



RECORD OF DELEGATED OFFICER DECISION

Key Decision ✓

SUBJECT:

Review of the Housing Allocation Scheme and Associated Key Policy Changes

PURPOSE OF REPORT:

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Director of Public Health, Protection and Community Services as described below:

The purpose of the report and attached appendices is to provide information about the recent review of the Housing Allocation Scheme ('the Scheme'); the policy and operational changes to the Scheme that are proposed as a consequence of the review; and to seek approval to consult on these proposed changes.

DELEGATED DECISION (Date):

That the proposed policy changes to the Housing Allocation Scheme are approved in principle, further to a period of consultation.

That approval is given for officers to begin an 8 week consultation process during December 2017 and January 2018.

That a report is presented to Cabinet to receive feedback on the consultation and to approve the final version of the Housing Allocation Scheme in February 2018.



Chief Officer Signature

PAUL WIFF
Print Name

9.1.2018
Date

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution

CONSULTATION



CONSULTEE CABINET MEMBER SIGNATURE

10/01/2018

DATE

CONSULTEE OFFICER SIGNATURE

DATE

CALL IN PROCEDURE RULES.

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

NO ✓

Reason for urgency:.....

If deemed urgent - signature of Mayor or Deputy Mayor or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Mayor)

.....
(Dated)

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

FOR CABINET OFFICE USE ONLY

PUBLICATION & IMPLEMENTATION DATES

PUBLICATION

Publication on the Councils Website:- 10th January 2018

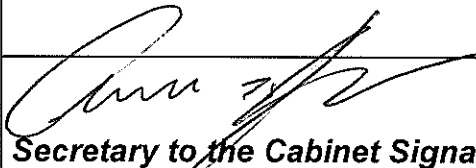
DATE

IMPLEMENTATION OF THE DECISION

Note: This decision will not come into force and may not be implemented until the expiry of 5 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Subject to Call In the implementation date will be 18th January 2018

DATE



Secretary to the Cabinet Signature

CHRISTIAN SS HANAGIAN
Print Name

10/1/18
Date

Further Information

Directorate:	Public Health, Protection and Community Services
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Tel.No.	01443 425391

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

**REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR OF PUBLIC
HEALTH, PROTECTION AND COMMUNITY SERVICES**

4TH JANUARY 2018

**REVIEW OF HOUSING ALLOCATION SCHEME AND ASSOCIATED KEY
POLICY CHANGES**

AUTHOR: Jennifer Ellis, Housing Strategy and Standards Manager

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report and attached appendices is to provide information about the recent review of the Housing Allocation Scheme ('the Scheme'); the policy and operational changes to the Scheme that are proposed as a consequence of the review; and to seek approval to consult on these proposed changes.

2. RECOMMENDATIONS

It is recommended:

- 2.1 That the proposed policy changes to the Housing Allocation Scheme are approved in principle, further to a period of consultation.
- 2.2 That approval is given for officers to begin a 6 week consultation process during January 2017 and February 2018.
- 2.3 That a report is presented to Cabinet to receive feedback on the consultation and to approve the final version of the Housing Allocation Scheme in March 2018.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that Rhondda Cynon Taf's Housing Allocation Scheme complies with relevant legislation, meets local strategic housing needs and enables the effective and fair allocation of social housing to people seeking affordable housing.

4. BACKGROUND

- 4.1 The Council, as local housing authority, has statutory obligations under the Housing Act 1996, the Homelessness Act 2002 and the Housing (Wales) Act 2014 in relation to the publication of a Housing Allocation Scheme and for ensuring equality of access to social housing for all people with a housing need. In Rhondda Cynon Taf, since 2002, the Council's Housing Allocation Scheme has been delivered in

partnership with local housing associations, through the operational mechanism of a Common Housing Register. In 2015, a choice based letting system was introduced to the Common Housing Register and it was re-branded as 'HomefinderRCT'.

- 4.2 HomefinderRCT offers a single route through which all those seeking social housing can apply. This approach delivers significant benefits to the Council, Housing Associations and most importantly to those seeking accommodation in the area. These benefits include simple, fair and consistent processes and efficient, co-ordinated administration. Applicants can apply on line or over the telephone to join HomefinderRCT and once registered can 'bid' on properties that they are interested in via a user-friendly website. Properties are advertised weekly and are offered to the person in the highest band who has waited the longest in that band. This ensures that there is transparency in the way that lettings are made.

