

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

RECORD OF DECISION TAKEN BY OFFICERS UNDER DELEGATED POWERS

This is a record of a decision taken by an officers under delegated powers and where necessary taken in consultation with members and officers.

Delegated Power

The Chief Executive in consultation with the Portfolio Holder for Housing has delegated authority to make minor amendments to the Council's Social Housing Allocation's Policy (CAB217 2013/14)

Decision Taken

The key driver to the amendment to the policy is the implementation of the Homelessness Reduction Act 2017 (HRA). The new act puts the prevention activities that have been commonly practices for a number of years on a statutory footing. The changes to the allocation policy are proposed to ensure access to social housing is prioritised for those in most need.

In the current policy households who do not fall within the statutory framework, but who are threatened with homelessness (where the threat is beyond 28 days) are awarded an 'Insecure Accommodation Assessment' (IAA) which effectively gives them greater priority - high band if they are within 'priority need' circumstances. This is an internal mechanism that recognises that in due course these households are likely to fall within the statutory framework and by giving a higher priority gives them more time to secure seek accommodation via the Choice Based Lettings scheme.

Under the HRA those households will be deemed to be 'threatened with homelessness' if they are likely to be homeless within 56 days or have an s21 notice expiring within 56 days. Applicants previously awarded an IAA will have included those households who will now be owed a '**prevention duty**' under the HRA. It is therefore necessary to review the use of these awards in light of the changes. Those households who are threatened with homelessness will be owed a 'prevention duty' – where the Council must take reasonable steps to help the applicant to ensure accommodation does not cease to be available.

Further, under the HRA a new '**relief duty**' will be owed to households who are eligible and homeless. The Council must 'take reasonable steps' to help the applicant secure suitable accommodation for at least 6 months. An applicant does not have had to have left their home to be homeless (they can be homeless and owed a relief duty if the accommodation is not reasonable to continue to occupy). The relief duty applies to those in circumstances of priority need and not in priority need.

The proposed changes take account of the need to :-

- Ensure those in highest need receive the highest level of priority with regard to accessing social housing
- Those that are likely to be homeless, including those owed a 'prevention duty' are not given priority over those who are owed a relief duty or a homeless duty.

Proposed changes to approach:-

1. Remove the use of Insecure Accommodation Assessment
2. Those owed a Relief Duty whether in priority need circumstances or not in priority need will be given a **medium** band priority on the housing register
3. Those owed a full Homeless duty who are in non-priority need circumstances will be awarded a **medium** band priority on the housing register. Those owed a full Homeless Duty in priority need will have a high band priority
4. In relation to Those owed a full Homeless Duty in priority need – these applicants will retain their relevant date of their placing into medium band when owed a relief duty

Proposed changes of wording of policy:-

Current policy -

High band -

Homeless – The Council's Housing Options Service consider that you are in priority need and through no fault of your own, are owed or will be owed a duty because you are homeless or your homelessness is inevitable.

Amended to –

High band - The Council's Housing Options service consider that you are in priority need through no fault of your own and are therefore owed a full homeless duty.

Current policy -

Medium band

Current policy -

Medium band

Homeless and not in priority need – You have a local connection and the Council's Housing Options Service consider that you are homeless through no fault of your own but not in priority need.

Addition needed -

Relief of homeless duty is owed to those in priority need – this Council has accepted a relief duty as you are homeless and in priority need, subject to Homechoice's assessment of your circumstances

P10

To be amended to -

The 'relevant date' is normally the date of your first application to join the housing register. In cases where an applicant's circumstances alter and they are placed in a higher band, the 'relevant date' will be the date from which they entered that higher band (**unless the Council has accepted a full homeless duty to a priority need homeless applicant, when the relevant date will remain the date the relief duty was accepted**). In cases where a change of circumstances leads to an applicant being placed in a lower band, the 'relevant date' will be the date when they first joined the housing register.

Reasons for the Decision

1. The IAA – an internal mechanism was used to help reduce homeless presentation and assist our work on prevention of homelessness outside the statutory framework. Under the HRA there are now two further duties – ‘prevention’ and ‘relief’. Those households that would have been awarded IAA are now being supported through the statutory framework and the two new duties. There is therefore no longer a need for Insecure Accommodation Assessments.

2 and 3. To incentivise applicants to find housing solutions without an unrealistic expectation on access to social housing. In recent years the supply of social housing – either newly built or to re-let has reduced. Limiting priority to those who are owed a ‘relief duty’ or a ‘full homeless’ duty ensures that those in greatest need have the best chance to secure social housing.

4 These applicants – undoubtedly those in highest need, often in short term accommodation with little security of tenure need to be given the highest possible priority for access to social housing.

Options considered

High band priorities could be applied at relief duty stage - however, this could disincentive consideration by applicant of other tenure (other than social housing). This is not favourable given current pressure on the demand for social housing and its limited relative supply.

Any declarations of interest and details of any dispensations granted in respect of interests.

No

List of Background papers

- The Homelessness Reduction Act 2017
- Homelessness Code of Guidance for local authorities 2018

Authorisation

Post Held

Signature

Date

Consultation with members/officers

If the decision is taken following consultation with the members/officers, please give details:

The decision is taken by Ray Harding Chief Executive in consultation with Cllr Adrian Lawrence Portfolio Holder Housing and Duncan Hall.

Signed by Member as consulted:

Date

Pre-Screening Equality Impact Assessment

Borough Council of
**King's Lynn &
West Norfolk**



Name of policy/service/function	Social Housing Allocation Policy				
Is this a new or existing policy/ service/function?	Existing				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	<p>The aim of the policy change is to bring the approach up to date and to reflect changes being brought about by the implementation of the Homelessness Reduction Act 2017.</p> <p>The policy is constrained by a statutory framework. Homelessness prevention activities are now on a statutory footing.</p>				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			✓	
	Disability			✓	
	Gender			✓	
	Gender Re-assignment			✓	
	Marriage/civil partnership			✓	
	Pregnancy & maternity			✓	
	Race			✓	
	Religion or belief			✓	
	Sexual orientation			✓	
	Other (eg low income)			✓	
	Question	Answer	Comments		
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No				
3. Could this policy/service be perceived as impacting on communities differently?	/ No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No	The policy is designed to tackle the disadvantage of being homeless			
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	n/a	Actions: n/a			
		Actions agreed by EWG member: Name			
Assessment completed by: Name					
Job title	Date				
<p>Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.</p>					

