

## CONSULTATION ON CHANGES TO THE SELECT MOVE HOUSING ALLOCATION POLICY

The partners of Select Move are reviewing the Housing Allocation Policy and we are asking for your views on the proposed changes.

Select Move is a sub-regional partnership between the 3 Local Council Districts and 11 Registered Provider Housing Associations that own social housing stock across:

1. Chorley Borough Council
2. Preston City Council
3. South Ribble Borough Council

### Why are we proposing to make changes?

By law every Local Authority has to adopt a Housing Allocations Policy, which must be published and kept under review. The Select Move policy requires a review to make the Policy fairer and clearer, and to ensure it still reflects the partnership's priorities.

The consultation period will run until *to be confirmed when cabinet approval obtained*

We will use your feedback to prepare a report latter this year for presentation to the Cabinet or Executive committees for the 3 Councils and the partner Housing Association Boards of Management. It will be these bodies that will make a final decision on the changes proposed. We will then advertise the changes.

If you would like more information about our proposals, please get in touch with us using any of the methods below:

- 1) Telephone Select Move on: insert telephone number
- 2) Email insert email address or
- 3) Write to Select Move Housing Allocation Policy Consultation at insert address

The full version of the proposed Housing Allocation Policy can be viewed at *insert link for the full version of the proposed new policy.*

If you have had time to read the full policy and have any comments on it please record these in the box below.

We would like to thank you for taking the time to take part in this consultation. Your views are important to us and help improve the services we provide to our customers.

## **Proposed Change 1: Strengthening the local connection rules to qualify to join the Housing Register**

It is proposed to tighten the rules which require an applicant to have a local connection to a Select Move Council area in order to qualify to be included on the Housing Register. Under the new rules proposed to be able to join the Register an applicant, or a member of their household, will have to:

- a) Have lived in a Select move Council area for the last 2 years instead of 6 months under the current policy, or
- b) Have close family (normally considered to be a mother, father, brother, sister, or adult son or daughter) that have lived in an area for a minimum of the last 5 years and, under the new policy, if they do not have a local connection for residence or employment they will now need to demonstrate a need to move to a Select Move partner's area to give or receive essential support from close family, or
- c) Be employed in permanent employment in a Select Move Council's area and that to travel to work by public transport would take them in excess of one hour each way.

In addition the reference to voluntary work in the specific Local Authority area for at least 10 hours per month over the last 12 months providing an exception to the need to have a local connection would be removed.

### **Current Policy**

Under the current policy an applicant is eligible under the local connection rules to join the Housing Register if they meet one of the following rules. The rules are that they have:

- a) The applicant must be able to demonstrate that they have lived 6 out of the last 12 months or 3 out of the last 5 years continuously in the specific Local Authority area.
- b) The applicant must be able to demonstrate that they have parents, children or adult siblings who currently permanently reside in the specific Local Authority area and have done so continuously for at least 5 years.
- c) The applicant is currently employed in the specific Local Authority area. Employment is work that is not temporary or seasonal, is for at least 16 hours per week and has been continual for at least 6 months and the applicant must be working at the point an offer of a tenancy is made. (banding is global)
- d) The applicant is currently making a positive community contribution or undertaken voluntary work in the specific Local Authority area for at least 10 hours per month over the last 12 months.

### **What the proposed change would mean for applicants**

Increasing the threshold for local connection for an applicant to be able to join the Housing Register will prioritise established local families who have a strong connection for residence, family, or employment over applicants who cannot demonstrate such a strong connection. There would be safeguards for applicants who apply to join the Register who have fled domestic abuse or extreme threats of violence from another area.

### **Do you agree or disagree with the proposed change?**

Agree *insert tick box*

Disagree *insert tick box*

If you disagree, please explain your reasons why and, if possible, provide an alternative to the proposal in the space below?

