

**Decision Session - Executive Member for Housing  
and Safer Neighbourhoods**

**19 July 2018**

Report of the Assistant Director – Housing & Community Safety

**Decision on Leaving North Yorkshire Home Choice and adopting a CYC  
Housing Allocation Policy**

**Summary**

1. It is a legal requirement to have a Housing Register to allocate social housing.
2. York is currently part of the North Yorkshire Home Choice (NYHC) partnership and common allocations policy. The partnership was formed in 2011 and the policy amended in 2013.

**Recommendations**

3. The Executive Member is asked to:

Agree to option 1, leave the North Yorkshire Home Choice partnership and adopt the proposed City of York Council (CYC) allocations policy. Agree to retain a Choice Based Letting (CBL) system. The policy will not be implemented until the new Housing IT system is introduced but agreement is required in advance to inform the tender and design of the new IT system.

- Reason – The sub regional NYHC partnership and allocation policy no longer meets the needs of York which are at variance to the sub regional partners. The NYHC system is an administrative burden and York wishes to integrate the Choice Based Lettings system with the new Housing IT system.

**Background**

4. In 2011, in line with Government policy, Local Authorities were encouraged and supported financially to develop ‘Choice Based Lettings’ (CBL) policies and systems., CBL allows vacant properties to be advertised (mainly via web based system) and applicants to bid (express an interest) in the properties they want to live in. This policy initiative led

to the introduction of a North Yorkshire Home Choice Policy (NYHC) & Choice Based Lettings (CBL) system. NYHC is a sub regional partnership across North Yorkshire (excluding Harrogate) partnership which enables those accepted on to the register to bid for properties across the NYHC partner areas. This does not include Harrogate.

5. City of York Council hosts the scheme and employs the NYHC Coordinator (0.6 FTE), a joint funded post. NYHC is overseen by a Board and an operational group both made up of representatives of partners. This partnership utilises the same IT system (Abitas), operates the same lettings and allocation policy (with minor exceptions for participating organisations that have charitable status) and enables registered applicants to move freely across the partnership area with some restrictions of cross boundary movement for some applicants e.g. statutory homeless.
6. Housing Services carried out a review of the processing of housing application and of allocating social housing. The review used a systems thinking approach and identified a number of significant blockages in processes leading to duplication, waste and inefficiencies. It also identified that the existing process raises unrealistic expectations with customers
7. In March 2016 the Communities & Environment Policy & Scrutiny Committee reviewed the housing registrations service to understand the Council's policy, process, systems and application criteria and considered national good practice, visits and findings of the Housing Registrations Review. It finally considered the proposed changes to the Housing Registrations service, systems and policy and the implications associated with any change.
8. As a result of this review a revised registration system was introduced in York, moving away from an entirely on-line application process to face to face and telephone interviews prior to any application being made. This has been operating successfully since April 2016 and generates less waste and provides applicants with a more realistic picture of their housing options.
9. A report entitled 'Review of the Housing Registrations Service' was put in front of the Executive Member for Housing and Safer Communities on 16<sup>th</sup> October 2016 and it was agreed that officers could negotiate changes with the NYHC partnership provided that the final proposals were presented at a future Executive Member for Housing and Community Safety Decision Session.

## Current position

10. CYC are currently part of a sub regional choice based lettings system (North Yorkshire Home Choice NYHC)
11. The decision by CYC to explore leaving NYHC was discussed at NYHC Board and all other partners indicated a commitment to remaining within NYHC. There was no appetite from partners to divide into smaller partnership areas with York.
12. Following discussions with each Registered Social Landlord (RSLs), there is an ongoing willingness by partners to work with CYC either through NYHC or a stand alone allocations policy. The majority of RSL were willing to continue to advertise 100% properties though CYC although it is important to remember that nomination rights are generally around 75%.
13. That CYC is in the process of procuring a new Housing IT system which will link housing management, homelessness, building services and allocations. The NYHC system (Abitas) cannot currently perform this function.
14. The current arrangement is a partnership and involves a degree of compromise which does not always meet the needs of York as the York housing market has different demands and needs to the partners in the sub regional partnership, in particular around the demand for single persons accommodation and the high demand for 2 bedroom need. Changes to the policy must have consensus across the partnership, be accepted by decision making bodies within each partnership organisation and be fully consulted on. Over time a range of changes that York have wanted to make have been stymied as there is not consensus on moving forward with them e.g. changes to support the offer for care leavers.

