

Report Subject: Evaluation Report - Falkirk Council Housing Allocations Consultation Panel

1. Overview

- 1.1 The Allocations Consultation Panel was set up in December 2011 following a report to Housing and Social Care Committee in March 2011. It was set up to ensure that views of service users and other stakeholders can be gathered regularly and be taken account of when making changes to the Allocation Policy. This report summarises the views of the Panel on the matters about which they were consulted and makes recommendations about further consultation with tenants and other service users. The report also provides background information about the Council's obligations to consult and the profile of Panel members. It recommends wider consultation on specific proposals and the inclusion of the Panel in quarterly 'Tenants' & Residents' forums, to ensure that there is a continuing focus on allocations issues in the future.

2. Legal Obligations to Consult

- 2.1 The Council has a legal obligation under the Housing (Scotland) Act 2001 to consult both tenants groups and individual tenants over policy matters likely to significantly affect them. The related statutory guidance states that *"Where a proposal impacts on all tenants, for example changes to the landlord's allocations policy, it would be expected that all tenants should be consulted. It would be for the landlord, however, in line with the tenant participation strategy, to decide whether such consultation should take the form of public meetings, [etc]....landlords must ensure that there are arrangements in place and that these are well publicised, to allow all tenants who wish to make their views known the opportunity to do so"* (SEDD Circular 7/2002).
- 2.2 The Scottish Social Housing Charter requires the Council to manage its business so that *"tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable"*. The definition of "other customers" includes applicants, homeless people, factored owners and gypsy / travellers.
- 2.3 It is the Council's responsibility to use a range of consultation methods which make it easy for all relevant groups to influence decision making.
- 2.4 Taking account of the above obligations, the Panel was advertised widely to tenants and other service users (via the tenants' newsletter 'In the Neighbourhood', the Council's website, the weekly 'Homespot' newsletter which advertises vacant properties and the quarterly 'Tenants' & Residents' Forum meetings). In addition, letters of invitation were sent to Registered Tenants' Organisations (RTO's), members of the Consultation Register, and to partner organisations working with traditionally excluded groups (e.g. young homeless people). To avoid excluding any particular groups, accessible venues were chosen and a choice of day and evening sessions were offered, as well as travel expenses

or transport arrangements. Initial information sessions were carried out to give Panel members information on the general legal context within which the Council's allocations policy must operate.

3. Issues for consultation and views of the Panel

- 3.1 Various reports to Housing & Social Care Committee have identified possible changes to the Allocations policy 'Homespot', subject to consultation. Each potential change is noted below, with a summary of the views of the Allocations Consultation Panel.
- 3.2 When considering each issue, the Panel considered the relevant legal framework, current Falkirk Council and government policy, and, where applicable, evidence of allocations outcomes, equalities data and the practices of other landlords. Scenarios were used to stimulate discussion and aid decision making. This builds on earlier allocations policy consultation which was recognised in 2010 by Consumer Focus Scotland as an example of good practice.

Housing & Social Care Committee, November 2010

- 3.3 **Local Connection priority** (Introduce a local connection priority to ensure local people get priority to stay in their local area)
- Panel view: 8 for status quo, 5 for change, 0 undecided. After considering allocations outcomes for 2011 and examples of practice elsewhere, most members felt the choice of where to bid for properties was sufficient and that adding local priority would restrict movement and could disadvantage priority groups (e.g. homeless people). Other members supported change to give more priority to applicants already living in the Council area, or to give more priority for those with clearly defined connections to neighbourhoods to remain there. However, the complexity of defining a 'neighbourhood' and perceived unfairness that any change would create was noted (i.e. it would remove the principle that date is the most important factor after priority band when allocating properties).
 - ❖ No further action recommended.

H&SC Committee March 2011

- 3.4 **Incentives to reduce under occupation** (e.g. rent free period, décor allowance, assistance with removals and marketing of Housing with Care to relevant households)
- Panel view: 12 for, 0 against, 1 Undecided. Practical help from volunteer / case worker seen as important. Comparison of other landlords' schemes and budgets considered – higher financial incentives appear to have had most success.
 - Equalities Impact Screening completed – positive impact envisaged (**Appendix 1**).

