

To: City Executive Board

Date: 13th February 2013

Report of: Stephen Clarke – Head of Housing

Title of Report: HOUSING ALLOCATIONS SCHEME CONSULTATION DRAFT

Summary and Recommendations

Purpose of report:	For the new Draft Allocations Scheme to be approved to go out to consultation
Key decision?	No
Executive lead member:	Scott Seamons
Policy Framework:	Meeting Housing Needs
Recommendation(s):	To note the proposed changes to the existing Allocations Scheme To approve for the draft of proposed new Allocations Scheme to go out to consultation

Appendices to report – list here by Appendix number and description

- Appendix 1 Draft Allocations Scheme
- Appendix 2 Summary of Bands & Current Reasons
- Appendix 3 Mobility Levels
- Appendix 4 Risk Register

1.	<p>Introduction</p> <p>There is a high demand for social housing in Oxford and only a limited number of properties become available each year. There are over 5700 applicants on the housing register and it is expected only 550 properties will become available to let during 2011/12. The Allocations Scheme is the policy the Council uses to allocate social housing within Oxford to those in housing need. All housing authorities must have an allocation scheme. Housing authorities are required by s.166A(1) Housing Act 1996 to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme (s.166A(14)). All aspects of the allocation process must be covered in the scheme, including the people by whom decisions are taken. When framing or modifying their scheme, authorities must have regard to their current tenancy and homelessness strategies (s.166A (12)).</p>
2.	<p>Why do we need to review the Allocations Scheme?</p> <p>The current Allocations Scheme came into effect in July 2009. The scheme is also being revised to take into account the Council's new tenancy and homeless strategies and to balance local needs and aspirations with:</p> <ul style="list-style-type: none"> • Recent changes introduced by the Localism Act and changes that are due to be introduced by the Welfare Reform Act during 2013/14 (including the "bedroom tax") • The new Allocations Code of Guidance issued by Communities & Local Government • Recommendations from the Chartered Institute of Housing following their review of the Housing Needs Service last year • The ending of the Oxfordshire Sub-Regional Partnership for allocating properties through Choice-Based Lettings (the local CBL scheme used by Oxford will continue to operate) <p>Although the Allocations Scheme largely meets current legislation and recommendations set out in the Allocations Code of Guidance there are number of key areas that will need to be considered before revising the existing scheme.</p>
3.	<p>Qualification for Inclusion on the Housing Register</p> <p>The Council now has greater powers to decide who does and does not qualify for inclusion on the housing register (with some exclusions notably members/families of the armed forces). The Code of Guidance also recommends that the Allocations Scheme has some discretion put in it to accept individual applicants who are considered to have exceptional circumstances.</p>

4.	<p>Local connection – by residence, employment or close family members</p> <p>The Council currently maintains an open register – so applicants eligible for housing are able to apply to be included on the housing register in Oxford irrespective of where they live in UK and/or of their chances of being housed (apart from those excluded for serious anti-social behaviour). However, when allocating properties preference is normally given to applicant's with a local connection to Oxford through residence, work or family. So in practice most applicant's on the housing register, with no local connection, have little chance of ever receiving an offer of accommodation unless; they are an applicant living in the Oxfordshire Sub-Region applying for a property advertised sub-regionally through the Choice-Based Lettings scheme or are from elsewhere in the UK and are applying for a low demand sheltered property.</p>
5.	<p>The draft Allocations Scheme proposes that in future the Council should be able to take into account whether an applicant has a local connection to Oxford when deciding whether they can qualify for inclusion on the Housing Register. In most cases it is proposed that access to the housing register is restricted to those with a local connection with some exceptions; including members of the armed forces.</p>
6.	<p>Capital, savings & income</p> <p>Social housing is a scarce resource and applicants who are considered to have sufficient capital (including property), savings and/or income can be excluded from the housing register or given reduced priority because they have sufficient funds to resolve their own housing situation. The current Allocations Scheme allows applicants to be included on the housing register, even if they own a property &/or have sufficient capital and savings and income to resolve their own housing situation. However, they are normally placed in a low priority band and will be unlikely to shortlist for an offer of accommodation.</p>
7.	<p>The draft Allocations Scheme proposes that in future the Council should be able to take into account Capital, Savings and Income when considering if an applicant should qualify for inclusion on the Housing Register and in some cases an applicant may be excluded (with some exceptions for complex or high needs cases unable resolve their own housing situation).</p>
8.	<p>Rent arrears</p> <p>The current Allocations Scheme allows applicants with rent arrears to be included on the housing register but they will normally be overlooked for any offers of accommodation if they are a:</p> <ul style="list-style-type: none"> • Former tenant who has been evicted by the Council or another Registered Social Provider of social housing until their arrears are re-paid in full. • Current tenant of the Council or another Registered Social Provider with rent arrears outstanding covered by a court order • Current tenant with outstanding rent arrears that are in excess of £200 unless they have a re-payment arrangement in place to re-

