

Leicester  
City Council

**WARDS AFFECTED**  
All Wards

Cabinet

26 June 2006

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## Review of Housing Allocation Policy

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### Report of the Corporate Director of Housing

#### 1. Purpose of Report

- 1.1 The purpose of this report is to suggest changes to the Housing Allocation Policy, which will simplify the method of allocating homes to those in need in a way which is understandable to applicants and the cost of administration will be reduced.
- 1.2 This report also advises Cabinet of the outcome of the consultation exercise undertaken with stakeholders on the review of the Housing Allocation Policy.

#### 2. Summary

- 2.1 The current Housing Allocation Policy was introduced in 1996 with a number of additions and amendments made since then. The policy is used to both allocate the Council's own dwellings and to make nominations to housing associations.
- 2.2 The three main proposed areas of change are:

1. A reduction of the number of point's categories from 30 to 20. It is not proposed to make points changes to ten major categories that confer 125 points and above. These are Referred Cases, Tenants Incentive Scheme, Homeloss, Harassment, Insecure Accommodation, Management Cases, Temporary Accommodation, and Overcrowding. There are some proposals to streamline assessment for Underoccupation, Sharing and Children living in upper floor/with no garden. It is proposed to delete some of the minor points categories which are usually used in combination with others. The impact will be to put slightly more emphasis on time spent in need rather than the details of that need.

2. Greater emphasis on applicants providing proofs, the use of confirmatory statements from other agencies and penalties for failure to inform of current circumstances.

3. Simplified designation of the size of household, and age of applicant who will be eligible for each type of dwelling.

2.3 60 stakeholder agencies were consulted on the proposed changes. 4 formal responses were received. These have been reported in the attached appendices in this report together with the department's response to the comments received.

### **3. Recommendations**

3.1 It is recommended that: -

- a) Time in need points be simplified and all points categories will receive one point per month to a maximum of 24. (Appendix 3)
- b) The Council withdraws from the Homes Mobility Scheme. (Appendix 4)
- c) There is one, higher, level of points for shared facilities. (Appendix 5)
- d) Underoccupation points are awarded for the number of bedrooms given up, at a rate of 125 points per bedroom. (Appendix 6)
- e) Low level Access Health Care and Support (AHCS) points be deleted from the Allocation Policy. (Appendices 7 and 17)
- f) Unfitness points be deleted from the Allocation Policy. (Appendix 8)
- g) Age points be deleted from the Allocation Policy. (Appendix 9)
- h) Children points be deleted from the Allocation Policy. (Appendix 10)
- i) Points for children in upper floor accommodation are combined with points for children with no garden, with only one set of points given per household. (Appendix 11)
- j) 'Tower Block' points be deleted from the Allocation Policy. (Appendix 12)
- k) Low income points be deleted from the Allocation Policy. (Appendix 13)
- l) The allocation of all age-designated schemes / bungalows / sheltered accommodation be harmonised so that all age designated accommodation is first offered to applicants age 60 years and over with offers made by age bands reduced by 5 years until a suitable applicant be identified. The lower age limit for bungalows will be 40 years and for sheltered accommodation 50 years. (Appendix 14)
- m) Applicants who choose to downsize are allowed to maintain their overcrowding and time in need points that reflect their current level of overcrowding. (Appendix 14)
- n) The points allocation limit, below which no property will be allocated, be reduced to 28. (Appendix 14)

- o) The proposed eligibility table (Appendix 15) be approved.
- p) The proposed Access Health Care and Support Assessment Criteria (Appendix 16) be approved as amended in that Appendix.

#### **4. Financial Implications – Rod Pearson x7108**

- 4.1 As part of the Housing Department Budget Strategy, savings of £198k must be found within the Housing Options budget. These proposals will provide at least £37k administrative savings and contribute to further savings within the total by reducing time spent by Options Officers and other staff on advising on and administering the policy.

#### **5. Legal Implications – Joanna Bunting x6450**

- 5.1 The Housing Act 1996 (as amended by the Homelessness Act 2002) requires the Council to frame its allocations scheme to give reasonable preference to:-
  - people who are statutorily homeless
  - homeless persons who are owed duties by the local authority under the homelessness provisions
  - people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
  - people who need to move on medical or welfare grounds, and
  - people who need to move to a particular locality within the local authority's district, where failure to meet that need would cause hardship to themselves or to others.

Beyond that the local authority can draw up its own policy as to relative preferences and priorities in respect of people who do not fall within the statutory reasonable preference categories.

Care must be taken, in giving preference, not to infringe the Sex or Disability Discriminations Act and the Race Relations Act (as amended). The report addresses steps to be taken in respect of equalities (Section 5). The Housing Department continues to undertake monitoring in respect of the implications of the Race Relations Act (as amended). This action effectively manages any risk of an inadvertent disproportionate effect of the application of the Allocations Policy on certain ethnic groups.

Care must be taken not to infringe the rights of individuals under the Convention on Human Rights as applied by the Human Rights Act, the principle "right" engaged here is the right to a private and family life.

The Housing Act also enables certain factors to be taken into account when determining the relative priorities for an Allocation Policy, these, effectively, can be used to determine how "much" preference is to be given. These factors include:-

- the financial resources available to a person to meet housing costs
- behaviour (affecting suitability to be a tenant)
- local connection

I have some concerns that there may be difficulties in some cases (for example, the deletion of unfitness (a reasonable preference category) whilst including "under occupation" (not a reasonable preference category unless the landlord is trying to terminate the tenancy on those grounds) but as the report explains this may be low risk). Case law establishes that any allocation scheme must be capable of a composite assessment of applicants need, however this must be all relevant need and there is a risk that any scheme can inadvertently be too rigid.

