

Appendix 1 - Housing Allocations Policy – Recommendations for Change

This table contains a summary of the proposed changes to the Harlow Council Housing Allocations Scheme (Allocations policy). It follows a comprehensive review of the policy, which has included engagement with staff teams and stakeholders, and a wider public consultation. The proposed changes are set out in the table below. Those that are approved will be included in a revised Housing Allocations Policy that will be published in full and in a summary format, ready for a staged go live which will commence in April 2024.

Change	Policy Ref	Topic	Current position	Reason for change	Proposal
1	1.6	Applicants not included in the Housing Allocations Scheme	<p>A direct offer in these circumstances.</p> <p>A successor to a council tenancy is included in this list but this will be moved into Band 1, so lettings are all made through choice-based lettings (CBL)</p>	<p>Making sure the housing needs register and CBL is the main vehicle for lettings across as many homes as possible. Aiming to reduce the number of direct offers made.</p>	<p>Move this category of applicant into Band 1, with time limited bidding of 3 months.</p>
2	2.3	Who can join the housing needs register	<p>Anyone aged 16 years or over who is eligible and meets the qualifying conditions can apply to join the housing needs register</p>	<p>Increase the focus on housing need. Where an applicant is assessed as having no need, it is proposed that they will not have access to the housing needs register.</p> <p>Changing the lower limit to 18 years not 16 years, as legally those under 18 cannot hold a tenancy. There will be several exceptions to this, by law.</p>	<p>Remove Band 4</p> <p>Change the lower age to 18 years, with exceptions for: Statutory homeless and owed a duty by Harlow Council; those referred under Sec 27 of the Childrens' Act 1989; those residing in a supported housing scheme in Harlow</p>

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3	2.4.3	Local connection	<p>Current definition: Reside in Harlow continually for 5 years. Parents, adult sibling, and non-dep children have resided in Harlow for 5 years. Permanently employed in Harlow for last 12 months Other Special Reason for example no safe connection due to violence or need to be near special or medical support services. There are several exceptions allowed including armed forces and existing social housing tenants</p>	To strengthen the connection with Harlow, so that local housing is prioritised for local people, with a genuine and strong connection to the Harlow	<p>That applicants should have lived in Harlow for 5/7/10 years continuously prior to the date of application.</p> <p>To remove the employment connection.</p> <p>To remove the connection to a parent, sibling, adult child unless this is to give and receive support.</p> <p>To give an additional 12 months backdate to residents who have lived in Harlow all their life, since birth.</p> <p>Exceptions to this will be armed forces, survivors of domestic abuse, care leavers and other special circumstances which will be defined clearly in the policy.</p> <p>EIA reflects: 10-year residency connection – Highest impact – Legal advice does seem far higher than guidance recommends – The Council would be at risk of legal challenge/Judicial review from those that consider they are disadvantaged.</p>

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4	2.4.4	Financial limits that disqualify applicants from joining the housing needs register	<p>Applicants with a total income of £50k gross per year and / or who have £50k from savings or equity</p> <p>Exceptions: existing social housing tenants; those requiring sheltered housing and have a social or medical need</p>	<p>The policy states these will be reviewed every 2 years. Given the rise in property prices, it is felt that even with that level of income and / or savings, residents cannot secure a home on the open market.</p> <p>It is sensible to assess the financial situation of different household sizes, using different thresholds. EG if an applicant requires a one bedroomed home, they will need less of an income than applicant requiring to secure a 3 bedroom home.</p>	<p>Members are invited to take one of two approaches.</p> <p>The first is simply to raise the income barrier to reflect the rising costs of securing a home in the private sector. A raise to a threshold of £75k may be appropriate.</p> <p>The second approach would be to have different thresholds for diff property sizes. The correct levels for a staggered approach will be confirmed in line with market testing before the final policy is agreed as a Portfolio Holder decision.</p>