5. PURPOSE OF REVIEW OF THE HOUSING ALLOCATION SCHEME (APRIL 2017 TO DATE)

- 5.1 In April 2017 the Housing Strategy and Standards Team began a review of the Housing Allocation Scheme (2014). The review was overseen by the Housing Leaders Group (Senior Council Officers and Housing Association Chief Executives) and the HomefinderRCT Steering Group. The review involved the establishment of various working groups, made up of representatives from the Council and Housing Associations, who were tasked with reviewing certain aspects of the Scheme. The groups were:

- Welfare Reform Task and Finish Group;
- Allocation of Adapted Housing Task and Finish Group;
- Banding Scheme Task and Finish Group;
- Local Lettings Policy and Low demand Task and Finish Group.

An existing operational group also reviewed more procedural aspects of the Scheme and two focus groups with staff operating the Scheme were held.

- 5.2 The Welsh Government issued a new Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness in March 2016. This Code provides guidance which Local Authorities must legally have regard to when exercising their functions in connection with housing allocations and the development and implementation of a Housing Allocation Scheme. The Code advises Local Authorities to review their Housing Allocation Schemes every two years to ensure compliance with the law and good practice. Rhondda Cynon Taf's Housing Allocation Scheme was last reviewed significantly in 2014, with minor amendments made in 2016 and 2017 in relation to the Housing (Wales) Act 2014.

- 5.3 The other key reason to undertake the review was as a consequence of the Government's intention to restrict the level of Housing Benefit, or the housing element of Universal Credit, claimed by tenants in social housing to the Local Housing Allowance (LHA) rate. This policy would have come into force on 1st April 2019 and would have resulted in significant shortfalls between the rent due and claimants' entitlement to Housing Benefit for some tenants. As such, there was a need to ensure that the Housing Allocation Scheme could respond effectively to this changed financial environment and assess and prioritise applicants accordingly.
- 5.4 However on 25th October 2017 the Government announced a reversal of this Policy decision and confirmed that the LHA rate would no longer be applied to social housing tenants. The consequence of this is that many of the changes that were recommended by the Task and Finish Groups relating to Welfare Reform are no longer required and as such, are not included in this Report. However, as Universal Credit is being rolled out in RCT in August 2018, the need to undertake financial assessments with tenants to identify any potential affordability issues or support required is still relevant.

6. RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL HOUSING ALLOCATION SCHEME 2014

6.1 Key features of the current scheme

- 6.1.1 In the Scheme, the Council must give priority for housing to certain applicants. These are:
- People who are homeless (within the meaning of Part 2 of the Housing (Wales) Act 2014);
 - People who are owed any duty by a local housing authority under Section 66, 73 or 75 of the Housing (Wales) Act 2014;
 - People who are owed a duty by a local authority under Section 190(2), 193 (2) or 195 (2) of Part VII of the Housing Act 1996 or who are occupying accommodation secured by any local authority under Section 192(3);
 - People living in poor or overcrowded housing;
 - People who need to move for medical or welfare reasons;
 - People who need to move to an area of Rhondda Cynon Taf for a particular reason e.g to look after a family member.
- 6.1.2 The Scheme uses a 'banding' system whereby applicants are placed into a 'band' according to their need for a home. Each band includes applicants who have a similar level of housing need.
- 6.1.3 As well as giving priority to the groups mentioned above, the Council also gives priority to other groups of people as doing so helps the

Council to meet its local strategic housing priorities effectively. This includes the following:

- Applicants who by moving will release an adapted property;
- Applicants whose child is likely to be accommodated by the local authority if re-housing is not made;
- Applicants who have been recommended to foster or adopt children and whose current accommodation is not big enough
- Households including children who are forced to live apart owing to a lack of suitable accommodation;
- Existing tenants with no housing need who wish to move.

6.1.4 It is the Council's responsibility to accept applications for housing and assess those applications in accordance with the Scheme in order to determine their eligibility and priority. It is the responsibility of the Housing Associations to allocate their vacant housing in accordance with the Scheme and associated Operational Guidance through HomefinderRCT. These roles and responsibilities are managed through a Service Level Agreement.