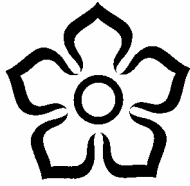
The 1996 Act also sets down the consultation requirements, the Council must afford to all registered social landlords with whom it has nomination agreements the opportunity to comment on a proposed change to the Allocation Scheme where this is a "major change of policy", the code of guidance suggests that this would include any amendment that affects the relative priority of a large number of people being considered, or a significant alteration to procedures. The law requires that those persons are given "a reasonable opportunity" to comment on the proposals.

**5. Report Author/Officer to contact:**

Ann Branson  
Service Director  
Ext 6811

Vijay Desor  
Head of Housing Options  
Ext 6915

Kanwaljit Basra  
Service Development Officer  
Ext 2690



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**CABINET**

**26 JUNE 2006**

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**REVIEW OF HOUSING ALLOCATION POLICY**

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**SUPPORTING INFORMATION**

**1. Background**

- 1.1 Our current Housing Allocation Policy was introduced in 1996 with a number of additions and amendments made since then.
- 1.2 The Policy is used to both allocate the Council's own dwellings and to make nominations to housing associations.
- 1.3 All households who wish to be offered Council or housing association homes are listed on the Housing Register except where legislation or policy prohibit. This includes certain persons from abroad and in cases where there is poor previous behaviour of some sort.
- 1.4 As at 7 February 2006, there were 10930 households on Leicester's Housing Register. During the period April 2005 to end of February 2006 there were 1428 lets to council housing and 362 lets to housing associations from the housing register.
- 1.5 The Council has agreed in principle to introduce a Choice Based Lettings system (CBL). A register of households who wish to be able to bid for a Council let or housing association will still be needed. It could be compiled in exactly the same way as the current Housing Register. The proposals to change are not made because of CBL. However, officers will consider the best timing of making any agreed changes in relation to the introduction of CBL.

**2. First Proposed Area of Change: Reduction in Number of Points Categories**

- 2.1 In common with all Councils, Leicester runs a "needs based" system, not a system based solely on length of time on waiting list. Points are awarded to households to reflect various aspects of household circumstances and their assessed need to move home. Primary legislation, statutory Government guidance and case law require that certain households should be given "reasonable preference", e.g. a household that is overcrowded or with a member who has difficulty getting to the bathroom.

- 2.2 Leicester City Council has added other factors to be given some weight, e.g. where a where a person is over 75 years old, etc. It also sub divides some main categories, e.g., overcrowding and AHCS. This results in 30 categories.
- 2.3 Assessing need takes time and the more detail required from the applicant the more it costs. The less details that are taken into account in assessing need, the cheaper the system will be to administer. Costs are incurred, not just when registering and assessing households for the first time, but in keeping details updated. Costs are also involved in checking the validity of claims. The current Application Form has recently been reduced to 12 pages from 16 pages and supplementary forms are also being reviewed to make further budget savings.
- 2.4 Undoubtedly, the cheapest system is to allocate homes to households simply on the basis of how long a household has been waiting on the Register, regardless of circumstances. This would be unlawful. The less detail that is gathered about housing circumstances, the more the selection will be based on the length of time waiting. It is acceptable to include some element of recognition of the “time in need” and Leicester’s current policy does include recognition of time in need.
- 2.5 It is estimated to cost £150,000 per annum to administer the current system. This includes registering households for the first time, amending the Register for changes in circumstances, assessing eligibility for various points and dealing with appeals. The figure does not include the time spent by officers not directly involved (e.g. Housing Options Officers, advice agencies) on advising clients on the system or the costs of complex assessments. The costs to the landlord in selecting an applicant, matching and offering are also separate.
- 2.6 There is some debate about how applicants, the public and other stakeholders perceive a complex system. Householders whose only hope of improving their housing circumstances will inevitably “chase” points. So they welcome points being awarded to “finely tune” an assessment of their housing or personal circumstance, e.g. extra points for being aged over 75 or because they live in a Tower Block. When consulted, people will often say the system is complex and difficult to understand and sometimes claim it is unfair. However, it is clear that many applicants and their advisers do understand the finer points of the system.
- 2.7 The underlying problem is, of course, the shortage of affordable decent homes for rent. There is a strong desire to let the homes that do become available to those in most need and therefore to carefully decide who is in most need. Conversely, a very detailed system with many point’s categories and combinations of “add on” points is costly to administer. Time in need (not simply on the register) is a relevant consideration and the balance between a very detailed analysis of housing circumstances or a slightly broader assessment and more emphasis on the time waiting is possible and may be welcomed by some clients.
- 2.8 The need to make efficiency savings is also a major and current catalyst for change.
- 2.9 The legislation and guidance allows some local discretion and this paper therefore proposes some simplification of our current policies and procedures.

- 2.10 It is not proposed to make points changes to ten major categories that confer 125 points and above. These are Referred Cases, Tenants Incentive Scheme, Homelessness, Harassment, Access Health Care and Support at high and medium level, Homelessness, Insecure Accommodation, Management Cases, Temporary Accommodation, and Overcrowding. There are some proposals to streamline assessment for Underoccupation, Sharing and Children living in upper floor / with no garden.
- 2.11 It is proposed to delete some of the minor points categories, which are usually used in combination with others. The impact will be to put slightly more emphasis on time spent in need rather than the details of that need.
- 2.12 It is not suggested that one system is inherently “better” than the other. Allocating scarce resources involves difficult policy decisions. A new allocation policy will not create more affordable housing, and there will be upheaval associated with changeover. However;
- Homes will still be let to those in acute housing need.
  - Having fewer points will not necessarily mean a longer wait as there will be fewer points allocated overall.
  - There will be savings in administration.
  - A simpler system will be more easily explained and understood, though some applicants will feel that all their circumstances have not been considered.

