

## **Draft Housing Allocation Scheme**

### **Appendix 2 – Summary of changes**

#### **Major changes**

There are 5 major changes to the policy. These are:

- 1) To revert to a two reasonable offers policy, meaning an applicant would not be sanctioned after refusing their first offer.
- 2) After allocating homes to secure tenants living on a regeneration estate, at the point of decanting a non-secure tenant the council will look to provide a new home on that regeneration estate for any non-secure tenant owed a main homelessness duty (under Section 193(2) of the Housing Act 1996) who has held that non-secure tenancy for five years or more at the point vacant possession of the property is sought.
- 3) Under a local lettings policy the council will give priority for local people living on any regeneration estate to be allocated a new home on that estate ahead of those who are otherwise waiting for housing and even if their home is not being demolished.
- 4) To band applicants owed the new prevention and relief of homelessness duties brought in under the Homelessness Reduction Act 2017.
- 5) To allow additional successions to take place if:
  - a) they are a household member of the tenant who has died, and they lived with the tenant for at least a year immediately before their death (all household members must also have resided with the tenant at least a year immediately before their death); and
  - b) the tenancy is their main home; and
  - c) there is no partner who can inherit the tenancy defined as a married partner, civil partner, or unmarried partner.

Note: Applicants owed any of the statutory homeless duties will be made one suitable offer in writing and a refusal will mean that their banding priority for being owed a statutory homeless duty will be removed.

This approach is in line with all other London Boroughs that have adopted a 2-offer policy. The approach adopted is normally to remove an applicant owed a statutory homeless duty from the Housing Register if they have refused a suitable offer, and this has been incorporated in the draft Housing Allocation Scheme.

#### **Minor changes to the policy**

A number of minor changes are recommended as a result of the experience of officers administering the scheme. These are:

- 1) To allow as part of an applicant's household any other household member such as adult children where it is accepted that:
  - a. They have been part of the applicant's household for a period of 12 months prior to their application to the council; and
  - b. They reside with the applicant as part of their household.The applicant will need to demonstrate that this is not a short term or temporary arrangement.

- 2) To allow as part of an applicant's household young people / residents who leave the family home solely to attend university outside the borough and return to the same family home immediately after the course finishes.
- 3) To add a section on medical recommendations for future housing and guidelines for assessing extra bedroom requests for ADHD, Asperger's, sensory processing difficulties and other mental or physical health problems.
- 4) Regarding the assessment of financial needs references to 'Paycheck' have been changed to ONS data.
- 5) For an award of community contribution the following changes have been made:
  - a) to allow the applicant and partner to both contribute to the required hours to facilitate childcare requirements (combined contribution to over 64 hours per month).
  - b) amended qualifying factors to include those in receipt of the Carer's element of Universal Credit

### **Areas where further clarification has been included**

There are a number of areas where officers are of the view that the policy would benefit from further clarification to ensure clarity for applicants and officers when assessing cases. These are:

1. To update the section on legal requirements to reflect changes in legislation since the policy was last reviewed in 2019
2. Include clearer examples of when an exception to the 5/7 years residency requirement rule will be considered.
3. To clarify that qualification under the 5 years in the last 7 rule relates to the applicant, and a member of their household.
4. To provide more clarity regarding how the qualification rules will be applied (and when exceptions will be considered) relating to:
  - a) applicants with current, or former, social housing rent arrears or another relevant recoverable housing related debt owed to the council,
  - b) unacceptable behavior
  - c) residential connection
  - d) sufficient financial resources
5. Making the rules more transparent for when a direct offer outside of the band and date order process may be made in exceptional circumstances.
6. To review the criteria for when an applicant will and will not qualify for a statutory need band to ensure that the assessment process is clear for applicant's and assessing officers. For example, more detail has been included for when an applicant may be awarded priority band 1 or 2 on the basis of a medical or disability need.
7. To include a clear definition of what would constitute a suitable offer of social housing.
8. To include in the Band 1 criteria care leavers with a profound disability or assessed as having a significant vulnerability over and above the fact that they have been in

care, where they are assessed as needing to be housed urgently to significantly improve the impact on their current circumstances.