

To: Council
Date: 23rd March 2025
Report of: Nerys Parry, Director of Housing
Title of Report: Social Housing Allocations Scheme

Summary and recommendations	
Decision being taken:	To approve the new draft Social Housing Allocations Scheme for Oxford, following public consultation.
Key decision:	No
Cabinet Member:	Councillor Linda Smith, Cabinet member for Housing and Communities
Corporate Priority:	Good, affordable homes
Policy Framework:	Housing, Homelessness and Rough Sleeping Strategy
Recommendation(s): That Council resolves to:	
<ol style="list-style-type: none"> 1. Approve the new draft Social Housing Allocations Scheme for Oxford; 2. Delegate authority to the Director of Housing, in consultation with the Cabinet Member for Housing and Communities, to authorise the date on which the Allocations Scheme is implemented, noting the explanation and timelines in paragraph 23; 3. Delegate authority to the Director of Housing, in consultation with the Cabinet Member for Housing and Communities, to make minor changes to the Allocations Scheme in order to comply with changes to legislative and statutory guidance, related Council policies (approved by Cabinet) and to make technical changes to ensure the effective and efficient functioning of the scheme. 	

Appendix No.	Appendix Title	Exempt from Publication
Appendix 1	Draft Allocations Scheme	No
Appendix 2	Allocations Scheme Review Equality Impact Assessment	No
Appendix 3	Allocations Scheme Proposals Survey Response	No
Appendix 4	Risk Register	No

Introduction and background

1. The Allocations Scheme is the housing policy used to assess and prioritise Council tenants and other residents in housing need for offers of social housing available in Oxford. Demand for social housing is significantly greater than the supply, so the policy seeks to balance local needs and priorities with current legislation, guidance and best practice.
2. This policy has an important role in helping to prevent homelessness and housing those in the greatest housing need in Oxford, including households who are homeless, at risk of homelessness, living in overcrowded or unsuitable homes, or needing to move for health or welfare reasons.
3. Following a review of the Allocations Scheme to identify improvements to the existing policy, and a consultation with Council tenants, including prospective Council tenants in temporary accommodation, other residents and partner organisations a final version of the new policy has been drafted (see **Appendix 1 Draft Allocations Scheme**) taking into account the feedback received and is being submitted for approval.
4. The Allocation Scheme supports the Corporate Priority of **Good, affordable homes** and aims to:
 - Balance competing priorities, helping existing Council tenants seeking to move and new customers in housing need applying for social housing in Oxford.
 - Make the best use of the limited new and existing social housing becoming available in the city owned by Oxford City Council (OCC) and the Registered Providers participating in the Oxford Register for Affordable Housing (ORAH) partnership.
 - Help facilitate the churn of existing social housing to increase the supply becoming available to re-let to existing tenants seeking to transfer and new housing applicants in housing need applying for social housing in the city.

Legal Requirements

5. The proposed new policy is OCC's statutory Allocation Scheme issued under s.166A of Part VI of the Housing Act 1996. Pursuant to s. 166A(1) of Part VI of the Housing Act 1996. All housing authorities must 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)).
6. The new draft Allocation Scheme has been developed in accordance with the legal requirements set out in the Housing Act 1996 (as amended), including amendments made by the Homelessness Act 2002, the Localism Act 2011, and the Homelessness Reduction Act 2017. It also reflects duties under the Equality Act 2010, Welfare Reform legislation, and relevant statutory guidance. A comprehensive list has been added in Appendix VI of the scheme.
7. The new Allocations Scheme and its proposed changes from the previous scheme meet these legal requirements, while also supporting the aims of the Council's Housing, Homelessness and Rough Sleeping Strategy 23-28 and Tenancy Strategy. The Allocations Scheme also has a role in complying with the amendments introduced by the Social Housing Regulation Act 2023 and revised consumer standards, specifically the Tenancy Standard and Transparency, Influence and Accountability Standard which set out requirements on providers of social housing on how they allocate social housing, and states Registered Providers of social housing (including OCC as a social landlord) should treat tenants and prospective tenants with respect and take into account tenants' views. Council tenants' views, as well as the views of prospective tenants currently in our temporary accommodation (and other housing applicants responding the consultation), have informed and shaped the development of this policy.