6.1.5 When a property becomes void, the relevant housing association advertises the property on HomefinderRCT and offers it to the applicant who has bid for the property, is in the highest band and who has waited the longest in that band.

6.1.6 Housing Association partners are closely monitored by the Council to ensure that they are adhering to the Scheme when making offers of/allocating housing and to ensure that correct processes are following in accordance with the Scheme.

6.2 **Key performance data**

- There are currently 4035 applicants registered with HomefinderRCT (as at 1st October 2017);
- On average, 115 new applications are received each week;
- 4133 households have been housed via the common housing register over the last 3 years as follows:
 - 2014-15 – 1519
 - 2015-16 - 1283
 - 2016-17 – 1331
- 91% of applications were processed within 10 days or under in 2016-17.

7. **POLICY CHANGES PROPOSED**

7.1 The Task and Finish groups have recommended a number of policy changes across the various themes. These policy changes have been

approved by the Homefinder Steering Group for the consideration of Members and are detailed in Appendix 1.]

8. EQUALITY AND DIVERSITY IMPLICATIONS

- 8.1 The Council and its Housing Association partners must ensure that the Housing Allocation Scheme does not discriminate, either directly or indirectly on the grounds of a protected characteristic. As such, a full Equality Impact Assessment will be undertaken to identify any potential impact of the proposed changes to the Scheme on people with protected characteristics and an action plan will be developed. This will be made available following the Consultation period and undertaken in relation to the final version of the Housing Allocation Scheme.

9. CONSULTATION

- 9.1 Whilst Housing Association partners were involved in the review, the work undertaken to date did not require a formal consultation. However, should the recommendation to approve the policy changes proposed be taken forward, the Council has a statutory duty to consult with relevant stakeholders and the wider community.
- 9.2 The Consultation process will last for 8 weeks and will involve an on-line survey which will be shared via social media, and focus groups with housing officers and customers. A report will also be presented to the Council's Health and Wellbeing Scrutiny Committee during this period.
- 9.3 Responses received during the consultation stage will be considered and any necessary changes to the proposals made. A final report will be presented to Cabinet in early March 2017.

10. FINANCIAL IMPLICATION(S)

- 10.1 Some of the Policy changes proposed may require an update to the HomefinderRCT website and back office system provided by Abris (Civica), which will incur a cost. It is not expected that this cost will be significant and it is shared between the Council and the six Housing Associations who are currently part of HomefinderRCT.

11. LEGAL IMPLICATIONS AND LEGISLATION CONSIDERED

- 11.1 The proposals presented in this report have been developed in accordance with the Council's statutory obligations under Part VI of the Housing Act 1996, and Part 2 of the Housing (Wales) Act 2014 and have been produced with reference to the 'Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness (2016)'.

- 11.2 During the Consultation period, the Council will also seek a Barrister's opinion on the proposed Scheme to ensure compliance with the legislation and relevant case law.

12. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES/ SIP.

- 12.1 The review, consultation on and implementation of the Housing Allocation scheme will make a positive contribution towards the Council's Corporate Plan Vision of '*a County Borough that has high aspirations, is confident and promotes opportunity for all*'; as it will deliver against the specific priorities of '*People - Promoting independence and positive lives for everyone*' and '*Place - Creating neighbourhoods where people are proud to live and work*'.

- 12.2 It will also help the Council to meet three of the seven wellbeing goals that The Well Being of Future Generations (Wales) Act 2015' puts in place as follows:

1. A healthier Wales
2. A more equal Wales
3. A Wales of cohesive communities

and also contributes significantly to application of the Sustainable Development Principle, specifically the in the areas of prevention and collaboration.

13. CONCLUSION

- 13.1 The effective implementation of a fit for purpose Housing Allocation Scheme is critical to ensure the efficient allocation of social housing in Rhondda Cynon Taf. It assists in building balanced and sustainable communities, helps to promote independence and prosperity for residents, and ensures that the Council is able to discharge its statutory housing responsibilities effectively.
- 13.2 This report has outlined the changes proposed to the Housing Allocation Scheme which will ensure that it continues to be fit for purpose and responsive to the changing housing market and financial circumstances of those seeking affordable housing in Rhondda Cynon Taf.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

**REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR OF PUBLIC HEALTH,
PROTECTION & COMMUNITY SERVICES**

4TH JANUARY 2018

**REVIEW OF THE HOUSING ALLOCATION SCHEME AND ASSOCIATED KEY
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Background Papers:

None

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Tel. No. 01443 425391

Housing Allocation Scheme Review 2017 Proposed Policy Changes

Welfare Reform			
Theme	Current Policy	Proposed Policy	Reason for Change
Affordability Financial Assessments	People who would like an additional bedroom than they need are required to undertake a financial assessment to check affordability and are required to have surplus income. However, there is no definition of 'surplus' in the current Housing Allocation Scheme.	Financial Assessment for people requesting an additional bedroom above that which they have been assessed as needing must show a £15 per adult per week surplus.	To ensure tenancy will be affordable.
Affordability Financial Assessments	No Financial Assessment currently undertaken.	Brief Financial Assessment will be undertaken at point of application by Homefinder Service and a more detailed assessment will be completed at offer stage by the Housing Association.	To ensure tenancy will be affordable and to signpost applicants who may be experiencing financial difficulties to appropriate support. Financial assessments will not be used to exclude applicants from housing that they need e.g appropriate size and type
Affordability Financial Assessments	Disregarded benefits (e.g AA, DLA, PIP, AFIP, Child Benefit) are not currently included as income in a Financial Assessment	To include disregarded benefits in financial assessment	To maximise the income that is taken into account when determining whether a tenancy is affordable.
Affordability Financial Assessments	Not all Housing Associations currently assess an applicant's affordability at the point of offer.	Agreed that all HAs will use a common Financial Assessment and affordability policy and that this will be undertaken at the short-listing stage.	To ensure tenancy will be affordable and to signpost applicants who may be experiencing financial difficulties to appropriate support. Financial assessments will not be used to exclude applicants from housing that they need e.g appropriate size and type

APPENDIX 2

Housing Allocation Scheme Review 2017 Proposed Policy Changes

Bedroom size	Currently people of pensionable age who wish to have an additional bedroom in excess of what they need, are assessed as 'needing' the bedroom because housing benefit would pay for the additional bedroom and therefore there would be no affordability issue.	People of pensionable age who request an additional bedroom, but do not need it, will be financially assessed in line with other applicants. However if they can afford a 2 bedroom property they will no longer be assessed as needing the property, but instead will be placed on the 'aspirational' 2 bed list rather than the '2 bed need' list e.g they will have less priority than people who need a 2 bed.	To ensure that people who need a two bedroom property have more priority for that house type than people who do not need it, but would like a two bedroom property for other reasons.
Eligibility	Under 21s are eligible to join Homefinder as they can access Housing Benefit currently.	Under 21 year olds not in employment will be still be eligible to join register. However, an affordability assessment will determine whether they can be made an offer of accommodation	Applicants who are under 21 will no longer be able to access Housing Benefit. However, there are lots of exemptions so it is likely that in most cases under 21s who apply for housing will still be able to access Housing Benefit. It is beneficial to have a simpler policy on eligibility and consider affordability at point of offer. Also, an individual's circumstances can change very quickly so they might become more viable in terms of affordability whilst on the register.

Adapted Housing		
Theme	Current Policy	Proposed Policy
Short-listing	Currently all disabled applicants and adapted properties are assessed via a criteria which allows applicant to be	There will be a more detailed process of allocated adapted housing which will prioritise type of adaptations required
		Reason for Change To make the best use of the adapted housing stock and adaptations that have already been installed in

