

Individual Executive Member Decision

Housing Allocations Policy - minor amendments April 2019

Committee considering report:	Individual Executive Member Decision
Date ID to be signed:	24 May 2019
Portfolio Member:	Executive Member for Economic Development and Planning
Date Portfolio Member agreed report:	15 May 2019
Forward Plan Ref:	ID3723

1. Purpose of the Report

- 1.1 To agree minor amendments to the Council's Housing Allocation Policy to respond to legislative change and to improve the customer journey.

2. Recommendation(s)

- 2.1 That the amendments set out in the draft revised Housing Allocation Policy (version 1.5) be agreed.
- 2.2 That the agreed amendments be implemented with immediate effect.

3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** None
- 3.3 **Personnel:** None
- 3.4 **Legal:** None
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Consultation Responses

Members:

- Leader of Council:** None
- Overview & Scrutiny Management Commission Chairman:** N/A

None

Ward Members: None

Opposition Spokesperson: None

Local Stakeholders: N/A

Officers Consulted: Head of Development and Planning
Head of Finance and Property
Head of Legal Services
Housing Strategy and Operations Manager
Homelessness Prevention Manager
Senior Housing Officers

Trade Union: N/A

5. Other options considered

- 5.1 The option not to recommend that minor amendments be made to the policy was dismissed as it would result in the policy continuing not to address legislative change.

6. Executive Summary

- 6.1 Minor amendments are required to the Housing Allocation Policy to respond to legislative change, and to streamline the Council's procedures to improve operational efficiency, and to improve legibility.
- 6.2 None of the amendments impact negatively on customers, or alter the aims or spirit of the policy.

7. Conclusion

- 7.1 The proposed amendments to the Housing Allocation Policy are required to respond to legislative change, to support the Council's priority to prevent and relieve homelessness, and to improve both the operation of the policy and to improve legibility.
- 7.2 The proposed amendments are minor and so may be agreed through an Individual Executive Member decision.

8. Introduction/Background

- 8.1 The Housing Allocations Policy was adopted by the Executive on 17 October 2013 and sets out how the Council administers its Common Housing Register and the allocation of social housing to households in housing need.
- 8.2 The policy has been subject to minor amendments since adoption to respond to legislative change and to improve its operational effectiveness.
- 8.3 This decision relates to further minor amendments that seek to improve how the policy operates for housing register applicants, while addressing changes that are appropriate following the implementation of the Homelessness Reduction Act 2017.
- 8.4 The proposed amendments do not alter the spirit of the policy as adopted, or result in any negative impacts for applicants and are therefore appropriate to be considered as an individual decision.

9. Supporting Information

- 9.1 N/A

10. Options for Consideration

- 10.1 The Homelessness Reduction Act 2017 introduced a statutory obligation on the Council to provide advice and assistance for a 56 day period where a household is threatened with homelessness. Where a household becomes homeless, the Council is required to assist relieving homelessness for a further 56 day period.
- 10.2 The Housing Allocation Policy as adopted sets out that where a common housing register applicant is homeless that their common housing register application is deferred. This, in effect, reduces the priority of their application and consequently reduces the ability to secure housing through the common housing register.
- 10.3 The proposed amendments include the removal of this requirement so that where a common housing register applicant is considered to be homeless, there is no impact on their common housing register priority.
- 10.4 The adopted Housing Allocations Policy includes a number of decisions that are taken by more than one officer to ensure that decisions are made consistently and transparently. These generally relate to determining requests for additional priority points, for example due to medical circumstances, social and welfare needs etc. Each of these decisions is also subject to a right of review to a manager.
- 10.5 Each year the Council receives in excess of 200 such requests and the volume of requests has resulted in the current two officer decision process being unsustainable. There is also no evidence that decisions are not adequately being assessed by the first decision-making officer.
- 10.6 The proposed amendments include the removal of the requirement for more than one officer to be involved in the decision-making process for these requests to improve the speed of decision-making, and hence the customer journey. In the event that a customer is dissatisfied with the outcome of the initial assessment, the right to review remains and there is no disadvantage to the customer.

