

*PART A

Report to: Cabinet
Date of meeting: 13 October 2014
Report of: Housing Section Head
Title: Revised Housing Nomination Policy for approval

1.0 **SUMMARY**

- 1.1 The council has reviewed the Housing Nomination Policy which sets out who can apply for a housing association home in Watford and how housing applications will be assessed, prioritised and managed.
- 1.2 This review is in response to changes brought in by the Localism Act which mean that the council no longer has to have an open housing register and can set local criteria regarding who may apply for social housing. The council can also discharge its homelessness duty with an offer of a private rented tenancy without the consent of the applicant, rather than relying on social housing in all cases. The aim is to introduce a Private Sector Discharge Policy at the same time as the Nomination Policy and this will be brought to Cabinet later on this financial year.
- 1.3 The intention is also to review and bolster the information available both to those who can register and those who can no longer register for affordable housing so that more effective signposting to alternative housing options is available.
- 1.4 This report summarises the background to the revised Policy and the key changes which will be introduced. It also outlines the implementation process and seeks the necessary delegations for executing a project of this scale and complexity.

2.0 **RECOMMENDATIONS**

- 2.1 That Cabinet approves the revised Housing Nomination Policy
- 2.2 That, while noting the target implementation date of 1 April 2015, Cabinet delegates authority for agreeing the detailed implementation plan and precise implementation date to the Head of Community and Customer Services in consultation with the Portfolio Holder for Housing.
- 2.3 That Cabinet notes that minor changes to the Policy may be deemed necessary during implementation and that the council's Constitution delegates authority for these to be made by the Head of Community and Customer Services in consultation with the Portfolio Holder for Housing

3.0 DETAILED PROPOSAL

- 3.1 The Localism Act has ended the requirement for local authorities to have an open housing register and enables local criteria to be set, providing that the statutory “reasonable preference” categories are observed for certain client groups.
- 3.2 Partner local authorities within Herts Choice Homes have already revised their Housing Nomination Policies and set restrictions about who may register. For example, they have increased the local connection that applicants need to have to their borough to between 3 and 5 years
- 3.3 With the high demand for affordable housing in Watford, it is proposed that Watford BC should also restrict access to the housing register. A residency connection which requires applicants to be living in Watford now and for 5 out of the last 6 years is proposed. A limited number of exceptions will apply such as for care leavers who have been placed in foster homes outside of the borough, for households accepted as homeless by the council on the grounds of domestic violence, and members of the British armed forces.
- 3.4 Where the council has a homelessness duty to a household, it is proposed that this should be met through the offer of a private sector tenancy where the applicants do not qualify to join the housing register. This will also be the case for other homeless households who are on the register, where supply will allow. There are strict criteria concerning property condition, location and length of tenancy which must be met in order for a private sector housing offer to be made. The council will need to develop and publish a Private Sector Discharge Policy to be implemented at the same time as the Housing Nomination Policy.
- 3.5 The Housing Service is currently undertaking a review of the HomeLet Scheme which assists clients to access private rented properties. A number of other options are being explored with private and social landlords with the aim of securing additional housing supply for example through private sector leasing.
- 3.6 A large proportion of the Housing Register (approaching 4,000 households) are assessed as being Band E which designates being adequately housed. Last year only 45 households were rehoused from Band E and 33 of these were applicants for sheltered housing.
- 3.7 It is clear that resources could be better spent in improving promotion of other housing options and managing expectations of this client group rather than continuing to register applications where there is no prospect of being rehoused. Exceptions proposed are those applicants seeking a transfer from another housing association property where Watford BC would have nomination rights and those over 60 seeking older person’s accommodation.
- 3.8 Other changes are summarised at Appendix 1. These include removal of people from the register who are home owners or who have adequate resources to rent or buy privately, and stronger sanctions against those who refuse properties they are offered without a medical reason. The banding for homeless households is set to reduce from B to C in order to place households on a par with those continuing to live in

overcrowded situations in the parental home for example.