Housing Allocation Scheme Review 2017 Proposed Policy Changes

	<p>matched to the most suitable type of property (Level 1, Level 2, level3). When an adapted property becomes available to let, it is allocated to the person who needs that Level of property and who is in the highest band. (pg 31 of Housing Allocation Scheme 2014)</p>	<p>over band. This will allow Housing associations to allocate properties that best matches in terms of the actual adaptations in the property, rather than the overall Level e.g Mrs Jones is in Band B and needs a stair lift which would classify her as needing a level 2 property. Mrs Davies is in Band C and needs a level shower which would also classify her as needing a level 2 property. The property being advertised has a level access shower, but no stair lift. Although Mrs Jones is in a higher band, the property will be offered in the first instance to Mrs Davies as the property best matches the adaptations she requires</p>	<p>properties.</p>
<p>Direct Matching</p>	<p>Currently Housing Associations are not able to direct match adapted housing and must follow the short-listing procedure as outlined in the Scheme</p>	<p>Whilst it is expected that the vast majority of adapted properties will be allocated based on the new proposed Policy, there may be times when a Housing Association would like to directly match a property to an applicant (e.g when they have a tenant whose current accommodation cannot be adapted). This will be done in exceptional circumstances and in consultation with the Council.</p>	<p>Allows Housing associations some flexibility in exceptional circumstances to make the best use of their housing stock.</p>
<p>Bungalows</p>	<p>Current Scheme states that bungalows will be offered to people requiring adapted housing in the first instance</p>	<p>Bungalows will be allocated according to the Level they have been assessed as (Level 1, 2 or 3 or general needs) and will</p>	

Housing Allocation Scheme Review 2017 Proposed Policy Changes

		be allocated based on this and as per either adapted or general needs short-listing.
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Banding Scheme		
Theme	Current Policy	Proposed Policy
Band A	Applicants in Band A have their applications reviewed after 3 months.	To review application at end of 3 months and demote applicants who do not bid for suitable properties or refuse suitable properties within the first 3 months to Band B. Suitable is defined as a property that matches the size and type in their areas of choice.
Band A	Criteria 5 is <i>'The applicant's health condition is terminal and re-housing is required to provide a basis for the provision of suitable care'</i>	Re-word criteria 5 to read <i>'The applicant's health condition is terminal and their current home is a barrier to receiving urgent medical care.'</i>
Band A	Criteria 6 is <i>'The applicant's health condition is so severely affected by the accommodation that it is likely to become life threatening'</i> to read <i>'The applicant's health condition is life threatening and their existing accommodation is a significant contributory factor'</i>	Re-word Criteria 6 to read <i>'The applicant's health condition is life threatening and their existing accommodation is a significant contributory factor'</i>
Band A	Remove Criteria 7 <i>'Where overcrowding in the property leaves the applicant at risk of infection, for example, where an applicant is suffering from late-stage or advanced</i>	Place the same criteria into Band B.
		Reason for Change This is the highest priority band for urgent cases who due to their urgency should be re-housed within 3 months. If applicants in this band are not actively bidding then the urgency of their case should be reviewed and band demotion considered. This wording is clearer for applicants to understand and more appropriately reflects the intention of the criteria in terms of the housing circumstance it is there to address. This wording is clearer for applicants to understand and more appropriately reflects the intention of the criteria in terms of the housing circumstance it is there to address. This housing circumstance is more similar to other criteria in Band B and is determined to be more of a high housing need rather than an urgent

APPENDIX 2

Housing Allocation Scheme Review 2017 Proposed Policy Changes

<p>Band A</p>	<p>HIV infection' from band A</p> <p>Criteria 8 is 'Disabled people whose current accommodation completely restricts them from carrying out day-to-day activities both internally and outside the home and they require urgent re-housing into a property that is suitable to their needs which has significant permanent adaptations; or a fully adapted property'</p>	<p>Re-word Criteria 8 to read 'Disabled people whose current accommodation can't be adapted and it completely restricts them from carrying out day-to-day activities both internally and outside the home and they require a fully adapted property'</p>	<p>housing need.</p> <p>This wording is clearer for applicants to understand and more appropriately reflects the intention of the criteria in terms of the housing circumstance it is there to address.</p>
<p>Band A</p>	<p>Criteria 9 is 'Applicants who have nowhere to live when they are discharged from hospital or a designated care setting where their current property is no longer suitable for their needs and cannot be made suitable and all other housing options have been explored'</p>	<p>Re-word Criteria 9 to read 'Planned discharge from hospital is imminent and there is no accommodation available to them that it is reasonable for them to occupy'.</p>	<p>This wording is clearer for applicants to understand and more appropriately reflects the intention of the criteria in terms of the housing circumstance it is there to address.</p>
<p>Band A</p>	<p>Criteria 10 is 'The applicant is a care leaver, vulnerable and has a high housing need that is best met by the provision of long term settled housing and the applicant has been assessed and approved by the Move On Panel as ready for re-housing. Applicants must be a former 'Relevant Child' as defined by the Children Leaving Care Act 2000'</p>	<p>Re-word Criteria 10 to include all applicants moving on from Supported Housing in addition to Care leavers as follows: 'Applicants (including those leaving Care) that are leaving supported housing and have been assessed and approved by the Move On Panel as ready for re-housing.'</p>	<p>In practice all supported housing tenants are awarded Band A when they are ready to move on to permanent housing as this ensure sufficient capacity in supported housing accommodation to meet need. This proposal will ensure that the Policy is reflective of practice.</p>
<p>Band A</p>	<p>Criteria 11 is 'The applicant is a currently under occupying social housing by two or more bedrooms and needs to transfer to a</p>	<p>Re-word Criteria 11 to read 'The applicant is a currently under occupying social housing by one or more bedrooms</p>	<p>The Welsh Government Code of Guidance advises that all applicants who are under occupying social</p>