## **Proposed Change 2: Reducing the number of offers an applicant can refuse before a penalty is imposed from 3 to 2 reasonable offers**

It is proposed that any applicant who refuses 2 reasonable offers within a 12-month period will either be:

- a) Disqualified from the housing register and not allowed to reapply for a period of 12 months, or
- b) Moved down to Band D for 12 months

This proposed change is to stop applicants bidding for properties they are not committed to taking which has the consequence that properties take longer to let and mean a considerable loss of rent for the social housing landlord letting the property. A definition of a reasonable offer will be clearly set out in the new policy so that an applicant is clear whether if they refuse an offer it will count under the 2 reasonable offer

### **Current Policy**

Under the current policy an applicant is able to refuse 3 reasonable offers within a 12 month period they are removed from the Housing Register and not allowed to re-apply for a 6 month period.

### **What the proposed change would mean for applicants**

All applicants will continue to qualify for 2 reasonable offers in a 12-month period. If an applicant refuses 2 reasonable offers in that 12 months there is they will be either be removed from the Register for a 12 month period or 'downgraded' to Band D for 12 months.

### **Do you agree or disagree with the proposed change?**

Agree *insert tick box*

Disagree *insert tick box*

If you agree which penalty do you think should be imposed for refusing 2 reasonable offers:

- a) Removal from the housing register and not allowed to reapply for a period of 12 months, or *(insert tick box)*
- b) Removal from the housing register and not allowed to reapply for a period of 6 months, or
- c) To be moved down to Band D for 12 months, or *(insert tick box)*
- d) To be moved down to Band D for 6 months

If you disagree with the proposed change, please explain your reasons why and, if possible, provide an alternative to the proposal in the space below?



### **Proposed Change 3: Reducing the number of Bands from 5 to 4**

The proposed change is to reduce the number of Bands from 5 to 4

The change is to move to a simple 4-band system A-D with the time a person joined the register determining their place in the queue for the band they have been allocated.

Band A will be for the most urgent housing need cases that need to move immediately.

Band B will be for urgent housing need cases that need to move

Band C will be everyone else that the legislation states has a statutory housing need.

Band D will be for everyone else who does not have a housing need

The Select Move Partnership has received regular feedback from users and stakeholders that customers do not understand why there is a need for 5 Bands and inevitably this can be confusing and encourages 'higher band chasing'.

#### **Current Policy**

The Current policy has 5 bands A-E.

#### **What the proposed change would mean for applicants**

The banding system will be less complicated and it will be far clearer as to the criteria to be awarded a band A-D.

#### **Do you agree or disagree with the proposed change?**

Agree *insert tick box*

Disagree *insert tick box*

If you disagree, please explain your reasons why and, if possible, provide an alternative to the proposal in the space below?

## **Proposed Change 4: Setting aside a percentage of vacant properties for applicants who are in employment**

The proposal is to advertise a percentage of vacant properties for applicants who work full time, or at least 16 hours a week part time. The percentage 'set aside' could be set at 10%, 15% or 20% depending on the outcome of the consultation exercise and the view of Council members and the partner Housing Associations.

For the percentage of properties set aside for applicants who work the shortlisting criteria would be:

1. Local Connection
2. Then the applicant's Band
3. Then whether they are employed
4. Then date order in Band for all those who bid and are employed

The purpose of this change is for the Housing Allocation Policy to help build 'balanced social housing communities' consisting of both working and non-working households.

### **Current Policy**

Under the current policy a percentage of advertised properties are not labelled for applicants who work.

### **What the proposed change would mean for applicants?**

For households where an applicant or joint applicant were working they would have a percentage of properties reserved for working households only. For applicants who are not working they would still be able to receive an offer of social housing depending on their band priority as the vast majority of homes would not be restricted to working households only.

### **Do you agree or disagree with the proposed change?**

Agree *insert tick box*

Disagree *insert tick box*

If you agree with the change what percentage of homes do you think should be set aside for working households:

10% - *add tick box*

15% - *add tick box*

20% *add tick box*

If you disagree, please explain your reasons why and, if possible, provide an alternative to the proposal in the space below?