Work to develop a new allocations policy

8. The Allocations Scheme is reviewed periodically to ensure it is kept up to date, reflects current guidance and best practice and helps meet current and emerging trends such as rises in homelessness or overcrowding affecting families with younger children. An internal review of the Allocations Scheme has been completed, including a review of current legislation, guidance and best practice and the approach of other Local Authorities with similar high housing need challenges to identify any improvements to be made.
9. While improvements have been identified, having considered the schemes of other Councils, officers have concluded that much of the existing Allocations Scheme is considered to be working well, including the existing housing qualification criteria, use of five housing need priority bands and Choice-Based Lettings to advertise and let social housing. The policy has been operating for some time, and service users on the register and officers have a relatively good level of understanding how the Council's banding system works, which supports transparency and knowledge of how social housing is allocated in Oxford. Choice Based Lettings continues to offer the most transparent and fair system for social housing allocations, maintaining an

element of client choice while being perceived as fairer than direct allocations used in some other councils. However, a number of key areas were identified to improve the existing Allocation Scheme to better meet current priorities and help tenants and other residents in housing need, while delivering better operational efficiency.

10. An Equality Impact Assessment has been completed as part of this process (see **Appendix 2 Allocation Scheme Review Equality Impact Assessment**). The new Allocation Scheme has been developed in accordance with OCC's duties under the Equality Act 2010, with commitment to eliminating unlawful discrimination, advancing equality of opportunity between different groups (e.g. disabled and non-disabled people, men and women) and fostering good relations between communities.
11. OCC has due regard to the protected characteristics as defined in Section 4 of the Equality Act 2010, which are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council is also required by law to give Reasonable Preference to households meeting categories set out within s66A(3) (a) to (e) of the Housing Act (as amended) - including priority to those who are homeless/at risk of homelessness, living in overcrowded or unsuitable homes, or needing to move for health or welfare reasons and award additional preference to those with urgent housing needs.
12. Following the review a consultation was undertaken on the proposals with Council tenants, other residents and partner organisations seeking their views and feedback on what was proposed to change and what was proposed to stay the same which was used to help draft the final proposed Allocations Scheme.

Proposed changes to the Council's scheme

Change Summary	Rationale	Implementation
<p>Increased Priority for residents at risk of Homelessness with Multiple Housing Needs</p>	<p>Maximise homelessness prevention and to stop residents with multiple needs, from becoming homeless: The Council and our partners seek to help prevent residents in Oxford from becoming homeless. A large number of housing applications are received each year from residents who are at risk of homelessness and can no longer stay in their current home. This includes households living with friends or relatives, or in private rented or tied</p>	<p>To award urgent priority to housing applicants with multiple needs at risk of homelessness, through no fault of their own, who are already living in overcrowded or otherwise unsuitable housing, or those with additional health or social and welfare needs, to improve their chances of being offered housing before they become homeless.</p>

	<p>accommodation, who have been asked to leave through no fault of their own and are unable to find alternative housing at risk of homelessness.</p>	
<p>Help for Homeless Residents from Oxford Housed Outside of the City by OCC</p>	<p>Help for Oxford residents housed out of area in the private rented sector (PRS) /reduce the disincentives to move into private housing: The Council aims to rapidly re-house residents that are homeless living in temporary accommodation into suitable social or private rented housing. Homeless residents are sometimes re-housed in private rented accommodation outside of the City.</p> <p>Due to the high demand for housing in Oxford, it is sometimes necessary for the Council to offer homeless households private rented accommodation outside the city.</p> <p>The Council recognises that while some homeless residents are happy to move to a home outside Oxford — particularly to nearby districts with good links to the city — others may be reluctant to do so and would prefer to live in Oxford, where they have stronger connections and support networks.</p> <p>This can act as a disincentive for people to move and accept PRS offers, increasing stays in temporary accommodation.</p>	<p>To introduce a new significant priority award for housing applicants who are owed a homeless duty by Oxford City Council and who are:</p> <ul style="list-style-type: none"> • Threatened with homelessness or currently homeless and living in Temporary Accommodation, and • Re-housed by the Council into private rented accommodation outside the city to discharge a homeless duty owed by Oxford City Council. • This priority would be time-limited for up to 2 years, to give households the opportunity to continue to apply for social housing in Oxford for a reasonable period of time after they have moved and ensure that reasonable preference continues to be given to groups including those who are homeless, overcrowded, living in unsuitable housing or need to move on health or social and welfare grounds.
<p>Freeing Up More Bungalows and Adapted Homes and Helping Existing Tenants</p>	<p>There are social tenants living in bungalows or adapted homes who request to move because they no longer require this type of accommodation and want a different type of home.</p> <p>There are also many tenants and other residents with urgent health needs who require a</p>	<p>The Council is proposing to introduce a new urgent priority award to help tenants who are requesting to move to another more suitable home and free up a higher demand property for another resident in housing need where they are living in a:</p>

