant. Pregnant women are more likely to have become homeless due to being excluded from a family home, or homeless due to domestic abuse, or homeless due to being unable to continue to afford the rent on a private rented property once they have given birth given the cost of childcare The homeless are given a high priority for housing under the Policy and therefore pregnant women as a groups are likely to be advantaged and not disadvantaged by the Policy	No additional comments																																				
Race																																								
	The changes to the residency requirement for banding priority under the Housing Register may impact on refugees, non British nationals and Gypsies or Travellers	Negative	<p>The breakdown for the Housing Register for Tamworth by ethnicity is:</p> <table border="1"> <thead> <tr> <th>Housing Register Ethnicity</th> <th colspan="2">Jobs</th> </tr> </thead> <tbody> <tr> <td>White - British</td> <td>1566</td> <td>92.1%</td> </tr> <tr> <td>White - Irish</td> <td>10</td> <td>0.5%</td> </tr> <tr> <td>White - Other</td> <td>32</td> <td>1.8%</td> </tr> <tr> <td>Mixed - White & Black Caribbean</td> <td>7</td> <td>0.4%</td> </tr> <tr> <td>Mixed - White & Black African</td> <td>1</td> <td>0.05%</td> </tr> <tr> <td>Mixed - White & Asian</td> <td>2</td> <td>0.11%</td> </tr> <tr> <td>Mixed - Other</td> <td>1</td> <td>0.05%</td> </tr> <tr> <td>Asian or Asian British-Indian</td> <td>5</td> <td>0.29%</td> </tr> <tr> <td>Asian or Asian British-Pakistani</td> <td>2</td> <td>0.11%</td> </tr> <tr> <td>Asian or Asian British-Bangladeshi</td> <td>1</td> <td>0.05%</td> </tr> <tr> <td>Asian or Asian British-Other</td> <td>4</td> <td>0.23%</td> </tr> </tbody> </table>	Housing Register Ethnicity	Jobs		White - British	1566	92.1%	White - Irish	10	0.5%	White - Other	32	1.8%	Mixed - White & Black Caribbean	7	0.4%	Mixed - White & Black African	1	0.05%	Mixed - White & Asian	2	0.11%	Mixed - Other	1	0.05%	Asian or Asian British-Indian	5	0.29%	Asian or Asian British-Pakistani	2	0.11%	Asian or Asian British-Bangladeshi	1	0.05%	Asian or Asian British-Other	4	0.23%	
Housing Register Ethnicity	Jobs																																							
White - British	1566	92.1%																																						
White - Irish	10	0.5%																																						
White - Other	32	1.8%																																						
Mixed - White & Black Caribbean	7	0.4%																																						
Mixed - White & Black African	1	0.05%																																						
Mixed - White & Asian	2	0.11%																																						
Mixed - Other	1	0.05%																																						
Asian or Asian British-Indian	5	0.29%																																						
Asian or Asian British-Pakistani	2	0.11%																																						
Asian or Asian British-Bangladeshi	1	0.05%																																						
Asian or Asian British-Other	4	0.23%																																						

			<table border="1"> <tr> <td>Black or Black British-Caribbean</td> <td>12</td> <td>0.70%</td> </tr> <tr> <td>Black or Black British-African</td> <td>2</td> <td>0.11%</td> </tr> <tr> <td>European</td> <td>41</td> <td>2.41%</td> </tr> <tr> <td>Chinese</td> <td>1</td> <td>0.05%</td> </tr> <tr> <td>Unknown or Prefer not to say</td> <td>1193</td> <td></td> </tr> <tr> <td>Total</td> <td>2,892</td> <td>100%</td> </tr> </table>	Black or Black British-Caribbean	12	0.70%	Black or Black British-African	2	0.11%	European	41	2.41%	Chinese	1	0.05%	Unknown or Prefer not to say	1193		Total	2,892	100%	
Black or Black British-Caribbean	12	0.70%																				
Black or Black British-African	2	0.11%																				
European	41	2.41%																				
Chinese	1	0.05%																				
Unknown or Prefer not to say	1193																					
Total	2,892	100%																				
			<p>Under the revised Policy applicants owed a statutory housing need that do not meet the Residency rules will have their priority banding reduced by one band.</p> <p>A residency requirement of 2 years will impact on refugees, non-UK nationals, Gypsies and Travellers. The Council has sought to:</p> <ol style="list-style-type: none"> Strike the right balance between disadvantage to some groups of a residency requirement and the policy aims of the residence requirement which is to prioritise applicants who can demonstrate a positive commitment to Tamworth and are settled in the area as defined by 2 years residence Mitigate any impact by not disqualifying applicants owed a reasonable preference but who do not meet the residency rules. They will be allowed onto the register and their priority banding reduced by 1 band. They will still have a reasonable prospect of obtaining social housing <p>This impact and mitigation is considered more fully below in the section on the impact of the Policy changes across all of the protected groups</p>																			