### **3. Second Area of Proposed Change: Proofs, Confirmations and Penalties**

- 3.1 There are several different ways in which households are assessed for points. These range from simply collecting information from the application form to doing separate interviews and assessments. Closely related to this is the level of proof required of circumstances. This can range from simple acceptance of what is said, through to requiring documentary proof, home visits, and/or confirmation from other professionals. In all cases, there will be levels of penalties for failure to provide correct information. The more detailed the checking, the more robust the implementation of policy but potentially the higher the cost.
- 3.2 Over recent years, there has been increased emphasis on requiring applicants to bring in proofs of circumstances before applications are registered. This led to efficiency savings because fewer applications were registered. More rigorous investigation of circumstances has also been introduced including crosschecks against Housing Benefits and other data, and home visits. This checking has been accompanied by more support and help to resolve housing problems, particularly avoiding crisis. For example, a home visit or a call to a private landlord may mitigate the threat of immediate eviction perhaps by resolving misunderstandings or poor behaviour on both sides.
- 3.3 Appendix 16 proposes some further changes in the way AHCS applications are assessed and verification of circumstances required for this points category.

### **4. Third Area of Proposed Change: Eligibility for Property Types**

- 4.1 These changes (set out in Appendix 14) are aimed at simplifying the matching process. The advantages could be some saving of time for the landlord in matching properties and a simpler description for the Choice Based Lettings adverts.

## **5. Implementation**

- 5.1 S167 (7) of The Housing Act 1996 requires consultation with Registered Social Landlords (RSLs). The code of guidance suggests other stakeholders also be consulted and as part of this process the Local Authority will ask views on the proposed changes to the Allocation Policy from all RSLs in the city and over 50 separate organisations identified as our stakeholders in the Best Value Review of Services to Homeless People.
- 5.2 The code of guidance makes reference to the Council's responsibility to ensure that allocation policies and procedures do not discriminate, directly or indirectly, on grounds of race, ethnicity, sex or disability. In addition to the consultation an Equalities Impact Assessment will also be undertaken to ensure that the changes proposed do not impact on particular groups.
- 5.2 It is proposed after the consultation has ended and the Equalities Impact Assessment considered and the changes agreed upon the new policy be implemented as soon as practically possible.
- 5.3 Where points are deleted from the Allocations Policy they will be removed from the date of implementation.

## **FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

### **6. Financial Implications – Rod Pearson x7108**

- 6.1 As part of the Housing Department Budget Strategy, savings of £198k must be found within the Housing Options budget. These proposals will provide at least £37k administrative savings and contribute to further savings within the total by reducing time spent by Options Officers and other staff on advising on and administering the policy.

### **7. Legal Implications – Joanna Bunting x6450**

- 7.1 The Housing Act 1996 (as amended by the Homelessness Act 2002) requires the Council to frame its allocations scheme to give reasonable preference to:-
- people who are statutorily homeless
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I have some concerns that there may be difficulties in some cases (for example, the deletion of unfitness (a reasonable preference category) whilst including "under occupation" (not a reasonable preference category unless the landlord is trying to terminate the tenancy on those grounds) but as the report explains this may be low risk). Case law establishes that any allocation scheme must be capable of a composite assessment of applicants need, however this must be all relevant need and there is a risk that any scheme can inadvertently be too rigid.

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## **8. Other Implications**

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	Yes	5	
Policy	Yes	2, 4	
Sustainable and Environmental	No		
Crime and Disorder	No		
Human Rights Act	No		
Elderly/People on Low Income	No		

## 9. Background Papers – Local Government Act 1972

- 9.1 Leicester City Council Housing Allocation Policy
- 9.2 The Housing Act 1996 as amended by the Homelessness Act 2002.
- 9.3 Allocation of Accommodation Code of Guidance for Local Housing Authorities, November 2002, ODPM.

## 10. Consultations

- 10.1 Consultation to the proposed changes will be carried out with all Registered Social Landlords within the city and with over 50 separate organisations identified as our stakeholders.

## 11. Report Author

Ann Branson  
Service Director  
Renewal & Options  
Ext 6811

Vijay Desor  
Head of Housing Options Service  
Ext 6915

Kanwaljit Basra  
Service Development Officer  
Ext 2690

Proposed Summary Points Scheme Table

Circumstances	Full Points	Reduced Points	Time in Need Points Per Month
Referred Cases	600	Not Applicable	1 – 24 maximum
Tenants Incentive Scheme	500	10	1 – 24 maximum
Compulsory Home Loss	500	10	1 – 24 maximum
Harassment	350	10	1 – 24 maximum
Access, Health, Care & Support / Physical - High Level	300	10	1 – 24 maximum
Statutory Homeless	250	Not Applicable	1 – 24 maximum
Insecure Accommodation	195	10	1 – 24 maximum
Management Case	300	10	1 – 24 maximum
Temporary Accommodation	190	5	1 – 24 maximum
Overcrowding 1 Bedroom	125	4	1 – 24 maximum
Overcrowding 2 Bedroom	150	5	1 – 24 maximum
Overcrowding 3 Bedroom	175	6	1 – 24 maximum
Overcrowding 4 Bedroom	200	7	1 – 24 maximum
Overcrowding 5 Bedroom	225	8	1 – 24 maximum
Sharing Facilities	25	2	1 – 24 maximum
Under-occupation	125 per bedroom	4	1 – 24 maximum
Access, Health, Care & Support / Physical - Medium Level	150	6	1 – 24 maximum
Care & Support Emotional	20	1	1 – 24 maximum
Children in Upper Floor Accommodation / Children with No Garden	5	1	1 – 24 maximum

Please note: You can only qualify for one of these groups shown in the shaded areas. There are also some restrictions on certain other combination of points.

