

Review of Tonbridge and Malling Councils Housing Allocations Scheme

End of Year Report (2021)

Introduction

In November 2019 the Communities and Housing Advisory Board met to discuss a review of the current Housing Allocation Scheme, the current scheme was published in July 2016. To complete the review a project plan was drafted containing a number of milestones, in hopes of the review being finalised and the new Allocations Scheme being published by May 2021. However, due to the global COVID19 pandemic this was delayed.

We are now in a position to revisit this, to ensure our Allocations Scheme is up to date and fit for purpose in light of a number of legislative changes. These include, but are not limited to, the introduction of the Homelessness Reduction Act (2017) and the more recent Domestic Abuse Act (2021), alongside our exit from Europe in 2020. We will also consider the outcome of an independent review “of the use of temporary accommodation for homeless households” as requested by Tonbridge and Malling Borough Council in November 2021.

Project planning meeting

The first reconvened meeting was held on 16 September 2021. This was an initial project planning meeting, attended by a core group to begin with. At this initial meeting, it was acknowledged that as things progress, these meetings will include other departments for further input as, and when, required.

The key actions from this initial meeting were:

- To revise the original timeline; taking into consideration things that will need to be brought to CHAB
- To book in monthly meetings for the project group
- To continue to collect as many allocations policies as we can from registered providers in the borough, ensuring, where possible, our revised Allocation Scheme does not conflict with these
- The staff consultation with the Housing Solutions and Allocations teams to go forward as planned
- For a meeting with the Housing Improvement Team to be arranged
- To discuss how meetings with members will be arranged (format likely to replicate that of the housing strategy consultation)
- To finish arranging a consultation with registered providers in the borough
- To consider how we approach the customer consultation event, for service users
- Continue a communication Plan for the project
- To do a desktop review of relevant documentation; statutory guidance, legislation and issues log developed by staff
- Discussed the fact that changes to the Allocations Scheme, may mean we require changes to be made to the locata system as well

Finally, it was noted that a Housing Needs Assessment was due to commence, and discussion was required on whether we make minor changes to the Allocations Scheme now, and then fully review it after this has been completed, or we wait for the Housing Needs Assessment to be completed. It was agreed that whilst this is being decided, we should move forward with the above actions.

Staff consultation

The staff consultation with the Housing Solutions and Allocations teams, regarding their thoughts and feelings about the current Allocation Scheme, went ahead on 6 October 2021. Please see the outcome of this meeting below:

Question	Response
Tell us what you like and what you think works well for officers and customers in the current scheme?	<ul style="list-style-type: none"> • The clear way the definition of bandings is set out • The simplicity of the way it is written, which makes it customer friendly • That it stands up to intense scrutiny
Tell us what you do not like and what you think doesn't work so well for you and the customers in the current scheme?	<ul style="list-style-type: none"> • What age children should share a room until • Some of the wording needs changed/updated re part about ex/current armed forces personnel • Applicants keeping original priority date, even after a COC • The local connection criteria – looking at how long someone should be in the area before applying and what constitutes a local connection when it comes to family (to prioritise those who live in borough) • The fact that all types of overcrowding get the same banding, should it be tiered re lacking 1-bed band C, lacking 2-bed band B • That there is nothing regarding care leavers
What would be your top 3 priorities for change?	<ul style="list-style-type: none"> • Local connection criteria • Priority dates • Re-wording certain areas of the Scheme • Allowing people with affordability issues to join
What are the less important things to change?	<ul style="list-style-type: none"> • Bandings
If you could keep one thing and one thing only from the current scheme, what would it be?	<ul style="list-style-type: none"> • The structure of the green banding box
If you could change one thing and one thing only from the current scheme, what would you change and if applicable what would you put replace it with?	<ul style="list-style-type: none"> • Being more specific about overcrowding – looking at the size of rooms etc
Any other suggestions?	<ul style="list-style-type: none"> • Look at when we award an extra bedroom when someone notifies us they are pregnant • Need to work with partners to discuss the scheme and the advice they give out to applicants re advising what banding they feel people should be in

Project planning meeting 14 October 2021

The key outcomes from this meeting were:

- It was decided that the action plan timeline will not be reviewed until after the Housing Needs Survey has progressed further.
- The customer consultation and informal discussions with the Housing Improvement Team are still to take place but have been arranged.
- That a communications plan for the project still needed to be developed.
- An update was provided on the consultation held with the Housing Solutions and Allocations teams.
- It was noted that we should consider neighbouring LA schemes when considering bandings etc
- There was an update on how member consultations will be approached.
- It was confirmed that the consultation with registered providers was booked for 20 October 2021.
- It was confirmed that work on the Housing Needs Survey was due to commence on 18 October 2021.
- That from an audit point of view, the current policy is still fit for purpose.

