

**FALKIRK COUNCIL**

**Note of meeting of the Scrutiny Panel – Housing Allocations held within the Municipal Buildings, Falkirk on Thursday 18 April 2019 at 9.30 a.m.**

**Councillors:** David Balfour  
Jim Blackwood (convener)  
Niall Coleman  
Lynn Munro

**Officers:** Audrey Allan, Homeless Team Co-ordinator  
Fiona Campbell, Head of Policy, Technology & Improvement  
Kenny Gillespie, Head of Housing  
Brian Pirie, Democratic Services Manager  
Stuart Ritchie, Director of Corporate and Housing Services

**Also Attending:** Tony Cain, Association of Chief Housing Officers

**1. Housing Allocations – Tony Cain, Policy Manager, Association of Chief Housing Officers (ALACHO)**

Tony Cain, Association of Chief Housing Officers (ALACHO) gave a presentation on the principles and underlying features of housing allocation. The presentation (attached) covered:-

- general points to remember
- what does 'good' look like
- understanding local need
- Human Rights and Equalities

During the presentation Mr Cain stated that:-

- integrity was vital to any allocations system
- process needs to work for Falkirk and must be both reasonable and proportionate
- while housing was a Human Right the definition what this practically meant was unclear
- the demographic of housing occupants was changing in Scotland, resulting in different expectations
- the social rented sector wouldn't meet the needs of an ageing population
- there would always be more losers than winners regardless of the allocation policy in place

- Councils should aim to get their systems right – not aim to please the Housing Regulator

The panel thanked Mr Cain for his presentation and discussed the key points raised.

Members asked whether the Council should advise potential tenants which category of housing they would be likely to receive in order to manage disappointment. Mr Cain responded that anyone over 16 was entitled to apply and he wouldn't discourage them from doing so. However the application process was an opportunity to engage and discuss prospects. Being on a list but not bidding was not in itself a problem he suggested. It was important to tell applicants if the Council was unable to meet their needs. They could get a property through a swap but not through allocation. It was important to let people make their own judgement based on advice on what they can reasonably expect.

Kenny Gillespie advised of a new initiative to undertake a full housing options interview with all applicants. This would look at all available options and needs. It was important to have this at the outset. The Council did not want to discourage bids and it was important to have the initial discussion and perhaps allow applicants to widen their aspiration.

Members asked whether the discussion would look at potential medical condition which could manifest themselves later in the tenancy. Mr Gillespie stated that the service would look at adaptation from the outset and would also look to adapt for future needs. This would be based on the 'Housing Needs Demand Analysis'. The service had a good knowledge of illnesses such as dementia and what adaptations could be needed. The service looked at the needs of tenants at whether properties as fit for purpose. For example there were a number of elderly tenants in 3 bed properties. Could they be freed up for larger families while moving the tenants to more suitable housing with fewer bedrooms and suitably adapted. Recognising that this could result in upheaval for tenants who had maybe occupied a large property for years. Mr Gillespie concurred, noting that aspiration was important.

Mr Cain pointed out the need for balance when considering under occupancy and disability. Social housing was not welfare. However it was an economic intervention and in discussing downsizing the Council needed to recognise that the property was sometimes a home to a tenant and it was their choice whether to move out. However if say the tenant was now wheelchair bound and the property was unsuitable then the situation was different. He cited an initiative in Stirling – tenant led allocation of new homes, where the priority was existing tenants. In theory this would free housing stock and help meet their aspirations.

In response to a question in regard to whether the system was fair and whether it would free stock in Falkirk, Mr Cain stated that he felt the system was fair and would generate churn. The system had been criticised as unfair but he disagreed. There would be increased workload for officers and the number of voids and empty houses would increase but the benefits outweighed this. He also explained that 1 change generated approximately 2.5 further lets, as a guide, so the system would generate considerable churn in the stock.

Kenny Gillespie stated that the allocation policy tied to the Local Housing Strategy. Allocation was about who was most in need. The turnover in properties was 1500, the Council could not meet need given that 3000 people actively bid. Mr Cain stated that 'getting a house was not the same as getting the house they wanted'. It was not wrong for someone to express their aspiration for a certain property but the reality is that the wait could be long. I was important bidders were aware.

Members then asked how churn could be generated. Mr Cain replied that this was limited to how the Council could affect transfers – there was a physical limit due to the limit of the number of properties. However the balance was important - the higher of properties which are let to tenants the greater the churn within the system. The new build and acquisition programme was key. The supply programme should, he said, be part of the allocation approach. Kenny Gillespie agreed stating that it should be tied in with the buy-back programme.

In response to a question in regard to loft conversions in properties Mr Gillespie stated that there was a programme to look at this for larger families. Finance was a factor, as was legislation. It was not as easy as it seemed. The cost for an additional 2 bedrooms was £100k and a buy-back was £60k. Mr Cain stated that the Council should be actually looking at the needs of its tenants and assessing if they were in unsuitable accommodation. It was vital to understand their needs. Mr Gillespie explained the housing options assessments and that this was tied in with 2 yearly visits.

In regard to Human Rights, which would be written into Scottish Law shortly, Mr Cain stated that the obligations on Councils was not clear. However it was not the case that the Council was obliged to meet all Human Right needs. The law would focus on long term planning.

## **2. Date of next meeting**

24 May 2019 at 10.00 am



# Tony Cain

Policy Manager



# General points to remember

- Allocations systems are rationing systems
- There will always be more losers than winners
- Outcomes for individuals are always unpredictable
- You can only let what comes vacant
- Pleasing the regulator isn't an objective, it's an outcome
- "fairness" and "transparency" are essential but unlikely to be universally agreed
- Proportionate & Reasonable



# What does “good” look like?

- There is no single definition or prescription
- Prioritisation- what housing needs are you trying to meet?
- Transparency- how easy is it to understand how who gets priority?
- Fairness- how “fair” does the system feel?
- “Reasonable” preference



# Understanding local need

- Homelessness
  - Understanding the scope of the current definition
- Unsuitable accommodation
  - How prevalent is it locally?
- Large families and overcrowding
  - Why should “large families” get priority?
- Transfer applicants v Waiting/homeless applicants



# Human rights and equalities

- Housing is a human right
  - But what this means isn't clear
- Human rights legislation is relevant now
  - Article 8- home life
  - Article 14- Discrimination
- Equalities act
  - The general duty
  - The specific duties
- Proposed changes
  - Human right to housing to be written directly into Scottish law.