

Report

Report to:	Housing and Technical Resources Committee
Date of Meeting:	20 March 2019
Report by:	Executive Director (Housing and Technical Resources)

Subject:	Housing Allocation Policy
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ request Committee approval for the introduction of the revised Housing Allocation Policy attached as Appendix 1

2. Recommendations

2.1. The Committee is asked to approve the following recommendations:-

- (1) that it be recommended to the Executive Committee that the amendments to the Policy arising from the statutory provisions of the Housing (Scotland) Act 2014, detailed in section 6, be approved effective from 1 May 2019;
- (2) that it be recommended to the Executive Committee that the mainstream housing aspects of the revised Policy, detailed in section 7, be approved and implemented from 1 May 2019; and
- (3) that it be recommended to the Executive Committee that the sheltered housing aspects of the Policy, detailed in section 8, be approved and implemented from 1 February 2020.

3. Background

- 3.1. The current Housing Allocation Policy was approved by Executive Committee on 5 November 2008 and introduced in June 2009. Since its introduction, the Policy has been routinely monitored and a number of amendments made to reflect changes in legislation and to address particular local needs and circumstances.
- 3.2. Since 2009, progress updates on the Housing Allocation Policy have been presented to Housing and Technical Resources Committee through annual Letting Plan reports.
- 3.3. In accordance with the Housing and Technical Resources Policy Review Schedule, the Housing Allocation Policy has been subject to a full review during 2018/19. A key focus of the review has been to ensure that the policy is fully compliant with the legislative requirements of the Housing (Scotland) Act 2014. This Act introduces key changes to the legal framework for the allocation of social rented housing in Scotland which come into effect on 1 May 2019.

- 3.4. In addition, the review also considered local and national policy developments which are likely to impact on the Housing Allocation Policy, including:-
- ◆ regulatory requirements
 - ◆ the priorities set out within the Local Housing Strategy (LHS) 2017 to 2022
 - ◆ the Council and its partner's priority objectives to significantly reduce homelessness as detailed within the Rapid Rehousing Transition Plan (RRTP)

4. Policy development process

- 4.1. During the pre-consultation stage, to support the development of the consultative draft Housing Allocation Policy, a focus was placed upon ensuring the effective involvement of tenants, other customers and key stakeholders in the co-production of the consultative draft Housing Allocation Policy.
- 4.2. A particular focus was also placed on engagement with Elected Members which included:-
- ◆ an awareness session in May 2018 to provide an overview of the current Housing Allocation Policy and the context in which it was to be reviewed
 - ◆ a workshop event in December 2018 to discuss the consultative draft Housing Allocation Policy and key issues for consideration at a South Lanarkshire and local area level
- 4.3. Over the course of the last 18 months, officers have worked closely with tenant representatives from the Tenant Participation Co-ordination Group (TPCG). The TPCG were provided with support and independent advice throughout the process by the South Lanarkshire Tenant Development Support Project. The group met regularly to consider and discuss, current policy issues, local and national policy developments, legislative compliance and good practice.

5. Formal consultation and engagement

- 5.1. The discussions, views and comments received during this stage of the process informed the consultative draft Housing Allocation Policy which was published on the Council website for a 12 week formal consultation period from 21 November 2018 to 11 February 2019.
- 5.2. To assist stakeholders in providing views on the policy proposals, a survey, based on questions relating to key sections of the policy, was developed and made available online. The draft policy and survey questions were also issued to a wide range of local and national stakeholders, including:-
- ◆ Registered Social Landlords, Tenants and Residents Associations, Seniors Together, Youth Council, Housing Register Applicants, Disability Partnership Housing Sub Group, Lanarkshire Ethnic Minority Action Group, Veteran's 1st Point, National Autistic Society
- 5.3. In addition, consultation events also took place with specific interest groups such as homelessness service users, sheltered tenants and residents in the Council's Gypsy Traveller Sites.
- 5.4. Throughout the process over 500 responses were received. This feedback has been used to shape the revised Housing Allocation Policy.

- 5.5. Full details of the consultation process and feedback received is set out in the consultation report, which is available from the Council website. Production of this report is a specified requirement of the Housing (Scotland) Act 2014 and copies of the report are also available in the Elected Members library.

6. Proposed policy amendments required to reflect legislative requirements

- 6.1. As noted at point 3.3., the Housing (Scotland) Act 2014 introduced a number of changes to the framework for the allocation of social rented housing in Scotland. Set out below are details of the key legislative changes and how these have been reflected within the revised policy.
- 6.2. Under occupancy
- 6.2.1. The Act introduced a new reasonable preference category of under occupation for tenants which all social landlords must take account of within their allocation policy. To meet this requirement, it is proposed that a new points category for under occupancy be introduced. This is confirmed in section 3 of the Policy. The majority of respondents supported the introduction of this points category, the associated criteria and the level of points awarded.
- 6.3. Owner Occupation
- 6.3.1. The Act provides social landlords with the ability to take property ownership into account as part of the assessment of an applicant's housing circumstances. The current Housing Allocation Policy is based on an assessment of the applicant and their household's need for housing and prioritises those with greatest need. As such, it is proposed not to take this into account within the Policy. A specific question on this was asked during the consultation, with the vast majority of stakeholders supportive of the proposal not to take account of home ownership.
- ## **7. Other key features of the revised Housing Allocation Policy**
- 7.1. In addition to the legislative amendments proposed to the Policy, set out in section 6, a number of other amendments are proposed in relation to the mainstream policy. These take account of local needs and circumstances as well as local and national policy developments.
- 7.2. The revised Housing Allocation Policy which remains fundamentally based upon meeting housing needs, is attached as Appendix 1 and reflects the feedback received during the formal consultation process.
- 7.3. In general, feedback received on the consultative draft Housing Allocation Policy was positive with support expressed in relation to a number of the key policy amendments proposed.
- 7.4. Policy aims
- 7.4.1. Broad support was expressed for the continuation of the Policy structure and aims set out in the revised Policy. The aims detailed within section 1 of the revised Policy include:-
- ◆ be responsive to local needs, demands and aspirations while making best use of available council housing stock
 - ◆ prioritise those assessed in most housing need
 - ◆ contribute to achieving balanced and sustainable communities