	<p>On-line access for making an application and bidding will impact on applicants whose first language is not English</p>		<p>The 'Finding a Home' website has information for people who need to contact or talk to the Council in a language other than English.</p> <p>Low risk as if a person's command of English is particularly poor they are likely to have access to someone with interpretation skills; other less able people are likely to have access to professional support</p> <p>There is an increased likelihood of this potential negative impact amongst residents for whom English is not their first language, or who have learning impairments or severe mental health problems. The new Scheme has been designed to be more straightforward and easier to understand, providing clarity and managing people's expectations more realistically. As is currently the case, Officers can provide advice and assistance for people who may have difficulty understanding the policy</p>																			
<p>Religion / belief</p>																						
	<p>Is there an impact of the Policy or the Policy changes on applicants with a religion or belief?</p>	<p>Neutral</p>	<table border="1"> <thead> <tr style="background-color: #0056b3; color: white;"> <th>Religion</th> <th>Count</th> </tr> </thead> <tbody> <tr> <td>Buddhism</td> <td>5 0.07%</td> </tr> <tr> <td>Christian inc CoE</td> <td>593 46.5%</td> </tr> <tr> <td>Hinduism</td> <td>4 0.06%</td> </tr> <tr> <td>Muslim</td> <td>5 0.07%</td> </tr> <tr> <td>No religion</td> <td>554 43.5%</td> </tr> <tr> <td>Other religion</td> <td>41 3.2%</td> </tr> <tr> <td>Prefer not to say</td> <td>52 4.0%</td> </tr> <tr> <td>Roman Catholic/other</td> <td>19 1.4%</td> </tr> </tbody> </table>	Religion	Count	Buddhism	5 0.07%	Christian inc CoE	593 46.5%	Hinduism	4 0.06%	Muslim	5 0.07%	No religion	554 43.5%	Other religion	41 3.2%	Prefer not to say	52 4.0%	Roman Catholic/other	19 1.4%	<p>Tamworth will place more effort on collecting the information in order to be able to assess any impact as the policy and the</p>
Religion	Count																					
Buddhism	5 0.07%																					
Christian inc CoE	593 46.5%																					
Hinduism	4 0.06%																					
Muslim	5 0.07%																					
No religion	554 43.5%																					
Other religion	41 3.2%																					
Prefer not to say	52 4.0%																					
Roman Catholic/other	19 1.4%																					

			<table border="1"> <tr> <td>denom.</td> <td></td> <td></td> </tr> <tr> <td>UNKNOWN</td> <td></td> <td>1619</td> </tr> <tr> <td>Sum:</td> <td></td> <td>2892</td> </tr> </table> <p>Note: For the percentages in the far right hand column above the figures for unknown have been excluded to try and give a more accurate indication of religion/belief.</p> <p>It can be difficult to distinguish what are factors to do with a person's religion as opposed to their ethnic or cultural origins. The Council only has generalised data for the Housing Register. The only figure of note is that the last Census information for Tamworth records a figure of 63% for Christian households compared to 46.5% for the Housing Register therefore applicants indicating they are Christian are under represented on the Housing Register compared to the general population in Tamworth. However there are likely to be socio-economic factors to explain this discrepancy</p>	denom.			UNKNOWN		1619	Sum:		2892	EQIA is reviewed						
denom.																			
UNKNOWN		1619																	
Sum:		2892																	
Sexual orientation																			
	Reported numbers for the housing register are small.	Neutral	<p>On the Tamworth Housing Register the breakdown of sexuality as at July 2011 is as follows:</p> <table border="1"> <tr> <td>Heterosexual</td> <td>1182</td> <td>41%%</td> </tr> <tr> <td>Not Known</td> <td>1631</td> <td>56%</td> </tr> <tr> <td>Information Declined</td> <td>56</td> <td>1.9%</td> </tr> <tr> <td>Bisexual</td> <td>14</td> <td>0.5%</td> </tr> <tr> <td>Gay Man</td> <td>5</td> <td>0.1%</td> </tr> </table>	Heterosexual	1182	41%%	Not Known	1631	56%	Information Declined	56	1.9%	Bisexual	14	0.5%	Gay Man	5	0.1%	Clearly, even if the number of applicants where their sexual orientation is not known or declined to say
Heterosexual	1182	41%%																	
Not Known	1631	56%																	
Information Declined	56	1.9%																	
Bisexual	14	0.5%																	
Gay Man	5	0.1%																	