	pay the arrears that has been kept to consistently by the tenant for at least 6 months.
9.	Exceptions can be made by the Allocations Manager in some cases – such as social housing tenants seeking to downsize from their current accommodation where the arrears will be cleared in full by any “compensation” payment they are entitled to, homeless applicants living in temporary accommodation where they are considered to be engaging with re-payment of the rent and “life and limb” cases where a tenant would be at risk if they were not moved from their current home.
10..	Applicants with rent arrears can also be given reduced priority too, although this currently rarely happens, because if they are already being overlooked for offers it makes little difference to their chances of being re-housed.
11.	The changes being brought in by the Localism Act mean the Council could be stricter on those in rent arrears & could also extend the criteria currently being used to include other property related debts owed to the Council such as lost deposits paid for by the Private Sector Team &/or re-charges owed to other landlords. However, we also need to be realistic about the vulnerable applicants in housing need on the housing register and leave enough flexibility to ensure that we are not being too strict or inflexible.
12.	The views of other Private Registered Providers of Social Housing that work together with the Council and form the Oxford Register for Affordable Housing (ORAH) partnership will need to be considered as part of the consultation, as each will have their own tenancy policy and approach to those with rent arrears.
13.	The draft Allocations Scheme proposes that in future the Council should be able to take into account rent arrears when considering if an applicant should qualify for inclusion on the Housing Register (with some exceptions such as those with low level rent arrears, tenants who have demonstrated that they can now pay their rent regularly and other for complex or high needs cases unable resolve their own housing situation where there is evidence appropriate support is in place to help them sustain their tenancy in the future).
14.	<p>Anti-Social Behaviour (ASB)</p> <p>Applicants guilty of ASB are currently overlooked for offers until they can demonstrate that they would be potentially suitable tenants and are also sometimes given reduced priority. Historically due to strict legislation it has been very hard to exclude applicants from the housing register on the grounds of ASB but the rules have now been changed and this is no longer a problem.</p>
15.	<p>The Council and ORAH partners will need to consider what behaviour is considered sufficient to exclude an applicant from qualifying for inclusion on the Housing Register. However, it is proposed the following types of behaviour are taken into account:</p> <ul style="list-style-type: none"> • Applicants who have been evicted from council, registered social

	<p>provider or private rented property for, illegal subletting or antisocial behaviour in the last 5 years.</p> <ul style="list-style-type: none"> • Breach of tenancy for behaviour which is a nuisance or annoyance to those in the locality of the dwelling; or conviction for using the dwelling for immoral or illegal purposes or committing an indictable offence in the dwelling house, or in the locality of it • Domestic violence causing a partner or other family member to leave the property • Deterioration of the dwelling house or furniture provided for use under the tenancy due to waste, neglect or fault • Tenancy induced by false statement
16.	<p>The draft Allocations Scheme proposes that in future the Council should be able to exclude an applicant from inclusion on the housing register where they, or a member of their household, have been responsible for ASB. With some exceptions such as where there is persuasive evidence behaviour has been amended and another tenancy has been successfully maintained for a reasonable period of time.</p>
17.	<p>Housing Need Priority Bands</p> <p>Applicants applying for housing are placed in a Housing Need Priority Band based on their current housing need.</p> <p>There are currently 5 housing need bands used to prioritise applicants for housing:</p> <p>Band 1 (very high housing need) Band 2 (high housing need) Band 3 (significant housing need) Band 4 (moderate housing need) Band 5 (no or little housing need)</p> <p>There are around 5700 applicants on the housing register and the majority (around 3700) are in Band 5 and unlikely to receive an offer of accommodation in the foreseeable future unless their circumstances change and housing need increases. To be placed in each Band an applicant must meet the Band criteria. If they do not meet the criteria for Bands 1 to 4 they are placed in Band 5. A summary of the current criteria used for each priority Band is shown in Appendix 2. To fall within Bands 1 to 4 an applicant must be in a “reasonable preference group” or an “additional preference group”.</p>
18.	<p>Reasonable preference groups</p> <p>The Council is required to give reasonable preference to the following categories of person who fall within “reasonable preference group”:</p> <ul style="list-style-type: none"> • Those who are homeless within the meaning of Part 7 of the 1996 Act (including those who are intentionally homeless and those not in priority need) • Those who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying

	<p>accommodation secured by any housing authority under s.192(3)</p> <ul style="list-style-type: none"> • Those in insanitary or overcrowded housing or otherwise living in unsatisfactory conditions • Those who need to move on medical or welfare grounds, including grounds relating to a disability • Those who need to move to a particular locality in the district, where failure to meet that need would cause hardship to themselves or others <p>These categories are not discrete, and applicants can fall under different categories.</p>
19.	<p>Additional preference groups</p> <p>The Council <i>can</i> take into account local circumstances and is also able to give “additional preference” to applicants who fall within a “reasonable preference group” and have urgent housing needs. For example to:</p> <ul style="list-style-type: none"> • Those who need to move urgently because of life threatening illness or sudden disability • Families in severe overcrowding which poses a serious health hazard • Those who are homeless and require urgent re-housing as a result of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic violence
20.	<p>The Council’s Allocations Scheme <i>must</i> give “additional preference” to a person who falls into a reasonable preference group <i>and</i> is considered to have <i>urgent</i> housing needs where the person:</p> <ul style="list-style-type: none"> • is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person’s service, or • formerly served in the regular forces, or • 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 who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or • is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person’s service.
21.	<p>Changes to existing priority bands</p> <p>Although applicants falling within a reasonable or additional preference group must normally be included on the housing register the Council can decide how to prioritise each group within priority bands 1 to 4 and can move some groups to a different band.</p>
22.	<p>Homeless Applicants</p>

	<p>There are two separate groups of homeless applicants:</p> <p>(1) Applicants found to be homeless by the Council, <i>in a priority need group</i> (such as homeless families, pregnant applicants or a vulnerable single applicant or couple with health issues) that the Council has a duty to place into homeless temporary accommodation and make a suitable offer of housing. Currently placed in band 2.</p> <p>(2) Applicants found to be homeless and <i>not in a priority need group</i> (such as a single applicant or couple who are not considered vulnerable and/or to have sufficient health needs to give them a “priority need”) that the Council has no duty to place in homeless temporary accommodation and make an offer of suitable housing under homeless legislation. Currently placed in Band 3.</p>
23.	<p>The draft Allocations Scheme proposes that in future the following changes are made:</p> <p>Homeless applicants in a priority need group are moved from Band 2 to Band 3.</p> <p>To improve the chances of other applicants in similar housing need on the Housing Register receiving an offer of accommodation, such as applicants with children living with their parents in overcrowded or unsuitable accommodation or in the private sector, to help prevent them becoming homeless. While still continuing to give sufficient priority to those already accepted homeless in temporary accommodation.</p>
24.	<p>Homeless applicants not considered to be in a priority need group are moved from Band 3 to Band 4.</p> <p>To ensure that more priority is given to homeless applicants on the housing register within a priority need group than to those not in a priority need group. While still continuing to give them priority through the Allocations Scheme.</p>
25.	<p>“Policy” Successors</p> <p>Applicants living in social housing who are legally entitled to succeed to a tenancy after the previous tenant has passed away are referred to as “successors” in the Allocations Scheme and are placed in Band 1 if they are required to move to a smaller property. It is not proposed to change their priority.</p> <p>Applicants living in social housing who are not legally entitled to succeed to a tenancy after the tenant of the property they are living in has passed away are referred to a “policy successors” and are placed in Band 1 if they meet the criteria within the existing Allocations Scheme.</p>
26.	<p>The draft Allocations Scheme proposes that “policy successors” are restricted in future, to only include close family members that would have been entitled to succeed to the tenancy, if a succession had not already</p>

	<p>taken place. So more properties will be available to allocate to those in housing need on the housing register.</p> <p>The Allocations Scheme will still allow discretion for some cases to be referred to the Exceptional Circumstance Panel on social and welfare grounds to request the panel to consider awarding an applicant no longer able to stay in property after the tenant has passed away priority to move by awarding a “social and welfare” award.</p>
27.	<p>Time on List Compared To Time in Housing Need/Band</p> <p>There are two main ways of prioritising applicants in the same housing need (priority band) for housing:</p> <p>(1) Registration date - the time they have been on the housing register</p> <p>Or</p> <p>(2) Priority Band Start Date - the time they have been in housing need/band</p> <p>Although it simpler to prioritise applicants based on the time they have been on the housing register and possibly easier to understand, it is arguably fairer for applicants to be prioritised on the time they have actually been in housing need – for example the time they have been living in overcrowded accommodation or have spent being homeless.</p>
28.	<p>The draft Allocations Scheme proposes:</p> <p>To prioritise all applicants by Priority Band Start Date instead of their Registration Date.</p> <p>To have provisions to ensure that where an applicant’s housing need changes and they go down a priority band that they are not disadvantaged by this.</p> <p>To put in place transitional arrangements for existing applicants to minimise the initial impact of this change. So applicants currently on the housing register when new Allocations Scheme comes into effect will have their registration date used as their Priority Band Start Date if this is an earlier date.</p>
29.	<p>The Size of Property an Applicant Is Eligible To Apply For</p> <p>Social housing is a scarce resource and it is important that the Council and other Private Registered Providers of social housing within Oxford make the best use of the stock which is available.</p> <p>The existing Allocations Scheme has rules that are used to calculate number of bedrooms an applicant requires. However, they will need to be changed and made stricter due to changes being introduced through the Welfare Reform Act including the introduction of the “bedroom tax” from April 2013. So as to not place working age applicants and their families into accommodation that they cannot afford where their housing benefit</p>