**APPENDIX 2**

**Points Combination Table**

	Referred Case	Tenants Incentive Scheme	Compulsory Home Loss	Harassment	AHCS High Level	Statutory Homeless	Insecure Accommodation	Management Case	Temporary Accommodation	Overcrowding	Sharing	Under-Occupation	AHCS Medium Level	Care & Support Emotional	Children in Upper Floor / No Garden
Referred Case															
Tenants Incentive Scheme															
Compulsory Home Loss															
Harassment															
AHCS High Level													*		
Statutory Homeless															
Insecure Accommodation															
Management Case															
Temporary Accommodation															
Overcrowding															
Sharing															
Under-Occupation															
AHCS Medium Level					*										
Care & Support Emotional															
Children in Upper Floor / No Garden															

Points combination not permissible

\* Can only combine under a composite award

## APPENDIX 3

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### Time in Need Points

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These are additional points given each month to applicants who have been given housing need points (where applicable) in recognition for the length of time they have been waiting.

These points can be difficult to administer especially in relation to overcrowding points. As levels of overcrowding change officers have to manually change the dates to take into account current level of overcrowding as well as keeping dates to reflect previous levels of overcrowding. It can also be difficult to understand as different categories of need have varying time in need points and maximum time limits placed. We do however require some recognition to put two applicants with the same priority in order of priority.

There are 12600 different levels of time in need points currently awarded. Harmonising the level of time in need points will it will be administratively more efficient as well as being easier to understand by all.

#### **Recommendation:**

**Time in need points be simplified and all points categories will receive one point per month to a maximum of 24.**

#### **FEEDBACK**

No comments received.

## APPENDIX 4

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### HOMES Mobility

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These are points given to applicants who wish to move to Leicester from other parts of the country for such reasons as employment or to give or receive support in the city. The scheme also assists people in the city to move to other areas. However it is the discretion of each organisation whether they will accept applications under this scheme.

The scheme is administratively time consuming and it is becoming increasingly difficult to move under the scheme due to long waiting lists in all areas of the country. Currently we are only accepting applicants who need one bed elderly accommodation under the scheme.

There are 18 applicants with these points on the register and two moves took place from the register in 2005.

Elderly applicants who wish to move to the city can still apply directly and will meet Leicester City requirements if they have a close connection with the city. There are other schemes available to assist tenants who wish to move to other areas of the country. The Homewap scheme is available to tenants who are looking for a mutual exchange with other local authority or housing association tenants. The properties are advertised on the internet as well local housing offices.

#### **Recommendation:**

**The Council withdraws from the Homes Mobility Scheme.**

### **FEEDBACK**

#### Women's Aid

- Do not agree with recommendation as they feel it takes away choice from the applicant.

#### Corporate Director of Housing Response

This client group who wish to move to the City can directly apply to LCC for Sheltered accommodation. Withdrawal of this scheme does not take away choice.

## APPENDIX 5

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### Sharing Points

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These are points given to applicants who share certain facilities with another household in accommodation where they are not the owner or tenant.

Currently there are two different level of sharing points available depending on household numbers you have to share facilities with. Officers have to manually work out and input the correct level of points.

There are 5034 applicants with sharing points of which 3023 have the lower level of sharing points. One level of points will be easier to administer as officers will no longer have to work out which level of sharing points to award. It is proposed to give all applicants the higher level.

#### **Recommendation:**

**There is one, higher, level of points for shared facilities.**

#### **FEEDBACK**

No comments received.

## APPENDIX 6

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### Underoccupation Points

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These are points given to tenants of Leicester City Council or Housing Associations in Leicester who occupy accommodation that is too big for their needs.

Points are given for each bed space they give up. However this system is administratively time consuming, as officers have to manually work out the number of bed spaces given up. This varies for different property types and size.

There are 400 applicants with underoccupation points.

The proposal is to change the way the points are worked out so they are awarded based on the number of bedrooms given up (125 points per bedroom). This will be similar to how overcrowding is worked out and will be easier to administer and understand. It may also free up larger homes, as applicants will have more points under the new process.

#### **Recommendation:**

**Underoccupation points are awarded for the number of bedrooms given up, at a rate of 125 points per bedroom.**

#### **FEEDBACK**

No comments received.



## APPENDIX 7

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### Access Health Care and Support Low Level Points

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These are points awarded by an options officer following an assessment of whether an applicant's current accommodation is impacting on their Access Health Care and Support (AHCS) needs. There are three levels of points awarded under AHCS (high, medium & low). The decision to award points is based on self assessment by the applicant and the points awarded at the low-level acknowledges the current accommodation is having a minor impact on the applicants AHCS based on the information received.

There are 444 applicants with low-level AHCS points. The assessment for the different levels of points under AHCS is administratively very time consuming. It is often used as a housing option when it is often not the appropriate route for the household, and raises customer expectation resulting in a high number of applications and a high proportion of 'no medical recommendations'. Sometimes households with similar low level medical conditions do not tell officers. This has created inequalities.

We will assess applications under AHCS at a higher and medium points level (Appendix 16). Simplifying the assessment and the decision making processes of AHCS applications against set criteria will result in efficiencies in administration. It will also lead to transparency in the decision making process as applicants will know what criteria or support they have to meet or need to be eligible for the points.

In December 2005 consultation was undertaken with our stakeholders regarding the removal of low level AHCS points. There were 7 responses received. One response was from De Montfort Housing Society who stated they had no objections to the proposal. There were 6 responses from Councillors, three of whom said they needed more information regarding the removal of the points and another three objected to the removal stating if someone had been assessed for the points then they should keep them.