	<p>bungalow or an adapted property.</p>	<ul style="list-style-type: none"> • Bungalow and would like to move to another type of property (excluding a move to another bungalow). • A significantly adapted flat or house they no longer require and would like to move to another property without adaptations.
<p>Freeing up More One-Bedroom Homes and Helping Existing Tenants</p>	<p>There are social tenants aged 55 or older living in one-bedroom flats suitable for younger residents who sometimes request to move to older persons housing. There are also high numbers of younger residents in housing need aged under 55 requiring one-bedroom properties, including those who are homeless living in temporary accommodation, existing tenants needing to move and other residents living in unsuitable housing.</p>	<p>To introduce a new urgent priority award for Council and other social tenants aged 55+ requesting to move where they are currently living in a one-bedroom general needs flat (without an age restriction) and would like to move to lower demand 55+ older persons' housing which is more suitable for their needs.</p>
<p>Making the Best Use of Family Housing</p>	<p>There is a high demand for family housing in Oxford and there are a large number of residents with children in housing need who are homeless living in temporary accommodation, in overcrowded conditions or otherwise unsuitable housing who need to move. Only a small number of family housing becomes available to let each year and unfortunately many families with children wait a long time before they are re-housed living in very difficult circumstances.</p> <p>We seek to make the best use of the scarce family housing becoming available and will normally only allocate family properties to households with dependent children under 18 or where it has been accepted it is</p>	<p>To strengthen the existing approach of prioritising offers of family housing to residents with children under 18 by introducing changes where there are older household members still living with a housing applicant to explicitly state:</p> <ul style="list-style-type: none"> • Any adult child aged 22 or older will be excluded from their parents' housing application and not count towards the number of bedrooms they require and their priority to move (unless an exception is agreed). <p>To also:</p> <ul style="list-style-type: none"> • Allow exceptions where following an assessment of the households housing need it is accepted that is reasonable to include them, for example adults with

	<p>reasonable to include an adult on another's housing application unless an exception has been agreed – including established household members.</p>	<p>health needs needing full-time care who cannot live alone, former care leavers or a full-time student living at home and still studying.</p> <ul style="list-style-type: none"> • Advise adults they can make their own housing application and will have their housing need assessed based on their individual circumstances – for example a single adult sharing a room while living with their parents will have a one-bedroom housing need and be awarded priority for being overcrowded.
<p>Making the Best Use of Supported Housing</p>	<p>There is a high demand for supported housing in Oxford. This includes young parents, single homeless people, care leavers, and residents in the Mental Health Pathway. The Council aims to make the best use of the limited supported housing in the city. Priority is awarded to help residents who are assessed as ready to “move on” who no longer require supported housing freeing up spaces for those who need this help.</p> <p>The Oxford Register for Affordable Housing currently has 3 housing lists:</p> <ul style="list-style-type: none"> • Transfer List – for tenants of the Council and other social landlords in Oxford • Homeless List – for residents owed a statutory homeless duty by the Council living in Temporary Accommodation • General Register List – for all other applicants, including residents living in the private rented sector, with friends or family (and currently 	<p>To Keep the existing Housing Lists and create a new “Move On” list on the Oxford Register for Affordable Housing for residents living in supported housing assessed as ready to move on (and to remove them from the General Register List).</p> <p>This will help:</p> <ul style="list-style-type: none"> • Residents move to settled suitable social housing or private rented housing and free up more supported housing for residents not yet ready to live independently. • Ensure only properties suitable for households moving on from supported housing are offered to this list and minimise lettings times. • Increase transparency by providing clearer information to housing applicants on each Housing List what properties are available to them. • Make the allocation process more efficient and reduce

	<p>residents living in supported housing)</p> <p>At present, residents living in supported housing are included on the General Register List. However, not all properties becoming available to let are suitable for many households moving on from supported housing. This can create confusion and disappointment and slow down re-let times for other housing applicants when a resident in supported housing is advised they will not be offered a property because it is not considered suitable for their needs. If housing applicants from supported housing are transferred from the General Register List to a new Move On List this will help ensure that only suitable properties are advertised to those leaving supported housing.</p>	<p>offer times to households in housing need.</p>
<p>Guidance on Health and Housing Awards</p>	<p>Residents and support agencies can find the council's process to determine additional priority due to health or disability hard to understand, and the lack of additional information can make it difficult to manage expectations.</p>	<p>Additional guidance has been included in the Allocations Scheme (Appendix V) to provide more detail on how housing applications are assessed when a resident is requesting to move on health grounds. This aims to give the public clearer information on how decisions are made, increasing transparency</p>