	<p>could fall substantially short of the rent due. The recommendations in the new Allocations Code of Guidance, issued by the Department of Communities & Local Government, also need to be taken into account.</p>
30.	<p>Age of Household Members</p> <p>The draft Allocations Scheme proposes:</p> <p>(1) To increase the age at which children of the opposite sex are considered to be able to share a bedroom:</p> <p>From</p> <p>“Two children of the opposite aged under 7”</p> <p>To</p> <p>“Two children of the opposite sex aged under 10”</p> <p>(2) To increase the age at which children of the same sex are considered able to share a bedroom:</p> <p>From</p> <p>“Two children of the same sex where the oldest child is between 10 and 15 and the age gap is less than 10 years”</p> <p>To</p> <p>“Two children of the same sex aged under 16”</p>
31.	<p>Under-Occupiers & Other Exceptions</p> <p>The Draft Allocations Scheme proposes:</p> <p>To continue to allow some flexibility when offering social housing to tenants who are under-occupying their current home.</p> <p>To allow tenants on the Transfer List who are currently under-occupying a property to continue to be able to move to a property one-bedroom larger than they require. If they are downsizing to a smaller property or moving to non-family two-bedroom property (only considered suitable for 55+ and/or in a sheltered scheme) and they can still afford the rent.</p> <p>To continue to allow some discretion to the Allocations Manager &/or flexibility within the Allocations Scheme to offer some applicants properties larger than they would normally be considered to require where they are:</p> <ul style="list-style-type: none"> • A legal successor who needs to move from a three-bedroom property or larger and they will still be able to afford the rent of the property they move to or will not be affected by the bedroom tax

	<p>due to their age.</p> <ul style="list-style-type: none"> • Long Term Foster Carers (who have fostered children continuously for 3 years or more) and they will still be able to afford the rent. • Applicants (or household members) with very high housing needs due to a health or disability, for example a child who cannot share with another due to their disability, where they are still able to afford the rent • Applicants in high housing need with other exceptional circumstances.
32.	<p>Household Composition</p> <p>The draft Allocations Scheme proposes that:</p> <p>Expectant mothers no longer have their unborn baby “counted” for the purpose of assessing the number of bedrooms their household will require until the baby is actually born. To make better use of existing stock by ensuring applicants are normally only offered properties based on the number of children they have in their household and to ensure affordability under the new bedroom tax rules for those in receipt of housing benefit.</p> <p>To exclude existing adult children (or other adult members) from an applicant’s housing application and for the purposes of assessing the size of property they will require and assessing their housing need where:</p> <p>An adult (other than the applicant or joint applicant) in the household has sufficient savings, investments and/or income to resolve their own housing situation or is studying away from home and living elsewhere for part of the time in student, private rented or other accommodation.</p> <p>&</p> <p>There is not an over-riding health need for the adult child, or other adult resident, to live with the applicant and be included on their housing application as person requiring housing.</p>
33.	<p>Large Families</p> <p>A very low number of four-bedroom properties or larger become available to let each year. Only around 10 four-bedroom properties will become available during 2012/13.</p> <p>To improve the options available for large families living in overcrowded accommodation or homeless applicants living in temporary accommodation the draft Allocations Scheme proposes in future to allow:</p> <p>Large families with a four-bedroom housing need “lacking two-bedrooms or more” and living in a one or two bedroom property to be given the opportunity to apply for a suitable three-bedroom property if they choose to do so (and not just three-bedroom parlour or four-bedroom houses as now).</p>