**Proposed Change 5: To place the requirement to have a local connection to the council where a property is advertised to the top of the shortlisting criteria**

Given the shortage of social housing in all 3 Council areas covered by the Select Move Partnership the proposed change is to place the requirement to have a local connection to the Council area where the advertised property is located to the top of the shortlisting criteria. There will be safeguards for applicants who have to move from one Select Move Council area to another due to the risk of domestic abuse or other extreme threats which mean they would not be safe remaining in their 'home' area where they have a local connection.

**Current Policy**

Under the current policy there is a complicated system of both local and global priority for properties advertised. This means that although the need to have a local connection to the Council area where a property is advertised is key component of the shortlisting criteria, for some applicants they will be successful in bidding for a property in another of the Select Move Council areas through the current 'Global Priority' banding system.

**What the proposed change would mean for applicants**

2 examples are given to illustrate what the change would mean for applicants.

**Example 1** - Applicant X has a local connection to Chorley and this is the area where the advertised vacant property is located. Applicant X is in Band B. An applicant living in Preston (applicant Y) bids for the property and is in Band A but has no local connection to Chorley. Applicant X and any other applicants with a local connection to Chorley from bands B-C will be shortlisted above applicant Y as they have a local connection to the area where the property is located.

**Example 2** – The advertised property is in Preston. Applicant X has a local connection to South Ribble and no local connection to Preston where the property is located. Applicant X makes a bid and no one from Preston in Bands A-C bid for the advertised property. Applicant X would be the successful applicant in this case.

**Do you agree or disagree with the proposed change?**

Agree *insert tick box*

Disagree *insert tick box*

If you disagree, please explain your reasons why and, if possible, provide an alternative to the proposal in the space below?



**Proposed Change 6: To add a new “Insecurity that risks homelessness” category to Band B**

The intention is for this new category to include applicants who would be owed what is called the main homelessness duty, but a Council has been able to negotiate for the applicant to remain where they are with family whilst they bid for accommodation or look for alternative accommodation. This new Band B category should reduce the number of families that become homeless as being able to be awarded this category would encourage many to remain where they are (as long as their accommodation has been assessed as being safe) and wait for social housing.

**Current Policy**

This category is not included in the current policy resulting in some families becoming homeless as their insecure living at home arrangement is not recognised as a housing need under the banding scheme.

**What the proposed change would mean for applicants**

Applicants living with family in very insecure arrangements will not necessarily have to become homeless to be given priority on the Housing Register.

**Do you agree or disagree with the proposed change?**

Agree *insert tick box*

Disagree *insert tick box*

If you disagree, please explain your reasons why and, if possible, provide an alternative to the proposal in the space below?

**Proposed Change 7: We intend to expand the criteria for when a customer will qualify for the statutory housing need bands A, B and C and have additionally set out clearer details for when a band will be awarded for each of the housing need criteria in each Band. This will mean assessments are always consistently applied.**

A number of changes are proposed to the categories awarded a band A-C based on an applicant's housing need. The proposed new categories are detailed in the summary table below in appendix 1.

### **Current Policy**

Most categories mirror those set out in the current policy but there are clearer definitions used for when an applicant will or will not qualify for a housing need category for each band.

### **What the proposed change would mean for applicants**

It will be far clearer when a band will be awarded and what criteria Select Move will use to assess whether an applicant meets the criteria for an award.

Each housing need category more accurately reflects the threshold of need that should be required for an award of Band A, B, C or D

Respondents to the consultation are asked to look at the proposed banding table below and answer these 3 questions.

Q1 - Do you think the housing need circumstances we have listed for Band A are right? If no what would you change?

Yes *insert tick box*

No *Insert tick box*

Q2 - Do you think the housing need circumstances we have listed for Band B are right? If no what would you change?

Yes *insert tick box*

No *Insert tick box*

Q3 - Do you think the housing need circumstances we have listed for Band C are right? If no what would you change?