- 3.9 The overall aim of the revised Policy is to allocate a scarce resource most effectively and manage historical expectations around the availability of social housing and entitlement to it, in a borough where there are 4,800 on the housing register and only 395 social housing lettings in the past year. The Policy is intended to encourage planned pathways into housing and therefore prevent homelessness where clients do have an element of control over their departure from home.
- 3.10 In many cases, the impact will be theoretical (72% of Band E have not bid for a property in the past year for example). However, there will also be applicants who would have had a realistic prospect of being rehoused and who will now be removed from the register due to the new criteria. Some applicants will only be eligible for shared housing in the private sector rather than a self contained affordable housing home (for example under 35s to whom the council owes a homelessness duty but who do not fulfil the residency criteria).
- 3.11 Due to the complexities concerning homelessness applications and advice given during the process, it is proposed that changes will not be applied retrospectively to those applying as homeless before the implementation date in terms of residency connection and banding.
- 3.12 Implementation is likely to take up to 6 months from approval as there will be a process of re-registration, software reconfiguration and holding applications on a test system until the implementation date. A temporary project manager has been appointed in order to manage the process and additional staffing resources are being considered within the Customer Service Centre to support clients who need assistance due to the changes. Colleagues in Communications have been briefed and will be supporting the process. Additional staffing is being resourced from the DCLG prevention of homelessness grant due to the integration between this project and our homelessness prevention objectives.
- 3.13 Consultation on the draft policy has included registered providers, residents, housing applicants, voluntary and statutory agencies, all elected Members and in particular those attending the meetings of the Housing Policy Advisory Group (HPAG) which have been open to all Members. Results have shown support for what the council is seeking to achieve through this process, with some concern around the availability of private sector properties and the options for single homeless people within hostels in Watford which we will continue to monitor and manage with our partners.

4.0 IMPLICATIONS

4.1 Financial

4.1.1 There is a risk that some homeless households may remain in temporary accommodation for longer while private sector properties are sourced. However, other households may move more quickly due to less competition for social housing vacancies overall. Monies have been allocated from the DCLG Prevention of Homelessness Grant in order to resource additional staffing, communication materials and software changes due to the link to preventing homelessness amongst those affected and the overall aim of introducing a cultural shift towards planned departure from accommodation rather than applying as homeless. The Homelessness Grant is also the source of funding for additional incentives for private landlords to let their properties to the council's clients.

4.1.2 The Shared Director of Finance comments that the financial implications arising from policy changes in the report cannot be anticipated at present. Housing Grant Funding activity is summarised in cost centre WA7236 and the cost centre can absorb some additional expenditure. The section head will monitor the situation and any variances in the future will be reported through the budget monitoring process.

4.2 Legal Issues (Monitoring Officer)

4.2.1 There is a risk of legal challenge due to Policy changes and the likelihood that some households may find their expectations will not be met by the new Policy, leading to objections to the outcome of their application. Counsel's advice has been sought on the draft Policy to ensure compliance with legislation and the policy reflects the advice received.

4.3 Equalities

4.3.1 An equality impact analysis has been carried out during the development of the Policy. Analysis carried out during development of the Policy indicated that there were not adverse impacts on clients with a particular protected characteristic which could not be mitigated or justified.

4.4 Potential Risks

Potential Risk	Likelihood	Impact	Overall score
Lack of private sector properties for homeless applicants, more time in temporary accommodation and more supply needed.	4	4	16
Increased legal challenges	4	2	8
Increase in complaints	4	3	12
Increase in aggression towards staff	4	3	12

In order to mitigate these risks, the approach to securing private sector properties is being reviewed and a Private Sector Discharge Policy will be presented for approval. A Project

Manager has been appointed to deliver implementation which will include staff and partner agency training, assessments of the need for temporary staffing both face to face and on the telephone, a suite of communications material and a dedicated process for dealing with complaints and queries in line with our corporate processes.

4.5 Staffing

4.5.1 A temporary project manager has been appointed to manage transition to the new Policy. Additional staff may be required in the CSC on a temporary basis, funded through Homelessness Prevention Grant.

4.6 Accommodation

4.6.1 No accommodation implications other than adjustments to workstations in the CSC to accommodate additional advice and support as required.

4.7 Community Safety

4.7.1 The Housing Service will continue to work in partnership to meet community safety objectives through rehousing either in the private or social housing sector.

4.8 Sustainability

4.8.1 The Nomination Policy continues to enable the use of local lettings policies to ensure a mix of nominees to new developments and therefore promote sustainable communities.

Appendices

1. Summary of proposed changes
2. Housing nomination policy
3. Outline Implementation Plan

Background Papers

- The following background papers were used in the preparation of this report:
 - Equalities Impact Analysis
 - Summary of public consultation responses
- If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

File Reference

- None