

# **Birmingham City Council**

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## **Housing Allocation Scheme 2016 Policy Briefing**

# Birmingham's Housing Allocation Scheme

The law states that all Local Authorities must have a Housing Allocation Scheme and all allocations must be made in accordance with this scheme.

The scheme must describe:

- Who can apply and how an application is assessed
- How priority is decided
- The type of property for which households are eligible and how they will be allocated
- The choice that is available
- The procedures that will be used throughout the scheme.

A Housing Allocation Scheme must have regard to the Council's Homelessness Strategy and its Tenancy Policy.

# Why the Housing Allocation Scheme is changing

The outgoing scheme:

- Is difficult for customers to understand
- Gives false customer expectation because of open access to the register
- Makes it difficult for existing tenants to gain an offer of alternative accommodation
- Fails to make best use of the existing housing stock
- Does not correspond with the Localism Act and Code of Guidance
- Is expensive for the Council to administer.

# Scheme objectives

The Housing Allocation Scheme is just one element of a new approach to meeting housing need in Birmingham. Other elements include:

- Housing advice
- The social lettings agency
- Reshaping homeless services.

The core Scheme objectives are:

- Fair access based on housing need
- Simplicity and transparency
- Realism
- To enable best use of the limited housing stock
- To operate within updated legal and statutory frameworks.

# **The new Housing Allocations Scheme**

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# The legal context

Housing Allocations are governed by Part 6 of the 1996 Housing Act as amended by the 2002 Homelessness Act and the 2011 Localism Act.

The Localism Act 2011, and subsequent Department for Communities and Local Government guidance, have introduced flexibilities and opportunities, including:

- The ability to restrict access by defining groups who do not qualify for an allocation
- The ability to operate a much simpler system
- Greater use of the Private Rented Sector and other alternative provisions.

## The legal context (2)

- Every housing allocation *must* be made in accordance with the Council's Housing Allocation Scheme
- An allocation includes a nomination to a Registered Provider and *must* be made in accordance with the Council's Housing Allocation Scheme
- The Council is required by law to give priority to those who fall within the Reasonable Preference groups, as defined in law
- The Council is required to consider giving, in certain circumstances , additional priority to some of those who have a Reasonable Preference
- The Council can include other locally determined priorities providing these do not dominate the Scheme.

# Scheme key features

The new scheme WILL:

- NOT have an open Housing Register
- Have a Band based assessment system
- Offer one priority award
- Decide ranking within Bands by date
- Allow a maximum of two suitable offers to be made
- Introduce pro-active case management
- Retain Choice Based Lettings
- Assist and restrict bidding where appropriate.

# Scheme eligibility and qualification

- Only applicants who are eligible and who qualify will be able to register
- Eligibility is statutorily defined
- Qualification is determined by the Housing Allocation Scheme
- The following households will generally **not** qualify:
  - Those assessed as having no housing need
  - Those with a history of unacceptable behaviour
  - Those who have previously refused two suitable offers
  - Those with income or assets above the threshold
  - Those with no local connection.

# Scheme assessment Bands

- Band 1: Reasonable Preference plus additional preference (very urgent need)
- Band 2: Reasonable Preference categories
- Band 3: Non-priority and intentionally homeless, 1 bed overcrowding
- Band 4: No Reasonable Preference, but qualify for City of Birmingham priority award.

# Band 1

Very urgent need to move, includes:

- Clearance - within 6 months
- Acute overcrowding (3 bedrooms short)
- Under-occupying a social rented house and wishing to down-size
- Private Rented Sector - Category 1 hazard that cannot be remedied
- Medical condition or disability that is being made substantially worse by current housing conditions/serious risk to health
- Serious threat to child/safeguarding issues
- Move on from care: subject to being ready to live independently
- Foster carers
- HM armed forces with reasonable preference
- Other exceptional need to move e.g. extreme violence or harassment.

## Band 2

Applicants who are assessed as being in one of the Reasonable Preference categories according to the Housing Act 1996. To include:

- Unsatisfactory housing, including over-crowded 2 beds short & under-occupying social tenants in flats and maisonettes
- Medical and welfare, including move-on from certain supported housing schemes and needing to move to provide or receive care
- Hardship
- Homelessness - full duty owed.

## **Band 3**

Certain homeless households:

- Intentionally homeless
- Non-priority homeless

Unsatisfactory housing: overcrowded - 1 bedroom short.

## Band 4

Locally determined “City of Birmingham Priorities”. Applicants without a reasonable preference, but who are:

- Aged 55 or over seeking retirement or extra-care housing
- Ex-armed forces personnel who lived in Birmingham for at least 6 months immediately prior to enlisting.

## **Scheme household composition**

- Households comprising of people who “normally reside with the applicant or who would reasonably be expected to reside with the applicant as a member of his or her household” can apply to be housed together
- Other people will be considered if there is an extenuating reason - e.g. a need to provide or receive care.

# Scheme choice

- Choice Based Lettings system will be maintained
- Applicants at risk of violence or harassment will be asked to identify areas where they cannot live and will be unable to bid in these areas
- Assisted bidding - Council will bid for homeless households who fail to bid realistically (note: subject to approval)
- Restricted bidding - on certain property types
- Applicants who refuse 2 suitable offers may be removed from the housing register.

## Scheme property eligibility

The “bedroom standard” will generally be used to determine size of property for which applicants are eligible.

Properties will be allocated to applicants who need that size and type of property. For example:

- Houses with 2 or more bedrooms will be offered to families with dependent children in the first instance
- Adapted properties will be offered to those with a physical or sensory disability.

# **Council approved Housing Allocation Scheme**

Birmingham's Housing Allocation Scheme has been approved by the Cabinet.

All previous policy and practice relating to a city Housing Allocation Scheme will cease when the new scheme goes "live".

# Scheme Implementation

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# Scheme implementation

A number of work streams are taking place in advance of “go-live”. These include:

- The introduction of a new IT solution;
- The introduction of an on-line application form;
- The re-registration of current applicants;
- The development of detailed procedures to enable effective scheme operation for both staff and customers;
- Procedural and IT training for officers who will support the re-registration and implementation processes, including Housing Advice, Customer Services Reviews, Voids/Lettings and Clearance/BMHT officers and RP partners.

# Q&A

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