Yes *insert tick box*

No *Insert tick box*

## **Appendix 1:**

### **THE BANDING SYSTEM AND THE ADOPTED HOUSING NEED CRITERIA FOR EACH OF THE 3 ADOPTED BANDS**

#### **BAND A: EXCEPTIONALLY URGENT NEED TO MOVE**

##### **1: Exceptional or medical impact with an immediate need to move**

Where an applicant (or a member of their household) is unable to continue to occupy their current accommodation due to exceptional medical need or disability.

##### **2: Exceptionally urgent need to move due to violence, harassment, or protection issues**

Not every circumstance that may present can be captured under this category therefore the list below set out examples for when an award may be considered. This category is intended to cover exceptional need to move for Domestic Abuse, MARAC, Racial, Homophobic or Transgender Harassment, witness or child protection, private rented or social housing management transfers. The circumstances, however, must be assessed as exceptional with an immediate/critical need to move:

- a) Applicants who the SMP agree need to move immediately due to domestic violence or threats of violence or abuse threats from an ex-partner or family member they do not live with, or extreme threats of violence, extreme harassment, or other extreme circumstances deemed to significantly affect a household's welfare and wellbeing. Note applicants would be encouraged to present as homeless where the SMP is of the view that it isn't safe for them to remain in their home. If an SMP Council accept a homelessness duty an applicant will be banded according to the homelessness banding criteria.

For any Housing Association tenant, the expectation is that, where it is safe to do so, a like for like management transfer would be granted or an emergency decant provided whilst a suitable transfer can be arranged.

- b) Exceptional circumstances due to significant problems associated with the tenant's occupation of a dwelling in the social or private rented sector and there is an extreme risk to the tenant or their family's safety if they remain in the dwelling or area.
- c) For applications in circumstances where there is a critical and serious threat to the well-being of a child and their accommodation is a major contributory factor to that risk. This will be in circumstances where the relevant manager in Children's Services or equivalent assesses the level of risk exposure in relation to the child or children remaining in the current property as being so critical that no other reasonable options in relation to accommodation are available to protect the child.

##### **3: Band A: Unfit or unsatisfactory housing – exceptionally urgent cases**

**There are 3 circumstances where Band A may be awarded:**

**1) Band A for applicants without access at all to any of the following facilities:**

No access to:

- a) A bath or shower
- b) A toilet
- c) Cooking facilities
- d) Running hot water supplies
- e) Electric/gas needed for essential activities

Applicants who have access to shared facilities re cooking; bathroom and toilet will not qualify under these criteria.

This banding award does not include applicants sleeping rough or with no fixed abode. They will be dealt with under the homelessness criteria in this banding policy.

Any decision to award Band A for this category will take into account the reasons why the applicant does not have access to these facilities and whether this is a temporary or long-term situation.

**2) Band A for applicants where unsatisfactory housing is having an exceptional impact.**

Applicants who currently occupy a private sector property which has at least one Category 1 Hazard notification from a partner Council's Environmental Health Service (excluding overcrowding) under the Housing Health and Safety Rating System (HHSRS) and where a Prohibition Order has been served or is intended to be served under the Housing Act 2004 and the effect of the Prohibition Order is likely to mean that the applicant(s) will lose the use of their home on a permanent basis. The relevant conditions at the property must be life threatening, or in the SMP view present an immediate threat of serious injury to the occupant(s)

This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a period considered to be reasonable by the SMP, and the household are not able to afford to resolve their own housing problem by moving to alternative private sector accommodation.

Note - this category will not include Housing Association tenancies because there is a legal requirement on social landlords to urgently remedy defects that pose a risk to their tenants

**3) Band A due to demolition or Compulsory Purchase Order (CPO) cases.**

Where the applicant's property is subject to demolition or subject to a Compulsory Purchase Order for redevelopment

**4: Band A: Severe Overcrowding - People currently living in severely overcrowded accommodation defined as needing three or more bedrooms as defined by the bedroom standard set out in this policy.**

Where an applicant's household is severely overcrowded which is defined as requiring 3 or more additional bedrooms to reach the bedroom standard and where an SMP Council has either:

- a) In the case of a private sector has issued a prohibition order due to an assessed significant risk to the household's safety if they were to remain, or
- b) Intend to issue a prohibition order due to an assessed significant risk to the household's safety, or
- c) In the case of a Housing Association tenancy where a prohibition order is not likely to be issued this will be assessed by the Manager responsible for the Allocation policy who will decide whether Band A should be awarded because of the significant risk to the household's safety if they were to remain.