	<p>&</p> <p>Homeless Applicant's in temporary accommodation with a four-bedroom housing need, to whom the Council has accepted as duty to make an offer of housing, to be given the opportunity to apply for three-bedroom properties if they have a four-bedroom housing need, if they wish to do so (and not just three-bedroom parlour or four-bedroom houses as now).</p>
34.	<p>On the following conditions:</p> <p>The Council or ORAH partner that owned the property would need to be satisfied that the property was large enough for the family and agree to consider larger families for the particular property.</p> <p>The allocation of a large family to a particular property would not have significant impact on others living in the local area.</p> <p>If an applicant opted to do this, then they would not be able to apply for a Transfer again within a year moving in, unless the size of their household changed or in exceptional circumstances.</p>
35.	<p>Sub-regional Allocations Scheme</p> <p>The Council is currently in a sub-regional partnership, with three other District Council's in Oxfordshire; Cherwell DC, Vale of the White Horse DC and South Oxfordshire DC. All four Councils are currently reviewing their allocations schemes. The priority bands and way housing needs are assessed by each District are expected to differ to the extent that in the future applicants will no longer be able to "compete" with each other equally when bidding for properties sub-regionally. Due to the limited amount of properties becoming available across the sub-region there has also been less movement between the Districts than hoped when the scheme was originally set up.</p> <p>All four Council's are proposing to leave the Sub-Regional Allocations Scheme so the draft Allocations scheme makes no reference to the scheme any longer.</p>
36.	<p>Choice-Based Lettings</p> <p>The Council allocates most properties owned by the Council and ORAH partners that become available, by advertising them through a Choice-Based Lettings Scheme. Applicants on the Housing Register are able to express an interest in being offered a property by placing a bid through the Choice-Based Lettings Scheme for properties they are eligible to apply for. The property is normally offered to the applicant in the highest housing need who has bid for the property once the lettings cycle ends each fortnight.</p>
37.	<p>Unreasonable Refusals</p> <p>Each advert includes details of the property type, location, size, rent and other additional details such as if the property is on the ground floor or</p>

	<p>adapted. If an applicant has successfully bid on a property they will be contacted where possible to check that they are still interested in the property before they are made an offer of accommodation. Once an offer has been made the applicant will be given the opportunity to view the property and make a final decision about whether they want to accept the offer.</p>
38.	<p>The majority of applicants accept the first offer they are made, however, some will refuse one or more offers. If an applicant's reasons for refusing are considered unreasonable there are limited actions that can be taken within the existing Allocations scheme. One in five offers are refused and each refusal incurs a cost to the Council and other ORAH partners in staff time and also in lost rent if the property is ready to let and the refusal results in a delay of the property being re-let.</p>
39.	<p>Applicants on the General Register or Transfer Lists can be treated differently from applicants on the Homeless List because they come under different parts of the Housing Act 1996. Although the Allocations Scheme must still give priority to homeless applicants to whom the Council has accepted a statutory duty homeless – which the Council currently does by placing them in Band 2. Homeless applicants do not need to be given the same level of choice. In order for the Council to discharge a homeless duty a homeless applicant needs to have been made a suitable offer of accommodation.</p>
40.	<p>The Council can allow homeless applicants to bid for properties through CBL but is under no obligation to do so and can offer a homeless applicant the first suitable property that becomes available. Once a homeless applicant has been offered a suitable property – by either successfully bidding for a property via CBL, or by having a bid placed for them if they are failing to bid or by being offered a property as a direct match outside of CBL – if they refuse without good grounds the Council's duty under homeless legislation can cease and they can be asked to leave their temporary homeless accommodation.</p>
41.	<p>Applicants on the General Register & Transfer Lists</p> <p>The draft Allocations Scheme proposes in future:</p> <p>Applicants on the General Register & Transfer Lists who are considered to have unreasonably refused two suitable offers of accommodation within the last 12 months are suspended from bidding for 12 months.</p> <p>(Excludes homeless applicants on the Homeless List to whom the Council has accepted homeless duty who fall under homeless legislation)</p>
42.	<p>Applicants on the Homeless List (to whom the Council has accepted as homeless duty)</p> <p>The draft Allocations Scheme proposes in future:</p> <p>Applicants on the homeless list will now only be made <u>one suitable offer</u> of accommodation – this could be an allocation of social housing through the Allocations Scheme or an offer of suitable accommodation within the private rented sector made outside of the Allocations Scheme by the</p>

	Housing Options Team to discharge the Council's homeless duty. (Subject to Private Rented Offers being the sign off by members)
43.	If a homeless applicant refuses a suitable offer the Council will no longer have a duty to accommodate them and ask them to leave their temporary accommodation and to resolve their housing situation themselves. Homeless applicants who are considered to have unreasonably refused an offer by the Council because they consider the property is not suitable for them or a member of their family will continue to have the right to appeal. The Council will not be able to end the duty to accommodate the applicant unless they lose the appeal.
44.	Applicants already accepted as homeless or placed in homeless temporary accommodation awaiting for a decision on their homeless application, prior to the 9/11/12 will only be made offers of social housing and will not be offered private rented accommodation (unless they request the Council to assist them in moving into the private rented sector).
45.	Homeless Applicants – Time In Temporary Accommodation The Council continues to seek to prevent homelessness and to reduce the number of homeless households in temporary accommodation. Although most homeless applicants, accepted as homeless and placed in temporary accommodation, bid regularly or are assisted in doing so if required some choose not to.
46.	The existing Allocation Scheme states homeless applicants failing to bid for properties through the Choice-Based Lettings Scheme can have bids placed for them or be offered a property as a direct match outside of Choice-Based Lettings.
47.	The new scheme proposes homeless applicants to whom the Council has accepted a homeless duty will be given a time-limited priority to bid for properties through CBL. During this time they could also be made an offer of suitable private rented accommodation to discharge the Council's homeless duty by the Housing Options Team outside of the Allocations Scheme (if they have approached the Council as homeless and been accepted as homeless on or after 9/11/12).
48.	If a homeless applicant after a reasonable time has passed, 3 to 6 months normally, has not been actively bidding for properties and short listed for an offer, it is proposed that bids may be placed automatically for the applicant on all suitable properties. Regardless of the property or type or area in Oxford until the applicant shortlists for an offer or is offered a suitable property in the private sector by the Housing Options Team. The time limit can be extended where an applicant is actively bidding and/or no suitable properties have become available because they require a large property, an adapted property or it has been accepted that only certain areas of Oxford are suitable.
49.	The Choice-Based Lettings Cycle Properties advertised through Choice-Based Lettings are advertised every fortnight. The lettings cycle lasts for 13 days and applicants included on