			<p>Lesbian TOTAL</p>	<p>4 2892</p>	<p>0.1% 100%</p>	<p>is removed then based on the information available the Tamworth Register does not reflect national estimates for bisexual, gay and lesbian applicants. These figures are therefore likely to be a large underestimate Tamworth will place more effort on collecting the information in order to be able to asses any impact as the policy and the EQIA is reviewed</p>
Sex						

	Potential gender bias in the proposals	Negative	<p>Females make up an estimated 54% of the housing register. This is because women are likely to be the main carers and are more likely as a result to come under one of the reasonable preference categories for a statutory housing need. This is likely to continue.</p> <p>A large proportion of the register is made up of 'female headed' households. The changes will not impact on the proportions of female headed households owed a statutory housing need</p> <p>Married, civil partners and co-habiting couples, same sex couples, brothers and sisters who wish to live together, can make applications.</p>	The Council going forward will collect and monitor bidding data to check that it is in proportion to those on the Housing Register to confirm whether or not there is any gender bias.
Part B The changes in the context of their impact on all of those persons	All Groups/Several Groups			
	Amending the local connection rules for the priority band to be awarded. Where the rule is not met any applicant owed a reasonable preference will have their priority	Negative	<p>A) 2 year residence: The Localism Act allows local authorities to determine who may join their register. Statutory guidance on social housing allocations strongly encourages all local authorities to adopt a minimum 2 - year residency test as part of their qualification criteria.</p> <p>In accordance with the underpinning philosophy of the Localism Act and Government Guidance Tamworth intends to embrace the idea of giving greater priority to applicants in housing need with a 2 - year</p>	The Council will analyse the equality profile of households who will potentially be affected by the proposed

	<p>band reduced by 1 band</p> <ol style="list-style-type: none"> 1. Must be resident in settled accommodation within the borough of Tamworth consecutively for the last 2 years 2. Have permanent employment or self-employment within Tamworth that has been on-going for more than 12 months for at least 16 hours per week. 3. Where an applicant has a close relative in the borough of Tamworth and where that 		<p>minimum residency. Length of residency demonstrates a positive commitment to the borough and contribution to the life of the local community in terms of settling in the area.</p> <p>This is particularly necessary given that the rental market in Tamworth is an attractive and affordable option for those seeking to rent privately in the region, who can at present then apply for social housing, and attract priority if they are owed a statutory reasonable preference and have lived in Tamworth for as little as 6 months.</p> <p>However Tamworth Council is mindful of a potential impact of a residency rule on applicants who have a protected characteristic under the Equality Act. Therefore unlike many other local authorities who disqualify applicants from joining the Housing Register under their residency rule Tamworth will allow applicants owed a statutory housing need (reasonable preference) to qualify but will reduce their priority banding by 1 band to reflect the policy intention to give greater priority to applicants who can demonstrate a local connection to Tamworth based on a period of continuous residency.</p> <p>The reduced priority rule will not mean that applicants without the residency qualification who are in a protected group cannot obtain an offer of social housing.</p> <p>The Council is satisfied that the 2 year residency rule is a proportionate means of achieving a legitimate aim which is to prioritise people with a local connection without preventing access to housing for those in housing need without a local connection.</p> <p>The Council is satisfied that it has brought in changes that achieve</p>	<p>changes to local connection for a period of 2 years continuous residency</p>
--	--	--	---	---

	<p>close relative has been living in the borough consecutively for the last 5 years (Close relative for this purpose is defined as parents, children, siblings, grandparents or grandchildren, including step relatives) and</p> <p>4. Where there are additional health, welfare or care/support needs that is reliant on the relative being within the area</p>		<p>an appropriate balance and namely any indirect discrimination of the residency rule on applicants from a protected group has been minimised through the actions analysed below and is proportionate.</p> <p>It is important to analyse (and continue to analyse) the equality profile of households who will potentially be affected by the proposed changes and assess this impact using the data available.</p> <p>A residency requirement of more than 2 years will impact on, refugees and non-UK nationals, Irish Travellers. The Council has sought to strike the right balance between disadvantage to some groups of a residency requirement and the policy aims of the residence requirement, which is to prioritise applicants who can demonstrate a positive commitment to Tamworth and are settled in the area as defined by 2 years residence.</p> <p>It is likely that for residents who have not resided in Tamworth for more than 2 years the 2-year residency rule will impact to some extent on BME residents, former asylum seekers and Irish travellers who will not be able to access the Housing Register for 2 years. It should be noted that the levels of inward migration into Tamworth are lower on average than for inward migration to other Staffordshire Councils.</p> <p>The Statutory Guidance expressly highlights the need for local authorities to take proper account of special circumstances and the Policy changes on residence allows for this. The new Policy in Tamworth will follow this guidance by protecting people who are moving into the district to escape violence and would also include homeless families whom the local authority may have placed outside</p>	
--	---	--	---	--