#### **Recommendation:**

**Low level Access Health Care and Support (AHCS) points be deleted from the Allocation Policy.**

#### **FEEDBACK**

##### LCC Labour Group

- Do not agree with recommendation. Despite it being in the form many tenants do not appreciate that health matters can mean additional points being added even a small number can be viewed important. That option should be kept open.

## Corporate Director of Housing Response

The assessment under AHCS is administratively time consuming and sometimes households with similar low level medical conditions do not tell officers. This has created inequalities. Appendix 17 gives an example of how these points can create inequity and why it is important to have a system that is transparent in the decision making process as applicants will know what criteria or support they have to meet or need to be eligible for the points.

## **APPENDIX 8**

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### **Unfitness Points**

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These are points given if your home is deemed unfit for human habitation by an environmental health officer.

There are no applicants currently registered with these points. Unfitness is already considered under statutory homelessness.

#### **Recommendation:**

**Unfitness points be deleted from the Allocation Policy.**

#### **FEEDBACK**

No comments received.

## **APPENDIX 9**

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### **Age Points**

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These are points given to applicants aged 75 years or older. There are three different levels of age points given at 75, 80 and 85 ranging from 5 points to 15 points.

There are 522 applicants with age related points all who have been given points on the age of 75 and no applicants with the other age range points. Most people over 75 will have other points or they can apply for emotional care and support points. They can also apply for sheltered accommodation where traditionally you do not need a high level of points to be offered accommodation. This will also result in administrative savings

#### **Recommendation:**

**Age points be deleted from the Allocation Policy.**

#### **FEEDBACK**

No comments received.

## APPENDIX 10

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### Children Points

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These are points given to families with dependent children aged 18 years or younger who permanently reside as part of the household. One point is given for each child in the family.

There are 4444 children points currently awarded. The points are system generated up to the age of 15, above that officers have to manually put the points on after checking to see if the child is still eligible for child benefit if in full time education up to the age of 18.

Children are recognised under homelessness as conferring a priority need and when assessing for overcrowding. They will also be considered under a composite assessment under access health care and support. The points attributed are to the household not to the applicant.

Family accommodation such as houses and maisonettes are already ring-fenced for families with children of any age so removing these points would remove the advantage of having dependent children rather than adult children. Removing the points will also make administrative savings.

#### **Recommendation:**

**Children points be deleted from the Allocation Policy.**

### **FEEDBACK**

#### Women's Aid

- Do not agree with recommendation as they feel there are lots of under 18 years olds & over who still live with their parents. If they were to put in an independent housing application it would create added costly administration and strain on demand for housing. Most of are unable to afford private rented accommodation.

#### Corporate Director of Housing Response

Children (of any age) will still be recognised as part of the household. They will be taken into account in calculating the size of home required. They will be taken into account in assessing overcrowding. It is up to each household/applicant to choose whether adult children wish to be assessed as a separate household.

## APPENDIX 11

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### Children in Upper Floor Accommodation / Children with no Garden Points

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These are points given to families with dependent children aged 18 years or younger who live in accommodation, which is entirely self-contained above the ground floor or where they do not have the sole use of a garden. They are only available for families living in the city.

There are 811 applicants with these points. They are administratively time consuming as the points have to be manually inputted based on the number of dependent children there are in the household.

#### **Recommendation:**

**Points for children in upper floor accommodation are combined with points for children with no garden, with only one set of points given per household.**

#### **FEEDBACK**

##### LCC Labour Group

- Do not agree with recommendation. Children in Upper floor accommodation are more disadvantaged from those in a house for example but with no garden.

##### Corporate Director of Housing Response

These points are being combined with children with no garden and one set of points awarded per household. It will be easier to advise and manage administratively.

## APPENDIX 12

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### Children or Persons aged 60 years or older Living in Tower Block Points

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These are points given to families with dependent children aged 18 years or younger and to persons aged 60 years or older living in a tower block in the city.

There are 31 applicants with these points. They are only available for tenants of Leicester City Council and Housing Associations in Leicester and have to be manually inputted.

They are not available to all tenures and families with children already get points for living in upper floor accommodation. Where there is a health or mobility issue as a result of living in a tower block an application can be made under access health care and support grounds. This will also result in administrative savings.

#### **Recommendation:**

**'Tower Block' points be deleted from the Allocation Policy.**

### **FEEDBACK**

#### Women's Aid

- Do not agree with recommendation as they feel children should be able to access secure outside gardens & play areas taking into account problems relating to child obesity. The safety of children & older people should be made priority before rehousing these individuals in tower blocks.

#### LCC Labour Group

- Do not agree with recommendation. Children in Upper floor accommodation are more disadvantaged from those in a house for example but with no garden.

#### Corporate Director of Housing Response

Misunderstanding. Where children are in Tower Blocks their household will still get upper floor/no garden points (see Appendix 11). Flats in Tower Blocks are not allocated to households with children. The children are born or otherwise join the household later.

## APPENDIX 13

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### Low Income Points

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These are additional points given to applicants in receipt of certain means tested benefits who have been awarded certain high priority points such as homelessness points.

There are 235 applicants out of 662 with these points. They have to be manually inputted on the system after checking they are eligible for the points depending on which type of high priority points have been awarded, this is time consuming and costly to administer and also is hit and miss as not all applicants who are entitled to these point are awarded them if we are unaware of their means tested benefits, as people go on and off benefits.

Deletion of these points will ensure equality between all high priority applicants, as the points were not always awarded to eligible applicants. It will also result in administrative savings.

#### **Recommendation:**

**Low income points be deleted from the Allocation Policy.**

#### **FEEDBACK**

No formal feedback.

Corporate Director of Housing further comment for clarity

Low income points are **only** added to Harassment, Management Cases, AHCS High, Homeless and Insecure Accommodation. It can cause problems if people go off benefits between going on the Register and offer/sign up. In practice most applicants with priority points are getting rehoused within 12 months with or without low income points.