- 10.7 The proposed amendments also include a wide range of incidental amendments that remove unnecessary paragraphs and amend wording to shorten the policy and improve readability for customers.

11. Proposals

- 11.1 The proposed amendments are set out in the draft revised Housing Allocation Policy (version 1.5).

12. Conclusion

- 12.1 The proposed minor amendments will ensure that the Housing Allocations Policy is able to support the prevention and relief of homelessness as required by the Homelessness Reduction Act 2017.
- 12.2 The proposed amendments also streamline processes in respect of awarding additional priority points for the benefit of customers without altering the application of the policy.
- 12.3 There are also a number of amendments that seek to reduce unnecessary text and improve legibility, again without impacting on the effect of the policy.

13. Appendices

- 13.1 Appendix A – Data Protection Impact Assessment
- 13.2 Appendix B – Equalities Impact Assessment
- 13.3 Appendix C – Draft revised Housing Allocation Policy (version 1.5)

Background Papers:

Housing Allocations Scheme (Version 1.5)

Subject to Call-In:

Yes: No:

Wards affected:

All wards

Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim(s):

- BEC – Better educated communities**
- SLE – A stronger local economy**
- P&S – Protect and support those who need it**
- HQL – Maintain a high quality of life within our communities**
- MEC – Become an even more effective Council**

The proposals contained in this report will help to achieve the following Council Strategy priority(ies):

- BEC1 – Improve educational attainment**
- BEC2 – Close the educational attainment gap**
- SLE1 – Enable the completion of more affordable housing**
- SLE2 – Deliver or enable key infrastructure improvements in relation to roads, rail, flood prevention, regeneration and the digital economy**
- P&S1 – Good at safeguarding children and vulnerable adults**
- HQL1 – Support communities to do more to help themselves**
- MEC1 – Become an even more effective Council**

The proposals contained in this report will help to achieve the above Council Strategy aims and priorities by streamlining the Housing Allocations Policy and improving the ability for homeless households to secure accommodation through the Common Housing Register.

Officer details:

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Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Economy and Environment
Service:	Development and Planning
Team:	Housing
Lead Officer:	Neil Coles
Title of Project/System:	Housing Allocation Policy
Date of Assessment:	15 May 2019

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	To make minor amendments to the Housing Allocation Policy
Summary of relevant legislation:	The Housing Allocation policy sets out how the Council operates its housing register to enable households in housing need to access social housing
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Neil Coles
Date of assessment:	15 May 2019

Is this a:		Is this:	
Policy	Yes	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	Yes
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To streamline the policy to improve the customer journey and improve operational efficiency
Objectives:	To identify minor and on-consequential amendments
Outcomes:	Minor changes proposed which do not result in negative impact on customers
Benefits:	Improved service efficiency and customer journey

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.		
(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	There are no negative impacts on this group	The proposed amendments are minor in nature and do not alter

		the delivery of the policy
Disability	There are no negative impacts on this group	The proposed amendments are minor in nature and do not alter the delivery of the policy
Gender Reassignment	There are no negative impacts on this group	The proposed amendments are minor in nature and do not alter the delivery of the policy
Marriage and Civil Partnership	There are no negative impacts on this group	The proposed amendments are minor in nature and do not alter the delivery of the policy
Pregnancy and Maternity	There are no negative impacts on this group	The proposed amendments are minor in nature and do not alter the delivery of the policy
Race	There are no negative impacts on this group	The proposed amendments are minor in nature and do not alter the delivery of the policy
Religion or Belief	There are no negative impacts on this group	The proposed amendments are minor in nature and do not alter the delivery of the policy
Sex	There are no negative impacts on this group	The proposed amendments are minor in nature and do not alter the delivery of the policy
Sexual Orientation	There are no negative impacts on this group	The proposed amendments are minor in nature and do not alter the delivery of the policy
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: The proposed minor amendments do not have consequential impacts, and will streamline the policy to improve the customer journey and improve operational efficiency	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: The proposed minor amendments do not have consequential impacts, and will streamline the policy to improve the customer journey and improve operational	

efficiency

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Neil Coles

Date: 15 May 2019

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.