



Report To: Housing Portfolio Holder
Lead Officer: Director of Housing

21 March 2018

Sub-Regional Home-link Allocations and Lettings Policy – Updates and Amendments

Purpose

1. To advise the Housing Portfolio Holder of the recommended updates and amendments to the Sub-Regional Home-link Policy in order to ensure immediate compliance with the Homeless Reduction Act and the General Data Protection Regulations which come into force in April 2018 and May 2018 respectively.
2. This is a key decision because it is significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions.

Recommendations

3. It is recommended that the Housing Portfolio Holder approves the amendments to the Home-Link Allocations and Lettings Policy (**Appendix A**).

Reasons for Recommendations

4. Without the amendments the Lettings Policy would not be legally compliant in respect of the two new pieces of legislation outlined above. Specialist legal advice has been sought as to how best to ensure compliance without unduly changing the ethos of the policy or the way in which applicants are assessed and prioritised.
5. It is recognised that the ethos to homelessness and homeless prevention work outlined in the Homeless Reduction Act may require a more wholesale review of the Lettings Policy at a later date. The Sub-Regional Home-link partners have agreed to postpone this work for approximately six months in order to better understand the impact of the Act in general and also specifically to gauge the effect on housing allocations across the sub-region. Any subsequent change will be reported back to the Portfolio Holder.
6. The amendments have been agreed by the cross council Home-Link Management Board (March 2018).

Background

7. The Homeless Reduction Act will come into force from 3rd April 2018 and will fundamentally change the way in which local authorities assess and manage homelessness. In particular there is an increased emphasis on preventing homelessness, including the introduction of new statutory prevention duties.
8. The new homelessness legislation is linked closely to the Allocations Policy because it is important that any new duties are reflected in the policy and given the correct priority banding.

Considerations

9. To accommodate the prevention emphasis, some authorities have already made significant alterations to the priority bands in their allocation schemes and have made the prevention status a higher priority band than the current priority given to households who are owed the main housing duty.
10. At this stage the sub-regional partners have agreed not to amend the policy to this extent, preferring to wait until the relatively unknown impact of the new legislation is better understood, including any varying impacts in different parts of the sub-region.
11. However, some relatively minor amendments are still required to ensure that the new homeless duties are properly reflected as well as any immediate changes required to ensure compliance with the changes in data protection requirements.
12. The amendments to the Lettings Policy the Portfolio Holder is asked to consider predominantly relate to Chapters 4 and 8 and can be summarised as follows;
13. The changes pertaining to the Homeless Reduction Act are mainly contained in Chapter 4 and relate to the way in which an applicant's priority relates to the duties and processes set out in the act:
 - Section 4.6 (Band A Applicants) contains wording changes to reflect the new wording and numbering of the main housing duty.
 - Section 4.7 (Band B Applicants) sets out the circumstances in which applicants owed the new prevention duty will be prioritised as different stages of their assessment.
 - Section 4.8 (Band C Applicants) explains the new circumstances which give rise to the category of 'other homeless'.
 - In addition there are some general changes to wording in relation to the medical priority categories in order to better explain that the assessment is based on the impact that a change in an applicant's housing circumstances will have in relation to their health.
14. Chapter 8 ensures the wording of the policy is compliant with the requirements of the General Data Protection Regulations.

Options

15. The Housing Portfolio Holder has two options:
 - A. Approve the amendments to the Home-Link Allocations and Lettings Policy (**Appendix A**).
 - B. Request that further work is undertaken before a decision is taken.
16. Option B is not recommended as it would leave the Council misaligned with forthcoming national legislation and out of step with its partner councils in Cambridgeshire and West Suffolk.

Implications

17. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, there are no issues to note apart from legal.

Legal

18. If approval is not obtained, the existing Lettings Policy will not reflect current legal advice.

Consultation responses (including from the Youth Council)

19. Consultation has taken place between Sub-Regional partners in respect of the relatively minor amendments set out in this paper. A full public consultation exercise will be required when the policy is reviewed more fully in 2018/19 once the impact of the Homeless Reduction Act is better known. In addition, the 3C Legal team and the West –Suffolk Legal Team have had site of the proposed changes and have suggested amendments where appropriate that have already been incorporated. Specialist housing advice was sought from Andy Gale, an established Homeless Prevention Consultant, in relation to the interrelation between the Lettings Policy and the requirements of the Homeless Reduction Act.

Effect on Strategic Aims

(A) HOMES FOR OUR FUTURE - Secure the delivery of a wide range of housing to meet the needs of existing and future communities

(2) Provide a robust policy framework for the creation of strong and well-planned communities, protecting the environment and providing the required housing, infrastructure and amenities

(4) Build more affordable homes, tackle homelessness and manage the impacts of welfare reform on our vulnerable residents

Background Papers

DCLG, Homelessness Code of Guidance for Local Authorities DRAFT – published October 2017

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Appendix A Homelink Lettings Policy