## APPENDIX 14

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### Eligibility for Property Types

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#### 1. Age Designated Schemes / Bungalows / Sheltered Accommodation

There are currently 21 schemes/specific estates that are age designated in addition to bungalows and sheltered accommodation that are also age restricted. This means that offers of accommodation are restricted to applicants by virtue of their age. The schemes allow for allocation to applicants younger than 60 where there is lack of demand.

It is administratively time consuming to allocate age-designated accommodation due to the complex age criteria allocation procedures that officers have to follow with varying versions according to different areas of the city. However it is recognised that age designation can stabilise communities. The proposal is to harmonise the 21 schemes, not remove age designation.

Applicants age 40 years will be able to request a one bedroom bungalow, although only some areas of the City have relaxed age eligibility. This will result in efficiencies in administration, as it will be easier to identify applicants requesting bungalows where it has been decided to lower the age band. (This is no change to the allocation policy, only to the administration. Currently speculative offers have to be made to those who have requested flats, if a bungalow can't be let).

#### **Recommendation:**

**The allocation of all age-designated schemes / bungalows / sheltered accommodation be harmonised so that all age designated accommodation is first offered to applicants age 60 years and over with offers made by age bands reduced by 5 years until a suitable applicant be identified. The lower age limit for bungalows will be 40 years and for sheltered accommodation 50 years.**

#### **FEEDBACK**

##### LCC Labour Group

- Clarification regarding reference to bungalows. Is the report saying we are going to start letting them from age 40yr? If so Right to Buy comes in and we will lose them like our other housing stock. Some imagination is needed to make bungalows more attractive or indeed look at new development on such sites.

##### Housing Management Board

- There is concern that lowering the age limit on allocation of bungalows to applicants 40+ will mean they will have the Right to Buy and the profile of the estates will change. Bungalows should be exempt under the Right to Buy scheme.

##### Corporate Director of Housing Response

There is no change in current policy of the lower age limit of 40. The proposal harmonises the age band reductions.

Landlord Services must ensure that they maximise income to the Housing Revenue Account. Restrictions on the way bungalows are allocated will lead to vacant homes with rent loss to the department, impact adversely on the Best Value Indicators and increase anti social behaviour and vandalism to property, effecting the sustainability of estates.

Bungalows are an important source of housing to single people between 40 – 60 who cannot afford to buy in the private sector who want the security of a council tenancy. Tenants who were under 60 when their tenancy began have the right to buy. There have been 22 bungalows sold under the Right to Buy Scheme since 1996. There are 2689 bungalows in the Council's stock. Last year there were 205 lets of bungalows. 99 of them were let to people under 60.

## **2. Downsizing**

Applicants can currently choose to accept one bedroom less than they are eligible for but this results in a reduction in their overcrowding and time in need points. This means their level of overcrowding is not reflected against other competing applicants for that size of property who have not downsized. An applicant cannot ask for a move to a like for like property size with their overcrowding points.

### **Recommendation:**

**Applicants who choose to downsize are allowed to maintain their overcrowding and time in need points that reflect their current level of overcrowding.**

### Feedback

No comments received.

## **3. 39 Points Allocation Limit**

It is current policy that offers cannot be made to applicants who have 39 points or less. This is to enable the Council to reserve stock to meet future expected housing duties. The exception to this limit is in the allocation of sheltered accommodation where an allocation can be made to an applicant with less than 39 points due to relatively low demand.

The changes proposed regarding deleting various categories of points will generally mean that points levels on the whole will reduce for applicants and the points levels at which offers are made are also expected to fall. It is proposed that this limit be reduced accordingly.

### **Recommendation:**

**The points allocation limit, below which no property will be allocated, be reduced to 28.**

Feedback - No comments received.

## Proposed Eligibility table

	Single Person	Childless Couple	1 Child Family	2 Child Family	3 Child Family	4 Child Family	5 Child Family	6+ Child Family
Bedsit	X							
1 Bedroom Flat	X	X						
1 Bedroom Bungalow	Age 40+	Age 40+						
2 Bedroom Flat			X	X				
2 Bedroom Bungalow			X	X				
2 Bedroom Maisonette			X	X				
2 Bedroom House			X	X				
3 Bedroom Flat				X	X			
3 Bedroom Bungalow				X	X			
3 Bedroom Maisonette				X	X			
3 Bedroom House				X	X			
4 Bedroom House						X		
5 Bedroom House							X	X
6 Bedroom House								X
Sheltered Bedsit	Age 50+							
Sheltered Flat	Age 50+	Age 50+						

1. No accommodation will be offered that would create statutory overcrowding to the rehoused family.
2. Households can also choose to downsize by one bedroom although there are some restrictions.
3. Households will be eligible for an additional bedroom where there are access arrangements for children or where the Adult & Community Service Department or Children & Young People Department have confirmed that a bedroom is required for a carer.