	<p>the housing register are able to bid for properties that are advertised as available to let that are considered suitable for their housing needs. On the 14th date the cycle is closed – historically this has been to allow time for OCC and the sub-regional partners to produce and distribute a newsletter for the next lettings cycle. The existing Allocations Scheme states the duration of “the length of the lettings cycle may be reviewed periodically”, however, it does not state specifically who can authorise for the duration of the scheme to be changed. Although it is not proposed at this stage to alter the length of the Lettings cycle (except when it is necessary to do so at Christmas as currently) it may be that in the future we wish to do so.</p>
50.	<p>The draft scheme proposes the Head of Housing is given delegated responsibility within the Allocation Scheme to alter the length of the Choice-Based Lettings cycle on a temporary or permanent basis.</p>
51.	<p>Short listing Rules</p> <p>These are the “rules” used to prioritise applicants who have bid for a property. Normally applicants are prioritised based on their Band and the registration date (or band start date if they are in Band 1). However, properties can also be advertised with preference to specific groups:</p> <ul style="list-style-type: none"> • Applicants with a local connection - used for most properties that become available except some general needs properties that are sometimes advertised sub-regionally (as part of the agreement with the other districts who do the same) • Larger families – for properties considered particularly suitable for larger families due to their size and layout • Applicants assessed as needing a ground floor property and/or an adapted property, ranging from; Mobility 1 (ground floor level access flats and bungalows) to Mobility 4 (fully adapted wheelchair accessible properties). See appendix 3 for a summary of the different mobility levels. • Applicant type – some properties are advertised with preference to a specific housing list – Homeless List, Transfer List or General Register List to ensure properties are allocated in line with the Annual Lettings Plan targets set each year to ensure the number of properties allocated to each list represents the demand on each list balanced with housing those in homeless temporary accommodation. <p>Some properties are only considered suitable for applicants with an assessed need for sheltered accommodation and/or for older applicants aged 40, 55 or 60 years or older and are advertised as such. It is not proposed this is changed.</p>
52.	<p>The rules used for short listing applicants for bungalows are slightly different from those above and need to be explicitly stated in the Allocations Scheme (following the Council’s decision to de-designate bungalows and to remove the minimum age restriction of 40 from 1/4/11). To allow younger applicants with mobility issues and requiring ground floor level access accommodation to be able to bid for bungalows too and younger existing social housing tenants seeking to downsize from family accommodation to apply for bungalows too.</p>

53.	<p>The Draft Allocations Scheme proposes:</p> <p>To change the existing rules used to prioritise applicants with Mobility issues requiring Mobility 1, 2, 3 or 4 properties (see appendix 3). So applicants in Bands 4 or 5 in low housing need who would benefit from Mobility 1 & 2 properties are overlooked if an applicant in higher housing need in Bands 1 to 3 bids for the same property even if they don't have a Mobility 1 & 2 property on the ground floor.</p> <p>It is expected that usual practice will be to allocate some adapted properties meeting Mobility 3 and most of Mobility 4 standard as a direct match outside of Choice-Based Lettings scheme. In order to best meet needs and make best use of the limited stock available.</p>
54.	<p>Any reference to sub-regional applicants or parish/village connection in the short listing criteria will also be removed as they are no longer required as it is proposed the sub-regional allocations scheme is ends.</p>
55.	<p>The draft Allocations Scheme is proposed to have the following added to state that bungalows will normally only be allocated to:</p> <ul style="list-style-type: none"> (1) Applicants aged 55+ (2) Applicants with a need to move to ground floor level access property <p>or</p> <ul style="list-style-type: none"> (3) Existing tenants seeking to downsize from their current accommodation (irrespective of their age) <p>&</p> <p>Only if no-one in groups (1) to (3) bids for a bungalow (which is unlikely) will the property be offered to another applicant.</p>
56.	<p>The draft Allocations scheme proposes to allocate properties in Riverside Court (exact number to be confirmed) as supported housing for vulnerable applicants or couples. In order to accommodate applicants who otherwise might not be able to sustain a tenancy in general needs house with floating support alone. No existing tenants will be asked to move. However, the Council will help to facilitate the move of tenants in those properties that no longer require supported housing into general needs accommodation if they wish to move.</p>
57.	<p>Additional Advert Labels are proposed:</p> <p>To clearly indicate Affordable Rent or Fixed Term Tenancies as a separate advert from traditional social housing. Customers will be able to make informed decisions about the type of property they are applying for and the type of tenure they will be offered.</p>
58.	<p>Officer Roles & Delegated Officer Responsibilities</p> <p>The Allocations Scheme includes details of the roles and responsibilities</p>