The next meeting was booked for 18 November 2021; however, this was later cancelled as we decided to wait for the Housing Needs Survey to progress. It has been rebooked for 24 February 2022.

Registered provider consultation

The registered provider consultation, regarding their thoughts and feelings about the current Allocation Scheme, went ahead on 20 October 2021 as planned. Please see the outcome of this meeting below:

Question	Response
What in our policy works well for you?	<p>Overall, there were no issues raised about our current Allocation Scheme. However, a representative from Golding Homes, did advise that if you apply to Maidstone Borough Council are offered a property and refuse without “good reason”. Then their priority date is re-set to the date of refusal. Therefore, they effectively go to the back of the list as a consequence.</p> <p>There was a discussion, and it was felt that this may be a positive change and cause people to think twice about what they are bidding on.</p> <p>However, others did not feel this would be suitable for our Allocation Policy, causing more issues rather than helping.</p>
What do you think works well for customers?	<p>It was felt that the process for making an application was easy and waiting times were good in comparison to other authorities.</p> <p>It was also felt that the Allocations Policy was easy to understand for both professional and</p>

	applicants. However, although applicants do understand the policy/banding. Then tend not to agree with it.
Do you have any concerns about any disparities or conflicts which makes our policy unworkable with yours?	No concerns, but it was felt that we need to reconsider how we look at and band cases where there has been DA. Also, that we don't have anything regarding reciprocal moves.
Is there anything about the current policy that you think does not work?	<p>It was suggested that we need to update and reword some areas of the Scheme such as, DA and Armed forces. IT was also notes that we don't currently give ex-spouse of veteran's local connection.</p> <p>It was also felt that we don't look at an accumulation of factors and that if there are several issues applicants should be considered for a higher banding.</p>
If you could see anything in our Policy, what would you like to see?	<p>That applicants who are homeless/at threat of homelessness should be given a higher band. As they are more in need than someone who is lacking a room.</p> <p>That highest priority should be given to victims of DA.</p> <p>(Wish list) an instant turnaround of applications and more properties to bid on.</p> <p>Extra training for front line staff, so they can answer queries better. To prevent disgruntled customers.</p>
If you could keep only one thing, what would you like to keep?	No response to this.
Anything else, or any other thoughts, ideas, about our allocations scheme or ways of improving how we work together?	A suggestion that key partners should have regular meetings to get to know each other/discuss things and hard to let properties they may have.

Customer consultation

A customer consultation was booked for 6 December 2021 at Tonbridge Gateway. We invited 60 applicants at random, in a way that would ensure we invited applicants from each banding and with a variety of reasons for applying and being accepted onto the register.

We can confirm that although there was initially a small amount of interest, no-one attended the customer consultation.

Housing Improvements Team consultation

During this meeting on 26 October 2021 we went through the thoughts of the Housing Solutions and Allocations teams and there was a general consensus that they agreed with all points. However, they

did want to make it clear that they do not wish to go back to visiting household to measure the size of rooms, as a method of determining overcrowding.

Review of the use of Temporary Accommodation for homeless households

In October 2021 Andy Gale and Anna Whalen (housing consultants) were commissioned by Tonbridge and Malling Borough Council to undertake a review of the use of Temporary Accommodation (TA) for homeless households. The primary aim of the review was to set out findings, and recommendations, to assist Tonbridge and Malling Borough Council to reduce the use of TA. However, the draft report and action plan on 10 December 2021, also outlined the importance of updating the Allocation Scheme and made some suggestions for doing so.

Since receiving this report LH, CK and RS have had two meetings to discuss the suggestions, in preparation for the next project planning meeting. Below is a table outlining the suggested changes, our initial thoughts, and any actions agreed to date.