## Appendix 16

### Proposed AHCS Assessment Criteria

<b>Access &amp; Mobility</b>	<b>Housing Circumstances &amp; Verification</b>	<b>Referral Source</b>	<b>Points</b>
Applicant has an acute deterioration of mobility or progressive mobility problems.	Where an OT has said you require: 1. Fully wheelchair accessible home & your current home is not fully adapted for your needs. 2. Your bedroom, bathroom & toilet all to be on ground floor & they are currently upstairs.	Leicester City Council's Promoting Independence Unit / Adult & Community Department	300
Applicant has a housing need linked to a disability or medical condition, which renders the present housing hazardous or extremely difficult to cope with.	Where an OT has said your current home is partially suitable but you require a major adaptation e.g. level access shower or through floor lift.	Leicester City Council's Promoting Independence Unit / Adult & Community Department	150

<b>Mental Health</b>	<b>Housing Circumstances &amp; Verification</b>	<b>Referral Source</b>	<b>Points</b>
Applicant has a serious mental health condition.	Where a Consultant Psychiatrist has stated it is impossible to remain in your current home due to the impact on your mental health	Consultant Psychiatrist	300
Applicant has a mental health condition.	Where a Consultant Psychiatrist or a CPN has stated your current home is having a significant detrimental impact on your mental health.	Consultant Psychiatrist / CPN	150

<b>General Health</b>	<b>Housing Circumstances &amp; Verification</b>	<b>Referral Source</b>	<b>Points</b>
Applicant has a formal AIDS diagnosis.	Where your Specialist has stated your current home increases your susceptibility to infections. *	Specialist Referral	300
Applicant has a terminal illness.	Where your Doctor or Specialist has stated your current home cannot meet your immediate needs. *	Specialist Referral	300
Applicant has a chronic respiratory condition such as severe asthma or emphysema.	Where your Specialist has indicated that the condition of your home is affecting your health subject to confirmation by an Environmental Health Officer (EHO) that there is irremediable damp & mould growth. *	Leicester City Council's EHO	150

<b>* If you require a move on mobility grounds refer to Access &amp; Mobility.</b>			
<b>Care &amp; Support</b>	<b>Housing Circumstances &amp; Verification</b>	<b>Referral Source</b>	<b>Points</b>
Applicant needs to move to give or receive daily physical care & support.	Where a community care assessment recommends a move as your current home is too far away to give or receive this support.	Leicester City Council's Community Care Assessment (Adult or Children Department)	150

<b>Additional Bedrooms</b>	<b>Housing Circumstances &amp; Verification</b>	<b>Referral Source</b>	<b>Points</b>
Applicants who have a severe disease or disability, and require extra space for major items of life sustaining equipment or equipment to promote independence in the home e.g. severe kidney disease (with self dialysis at home or use of kidney machines), severe respiratory disease (with use of oxygen machine at home), etc.	Where your Specialist has indicated that there is insufficient space for essential equipment.	Specialist Referral	150
Extra bedroom for full-time carer: a need for care that is so great that residential or hospital care would be necessary without a full-time carer.	Where a community care assessment identified there is insufficient space for a residential carer but otherwise home is appropriate.	Leicester City Council's Community Care Assessment (Adult or Children Department)	150
Applicants who have severe behavioural problems.	Where your Specialist has confirmed you require a separate bedroom to remedy severe behaviour problems.	Specialist Referral	150

### **Notes on the Access & Health Scheme**

- Points will only be awarded if rehousing is needed to solve or alleviate the medical condition.
- No points may be awarded for a medical condition, however severe, if the present housing does not affect the medical condition.
- Only one category of AHCS can be awarded per applicant. However multiple points can be awarded where there is more than one household member with Access or Health needs.
- Applicants will no longer be required to complete an application form. If an applicant wishes to be considered under any of the above criteria we will accept referrals from the sources above.

## **FEEDBACK**

### Adult and Community Services Department

- The Promoting Independence Unit made some comments on the wording used in the description of circumstances which have all been accepted.

### LCC Labour Group

- Appendix 16. Access & Mobility. Applicant AND MEMBER OF HOUSEHOLD - needs adding.
- General Health. Additional illnesses should be mentioned not just AIDS.
- Where your specialist has indicated that the condition of your home AND IMMEDIATE ENVIRONMENT - needs adding.

### Corporate Director Of Housing Response

Comments accepted and amendments made to wording of policy.

### Proposed Amendments to Appendix 16 in Response to Consultation

Current Wording	Proposed Wording	Reason
<p><b>Appendix 16</b> refers throughout to 'applicant'</p>	<p>Applicant or member of household</p>	<p>For clarity, no change in policy</p>
<p><b>General Health</b> Applicant has a formal AIDS diagnosis</p> <p>Applicant has a terminal illness</p>	<p>Applicant or member of household has severely lifestyle restricting or terminal illness where Specialist or G.P. confirms that current home increases severity of illness or has adverse impact on lifestyle. E.g. AIDS, Cancer, MS.</p>	<p>To recognise other severe medical conditions.</p>
<p><b>General Health</b> (Respiratory conditions) condition of home is affecting your health</p>	<p>Condition of home or immediate environment is affecting your health.</p> <p>Referral Source: and Air Quality Monitoring Unit.</p>	<p>To recognise respiratory problems exacerbated by environment e.g. proximity to road with high pollution index.</p>

## Example of the effect of removing low level health points

	Current Points		Proposed Points	
	Family A	Family B	Family A	Family B
Overcrowding (2 bedrooms short)	150	150	150	150
Time in need	48	24	24	12
Children	4	4		
Low level health		75		
Total points	202	253	174	162

Both families have 4 children and are two bedrooms short. One (Family A) has waited two years. The other (Family B) has waited one year but has a GP note to say that one child's asthma may be exacerbated by the overcrowding, so additional low level access points awarded.

On the **current system** Family B will be offered the property because of the child with asthma.

The points difference is 51 points.

On the **proposed system** we would not add child points or award low level AHCS points (75). Note that if asthma was severe and the house very bad, the health of the child would be taken into account if a specialist identified a link between issues in the house and health and an Environmental Health Officer found damp and mould growth which cannot be tackled. If this was the case then this family would have 150 additional points, which would be more likely to ensure an offer.

Unless this was the case, under the **proposed system** we acknowledge the overcrowding in itself will be causing difficulties in **both** families and the emphasis is on the **time they have suffered the overcrowding**. Family A would therefore be made the offer.

The differential is 12 points.