		<p>of their district, whilst this does not attribute a protected characteristics on its own there may be links to other protected characteristics which have been considered.</p> <p>Applicants on the housing register will be equally disadvantaged through the 2-year residency rule and there is no significant difference in the proportions of people from white, BAME or mixed heritage on the register compared to the Tamworth population as a whole.</p> <p>Although it can be argued that by requiring residents to have resided in Tamworth for 2 years to obtain the banding for their housing need the Council is indirectly discriminating against some applicants who come under a protected characteristic under the Equality Act.</p> <p>The impact however, is not considered to be substantial and the Council has been careful to reduce the impact through the following actions:</p> <p>1 - The residency criteria is set at 2 years which is the number of years suggested in the Government's own guidance. The Council has been careful not to adopt a '3 years or more' residency rule which would have a greater negative impact.</p> <p>2 - The proposed allocations policy recommends that exceptions to the 2-year local connection requirement be made in appropriate cases, such as applicants who have been subjected to domestic violence. An exception may also be granted where an applicant can demonstrate that they would suffer hardship if they were not considered for housing.</p> <p>3 - By permitting exemptions to avoid hardship, the circumstances of</p>	
--	--	--	--

			<p>all applicants can be fully considered and the possibility of an applicant suffering any disadvantage avoided.</p> <p>4 - There is an exemption for applicants where there are additional health, welfare or care/support needs that is reliant on the relative being within the area</p> <p>5 - All applicants have a statutory right to seek a review of their housing application if they are dissatisfied with the Council's decision in relation to the Band they have been awarded. This provides an applicant with the opportunity to submit reasons why they believe their case should be considered under the exceptional circumstances part of the Policy.</p> <p>6 - The Policy includes other ways an applicant can obtain the banding for their housing need other than being resident in Tamworth for 2 years. The alternatives are where an applicant is employed in Tamworth for as little as 16 hours a week, or has close relatives living in Tamworth for 5 years</p> <p>7- Any disadvantage is only for a relatively short time period of 2 years after which an applicant will be allocated the band that fully reflects their housing need.</p>	
--	--	--	--	--

	<p>Changes to the Policy to define employment more clearly for the rule on being able to qualify to join the Housing Register: "Have permanent employment or self-employment within Tamworth that has been on-going for more than 12 months for at least 16 hours per week."</p>	<p>Negative or neutral and positive in the longer term</p>	<p>The policy aim is to reduce inequality and poverty over the long term by encouraging employment through the local connection rules for being awarded a priority band for being in housing need</p> <p>A key aim of this policy change is to encourage those who work in Tamworth to work and be able to live and settle in Tamworth, if they are unable to afford to rent or buy and have a statutory housing need based on their current housing position.</p> <p>It is a small contribution to rebalancing communities and contributes to the overall Policy aim of social housing estates with tenants that have a balance of households that are dependent on benefits and are economically active.</p> <p>There will be little impact on other households who don't work and live in Tamworth, as most of these applicants will qualify for their priority band under the 2-year rule.</p> <p>Unlike many other local authorities Tamworth has been careful not to build into the priority selection banding rules work as a determining factor for prioritising applicants for housing as this could have a disproportionate impact on applicant's who are not able to work and come under the definition of one or more of the protected characteristics.</p> <p>Many of the mitigating actions and considerations set out in the 2 year residency</p>	<p>The Council will analyse the equality profile of households who will potentially be affected by the proposed changes to local connection for employment</p>

