

## Tamworth Borough Council Policy Review

Gap Analysis: Tamworth Allocations Policy  
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The document assessed is the Allocation Policy for Tamworth Borough Council which was adopted in July 2021. It is called "Housing Allocation Policy Final: July 2021. This is embedded below.



Allocations\_Policy\_FI  
NAL July 2021.pdf

The policy has been assessed against current legislation, industry standards and the underlying backdrop facing the Council around homelessness. The table below contains Allocation Policy checklist and assesses Tamworth's policy against each of the key components, RAG rated as follows:

Green	Compliant and no change needed
Yellow	Minor changes needed
Red	Not compliant; <b>significant</b> changes needed.

	Criteria	RAG	Assessment 31.12.2023	Proposed Changes
				<p align="center"><b>Following feedback and Discussion with Tamworth January 2024</b></p>
	<p><b><u>General Observations</u></b></p> <ol style="list-style-type: none"> <li>1. Overall, the document captures many of the key requirements of a document of this type. It outlines the rules to join the housing register, how an application will be awarded priority and the approach taken when letting properties.</li> <li>2. Much of it is easy to read; however there is a considerable amount of industry jargon, making it more of an internal document rather than a customer facing one. The language would benefit from simplification. Some of the sub-headings and numbering is confusing to the reader.</li> <li>3. The document reads well and flows fairly naturally. It could be further improved by introducing a segregated sections as follows: an introduction with all things in relating to governance, housing options within Tamworth, eligibility and qualification, application and assessment, allocation and lettings and finally decisions and reviews.</li> <li>4. The content is good; and the checklist below shows the sections that need strengthening.</li> </ol>			<p>Simplify where possible, remove jargon or provide a glossary and if this is not possible consider producing a customer facing summary document. Undertake first draft and then discuss with Tamworth. Flow to be adjusted as suggested; by introducing a segregated sections as follows: an introduction with all things in relating to governance, housing options within Tamworth, eligibility and qualification, application and assessment, allocation and lettings and finally decisions and reviews. The content will remain the same unless a specific change has been agreed.</p>

	Criteria	RAG	Assessment 31.12.2023	Proposed Changes
<b>Part 1</b>	<b>Introduction</b>			
1.1	The Allocation Scheme		This is covered in 2 and 2.1	
1.2	The Legal Framework		<p>Section 3.1 outlines the legal context and is well covered. The full list required should state: (with the items amended in bold below).</p> <ul style="list-style-type: none"> <li>• The Housing Act 1996, Part 6 as amended by Localism Act 2011 (England)</li> <li>• The Housing Act 1996, Part 7 as amended by the Homelessness Reduction Act 2017</li> <li>• Allocation of Housing (Procedure) Regulations 1997, SI 1997/483 Allocation of Housing (England) Regulations 2002, SI 2002/3264</li> <li>• Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294 and all subsequent amendments</li> <li>• 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU</li> </ul>	List contained in current policy, amendments in bold now captured.

			<p>Exit) Regulations 2019 (SI 2019/861)</p> <ul style="list-style-type: none"> <li>• Homeless Reduction Act 2017 and all subsequent amendments to 2020</li> <li>• Equality Act 2010 (<b>captured in section 19 but not in the full list</b>)</li> <li>• Data Protection Act 2018 and contained within the General Data Protection Regulation 2018 (GDPR) (<b>captured in section 17.1 but not in the full list</b>)</li> <li>• Care Act 2014 (<b>not captured</b>)</li> <li>• Human Rights Act 1998 (<b>not captured</b>)</li> <li>• Domestic Abuse Act 2021</li> <li>• Children and Social Work Act 2017 (<b>not captured</b>)</li> <li>• The Regulatory Framework for Social Housing 2019</li> <li>• Armed Forces Act 2021 (<b>not captured but guidance is</b>)</li> </ul>	
1.4	Allocation of a Tenancy		Covered in section 2.1	
1.5	Data Protection		Covered in section 17	
1.6	Equalities, Access and Monitoring		Covered in section 19	