## Appendix 18

### Stakeholders Consultation List

1	ASRA Midlands	43	Leicester Law Centre
2	DMHS	44	Women's Aid Leicestershire Ltd
3	East Midlands HA	45	Mosaic
4	Foundation HA	46	Leicester YMCA
5	Leicester HA	47	Hits Home Trust
6	Leicester Housing Co-ops	48	Promoting Independence Unit (SC&H)
7	North British HA	49	Connexions (Leicester)
8	Raglan HA	50	Leicester Holme Project
9	Riverside Midlands HA	51	GAP Project
10	Touchstone HA	52	Rathbone Accommodation Project
11	Tuntum HA	53	Care & Repair (Leicester) Ltd
12	Nottingham Community HA	54	Park Lodge Project
13	Advance Housing & Support	55	Children & Young People's Department
14	William Sutton Housing Trust	56	Young Persons Housing Forum
15	Metropolitan Housing Trust	57	Liberty House
16	English Churches Housing Group	58	Heathfield House
17	Anchor East Midlands	59	Age Concern
18	F.C.H	60	Supporting People
19	Home HA		
20	Leicester Newarke HA		
21	CARA HA		
22	Hanover HA		
23	Refugee HA		
24	Adullam HA		
25	Members		
26	LCC Housing Management		
27	LCC Sheltered Housing		
28	LCC Hostels		
29	LCC Community Care Team		
30	RASAP		
31	SHARP		
32	STAR		
33	RISE		
34	LHA Support Services		
35	Stonham HA		
36	Action Homeless (Leicester) Ltd		
37	Fairdeal		
38	Leicestershire Centre for Integrated Living		
39	Leicestershire & Rutland Probation Services		

40	Tenant Compacts		
41	Leicester City West PCT		
42	Eastern Leicester PCT		

Women's Aid

- Leicester City Council need to take in to consideration the vulnerability of children and women who are moving in to local authority housing from the refuge. The client group at the refuge consists of very vulnerable women and children and there fore it is paramount that these individuals move on to a safe and secure place once re housed. A lot of women that have been re housed by the council have informed the refuge that generally they are ok but they feel isolated and scared at times because of the areas they have been placed in by the Council. The areas may be problematic with high rate of crime and predominately white areas, and areas that have anti social behavioral problems.

Corporate Director of Housing Response

This report is not dealing with the issue of choice of area. The Department's policy is to tackle ASB and harassment in all parts of the city and support victims. Good progress has been made.

Children & Young People's Department (Safeguarding & Family Support Services)

- The proposals to reduce the number of points categories are generally welcomed as this leads to a more readily understood system of points allocation, both for applicants and for other professionals.
- The recommendation to retain an allocations system based on priority need rather than moving to a "time waiting" approach is also welcomed.
- The retention of the ten major categories conferring 125 points or above is welcomed, particularly the category of referred cases from the former Social Care and Health Dept.
- The recommendation that greater emphasis is placed on the use of confirmatory statements from other agencies in the assessment process is clearly part of a strategy to develop a more robust assessment system whilst at the same time reducing costs. It has to be noted, however, that where confirmatory statements and additional information is being requested from other Departments of the Council, costs are still incurred by the Council but are effectively passed to other Departments. In addition, for those cases of children and families being supported by CYPs (and possibly placed in temporary accommodation) whilst awaiting Housing, delays in accessing Housing from the register simply pass costs from one Department to another.
- This review missed the opportunity to look at other issues.

Corporate Parenting - Looked after Children and Care Leavers are not referred to in the paper. The review of the Housing Allocation policy is an ideal opportunity to take positive steps to meet the needs of this group. In particular, consideration should be given to a **specific points category for care leavers** that reflects our corporate priorities and responsibilities to these young people.

Pre-tenancy training – It is understood that there are plans for a pre-tenancy training programme to be rolled out. If this programme is to have an impact, there needs to be a **link between applicants successfully completing the programme and points awarded on the housing register**. Consideration should therefore be given to awarding additional points to applicants who have successfully completed such a course.

Anti-Social Behaviour - Aware that within the Housing allocations Policy currently there are a range of exclusions in place for factors such as Anti-Social Behaviour, rent arrears, etc. These are not referred to in the report. Whilst it may be that there are no proposals to change these exclusions in any way, a review of the Allocations policy offered an opportunity that has been missed to review these issues as well – and these are often major issues for children and families supported by CYPS with significant associated costs.

#### Adults and Community Services Department (Promoting Independence Unit)

- The report appears to be comprehensive and will hopefully simplify, to some degree, what is a very complex process.

#### Corporate Director of Housing Response

a) Corporate Parenting – proposal for a specific points category.

Care leavers are a statutory recognised priority group and awarded homeless points of 250, when Children & Young People's Service (CYPS) confirm they are ready for independent living. There are current joint discussions on ensuring on-going support for care leavers.

b) Awarding points for completing training programme.

This is being discussed by Young Persons Accommodation Strategy Group (CYPS, Housing and other agencies).

c) Exclusions / Reduced points for ASB / Rent Arrears

The Corporate Director of Housing does not propose any changes to the current system.

#### LCC Labour Group

- Members of Leicester City Council Labour Group wish the following views to be taken in to account when the consultation period ends and in drawing up reports for Housing Scrutiny 22<sup>nd</sup> June and Cabinet.
- First we feel this is budget driven and there would have been no such proposals had savings from the Housing Department not been required. Therefore we do not accept any of the changes proposed.

- Leicester's housing allocation policy has been a model of good practice and has evolved over many years based on need. Reducing the criteria for allocation of points is harsh and not good practice.
- In addition the fact that every one on the housing register will be affected and told their points have reduced will cause unnecessary concern and could appear that getting a house in Leicester is almost impossible.
- In conclusion we do not support these proposals.