

# **Proposed changes to the Housing Allocation Scheme to increase homeless households' timely access to social housing:**

## **Briefing note to Executive Member for Neighbourhoods**

### **Context: access to social housing**

The Council's current Housing Register and Allocations scheme (the Scheme) was updated and adopted in 2018 in response to the Homelessness Reduction Act (HRA) 2017. The aim of the Scheme is to assist those in housing need and meet the council's legislative duties as set out under the HRA 2017 and the Housing Act 1996 for prioritising applicants for social housing.

The Scheme is the sole way in which people are nominated to housing association properties in East Herts other than housing associations being able to transfer tenants within their own stock in some circumstances.

The current Scheme prioritises applicants by awarding of points based on a number of housing need factors. The factors that afford a household reasonable preference for housing are specified in national legislation and guidance, although the council has some leeway in how it ranks different needs in relation to one another.

In broad terms, the three groups of households we help in social housing are:

- those not living in social housing who, while they are not homeless, need to move to more suitable housing, for example, due to overcrowding or the property being ill-suited to their health needs
- those needing or wishing to transfer from one social housing property to another for whatever reason
- homeless households to whom the council owes a duty to secure settled accommodation.

The reality is that there is not a large enough supply of social housing relets or new builds to meet the level of need and we have to prioritise households in certain circumstances meaning some households have to wait longer than others for an offer.

### **Housing homeless households**

Over the last four years, East Herts Council has seen a steady increase in homeless households presenting to the Housing Service. This is for a variety of reasons but the most prevalent is the loss of an Assured Shorthold Tenancy (AST) in the private rented sector because a landlord is selling or the accommodation is no longer affordable.

When a household approaches the council because they are threatened with or have become homeless, the council has a duty to provide advice. In addition, we must consider whether

there is a statutory duty to provide temporary accommodation while homelessness enquiries are undertaken and before alternative long-term accommodation can be secured.

At its simplest, for those homeless households with children and/or a significant medical need, the council has a statutory duty to offer temporary accommodation. The first preference is to offer a self contained flat in one of the council's two hostels, The Rectory in Stanstead Abbots or Hillcrest in Spellbrook, near Bishop's Stortford. Again, in simple terms, the costs of operating the hostels can be met in full from the charges levied on those placed there with the vast majority of residents meeting these costs through housing benefit.

When our hostel accommodation is full, the only alternative is bed & breakfast hotel accommodation. Hostels are far less suitable and, importantly, their use represents a significant cost to the council as the maximum that can be covered from housing benefit is far below the hotel charges and it is not reasonable to ask the homeless households to meet the shortfall themselves.

Given the relatively high cost of private sector rents in East Herts, the primary route out of temporary accommodation and homelessness is to move into social housing via the point-based Allocation Scheme outlined above. Therefore, it is important to constantly review how the Scheme is working as insufficient priority for homeless households can prolong stays in temporary accommodation, including hotels, while too high a priority could have the effect of shutting out others from accessing social housing.

## **Proposal**

The Service Manager – Housing Services and the Homelessness Services Manager regularly review the number of people in temporary accommodation, both hostel and B&Bs, with a view to minimising their stay. The council's most effective tool for preventing homelessness is making nominations to housing associations through the Allocations Scheme, given that for many households, the private rented sector is not an affordable option.

Currently, the Allocation Scheme significantly increases a household's priority when they *became* homeless and therefore require temporary accommodation. The proposal is to instead increase an applicant's priority on the Housing Register *before* they become homeless, for example when they have been served a Section 21 Notice to leave their accommodation by their landlord and following enquiries it is likely we will be under a statutory main housing duty when they leave their current home. Providing social housing *before* the household would otherwise need temporary accommodation provided by the council, the household will suffer less disruption and anxiety for the household and the council's expenditure on unsuitable B&B is likely to decrease.

## **Requested Amendments to the Points afforded Homeless Households on the Allocation Scheme**

### ***Increased points***

The Scheme currently awards:

- 25 points to an applicant when a two-month Section 21 Notice is served and
- a further 20 points 28 days before the Notice expires, that is when the landlord can commence eviction proceedings.

In combination, this takes the overall points for insecurity caused by threatened homelessness to 45.

The proposal is to amend these points thus:

- 25 points to an applicant when a two-month Section 21 Notice is served and
- a further 35 points 28 days before the Notice expires, that is when the landlord can commence eviction proceedings.

Thus, in combination, the takes the overall points for insecurity caused by threatened homelessness would rise to 60 instead of 45.

### ***Officers to bid for homeless households earlier in the process***

To further reduce temporary accommodation stays, it is proposed to bring forward the stage at which a Housing officer will bid on a homeless household's behalf for suitable properties to the first bidding cycle following the homeless household moving into the Relief stage of the process, rather than being accepted rather than at Main duty as at present.

This would mean that a Housing officer will be able to place a bid some 56 days earlier than currently. It should be noted that a homeless household would be obliged accept a bid made on their behalf by an officer, with the safeguard that applicant would have the right to have any offer reviewed as to its suitability.

In anticipated effect of this change is that the homeless household will receive a suitable offer of social housing up to at least eight weeks earlier than now.

### **Authority to Approve**

At its meeting on 5<sup>th</sup> March 2013, the Executive approved that 'authority be delegated to the Head of Housing and Health [then, Director of Neighbourhood Services], in consultation with the Portfolio Holder, for any minor procedural or process changes to be included in the policy [the Allocation Scheme]'.

## **Monitoring**

The Housing Service will monitor the impact of these changes for six months so as to assess whether it is delivering an overall reduction in the number of households in temporary accommodation, particularly Bed and Breakfast, and the overall cost to the council of Bed & Breakfast use.

Claire Bennett  
Service Manager – Housing Services

and

Jonathan Geall  
Head of Housing and Health

14<sup>th</sup> July 2023