	<p>The impact of the revised income and savings thresholds on applicants with a protected characteristic under the Equality Act who will not be able to qualify for the register</p>	<p>Neutral or negative</p>	<p>There were income and savings qualification thresholds under the previous Policy. These have been revised and are:</p> <p>Income threshold</p> <ol style="list-style-type: none"> 1. Single person households with a household net income of £30,000 or more per year 2. Family households (this includes couples) with a household net income of £60,000 or more per year. <p>Savings, Assets and Capital</p> <p>Applicants with capital/savings/assets/investments in excess of £16,000 will not qualify to join the housing register as they will be regarded as having sufficient resources to source alternative suitable accommodation.</p> <p>The Council propose that those with savings or income above the thresholds set will be advised on homeownership options and market and intermediate rent options.</p> <p>The changes will assist more applicants on low incomes to access social housing.</p> <p>Although some applicants from a protected group will be impacted by this policy many other protected group applicants are on low incomes or have no savings and will benefit, as there will be fewer applicants on the register competing for housing.</p> <p>The Council is satisfied that any negative impact on protected groups is reduced by the fact that they will have the income level or savings to obtain an alternative housing solution and by the fact that there is a process in the Policy to consider exceptional circumstances.</p>	<p>The Council will monitor the number of applications rejected due to high income levels or savings in order to inform future policy changes</p>
--	--	----------------------------	--	---

All groups				
	<p>The Council propose to restrict the housing register to those applicants who can demonstrate a housing need</p>	Positive	<p>Under the previous Policy applicants assessed as not being in a statutory housing need could qualify for the Housing Register.</p> <p>The Policy change will mean that only people who can demonstrate they have a housing need will be able to join the housing register as there is a limited supply of social housing. This change will ensure that scarce social housing resources go to those with the greatest need.</p> <p>The Council recognises the disappointment that this change will cause some of these applicants as many still operate under the misapprehension that they will eventually be re-housed if they wait on the register. This is not the case. The majority of these households are assessed as not having sufficient priority for re-housing to ever be offered a social housing tenancy and yet they remain on the Housing Register, some under a false sense of hope that they will get an offer in time. This situation is unfair and does not prompt people to look for other, more timely housing solutions.</p> <p>This decision affects people across the board, with some protected characteristic groups being affected more than others in terms of numbers removed. However, these groups are not adversely affected in their chances of being re-housed and will be no worse off than when previously registered as the overwhelming majority did not have sufficient priority for re-housing to ever be offered a social tenancy.</p>	<p>This proposal will affect a large number of applicants on the Housing Register who do not have a statutory housing need. They would be removed from the Register. The Council will communicate the change to enable applicants to understand the reasons and inform them that they have the right of a review of</p>

			<p>It is the Council's view that the removal/ exclusion of these households will provide clarity and manage people's expectation realistically. Additionally, administration time and costs will be lowered and the additional time freed up for the Housing Team by this change will mean that applicants in the highest bands will be assigned an officer to support them in their bidding actions and provide tailored advice and options. Many of the applicants in the highest 2 bands are from a protected group under the Equality Act and will benefit from the bespoke support.</p>	<p>the decision to remove them from the housing register or can submit fresh evidence if there is a change in their circumstances</p>
	<p>The new Policy includes the ability to apply local lettings policies</p>	<p>Neutral at this stage. Each local lettings policy will need to consider any equality impact before being adopted.</p>	<p>Although this is not a change to the new Policy the equality impact of local lettings policies has not been fully assessed under the previous Policy.</p> <p>Local lettings policies have the potential to have a significant impact on the housing options of all disadvantaged groups. Such a policy restricts the Council's allocations scheme within a small geographical area in order to achieve certain desirable outcomes. An example might be lower child densities in certain blocks or roads, or to restrict the number of vulnerable people allocated accommodation in a block where there are already a number of people housed with complex needs and there is evidence that the number is causing housing management issues for the Council and impacting on other residents.</p>	<p>The Council will fully consider the equality impact of any local letting policy in deciding whether to approve any LLP and will then monitor the on-going impact</p>

			<p>The Allocations Policy is framed to allow for individual lettings plans to be developed and approved on a case-by-case basis. Each local lettings plan will have to have an evidence base and be approved through a clear and transparent process. Any equality impact must be considered as part of the assessment process when deciding whether or not to approve a local lettings plan.</p>	
	Failure to accept 3 properties	Neutral	<p>Applicants who refuse 3 offers following a successful bid or direct allocation including the failure to attend the viewing appointment will be removed from the register under the disqualification rule change for a period of 12 months.</p> <p>The Council will implement clear operational procedures for the assessing officers to take into account people with mental health or support needs where their condition may impact on their behaviour and their ability to keep appointments in the normal way. Officers will look at the individual circumstances of any applicant.</p>	<p>Regular analysis of the applicants removed from the housing register because they refused an offer will be needed to ensure that specific groups are not being adversely affected</p>

This page is intentionally left blank