1.7	Force Majeure		This section is not covered	Now included
1.8	Changes to the Allocation Scheme		Covered in section 21	
1.9	Statement on Choice		This section is not covered	Now included
	<b>Criteria</b>	<b>RAG</b>	<b>Assessment 31.12.2023</b>	<b>Proposed Changes</b>
<b>Part 2</b>	<b>Options for housing in Tamworth</b>			
2.1	Tamworth Scheme		Covered in section 1 and 5	
2.2	Housing Register		This is covered in section 6.1	
2.3	Registered Providers		This is covered in section 1.6 and 4.6	
2.4	Other housing options		This is covered in section 4. Tamworth has achieved excellence in this area as it is offering a mutual exchange service to tenants in council stock. However this is only for tenants in priority need. A separate MX list for all social tenants in the borough may be considered to enhance tenant mobility. It further adds adaptations to the tenant's own home to prevent the need for rehousing.	
2.5	Lettings outside of the policy		This is covered in section 2.2	
	<b>Criteria</b>	<b>RAG</b>	<b>Assessment 31.12.2023</b>	<b>Proposed Changes</b>
<b>Part 3</b>	<b>Eligibility and Qualification</b>			
3.1	Eligibility		Covered in section 7	
3.2	Right to Move		Covered in sections 8.6 through to 8.12. However section 8 requires a	

			review of its number and bullet formatting to make it more accessible for the reader.	
3.3	Special Arrangements for 16-18-year-olds		This is covered well in sections 6.10 through to 6.14	
3.4	Qualification Rules		Covered well in Section 8	
3.5	Armed Forces Duty		Covered in section 8.5 but needs updating for the statutory duty covered under the Armed Forces Act 2021	Now included
3.6	Non-Qualification Rules		Covered in section 8.13 through to 8.25. See below on the approach being used by other authorities in relation to financial exclusion and home ownership, however it will be important for Tamworth to walk this through to settle on their ideal approach. Tamworth covers reduced preference in detail; although many authorities are resorting to suspension rather than demotion by 1 band again as the latter can be hard to administrate.	16.2.2024: Agreed £70,000 household income with Tina and Sarah based on average earnings, rents and house prices in the borough together with LHA rates. Savings to remain @ £16,000 as per current policy. Property ownership unchanged.
3.7	Exceptional or Mitigating Circumstances		This is covered in section 16. However direct lets contained within this section; are a mechanism of lettings which usually works alongside any CBL system and does not need to be an exceptional circ. Similarly	True exceptional circumstances now included. Direct lets are now covered in the allocations and lettings section of the policy. Former overrides have been reviewed and built in as flexibility decisions that can be made within the policy.

			overriding bedsizes subject to meeting the household need and affordability also need not be an exceptional circumstance.	
3.8	Safe Surrender Agreements		Covered to a degree under section 11.40. However it does not cover where a tenancy is failing but has not yet met the threshold for legal action and the tenant is requesting help.	Current policy has been strengthened to cover tenants who ask for help where their tenancy is failing in accordance with guidance and regulation.
3.9	Removal or Suspension		Covered in a number of sections including the refusal of 3 suitable offers and disqualifications. This is something best contained in one area making it easier on the reader.	No change.
	<b>Criteria</b>	<b>RAG</b>	<b>Assessment 31.12.2023</b>	<b>Proposed Changes</b>
<b>Part 4</b>	<b>Application and Assessment</b>			
4.1	Registration		Covered in section 8.20	
4.2	Household Composition		Covered in sections 6.1 to 6.4	
4.3	Household Splits		Covered to a degree in section 6.6	Wording simplified
4.4	Elected Members or Employees		Covered in sections 6.7 and 6.8	
4.5	Verification and Checks		Covered in section 8.21	
4.6	False Information		Covered in section 18	
4.7	How priority is assessed		Covered in section 11	
4.8	Allocation Bands		Accumulative preference is being applied in a 5 banded system with	<ul style="list-style-type: none"> <li>Care leavers – now covered by a joint protocol with SCC so no change.</li> </ul>

			<p>band 1+ highest and band 4 lowest. Demotion by one band is being applied for reduced preference.</p> <p>There are areas where the document would benefit from improvement:</p> <ul style="list-style-type: none"> <li>• Care leavers could in theory be awarded 2 bands (ready to move and not ready to move) and Move On could also adopt this approach.</li> <li>• Decants could be tiered depending on the immanency of the move.</li> <li>• For an applicant having a band 1 and band 1+ can be confusing and looking at the categories of need these two bands may be inflated.</li> <li>• If a non-cumulative approach was taken, the date or the highest priority makes it simple for a reader to understand.</li> </ul>	<ul style="list-style-type: none"> <li>• Decants - Decant Policy has just been reviewed – no change.</li> <li>• Band 1 and band 1+ - an applicant is not in 2 bands. They retain the highest band applicable to them. - Band 1+ is only for armed forces and Stat homeless cases in further exceptional need – wording made clearer for band 1+</li> <li>• Cumulative policy retained.</li> </ul>
4.9	Determination of Effective Band Date		This section is not covered	Included
4.10	Bedroom Entitlement		Covered in section 10. The table needs simplifying for the reader so they do not need to scan back and forth.	Sheltered and bungalows allows now shows those with a medical need will be given greater priority than those who meet the age criteria.