Key Areas to Remain the Same

- 13. Housing Register Qualification Criteria, Priority Bands and Choice-Based Lettings** - Social housing in Oxford is in very high demand and far more people apply than can be housed. Housing applicants must qualify for inclusion on the Oxford Register for Affordable Housing (ORAH) to be considered for any offer of social housing. The new Allocations Scheme proposes to keep existing qualification criteria and exceptions for housing applicants around Local Connection, Income and

Savings, Rent Arrears and Anti-Social Behaviour. The new Allocations Scheme also proposes to continue using five priority bands to assess housing need, and Choice-Based Lettings to advertise and offer most properties, to make this process as fair and clear as possible.

14. **Freeing up More Family Homes and Helping Existing Tenants** - there are social tenants living in larger properties seeking to downsize to smaller, more manageable homes. At the same time, there are also a large number of families with children in housing need who are homeless, overcrowded, or living in unsuitable accommodation urgently need re-housing. The current Allocations Scheme gives high priority to tenants of the Council and other social housing tenants who are under-occupying a family home and requesting to move, this will continue in the new scheme. The Council also offers support and financial assistance to help council tenants move to homes better suited to their needs and free up larger homes for families in housing need.

Consultation

15. A public consultation has been completed to ensure the views from residents, including OCC tenants (and prospective tenants), Registered Providers of social housing and other key stakeholders, including the County Council, other Local Districts, local advice/support agencies and staff, have been taken into account in the drafting of the proposed new Allocations Scheme.
16. The consultation on the proposals included engagement through an on-line survey asking to what extent respondents agreed or disagreed with each key area and proposed change (see **Appendix 3 Allocations Scheme Proposals Survey Response**), and feedback from a series of focus group meetings with Council tenants covering each area in detail. A sample of homeless applicants living in Temporary Accommodation were also asked by staff to provide their views too, as prospective tenants. Housing applicants were also able to respond to the survey. The consultation was promoted through a range of mediums, including social media, tenants in touch, the Choice-Based Lettings website (used by tenants and other residents applying for social housing) and targeted contact by staff to tenants and residents they were working with. Registered Providers of social housing and other partners within Oxford were also asked for views.
17. The responses to the survey can be broadly split between residents and other organisations working in housing. Almost 75% of responses were completed by residents living in a range of tenures, including Council and Housing Association tenants, private sector tenants, friends and family, people living in supported housing and temporary accommodation or their own homes. Most of the remaining 25% of responses were on behalf of organisations including Registered Providers of social housing operating in Oxford and other key stakeholders.
18. The majority of respondents to the survey supported the proposals for the new Allocations Scheme and strongly agreed or agreed. Every proposed change was supported by a majority of the respondents. This supports the recommendation to Cabinet to approve the new strategy and policy. **Allocations Scheme Proposals Survey Response in Appendix 3** show a breakdown of the response to each proposal and additional details regarding each proposal.

19. Following feedback received during the consultation engagement activities with tenants, residents and stakeholders the following changes will also be completed to improve outcomes:

- The new draft Allocation Scheme has been updated to confirm tenants and other housing applicants who are survivors of domestic abuse and owed a homeless relief or main duty by OCC will qualify for priority to move.
- The new draft Allocation Scheme has been updated to ensure that rent arrears accrued by tenants or other residents due to domestic abuse will not be taken into account, thus stopping a survivor of domestic abuse being allocated another home.
- Greater promotion of the help offered by the Council and other Registered Providers of social housing to under-occupying social tenants wanting to move, including information on the existing help and incentives available for Council tenants to move to more suitable homes, thereby freeing up more family housing for families with young children in housing need.
- A review of whether any help with removals and/or incentive payments can be made available for qualifying social tenants seeking to move from high demand bungalows, adapted homes or general needs one-bedroom properties they no longer require/need to lower demand housing, thus freeing up more homes for households needing this type of housing.
- A review of the information available to residents to help prevent homelessness where possible.
- A bibliography has been included in Appendix VI of the Allocations Scheme including key legislation relating to the Allocations Scheme.

Local Government Reorganisation

20. Local Government Reorganisation is due to change Council structures in Oxfordshire in 2028, raising the possibility that the Council could choose not to proceed with changes to allocations schemes until the new Council forms. While this has been considered, it's been rejected, due to the current high demand in Oxford for social housing and homelessness services. The Council would be taking a significant risk of doing nothing for two years in light of rising housing demand; as well as ensuring our ongoing compliance with the Social Housing Consumer Standards in terms of council housing allocations. It is also likely that the successor Council for Oxford will continue to use this scheme within the current boundaries of Oxford City at least initially, ahead of agreeing any further changes/a new scheme.