- ❖ *Proposal:* It is proposed that a pilot scheme be developed to run for 12 months with an initial budget of £250,000, The proposed scheme is attached at Appendix III for Members information and approval..

3.5 **Increase Priority for 3 or more children sharing a room**

- Panel view: 5 for, 2 against, 1 undecided. Age/ sex of children were viewed as most important factors, particularly teenagers. The Panel noted that Falkirk Council's allocations policy is more generous than the legal definition of overcrowding. This could have implications from April 2013 when welfare reforms for under-occupiers are implemented.
- Views of Y People residents were also mixed on this issue but they unanimously agreed that the Council should inform all applicants of the likely impact of welfare reforms, if they are applying for larger properties than they are entitled to claim benefits for.
- Welfare Reform – from April 2013 under-occupying households of working age will face reductions in their housing benefit.
- ❖ Wider consultation recommended prior to April 2013 when new Housing Benefit rules are clarified. Options for wider consultation are as follows:
 - a) Align the Homespots priority system with national welfare benefit rules, to avoid giving extra priority to applicants seeking larger properties for which they could face a benefit shortfall, or
 - b) Continue existing priority system and advise applicants of the potential for a benefit shortfall.

H& SC Committee May 2011

3.6 **Amending the allocations policy to reduce the length of time homeless households wait to be housed. Various options were considered and these are listed below:-**

- . Option 1 – increase the quota of properties available to Home Seekers from 50% to 60%
- Option 2 – Allow only one offer of housing. This would have to apply to all applicants.
- Option 3 – Allow applicants to bid only for properties advertised for their group. This would have to apply to all applicants.
- Option 4 – Sequence every 5th mainstream property for direct matching to Home Seekers (this would increase the quota of properties available to Home Seekers from 50% to 60%)
- Option 5 – From the existing 50% of properties that are sequenced for Home Seekers advertise half of them for Home Seekers and direct match the other 50% to Home seekers that are not bidding.
- Option 6 – Other courses of action e.g. new builds, discharge duty to PRS, ask RSL's to increase allocations)
- Panel view: The most supported options with five votes each were: Option 3, Option 5 and Option 6. There was low support for Options 1, 2 and 4 . 1 panel member was undecided.

- The Y people residents (all Home Seekers) were unanimously in favour of Option 6. All residents identified a need for better information about how to access the private rented sector including Rent Deposit Guarantee Schemes. All residents were opposed to Option 3 as they felt that restricting bids could lead to houses being empty for longer. All residents were opposed to Option 5 and felt that being direct matched could lead to young homeless people being housed in an area they felt unsafe in or unfamiliar with, which could negatively impact on their ability to receive support. All residents were opposed to Option 1 as they felt 50% was reasonable, however one felt that the proportion of lets to over crowded Home Movers should increase vis a vis lets to home starters. Options 2 and 4 were also opposed by all of the residents.
- ❖ Given the information about bidding activity in the Allocations Report and Section 5 of Appendix 1 it is recommended that applicants are only able to bid for properties that are advertised for the applicant group that they are in.
- ❖ In order to address the backlog of applicants with homeless priority for more than 12 months , it is proposed that applicants who are not actively bidding should receive one offer of a directly matched property and if this is refused their priority is removed and the Council discharges its duty to rehouse.

H&SC Committee November 2011

- 3.7 **Tenant Incentive Scheme** to reduce under occupation (as per March 2011) – see 3.4 above.
- 3.8 **Local Lettings Initiative for High Rise Flats** - to give more priority to applicants freeing up larger Council homes
 - Panel view: 6 for, 5 Undecided, 1 Against. Members noted the low number of applicants with equal medical priority rendering this LLI very limited in effect, with the disadvantage of creating a more complex policy.
 - ❖ No further action recommended.