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5	3.4	Defining the criteria and priority for the armed forces.	<p>No explicit eligibility criteria currently in the Policy. There is a need to make the policy clearer.</p> <p>Members of the Armed Forces who meet the local connection criteria will be awarded additional priority of one band</p>	<p>Need to make it more explicit that those with a background in the Forces will not be excluded from the register because of local connection, income, owner-occupier status</p>	<p>To add in a paragraph in the local connections and financial resources criteria to make this clear. The Council may also consider applications from members of the armed forces community as defined within the armed forces covenant This definition includes Veterans (those who have served as a regular or reservist in the armed forces) Spouses, civil partners, and children for whom regular personnel, reservists and veterans are responsible. Bereaved immediate family of service personnel who have died, whether or not the death has any connection with service.</p> <p>That Any member of the Armed Forces, or former Service personnel, or serving or former members of the Reserve Forces who joins the Council's housing Needs Register and the application is made within 5 years of discharge and have no housing need awarded Band 3. To award Band 2 where the housing needs assessment reflects a high need as outlined in the existing policy. To award Band 1 as assessed by the Council's Senior Officer a person suffering from a serious injury, illness or disability which is wholly or partly attributable to</p>

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					their service.
6	2.5	Assessing applicants into bands	<p>There are 4 Bands</p> <ol style="list-style-type: none"> 1.Urgent need to move 2.High priority 3.Identified housing need 4. Other housing requirements (no need) 	<p>There are currently 2643 applicants registered in Band 4 with no identified housing need.</p> <p>No general needs lettings are made to this band. However, lets to sheltered housing are on occasions made to Band 4 applicants.</p> <p>Placing applicants in Band 4 gives a false sense of hope, it raises expectations and prevents effective signposting to other options. In addition, it is an administrative burden on the council for applicants that will never become tenants.</p>	<p>To remove Band 4. Applicants that have no identified need should not be registered and will instead be signposted to more realistic housing options.</p> <p>Applicants who have an identified need to move into sheltered accommodation will be prioritised in Band 3.</p>
7	3.8	Move on from supported housing - quotas	<p>Up to 36 units are made available to a range of agencies “to ensure efficient use of supported housing schemes”.</p>	<p>This has not been reviewed for several years and not all quota awards are appropriate anymore.</p> <p>Some of the agencies awarded quotas no longer operate in Harlow and / or are not part of the customer journey for Harlow resident.</p>	<p>That the Council review all quotas on an annual basis, and these are agreed by the Director Housing with the Portfolio Holder for Housing annually, starting in April 2024.</p>

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8	3.9	Time limited bidding	Certain categories of applicants are given time limited bidding. This enables them to look for a home of their choice, but also allows the Council to manage their rehousing if they are not bidding for suitable homes.	<p>The time given needs to be realistic otherwise no suitable properties on which they could have bid may have been advertised.</p> <p>Currently the policy states that homeless households will have 3 months in which to bid for a home. However, this is unrealistic, and it is better to manage this through casework.</p> <p>In addition, we want to manage Band 1 (urgent need) more effectively. Applicants in this band have a very urgent need to move and therefore should be bidding on available homes. This needs to be closely managed.</p>	<p>Remove this clause.</p> <p>Those in Band 1 will receive priority for 6 months. If applicants have failed to bid for suitable homes that were available in this time, they will have their Band 1 assessment removed. This will not apply to those downsizing to free up larger homes.</p>
9	4.1	Property entitlement (for carers)	There is a table in the policy that sets out which household members are entitled to a separate bedroom.	We want to strengthen the definition over carers who are allowed a bedroom within an applicant's home. The new definition will make this much clearer.	A carer who provides permanent 24 hour 'live in' care – confirmation is required from social services – will be eligible for one bedroom. An extra bedroom will not be considered if the carer does not/will not reside permanently with the applicant as their main and principal home.