Options

21. **Recommendation** – approve the new draft Allocations Scheme to ensure the Council is compliant with current legislation, guidance, best practice and feedback from tenants and residents taken into account in the drafting of the policy and support housing priorities in this area.

22. **Do nothing** – under this option, the Council would not approve the new draft Allocations Scheme. The Council would risk being non-compliant with legislative

requirements under key legislation such as the Social Housing Regulations Act and Consumer Standards by not taking into account the views of tenants and also other residents and stakeholders – including partner Registered Providers of social housing who support these changes. This would also impact on the ability of the policy to support housing priorities effectively.

Implementation of the new Allocations Scheme

23. This paper also requests the delegation to officers to only activate the new scheme once the Council is ready to implement it fully. This is because the policy changes require changes to the Council's online Choice Based Lettings system, so time is required to amend the Council's housing IT system. Once changed, residents, staff and key stakeholders will be informed of the start of these changes. It is not anticipated this will take any more than 6 months, and in the meantime the current scheme will still be in effect.

Financial implications

24. There are no financial implications in respect of this allocations policy. There should be no increase or decrease in budgeted expenditure through the implementation of this policy.

Legal issues

25. The key piece of primary legislation in respect of the allocation of social housing is section Part VI of the Housing Act 1996 ('the HA 1996'). This details the law in relation to the allocation of housing, eligibility, housing registers, applications and allocation schemes. The HA 1996 was amended by Part VII of the Localism Act 2011 and the Homelessness Reduction Act 2017. As detailed within this Report, s.166A of the HA 1996 requires the Council to have an allocation scheme which determines priorities and the procedure to be followed.

26. As detailed above, the Council has a responsibility as a Local Authority and social landlord to have an Allocation Scheme in place to meet statutory requirements and local priorities. The updated draft Scheme ensures that the Council continues to meet its duties under the Localism Act 2011. Further, it also ensures compliance and alignment with associated legislation including the HA 1996 and the Homelessness Reduction Act 2017. A public consultation has been completed to ensure the views from residents including tenants, and others have been considered; it supports the twin roles the Council has as a Local Authority and Social Landlord, and further demonstrates that the Council is committed to the responsibilities it has for tenants and other residents.

27. The changes proposed to the Allocations Scheme seek to ensure the policy is up to date with current legislation, guidance and best practice and reflects the priorities of tenants, other residents and stakeholders in the City. Thus, it appears that the changes are fit for purpose. This does not mean that it will be immune to challenge, and it may be necessary to update it further if these are successful. However, in the meantime, the changes are well-drafted, thorough, detailed, transparent and clear.

Level of risk

28. A risk register has been completed and can be seen in **Appendix 4**. The Allocations Scheme needs to be changed to reflect currently legislation, guidance, best practice and feedback from tenants, residents and other key stakeholders.

Equalities impact

28. The Allocations Scheme seeks to balance local needs and priorities with current legislation, guidance and best practice as well as local housing conditions. The Allocations Scheme is a key housing policy supporting the priorities of the Housing, Homelessness and Rough Sleeping Strategy which include *great homes for all, preventing homelessness and adopting a rapid re-housing response, ending rough sleeping* benefitting all households with protected characteristics in housing need.

29. A draft Equality Impact Assessment (EQI) was completed and shared as part of the consultation on the proposals. To reflect part the Council's housing related commitments within the Equality Impact and Diversity Strategy to provide Responsive Services and Customer Care for those with protected characteristics and to improve engagement with tenants and residents in housing policy development. The EQI has been updated following the consultation and is available in **Appendix 2 Allocations Scheme Review Equality Impact Assessment**.

30. The proposed revised Allocations Scheme will benefit the majority of residents including households in housing need with protected characteristics, applying for social housing. However, with a finite supply of housing and increasing demand any changes to the relative priority awarded to applicants applying for housing will have an impact on others on the Oxford Register for Affordable Housing. These have been kept to a minimum.

31. The relative merits of keeping the Allocations Scheme unchanged or making the proposed changes have been carefully considered and the proposals aim to get the balance right to continue to help house Council tenants and other residents in the highest housing need in the City including those in housing need with protected characteristics under the Equality Act.

Carbon and Environmental Considerations

33. There are no expected carbon or environmental impacts from changing the Allocations Scheme.

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