APPENDIX 2

Housing Allocation Scheme Review 2017 Proposed Policy Changes

	<p><i>smaller property due to the current property being unaffordable'</i></p>	<p><i>and needs to transfer to a smaller property due to the current property being unaffordable'</i></p>	<p>housing should be given additional preference in Housing Allocation Schemes regardless of the number of bedroom that they are under occupying by. This change brings the Housing Allocation Scheme more in line with the Code of Guidance.</p>
Band A	<p>Criteria 12 is 'The applicant is a Housing Association tenant and is a high risk management transfer, who is receiving support from a professional agency or who is subject to a MARAC (Multi Agency Risk Assessment Conference) that is making a recommendation of housing need. The transfer will enable the applicant's existing property to become available for an allocation to another applicant on the waiting list.'</p>	<p>Remove criteria 12 from Banding Scheme</p>	<p>This criteria only relates to Housing Association tenants and therefore would not give private tenants or other people the same priority for re-housing which is not equitable. In addition, the Council and its partners use other methods such as target hardening to enable people at risk from domestic abuse to be safe. If a domestic abuse victim does require a move they will be assisted through homelessness in band B or in very high risk cases through Exceptional Circumstances in band A.</p>
Band A	<p>Criteria 13 is 'The occupant of the property no longer requires the adaptations and will therefore be releasing a significantly adapted property by moving and there is a suitable applicant on the waiting list for the adapted property which will be released through the move. The property being released must have extensive adaptations.'</p>	<p>Re-word Criteria 13 to read 'The applicant currently occupies a level 1 adapted property that they no longer require and there is a suitable applicant on the waiting list for the property'</p>	<p>This wording is clearer for applicants to understand and more simply reflects the intention of the criteria in terms of the housing circumstance it is there to address</p>

APPENDIX 2

Housing Allocation Scheme Review 2017 Proposed Policy Changes

Band C	Criteria 30 is 'The applicant's current accommodation is unsuitable and is having a detrimental impact on their own/household member's existing health condition and the ability to live independently, which will deteriorate in the long term if more suitable accommodation is not offered'	Criteria 30 to read 'The applicant has a health condition which is being adversely affected by an aspect of their current home which will be alleviated by moving'.	This wording is clearer for applicants to understand and more simply reflects the intention of the criteria in terms of the housing circumstance it is there to address.
Band C	Criteria 32 is 'The applicant is a currently under occupying social housing by one bedroom and needs to transfer to a smaller property due to the current property being unaffordable'	Remove Criteria 32 from the Banding Scheme	All applicants who are under-occupying by one or more bedroom will be given additional preference in the Housing Allocation Scheme and awarded Band A in line with Welsh Government Code of Guidance.

Other Theme	Current Policy	Proposed Policy	Reason for Change
Rent Arrears	Applicants with rent arrears and no repayment plan in place are not eligible to join the register as this is assessed as 'unacceptable behaviour'. Applicants who have under 8 weeks rent arrears but have agreed a repayment plan are eligible to join the register, but have their preference (priority) reduced to Band D. Applicants who have over 8 weeks rent	If an applicant has rent arrears/former tenant debt that equates to under 8 weeks rent arrears, they will be eligible to join the Register in their assessed priority band. If an applicant has rent arrears over 8 weeks they will be ineligible to join the register until they have reduced their rent arrears to under the equivalent of 8 weeks. At this point they will be eligible to join the register in their assessed	The current policy is quite complex and involves a combination of reducing priority and determining ineligibility which is not advised by the Code of Guidance. Councils should use only one of these approaches. In addition, applicants with under the equivalent of 8 weeks rent arrears cannot be ineligible to join the register or suspended from having an offer for any period as they have not