#### **5: Armed Forces who meet the following criteria**

Applicants with urgent housing need and have access to no other accommodation who:

- a) Are serving (and will soon leave) the regular forces and are suffering from serious injury, illness, mental ill health, or disability which is attributable to the person's service
- b) Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the MOD 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
- c) 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

**6: Applicants owed a main section 193(2) homelessness duty by a SMP partner Council, or are owed a section 189(B) relief duty and would be likely to be owed a main duty if that relief duty were to end unsuccessfully**

#### **7: To release a specially adapted property**

Where a partner tenant does not require a specially adapted property for disabled use, and there is demand for its use. This would not include cases where the property to be released contains minor adaptations. Note a Housing Association SMP partner may decide to facilitate a transfer through a managed move outside of the SMP policy.

#### **8: Care Leavers**

Care leavers aged 18 – 21 whose care placement is coming to an end and they are assessed as being able to manage a tenancy providing they have been looked after and accommodated by Lancashire County Council either within the County Council's area or out of area, and the County Council has a duty of care accepted under the Children Act.

Applicants are awarded this category in accordance with protocols between the partner Council's Housing and County Council Children Services Department. An applicant must be a former relevant child as defined by the Children Leaving Care Act 2002. They must have

vulnerability and urgent housing need that is best met by the provision of long term settled housing.

### **9: Move on from Supported Housing**

Applicants living in a short-term commissioned Supported Housing project that come under an SMP approved list of 'move on partners' who are assessed as ready to move on and where there is no other suitable option for meeting their housing need other than social housing. Appendix X (*to be added by SMP*) sets out the current approved move on partners for each of the 3 SMP Council areas. This list may change over time.



## **BAND B – URGENT/HIGH NEED TO MOVE**

**1: Overcrowded by 2 bedrooms** as defined by the bedroom standard set out in this policy

**2: Severe impact medical need**

Where an applicant (or a member of their household) is living in accommodation with a severe, long term, medical conditions (chronic or progressive) or severe disability that means they urgently need to move because their home is assessed as being highly unsuitable and is directly detrimental to the applicants' physical or mental health.

**3: Unsatisfactory housing conditions or fitness**

Private sector tenants that the relevant Council has determined, following an inspection and report from a partner Council's Environmental Health Service, that the property poses a category 1 hazard under the Health and Safety fitness rating and the assessing officer is satisfied that the problem cannot be resolved by the landlord within 6 months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a 6-month time period, and the household are not able to resolve their own housing problem by moving to alternative private sector accommodation

**4: Former Regular Armed Forces Applicants**

Members of the Armed Forces persons who meet the following criteria:

- a) They are serving in the regular forces and will be discharged within 6 months and have served for 5 years or more, or
- b) They were serving in the regular forces and they apply to join the housing register within 1 year of discharge, and
- c) Had been previously living in the SMP district immediately before joining the armed forces or since leaving

And d and e below must also apply

- d) They did not leave the armed forces as a result of a dishonorable discharge, and
- e) They do not own or have a legal interest in any other property

**5: Band B for a statutory homeless duty defined as:**

- 1) Applicants owed a section 195 (2) prevention of homelessness duty and the applicant is, at the point of that duty being accepted, considered likely to be in priority need and unintentionally homeless if the prevention duty and any subsequent relief duty were to end unsuccessfully.