## Proposal

15. Option 1 – To agree to leave NYHC and adopt a CYC allocations policy. To retain a choice based letting system. The policy, if agreed, will be implemented at a future date in line with the new Housing IT system and we remain a full partner in NYHC until this date. Agree that the Head of Housing can make minor changes to the attached policy e.g. grammatical, spelling or other errors and clarifying wording (but not substantive changes to provisions within the policy)

Option 2 – To reject the recommendations and remain with NYHC sub regional partnership and current allocations policy

## Analysis

16. The recommendation to leave NYHC is as a result of the service review, assessing the effectiveness of the process and an analysis of need. A considerable amount of staff and manager time is involved in hosting NYHC, attending meetings, training, negotiation and monitoring. This is important to ensure consistency in process and decision making across the partnership. There are occasions when York would not have made the same decision as a partner but were required to house that applicant.
17. There are limited vacancies and these need to be available to those most in housing need which has led to suggested changes such as removal of Good Tenant status, seeking to reduce the numbers in bronze band, greater 'penalties' for those refusing multiple offers or failing to bid and introducing direct lets for accepted homeless applicants.
18. Applicants from the sub region wishing to move into York would require a connection to York (e.g. close family, employment )
19. The previous discussion to withdraw from a Choice Based Lettings system is not considered in this report as while it may increase workplace efficiencies (voids) it would remove customer choice and transparency for public and applicants. A new IT system will better meet the needs of the service and applicants and be designed / purchased based on York specification
20. The consultation response was mixed. Of 160 public responses 45.63% wanted to remain part of NYHC while 54.37% did not want to stay or did not know. Virtually all respondents agreed with the proposed changes if CYC were to adopt a stand alone policy. This is not currently an option if we remain in NYHC. Of the 5 responses from agencies 2 wished to remain in NYHC, 2 wished to leave 1 did not reply. Staff consultation about the proposal to leave NYHC was about 65% in favour of leaving.
21. The proposed CYC allocations policy must be legal and take account of national requirements.
22. The Localism Act 2011 gives Local Authorities discretion around qualification to the register but there is a requirement that certain groups are give reasonable preference in an allocation policy
  - a) People who are homeless (within the meaning of Part 7 of the 1996 Act);

- b) People who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3);
- c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- d) People who need to move on medical or welfare grounds (including any grounds relating to a disability); and
- e) People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).
- f) Armed forces
- g) Right to Move initiative

23. The development of the proposed CYC allocation policy has taken account of reasonable preference and of the housing need in York, welfare benefit regulations, supply and demand for accommodation.

24. The proposed changes to policy include:

- Disqualification from the register including those with no housing need
- Clarification around those applicants who have a poor tenancy record including rent arrears
- Disqualification for refusing 2 offers of suitable accommodation
- An amended income and savings criteria.
- Extended disqualification for fraudulent applications
- Removing the ability to reapply for housing if already / recently a social housing tenant
- Local connection through 6 months employment, rough sleepers engaging with services for 6 months work.
- Changes to process, reducing the bidding period to Thursday – Monday
- Additional verification checks to reduce fraud and error
- Changing the review process from a 2 stage to a single stage process.
- Changes to banding for some customer groups including recognising overcrowding in a bedsit, giving higher priority to these without basic amenities and care leavers and removal of good tenant status.
- Greater clarification about direct lets (offers of property outside the choice based lettings bidding process), including direct lets to all statutorily homeless customers.
- Changing the age that children of same sex will be assessed as being expected to share a bedroom

- Ability to offer shared housing where appropriate.
- Incorporating persistent and targeted harassment (currently violence) into Management Transfer (emergency move via a direct let) criteria
- Specific provision to quickly house care leavers direct from care establishments, placement or through resettlement when ready to live independently and when returning from university as part of the Council's offer for care leavers.

The Local Authority would continue to provide detailed, realistic advice to anyone in the district in respect of housing options and opportunities

### Option 1 – to leave NYHC and adopt a CYC allocations policy

25. Migration: There is a degree of movement between York and other Local Authorities predominantly from York to Selby(28), but most households opt to remain in York (192). Withdrawing from NYHC would reduce choice for applicants wishing to leave York, unless they had a connection to the remaining partnership through family or employment

#### Migration data 1/4/17-31/3/18

	Craven	Hambleton	Richmondshire	Ryedale	Scarborough	Selby	York	LA To ↓
Craven	44	0	0	1	0	0	0	45
Hambleton	0	105	2	8	1	1	3	120
Richmondshire	0	5	77	3	2	2	0	89
Ryedale	0	5	1	53	6	5	9	79
Scarborough	0	3	1	4	305	0	3	316
Selby	0	1	1	2	0	120	6	130
York	1	10	0	12	4	28	192	247
LA From →	89	248	164	154	632	284	234	

26. There are some households who would no longer be able to register for social housing, because they had no need. Data indicates that approximately 300 households with no housing need and no risk of homelessness would be removed from the register
27. Analysis shows that in the period 01/06/17 until 01/06/18, four households aged under 60 were housed in York through the bidding process from Bronze band. Three of these were housed by Housing Associations and one by CYC.
28. Data shows that 97 tenants would no longer receive good neighbor status and any future housing transfer for them would be based on housing need based on the policy criteria.