Recommendation	Initial thoughts	Agreed action	Updates
1. Top slice 50% of nominations as an emergency measure. Allocate these properties directly to households in TA owed or likely to be owed main duty. (Current policy allows for this)	Agreed whilst recognising impact on through put from register. Discussions with Clarion ongoing, and receptive to direct let approach.	Linda – draft follow up email to Clarion for Eleanor to send to Jackie Andrews. Confirm previous discussion and highlight the 50% request. Once agreed by Jackie, Linda to follow up with Kelly Ruff, as to how this will work on the ground as key for Clarion is quick turnaround.	
2. Include the 2017 Homelessness Reduction Act prevention and relief duties in the banding scheme. (To meet legal duties)	Agreed. Considered to be a minor change.	Claire/Rachael to propose revise wording within the policy. Linda to progress seeking approval for minor change.	
3. Use discretion to make a direct offer in specific circumstances. Already in policy to allow direct offer owed a homelessness duty. Suggestion is to amend wording to	Some concern about interpretation of suggested wording by applicants who can pick through the policy with a fine toothcomb! It puts the focus on TMBC being able to do what we want when in reality we do not own the stock and have limited control.	Consider amongst wider group if this action is needed.	

<p>give maximum flexibility for a direct offer when it is in the Council's direct interests to do so e.g., spike in TA numbers and costs.</p>	<p>Would it also inadvertently encourage some households into thinking they need to get into TA to get social housing – its then easier because of this clause?</p> <p>If agreed to progress, considered to be a minor change.</p>		
<p>4. Make amendments to the banding award for overcrowding.</p> <p>Homeless households in Band B are competing with those lacking one bedroom.</p>	<p>Agreed and already highlighted within current review as needing to consider this.</p> <p>Major change so subject to impact assessment and consultation.</p> <p>Although this is a key action in getting homeless households a higher priority on the register for the immediate future the proposed 50% top-slicing of nominations negates any need for fast track.</p>	Include in review.	
<p>5. Consider tightening the adopted test for measuring overcrowding.</p> <p>Two options provided – tweak bedroom standard and count any second communal room as bedroom.</p>	<p>Agreed and already highlighted within current review as needing to consider this.</p> <p>Major change so subject to impact assessment and consultation.</p> <p>Could consider introducing both options as not inter-dependent.</p> <p>Could help move on, 4-beds become 3-bed need etc.</p>	Include in review.	
<p>Tighten local connection rules to qualify for the register</p>	<p>Agreed and already highlighted within current review as needing to consider this.</p>	Include in review.	

	Major change so subject to impact assessment and consultation.		
Including within the banding scheme a category that supports the prevention of homelessness casework.	<p>Understand the drive here to aid prevention and reduce TA entry.</p> <p>Some initial concern about collusion and how we prevent that.</p> <p>Reference to success with this in London authorities.</p> <p>Principles and options to be included within the review.</p> <p>Major change so subject to impact assessment and consultation.</p>	<p>LH to ask Andy for details of London authorities' best practice and set up meeting to discuss how it works on the ground and how they investigate etc.</p> <p>Include in review if positive outcome from further consideration.</p>	

Moving forward, we have received confirmation that the Housing Needs Assessment is underway and once we have the outcome of this, formal consultations on any changes will be undertaken. These formal consultations will allow us to determine how we move forward. In the meantime, we will continue to carry out informal consultations with Social Services and the Occupational Therapy Team regarding their thoughts and feelings about the current Allocation Scheme.

Consultation with Social Care and Occupational Therapy Teams

This consultation regarding their thoughts and feelings about the current Allocation Scheme, went ahead on 8 March 2022 as planned. Please see the outcome of this meeting below:

Question	Response
What in our current Allocations Scheme works well for you?	<p>All agreed that as they work across Kent, they are not familiar with individual Allocations Schemes. However, they would be interested in setting up some training in this area. Specifically around bandings and reviews.</p> <p>It was highlighted that where possible, it would be helpful to keep the Allocations Schemes across Kent consistent.</p> <p>All also agreed that there is great partnership working between their services and TMBC. They appreciate that we are available when needed to attend meeting and discuss cases.</p>

What works well for customers?	As above it was agreed our partnership working greatly benefits customers.
Is there anything about the Allocation Scheme that you feel does not work?	<p>That we do not look at financial circumstances e.g. affordability and debt.</p> <p>The length of time it currently takes to have an application assessed and for reviews to be completed.</p> <p>That when looking at medical needs, we consider what is happening now and not what may happen, when considering degenerative conditions. It was felt that if someone is diagnosed with a degenerative condition, that cannot be cured and will cause them to lose mobility/require an adapted property in the future. They should be considered for a higher banding straight away, so we are not waiting for them to need a wheelchair before acting.</p>
If you could see anything in our Policy, what would you like to see? (Wish list)	<p>More housing.</p> <p>For new builds to be considered in the new Scheme, so that developments and specific properties needed can be discussed as early as possible.</p>
Is there anything else?	Nothing to add.