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10	5.3	Refusal of properties	Applicants may refuse one offer of a property without incurring penalties; applicants who refuse a second offer of accommodation will be moved down a band for 6 months.	<p>Refusals of offers create a lot of administrative work, and ultimately leads to longer void times and lost rental income.</p> <p>Moving an applicant down a band for 6 months is not a severe enough penalty for refusing an offer of a home that they themselves have bid on.</p>	<p>Applicants may refuse one offer of accommodation, but if they refuse a second, they will be suspended from bidding for 12 months.</p> <p>The exception is in the case of certain categories subject to time limited bidding and applicants whom the full homeless duty has been accepted</p>
11	3.1	Children living in flats	Applicants who live in flats above the ground floor who have no other housing need, are considered to be in housing need by virtue of living in a flat (band 3)	In the modern day, families with children do live in flats. It is not considered to be unsuitable accommodation.	Applicants living in flats with children will not be able to access the housing register unless they meet another criteria within the policy

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12	4.3	Deliberately worsening of circumstances	<p>The current policy does not include enough detail around what is included within scope on deliberately worsening circumstances (DWC).</p> <p>In addition, applicants who do DWC are placed in Band 4.</p>	More detail is needed in the policy to give additional clarity.	The Council will consider whether an applicant has deliberately made their housing situation worse in order to improve their chances of rehousing through the housing needs register. To reduce the likelihood of applicants moving deliberately into poorer accommodation in order to qualify for higher priority and quicker rehousing, applicants who are deemed to have deliberately worsened their circumstances will be excluded for a period of 24 months from the date of their housing needs application. At the end of this period, the applicant will be required to apply to join the housing needs register for a further housing needs assessment. All relevant facts and information available will be considered in the re-assessment process.
13	Band 1	Remove Criteria	States 'a tied tenant whom Harlow Council has a contractual obligation to re-house upon termination of contract'.	The Council does not contractually provide housing that is linked to a job role at this time.	Remove criteria
14	NEW	Homelessness	Applicants placed in interim accommodation by the Council are deferred pending their homeless decision	Strengthen priority for those that are at risk of homelessness more specifically where interim accommodation has been provided	<p>People where it has been verified that they are rough sleeping in Harlow regardless of whether they have made a homeless application.</p> <p>People owed the prevention of</p>

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					<p>homelessness duty under Section 195(2) by the Council</p> <p>People who have been assessed as being intentionally homeless by the Council and since that award has not had settled accommodation.</p> <p>People owed the 'relief of homelessness duty under Section 189B(2) (Note: applicants owed a relief duty and are likely to be in priority need, unintentionally homeless and are in temporary accommodation will continue to be placed in Band 2)</p> <p>People where the relief duty has been brought to an end and an applicant has been assessed at that point as not being in priority need.</p> <p>Where an applicant has been accepted as homeless their priority date will be the date the Council triggers the Homeless Relief Duty.</p>
15	New	Giving up two social housing	No criteria	Two separate households wish to live together i.e. join their families	To award Band 2 where it is considered either property is not suitable to meet the

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		properties in Harlow for one property		each home is not large enough to accommodate – in turn makes available much needed social housing	family's housing need where households were joined.
16	3.3	Applicants with a disability	There are only three category of applicant and three mobility levels.	Officers want to look at a better way of more closely matching adapted properties to the specific needs of the applicant. This will ensure that we make better use of existing adaptations, without the need to remove or add resulting in unnecessary expense.	<p>However, it has not been possible to complete this work as part of the Allocations Policy review. It has become clear that a small working group is needed, including Occupational Therapy expertise.</p> <p>It is proposed to review this whole area of lettings during 2024 and, if required, officers will bring specific policy change back to Members.</p>

Transitional arrangements

The new Housing Allocations Scheme (allocations policy) will come into effect on 1 April 2024, subject to Cabinet approval in February 2024. For all new applicants joining the register after that date, they will be assessed against the new criteria.

For existing housing register applicants, between 1 April and 1 October 2024, the Housing Options and Advice Team will carry out a phased implementation of the new policy. There will be a requirement for all applicants to re-apply to ensure they meet the new eligibility criteria. The date of 1 October 2024 has been selected as it is anticipated that the Council will have gone live with on-line applications by this date.