4.12	Overcrowding and Child of Tenant		This is covered in section 11.34	
4.13	Priority on Health Grounds		This is covered in sections 11.3 through to 11.4.3. Many authorities are moving to two categories of priority emergency and urgent on the basis that the availability of social housing might be low or it is hard to distinguish between medium and low. The Council does not have a medical professional	Tamworth will sought to use Now Medical to assess complex cases. Policy wording adjusted to show medical professionals may assist the Council with assessments. Current banding for medicals retained as Council feels it works.
4.14	Welfare Grounds		This is covered in sections 11.15 through to 11.16.3	
4.15	Specialist accommodation		There is a section on sheltered housing. However the Council is finding some of these difficult to let either because they are clustered in one part of the borough or because the age restriction of 55 does not work in the current climate. Tamworth needs to undertake a supply and demand exercise on sheltered accommodation which should include a survey of existing tenants and ideally undertaken jointly with the registered providers.	The policy remains unchanged at this time. However the Cabinet report highlights the need for a full investigation of sheltered stock in the borough.
4.16	Pitches for Gypsies and Travellers		This section is not covered	Statement introduced as there are no pitches in Tamworth.

4.17	Notification		Covered in the appendix on the process; it is beneficial to have this in the main body of the document as an industry standard especially as the appendix is a separate document rather than a section at the end.	Included
4.18	Cancellation of Applications		Covered in sections 12.12 to 12.17.	
4.19	Change in Circumstance		Covered in	
4.20	Deliberate or Worsening Circumstances		Covered in section 9.3	
	<b>Criteria</b>	<b>RAG</b>	<b>Assessment 31.12.2023</b>	<b>Proposed Changes</b>
<b>Part 5</b>	<b>Allocations and Lettings</b>			
5.1	Direct Lets		Only covered as an exceptional circumstance in section 16.4	Now covered in the allocations and lettings section of the policy as mechanism available to Council to make expediated lettings to extremely urgent cases.
5.2	Choice Based Lettings		Covered in the appendix on voids and lettings	Now in the allocations and lettings section of the policy.
5.4	Advertising a property		Covered in the appendix on voids and lettings	Now in the allocations and lettings section of the policy.
5.5	Bidding		Covered in the appendix on voids and lettings	Now in the allocations and lettings section of the policy.
5.6	Assisted Bidding (Auto Bidding)		Covered in the appendix on voids and lettings	Now in the allocations and lettings section of the policy.
5.7	Grouped Bids		Covered in the appendix on voids and lettings	Now in the allocations and lettings section of the policy.

5.8	Shortlisting		Covered in the appendix on voids and lettings	Now in the allocations and lettings section of the policy.
5.9	Offer of Accommodation		Covered in the appendix on voids and lettings	Now in the allocations and lettings section of the policy.
5.10	Affordability checks when allocating social housing		Covered well in section 14	
5.11	Viewing		Covered in the appendix on voids and lettings	Now in the allocations and lettings section of the policy.
5.12	Resulting the Offer		Covered in the appendix on voids and lettings	Now in the allocations and lettings section of the policy.
5.13	Tenancy Determination		This section is not covered	Included
5.14	Tenancy Sustainment		This section is not covered	Included
5.15	Local Letting Provision		The introduction of a LLP for High Rise should be given consideration.	The Cabinet report highlights the need to investigate High Rise lettings further. The policy remain unchanged until this is undertaken.
5.16	Hard to Lets		This section is not covered	See LLP and Sheltered, now included
5.17	Sensitive Lets		covered throughout section 16; specifically 16.4, in addition 16.8 and 16.14. Dedicated section needed in allocations and lettings where it is not treated as an exception; but rather as the approach the Council takes.	Included
5.18	Publicising Lettings		Only covered in relation to annual lettings plans which are not routinely produced	Tamworth will be producing Annual Lettings Plans in the future. Current lettings are publicised on <a href="http://www.findingahometamworth.co.uk">www.findingahometamworth.co.uk</a> .
	<b>Criteria</b>	<b>RAG</b>	<b>Assessment 31.12.2023</b>	<b>Proposed Changes</b>

Part 6		Appeals, Complaints, Decisions and Reviews		
6.1	Decisions		Covered to a degree in 13.13 and 13.14. Policy would benefit from a clear definitions of a decision, change of circumstance, complaint, right of review and an application review all in one place.	Included
6.2	Complaints		Covered in section 20	
6.3	Re-registrations		Annual reviews covered	
6.4	Statutory Right of Review		Covered under review of banding in sections 13.8 to 13.12. However the right of review extends to all decisions in relation to an application.	Simplified for reader
6.5	Legal Review		Covered in 13.20	