	<p>for the operation of the Allocations Scheme. Some areas could be made more streamlined to speed up the decision making process and ensure the scheme can be adjusted where minor changes following changes in legislation and/or best practice are identified.</p>
59.	<p>The draft Allocations Scheme proposes</p> <p>The Head of Housing is authorised to have delegated authority to:</p> <p>Approve the annual lettings plan targets proposed each year by the Allocations Manager – where the targets remain the same as the previous year or include only a small adjustment (up to 5% or less than 10 properties per annum) to the target of properties to be allocated to each list.</p> <p>Change the annual lettings plan targets after 6 months if the demand on the housing register has changed significantly and corrective action is required. Such changes should be subsequently reported to CEB if the annual lettings plan was approved by CEB.</p>
60.	<p>The draft Allocations Scheme proposes</p> <p>The Head of Housing is authorised to have delegated authority to:</p> <p>Authorise minor amendments to the Allocations Scheme proposed by the Allocations Manager where:</p> <ul style="list-style-type: none"> • Legislation changes and the Allocations Scheme needs a minor change to comply with new legislation <i>and</i> the change will have a low impact on those on the housing register. • Best practice or new guidance is introduced that needs to be reflected in the Allocations Scheme <i>and</i> the change will have a low impact on those on the housing register <p>Authorise offers of accommodation outside of the Allocations Scheme for “management cases” to make the best use of stock for existing tenants. To include:</p> <ul style="list-style-type: none"> • Adapted properties no longer required by the tenant • To facilitate a move as an alternative to adapting a property • To maximise bedroom occupation and ensure affordability
61.	<p>The Health & Housing Panel</p> <p>It is proposed to:</p> <p>Increase the delegated authority for Allocations Officers to grant applicant’s both moderate (Band 4) <u>and</u> significant (Band 3) Health & Disability Awards without referring cases to the panel. (Currently Officers can only award a “moderate” Band 4 award)</p>

	<p>&</p> <p>Reduce the minimum number of members of the Health & Disability Panel from 3 members to 2 Senior Members of the Team or 1 Senior Member of the Team and 1 Health Professional depending on staff availability.</p>
62.	<p>Level of Risk</p> <p>This report is not requesting authority for the current Allocations Scheme to be changed only permission to consult on proposed changes so the risk to the Council is low and has been reflected as such in the risk register in appendix 4. The changes proposed if accepted in the future are considered to represent a low risk.</p>
63.	<p>Climate Change/Environmental Impact</p> <p>The allocation of social housing under the current scheme has a minimal impact on the climate and environment. As this report is not changing the current Allocations Scheme the report is not considered to have an impact. The changes proposed if accepted in the future are considered to have a minimal impact on the climate/environment. In the future the Council will introduce an on-line application form which should help to reduce the amount of paperwork required to administer the housing register.</p>
64.	<p>Equalities Impact</p> <p>The Council seeks to ensure under the current scheme, that the allocation of social housing does not indirectly discriminate against or disadvantage housing applicants within BME groups and/or those with disabilities, by effective monitoring of those applying for housing and those allocated social housing by the Council. As this report is not changing the current Allocations Scheme it will have no impact on these groups.</p> <p>In the future, the proposed changes will have an impact on some households on the Housing Register in housing need, including some in BME groups and/or those with disabilities. The Council will undertake an impact assessment which will take into account responses from the consultation to determine whether there will be any adverse impacts and to consider any mitigating action where appropriate before any final changes are implemented.</p> <p>The Council provides advice and assistance to those on the housing register and continues to monitor applicants in high housing need who are “not bidding”, to ensure they receive the support necessary to use the Choice-Based Lettings (CBL) scheme and receive a suitable offer of housing.</p>