## **6: Insecurity that risks homelessness**

A pregnant woman or applicant with a child or children who are sharing a home with family who are not part of their household and where:

- a) They have no ownership or tenancy rights, and the arrangement is short term and very insecure and only available whilst the applicant is actively seeking an offer of social housing or alternative accommodation with friends or in the private rented sector, and
- b) They were owed a prevention of homelessness duty as they were assessed as likely to become homeless within 56 days, and that duty has ended because they have been allowed to remain at home whilst they bid for social housing with their Band B priority and it is likely that they can remain for at least a year, and
- c) The family member with the interest in the home has agreed to allow the applicant to remain for at least a year.

## **7: To provide or receive essential care**

Band B will be awarded in the following circumstances:

- a) The household includes a person who receives/provides or needs to receive/provide essential long-term care to someone in any part of the Select Move area and they cannot deliver that care effectively from their current location.
- b) Approved foster carers and adopters who require larger accommodation on the recommendation of children's services.

## **BAND C – ALL OTHER APPLICANTS ASSESSED AS HAVING A STATUTORY REASONABLE PREFERENCE BASED ON THEIR ASSESSED HOUSING NEED**

### **1: Band C for a statutory homeless duty defined as:**

- 1) Applicants where the section 189(B) Relief duty has been brought to an end and an applicant has been assessed at that point as being intentionally homeless (and hasn't been disqualified under the unacceptable behaviour disqualification rule).
- 2) Applicants owed the 193 C (4) Main duty where the Prevention or Relief duty was ended by the Council due to their deliberate non-cooperation
- 3) Applicants owed a section 189B (2) Relief duty by one of the 3 SMP partner Councils and the applicant is, at the point of that 189B duty being accepted, considered unlikely to be in priority need, or likely to be intentionally homeless.
- 4) Applicants owed a section 195 (2) Prevention of homelessness duty and unlikely to be owed a main duty if the prevention or relief duty is unsuccessful.
- 5) Applicants where the section 189(B) Relief of homelessness duty has been brought to an end and the applicant is determined to be homeless but not in priority need and therefore not owed a Main homeless duty.

### **2: 'Right to move applicants'**

Existing social tenants of accommodation in England who the SMP have assessed as qualifying under the Government's Right to Move regulations. Allocation to applicants who qualify for this award is limited to a maximum of 1% of all lettings.

### **3: Overcrowded and deficient by one bedroom**

Where an applicant's household is overcrowded defined as requiring 1 additional bedroom to reach the bedroom standard

### **4: Under-occupying SMP tenants**

- a) A tenant of a SMP partner housing association under occupying family housing by two or more bedrooms in accordance with the criteria in this policy for measuring over and under occupying.
- b) A tenant of a SMP partner housing association seeking a move to non-family housing that will free up a house to enable use by a family.

### **5: Applicants with dependent children living in accommodation that lacks level access**

An applicant without ground level access or in upper floor accommodation who lives with at least one child under the age of 3, including pregnant women once their Mat B1 has been

received. Applicants in this category who are housed into Social Housing will not be eligible to join the housing register for 12 months from the date their tenancy commences.

**6: New category - Hardship / Welfare band – those who qualify for DHP to help with rent**

Applicants who are currently in receipt of DHP to assist with payment of rent, this will be reviewed every three months, if DHP payment is stopped banding will be reduced.

## **BAND D - APPLICANTS WHO DO NOT MEET AN IDENTIFIED STATUTORY HOUSING NEED AS DEFINED IN BANDS A-C**

This band will contain all other applicants who meet the rules to qualify for the Housing Register but do not have an assessed statutory housing need for being owed a statutory reasonable preference as defined in the criteria set out for an award of bands A-C.

Applicants in Band D will be able to bid for advertised properties, but it is not expected that many will be successful given the shortage of social housing and the number of applicant's bidding from a higher band.

The exception is for Band D applicant who qualify for sheltered or older person's housing who will be allowed to bid on sheltered properties and not general needs properties. There is likely to be a reasonable number of low demand sheltered or older person homes available to applicants in Band D.

The verification and assessment for Band D applicants is intended to be 'light touch' at the point of application but if an applicant is successful in bidding full checks and verification will be undertaken before an offer of accommodation is made.