## **Option 2 to remain in NYHC partnership and common allocations policy**

29. Under current policy the register would remain as is and no households would be removed. The number of vacant properties available to let would not change.
30. The good tenant criteria would remain. Over the last 12 months 19 good tenants were re-housed, incurring an additional £12,500 void loss (based on average void loss) by these tenants.
31. To remain in NYHC and retain the status quo would result in retaining the current allocations policy or any future NYHC allocations policy which would not give York the option to amend a policy to meet local needs
32. The future CYC housing IT system would not incorporate an integrated choice based lettings module and data links would need to be developed at additional expense.

## **Consultation**

33. Consultation took place in respect of the Housing Registration Review with staff and stakeholders (2016)
34. Consultation took place in respect of the question on remaining or leaving the NYHC partnership with staff, stakeholders and customers (2018) (Appendix 1)
35. Consultation took place on the proposed CYC allocation policy with staff, stakeholders and customers (2018) (Appendix 1 )
36. Statutory consultation with Registered Social Landlords (in accordance with Allocation of accommodation: guidance for local housing authorities in England 2012 (section 5.1 – 5.3). Consultees included Joseph Rowntree Housing Trusts, Yorkshire Housing, Railway Housing, Home Group, York Housing Association, Thirteen Group, Broadacres Housing Association and Accent. Findings were predominantly in line with recommendations, although a small number of amendments have been made to the draft policy to take account of concerns.
37. The NYHC Board have discussed the impact of York leaving the partnership

38. Discussions took place with RSL's regarding future partnerships with housing providers, who indicated continuing commitment to working with York regardless of which system / policy is used

### **Council Objectives**

39. The Housing Register is closely link to priorities within the Council Plan 2015-19:
- A prosperous city for all where local businesses can thrive and residents have good quality jobs, housing and opportunities
  - A focus on frontline services to ensure all residents, particularly the least advantaged can access services and community facilities

### **Implications**

The implications arising from this report are:

#### Financial

40. There are a number of direct implications as a result of this report, including the needs of the service which have been considered in the IT programme
41. That there may be a cost to leaving the NYHC partnership, but there is an annual cost of approximately £11,000 for IT (including host fees, license and data storage) plus £2500 staffing to remain in NYHC
42. A decision would need to be made about if / how much to charge partner agencies for advertising properties ad administering a housing register

#### Staff

43. The post of CBL coordinator is jointly funded and undertakes work on behalf of the NYHC partnership. Should CYC no longer participate in the NYHC scheme there will be employment implications in relation to this post. Discussions will continue to take place with the partnership and the employee regarding the future of this post.

#### Equalities Implications

44. An Equalities Impact Assessment was completed for the Housing Register



45. A community impact assessment has been completed for the review and concludes that the action plan addresses the needs of vulnerable groups, in particular in the following protected characteristics: age, disability, gender, gender realignment, pregnancy and maternity, race and sexual orientation.

### Legal Implications

46. There is a legal requirement to have an allocation policy under Part 6 of the 1996 Act.
47. Local Housing Authorities must give reasonable preference to certain applicants.
48. The Localism Act 2011 introduced significant amendments to Part 6. The main policy objectives behind these amendments are to enable housing authorities to better manage their housing waiting list by giving them the power to determine which applicants do or do not qualify for an allocation of social housing. Authorities will be able to operate a more focused list which better reflects local circumstances and can be understood more readily by local people.
49. The allocation policy and housing register and subsequent service delivery will take account of the General Data Protection Regulation (GDPR)
50. There is a legal right of review for a customer on any decision in respect of accessing the Housing Register and allocation of properties
51. Nomination agreements with Housing Associations will need to be updated
52. Agreement over the advertising and allocating of properties under the new system is finalised with partner Registered Social Landlords (discussions have already taken place with a number of them on this issue)

### **Risk Management**

53. The introduction of the new IT system and policy would need careful management to ensure a smooth transition, including adequate staff training and external publicity
54. There is some public concern that an allocations policy is biased towards those who are homeless, vulnerable and to some degree less able to

help themselves, resulting in problems within communities. The policy tries to take account of ensuring sustainable communities while at the same time following the legal requirements to give reasonable preference to certain groups.

## Contact Details

### Author:

**Denis Southall**  
Head of Housing  
Dept Name HHASC  
Tel No. 01904 551298

### Chief Officer Responsible for the report:

**Tom Brittain** Assistant Director Housing and  
Community Safety

**Report  
Approved**

**Date**

**Wards Affected:** *List wards or tick box to indicate all*

**All**

**For further information please contact the author of the report**

### Annexes

- Annex 1 – Public consultation responses
- Annex 2 - Agency consultation responses
- Annex 3 – City of York Council Allocations Policy
- Annex 4 - Community Impact Assessment