65.	<p>Financial Implications</p> <p>The report does not change the existing Allocations Scheme so has no financial implications except for the cost of the consultation that will be kept to a minimum. The proposed changes to the size of properties applicants are eligible to apply for will help, if accepted in the future, to minimise the allocation of social housing to tenants who could be affected “bedroom tax” and fail to pay the shortfall in rent to the Council. The changes are also consistent with the Council’s aim to prevent homelessness and reduce the number of households in temporary accommodation and the cost to the Council.</p>
66.	<p>Legal Implications</p> <p>Before the Council makes any changes to Allocations Scheme reflecting a major change in policy, Section 166A(13) requires the Council to send a copy of the draft scheme to every Private Registered Provider of social housing within the ORAH partnership to ensure they have a reasonable opportunity to comment on the proposals.</p> <p>The report correctly requests authority to consult on the proposed changes before any major alternations are made to the existing allocations scheme. The proposed changes in the draft Allocations Scheme are considered to comply with current legislation. If the changes are put into effect and are later legally challenged it is considered unlikely any such challenge against the legality of the allocations scheme would be successful.</p>
67.	<p>It is proposed that following the authorisation of the draft Allocations Scheme, the report will go out to consultation and the final version with any amendments will be re-submit to CEB for approval before a request is made to full Council to authorise the new scheme. Subject to authorisation by full Council the new scheme is likely to come in to effect in Autumn 2013.</p>

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Appendix 1

Draft New Allocations Scheme for Consultation (see separate document)

Appendix 2





Summary of Band Reasons & Current Bands

BAND 1
1.1 Exceptional circumstances, where there is an immediate risk to health and safety, complex needs, 'place of safety' cases or other emergency needs
1.2 Council or housing association tenants in the sub-region under-occupying by two or more Bedrooms
1.3 Decants and other housing management moves
1.4 Successor tenants who need to move to a more suitable property
1.5 A Prohibition/demolition notice has been issued by the Environmental Health department
1.6 Households where the level of overcrowding exceeds the statutory limit
BAND 2
2.1 Urgent social or welfare needs
2.2 Urgent health or disability needs
2.3 Council or housing association tenants in the sub-region under-occupying by one bedroom
2.4 Applicants who have been assessed as ready to move on from supported accommodation
2.5 Applicants found to be homeless, in a priority need group and a duty to offer housing has been accepted
2.6 Families assessed as being 2 or more bedrooms short of their needs
2.7 Any applicant with two or more compoundable categories in Band 3
BAND 3
3.1 Significant social or welfare needs
3.2 Significant health or disability needs
3.3 Applicants living in unsatisfactory housing: Level 1
3.4 Families assessed as being one bedroom short of their needs
3.5 Insecure tied accommodation
3.6 Insecure private rented accommodation
3.7 Homeless and not in a priority group*
3.8 Any applicant who qualifies for at least two categories in Band 4
BAND 4
4.1 Moderate social or welfare needs
4.2 Moderate health or disability needs
4.3 Applicants living in unsatisfactory housing: Level 2
BAND 5
5.1 Applicants who are adequately housed
5.2 Applicants who have sufficient income or other financial resources
5.3 Nil priority (Applicants who are the subject of sanctions because of their behaviour)
For further details see the full allocation scheme, available on the internet or from our offices
(For a small charge).
<i>*This category is not compoundable</i>
(The details listed above are only intended as a guide).

Appendix 3

Mobility Levels

There are a number of properties which have been specially built or adapted for people with disabilities, where these met the Mobility Standard or Wheelchair Standard, Oxford City Council seeks to match these most closely to applicants that specifically require this type and standard of accommodation and will specifically label these properties as such when they are advertised through CBL.

	<p>Mobility Level 1</p> <p>Level Access. Level access into the property (from the street to the front door) and level access throughout the property (no internal steps)</p>
	<p>Mobility Level 2</p> <p>Mobility Standard. Level access into and throughout the property, although all rooms may not be accessible by a wheelchair. Meets part M of the Building Regulations (e.g. minimum door widths)</p>
	<p>Mobility Level 3</p> <p>Disabled Adaptations. The property may not meet the other standards, but it has a significant adaptation, such as a level access shower; a stair-lift; or a walk-in bath. Specific details available</p>
	<p>Mobility Level 4</p> <p>Wheelchair Standard. The property is specifically designed for wheelchair users. Design features include parking and level access; enhanced circulation space; and specialist fixtures and fittings</p>

Appendix 4

301

Risk ID	Risk						Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner
Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence	Date raised	1 to 6	I	P	I	P	I	P	
CEB-001-H	An out of date Allocations Scheme	T	The Allocations Scheme becomes out of date and no longer complies with current legislation.	Internal delays in authorising consultation on the draft allocations scheme and final scheme following the consultation.	Allocations Scheme susceptible to successful legal challenge.	13/12/12	Meeting Housing Needs	1	1	1	1	1	1	The Affordable Housing Team

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