Scottish Housing Regulator Report 2011

- 3.9 The Scottish Housing Regulator, in their most recent re-inspection of Housing Services, highlighted the lack of consultation over the Local Lettings Initiative for New Build Council Housing. As a result, the Panel were consulted on this issue.
- 3.10 **New Build LLI** – to give existing tenants (Movers) priority over Seekers and Starters when allocating new builds, except for ground floor adaptable properties which are allocated to all groups based on need.

- Panel View: 9 for, 1 against, 2 undecided. The Panel considered the 'chain reaction' of new lets created by allocating new builds to Movers and noted that no groups were worse off in the example shown. Those against the initiative were concerned about the additional void rent loss and repair costs created by the 'chain reaction' of re-lets.
- The Y People residents had mixed views on this issue – one suggested that 10% of mainstream new builds should be available to homeless people. Others felt the current situation where any groups can bid for new build properties should continue, and one felt that there should be no local lettings initiative for new builds.
- No further action recommended.

4. Profile of the Panel

- 4.1 The Panel continues to be advertised via weekly Homespot Newsletters and 'In the Neighbourhood'. To date the Panel has 36 members, 13 applicants awaiting contact, and average attendance at each Panel session is 8. Applicants are offered a choice of afternoon or evening sessions.
- 4.2 The Panel is open to applicants, tenants and other residents. It comprised of:
 - Housing applicants – existing tenants, home owners, private tenants and homeless people, and
 - Members of tenants' groups and the individual Consultation Register.
- 4.3 An equalities monitoring form was completed at initial information sessions which shows that the Panel was reasonably diverse in terms of gender, sexual orientation, disability and tenure. The members with physical and mental health disabilities engaged positively with the panel which enabled a range of perspectives to be considered.
- 4.4 Unfortunately, the homeless applicants did not sustain their involvement throughout all sessions. As a result, a focus group discussion was held at the Y People Supported Accommodation project for homeless young people on 11/7/12, to gather views on the initiatives that they expressed an interest in. Four residents and two staff members were present at the focus group.
- 4.5 The Panel lacked younger members and had only one representative of a minority ethnic group, despite invitations having been extended via the Link Living support project and the BME worker within Falkirk Council. The Y People focus group on 11/7/12 helped to redress this imbalance in terms of young people.

5. Evaluation of the Panel

- 5.1 Evaluations of the Panel sessions have been increasingly positive, with feedback from initial sessions being used to continuously improve their format and delivery.

- 5.2 The benefit of the Panel has been in enabling complex policy implications to be considered in detail taking account of a range of evidence. This in turn will aid the Council's decision making.
- 5.3 The final session of the Panel included discussion on how to consult more widely in light of the Council's legal obligations. As a result of these discussions, it is proposed that the success of the Panel can be built upon as follows:
- Include the Panel in quarterly 'Tenants' & Residents' Forums, to ensure the policy can be scrutinised and challenged by service users on an ongoing basis, and
 - Consult on specific proposals via more accessible methods (e.g. 6 week questionnaire with briefing), to give more tenants and applicants a say.

6. Conclusion

- 6.1 The Allocations Consultation Panel has been widely advertised and positively evaluated by those who have taken part. The Panel have considered various policy issues in detail, enabling recommendations to be made back to Committee. In light of the Panel's diversity of views and the Council's legal obligations to consult, the Panel have recommended that specific proposals arising from their recommendations should be consulted on more widely using a simple survey of tenants and applicants. It is further proposed that the Panel is included in the quarterly 'Tenants' & Residents' Forums, to make sure that the allocations policy can be continually scrutinised and challenged by service users.

Appendix 1: Equalities Impact Assessment: Downsizing Initiative

Appendix 2: Draft Tenant Incentive Scheme (downsizing policy)

For further information including panel materials, evidence and evaluation findings, please contact Lorna Fleming or Angela Barnes on 01324 590780.

Author: Lorna Fleming, Service Development Officer
Date: 16 July 2012