APPENDIX 2

Housing Allocation Scheme Review 2017 Proposed Policy Changes

	<p>arrears but have agreed a repayment plan are eligible to join the register, but have their preference (priority) reduced to Band D.</p> <p>Assessed Priority Band is reinstated after the repayment plan has been adhered to for an agreed number of weeks based on the extent of the debt.</p> <p>An applicant with rent arrears must adhere to their repayment plan for two consecutive weeks before they can be made an offer.</p>	<p>priority band.</p> <p>Rent arrears may not be reasonable to consider if the rent arrears/former tenant debt is historic.</p> <p>Applicants with current /former tenancy related debt but who would otherwise be awarded Band A will be considered on a case by case basis by the eligibility panel under exceptional circumstances to both determine eligibility and priority band as relevant. Applicants in other bands may also be considered under exceptional circumstances on a case by case basis.</p>	<p>demonstrated unacceptable behaviour as this level of debt would not result in an outright possession order being granted (the test of unacceptable behaviour).</p> <p>The requirement for two consecutive payments before an offer can be made whilst in Band D has been removed as this is technically a suspension, which is not in line with the Code of Guidance. Applicants cannot be eligible in spite of rent arrears, but then suspended from an offer.</p> <p>Reducing an applicant with rent arrears' priority to Band D has been removed from the policy as in RCT offers are often made from low bands and this can mean that applicants with large rent arrears can still be made an offer which Housing Associations are uncomfortable with as changed behaviour has not been demonstrated.</p> <p>As such, and on balance the most suitable approach for RCT is to have a policy that considers eligibility rather</p>
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APPENDIX 2

Housing Allocation Scheme Review 2017 Proposed Policy Changes

			<p>than one that demotes for unacceptable behaviour and provides for exceptional circumstances and discretion.</p>
<p>Local Lettings/Sensitive Lettings</p>	<p>The Current Policy (Pg 23) states that Local Lettings Plans can be developed for certain areas</p>	<p>Where there are specific issues relating to individual property or group of properties that could result in creating unsustainable tenancies or exacerbating a current community issue the Housing Association is able to exercise its discretion around the allocation and apply a sensitive let. This will be done in discussion with the Council and will be monitored to ensure it is only used in exceptional circumstances.</p>	<p>Local Lettings Policies can take a while to agree and approve. The use of a Sensitive Lets Policy is exceptional circumstances allows the Housing association to respond more quickly to a need to rebalance a community (e.g a block of flats) where there have been issues or the balance of tenants is not correct.</p>
<p>Homeless Applicants</p>	<p>In the current Scheme, homeless applicants (under Sc 66 or 73) who are likely to be in priority need if the Council were to owe them a full duty under Section 75 (duty to secure accommodation) are awarded Band B. Homeless people who are already assessed as being owed the full duty under Section 75 are also awarded Band B. Homeless applicants in Sc66 or 73 who are not in priority need are awarded Band C.</p>	<p>Homeless people who are assessed as being owed the full homelessness duty under Sc75 will be awarded Band A. All other people who are homeless (within the meaning of Part 2 of the Housing (Wales) Act 2014) and people who are owed any duty by a local housing authority under Section 66, or 73 of the Housing (Wales) Act 2014 will be awarded Band B.</p>	<p>A review of best practice in this area has identified that it is more in line with the intention of the legislation to give all homeless people or those threatened with homelessness the same level of priority within the Housing Allocation Scheme, regardless of whether they would be in priority need if owed the full duty. Those to who the Council owes a full duty to provide accommodation will however now be awarded Band A to reflect the urgency of these cases.</p>

APPENDIX 2

Housing Allocation Scheme Review 2017 Proposed Policy Changes

			<p>Analysis of the homelessness data from the last two years shows that most homeless applicants are awarded Band B and re-housed successfully from this band. A relatively small number of applicants in comparison are owed the full homelessness duty. As such, it is envisaged that this change in Policy will not result in a significant difference in the band that homeless people are awarded or to the number of people in each band, but will ensure that the Scheme is in line with best practice and legislation.</p>
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