

Annex 5

The Department for Levelling Up, Housing and Communities is currently out for consultation until 26th March on major reforms to how social housing is allocated “to make the system fairer and not available to those who abuse it”. They are seeking the views of authorities in England, on the following proposals:

- 1.0 **UK connection test** – where a person must demonstrate their connection to the UK before they can be allocated social housing. This can be achieved by (a) being a British citizen, Irish citizen, Commonwealth citizen with a right of abode, or EEA or Swiss citizen with equal treatment rights or (b) by being a lawful resident in the UK for 10 years. If brought in, it will mean that all new applicants will automatically have to demonstrate the 10 year rule, and existing applicants may be removed from the Housing Register if they no longer meet the 10 year rule. For homeless households, if they meet the homelessness rules, but they do not meet the test, discharge of duty can only be via the private sector placing a further burden on the lack of private landlords who are will/able to provide suitable accommodation.
- 1.1 **Local connection test** – where a person must demonstrate a connection to a local area for at least 2 years before they can be allocated social housing. This will ensure greater consistency across the country and ensure more local people can access social housing in the area they call home, supporting people to put down roots and maintain links to family and community. This will mean no change for Tamworth who already applies this test to all applicants.
- 1.2 **Income test** – setting thresholds for applicants and those on a waiting list to qualify for social housing. This will have no impact on existing tenants, but rather will ensure new tenancies are reserved for those who, at the point of signing for a new social home, would most struggle to afford private accommodation. Tamworth set a threshold in the policy approved by Full Council on the 19 November 2019 with an indication that this would be reviewed annually. The policy before Cabinet on the 14 March has a refreshed threshold for consideration.
- 1.3 **Anti-social behaviour test** – people who have unspent convictions for certain criminal anti-social behaviour, as well as certain civil sanctions, will be disqualified from social housing for a defined period. This will have implications for grounds for possession for existing tenants who are facing eviction, who should they be accepted as intentionally homeless will only be discharged via the private sector. Tamworth already awards reduced preference for applicants with a history of anti-social behaviour, they will have to go further and disqualify them for a defined period and it is not yet clear whether the period will be defined in the ensuing regulation.
- 1.4 **Terrorism test** – terrorist offenders with unspent convictions will not qualify for social housing unless excluding them would increase the risk to public safety. Tamworth

would actively have to check for convictions of this nature and it is not yet clear how the risk of public safety would be assessed when considering disqualification

- 1.5 **Grounds for eviction (anti-social behaviour and terrorist offences)** – implementing a ‘three strikes and you’re out’ policy for repeat offenders of anti-social behaviour and creating a new ground for eviction for terrorist offences. Tamworth will need to ensure that the tenancy management policy and the tenancy strategy are adjusted accordingly. This is related to section 8.5.
- 1.6 **Fraudulent declaration test** - mandating a period of disqualification for those who knowingly or recklessly make false statements when applying for social housing. Tamworth already addresses this in the both the current policy and the revised document before Cabinet in March 2024.
- 1.7 **Applicants on the Housing Register** – applying the new eligibility and qualification tests not only to new applicants but also to those currently on a social housing waiting list. Should all of the rules come into effect, Tamworth will need to review the policy again, and actively manage the current Housing Register to remove or disqualify existing applicants who no longer meet the rules. It is not yet clear how long the authority will be given to undertake the exercise but some time will be given. The government is seeking to bring these rules in via secondary legislation i.e. regulation and that means they could be in effect as early as September 2024.
- 1.8 Officers are fully across the proposed introductions, and once the consultation comes to an end will be advise Cabinet further of the outcome.