7.5. Policy structure

7.5.1. Section 3 sets out the proposed structure of the revised Policy and remains based on the following four housing lists:-

- ◆ Urgent Housing Need
- ◆ Transfer List
- ◆ Waiting List
- ◆ Other Categories

7.5.2. The categories of applicants defined within each of the above lists remain unchanged from the previous Policy with the exception of the Transfer List. It is proposed that in the revised Policy, only tenants of the Council and HomeFinder Registered Social Landlords (RSLs) will be placed on this list. All tenants of other RSLs will be placed on the Waiting List.

7.6. Other Proposed Policy Amendments

7.6.1 Points Categories

The definition of the points categories remain broadly the same as the previous Policy. In addition to the proposed introduction of under occupancy points, set out at 6.2 above, it is proposed to revise the criteria which applies to the award of insecurity points. This change will mean that tenants with a Private Residential Tenancy or an Assured Tenancy will not be considered to have insecurity of tenure.

7.6.2. Offers of Housing

Section 7 of the revised Policy confirms the number of offers of housing applicants are eligible to receive. In the case of priority applicants (Urgent Housing Need, Other Categories and Tied Tenants), it is proposed that applicants will receive 1 offer of housing as a priority applicant. Transfer and Waiting List applicants will continue to receive 2 offers of housing. In general, this approach was supported by respondents.

7.6.3. Suspension of applications

Section 7 of the Policy also sets out the reasons and circumstances in which an application for housing may be suspended. Within the revised Policy there are no changes proposed to the reasons and circumstances for suspension. To reflect statutory and good practice guidance, it is proposed that the suspension timescales are increased up to a maximum of 36 months.

7.7. Local Letting Plans

7.7.1. Local Letting Plans (LLPs) have been a key aspect of the Policy since 2009 and will continue to feature in section 6 of the revised Policy. This approach was supported by the majority respondents during consultation.

7.7.2. A separate LLP report, setting out performance against 2018/2019 letting targets and requesting approval for the 2019/2020 letting targets and initiatives, is also being presented on this Housing and Technical Resources Committee agenda.

8. **Proposed amendments to sheltered housing aspect of the Policy**

8.1. Section 11 of the revised Policy sets out specific rules for the allocation of sheltered housing in South Lanarkshire.

- 8.2. The overarching aims of the Policy apply to sheltered housing, with the additional aim to allocate properties to applicants who enjoy living independently but also need the reassurance and support provided by the sheltered housing service.
- 8.3. In developing the sheltered housing proposals, a particular focus has been placed on ensuring the Policy is clear and prioritises those in most need of the sheltered housing service.
- 8.4. There are 2 key changes proposed to the sheltered housing aspect of the revised Policy, both of which were supported by the majority of respondents:-

♦ **Qualifying criteria**

It is proposed that the age of an applicant for sheltered housing be increased from 60 to 66 years of age. In addition an applicant must also be retired (or if a couple, one must be retired) from full time employment

♦ **Assessment of needs**

It is proposed that applicants will continue to be eligible for housing need points as set out in section 3 of the revised Policy. In addition, a separate assessment of an applicant's need for the services provided by sheltered housing will be carried out. The assessment will award a level of points which will aim to ensure those assessed as having the highest need for the sheltered housing service will be prioritised for an offer of housing

- 8.5. Given the change in approach to the assessment of sheltered applicants and in order to carry out an effective assessment of an individual's needs, it is proposed, that the sheltered aspect of the Housing Allocation Policy be implemented from 1 February 2020.

9. Next steps

- 9.1. To prepare for and ensure the effective implementation of the revised Policy, the following key actions will be progressed:-

- ♦ revised procedural guidance and training for staff to ensure a consistent approach is taken to the allocation process
- ♦ modifications to the Housing Management IT system to ensure effective management, monitoring and reporting on the revised Policy
- ♦ revised documentation and publicity materials developed
- ♦ communication of the Policy changes to applicants and other stakeholders

- 9.2. A progress update on the Policy will be presented to Housing and Technical Resources Committee at the end of the first year of implementation.

10. Employee Implications

- 10.1 There are no employee implications associated with this report.

11. Financial Implications

- 11.1 There are no financial implications associated with this report.

12. Other Implications

- 12.1 There are no implications in terms of risk or sustainability associated with the information contained in this report.

13. Equality Impact Assessment and Consultation Arrangements

- 13.1 A screening determination was completed in relation to the Strategic Environmental Assessment (SEA) which confirmed there is no need for a separate SEA for the Housing Allocation Policy. The final signed determination and letter to the SEA Gateway were published and submitted on 23 January 2019.
- 13.2. An equality impact assessment (EqIA) was undertaken during the development of the revised Housing Allocation Policy to identify and mitigate any negative impacts and seek opportunities to promote equality. An EqIA report was completed and is published on the Council website.
- 13.3. Extensive consultation was undertaken to support the development of the revised policy (see Sections 4 and 5 above).

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28 February 2019

Link(s) to Council Values/Ambitions/Objectives

- ◆ Improve the availability, quality and access of housing
- ◆ Improve later life

Previous References

- ◆ Executive Committee, 5 November 2008

List of Background Papers

- ◆ Housing Allocation Policy Consultation Report – February 2019

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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