



B-with-us Allocations Policy Review

Outlining the main changes implemented by the
new policy

Background

The B-with-us Steering Group arranged for Housing Consultant Neil Morland to review the existing B-with-us allocations policy to identify areas which were non compliant or unclear.

The review found that the current B-with-us policy is not fully compliant with the legal and regulatory framework for the allocation of social housing.

Whilst most of the policy was found to be satisfactory, many sections were found to not be explained well enough to be accurately and consistently applied.

For example, the eligibility and qualification criteria are linked together under the term “ineligibility”. The new policy rectifies this to be clearer for both staff and customers to encourage transparency and consistency.

The review also found that the banding criteria are not currently compliant with the legal obligations to afford specified applicants with reasonable preference. The new B-with-us policy re-arranges the banding criteria to rectify this.

There are currently 9,579 active applicants on the B-with-us register (as at 30/10/2019) and an additional 1,475 applicants who are suspended or in a “review” state.

Main policy changes

Local Connection

The current B-with-us policy does not stipulate any local connection criteria – applicants are eligible to apply with no connection to the Pennine Lancashire area covered by the B-with-us scheme.

The new policy brings the addition of Local Connection criteria which applicants must meet in order to qualify to join the register:

- Applicants will have a local connection if they:
 - Have been continuously resident in Pennine Lancashire for six of the last twelve months, or
 - Have been resident in Pennine Lancashire for three of the last five years, or
 - Have a family member who is resident in Pennine Lancashire and has been for a minimum of five years – family members include parents, siblings, children, adult children, grandparents and other special persons (the applicant must have an ongoing relationship and be in contact with the person providing the local connection), or
 - Have been employed in Pennine Lancashire for the last six months and the work is not seasonal or temporary and the applicant must be working at the point an offer of a tenancy is made

Evidence of the local connection will be required.

The following applicants will be exempt from requiring a local connection:

- *Statutory homeless applicants and applicants who are victims of domestic abuse, threats of domestic abuse or those escaping domestic abuse*
- *Applicants who are in a reasonable preference category under section 166A of the Housing Act 1996, and a prevention or relief duty is owed by one of the local authority partners*
- *Applicants who need to move to take up an offer of permanent employment in any of the five local authority areas - proof of the offer of employment will be required and applicants will need to demonstrate that they are unable to accept the offer of employment without moving into one of the five local authority areas (see appendix one for more information)*
- *Applicants who have a continuing care responsibility for someone who is resident in the five local authority areas (evidence will be required)*
- *Applicants who have or are due to undertake training or higher education in any of the five local authority areas with a duration of at least six month (evidence will be required)*
- *Applicants who are looked after, accommodated or fostered by Lancashire or Blackburn children service authorities in any of the five local authority areas*
- *Applicants who were looked after, accommodated or fostered by any other children service authority in any of the five local authority areas, providing they were resident in any of the Lancashire County Council district plus Blackburn with Darwen for a continuous period of 16 weeks or more*

- *Applicants who were accommodated under Section 95 of the Immigration and Asylum Act 1999 and granted leave to remain in any of the five Local Authority areas/Pennine Lancashire*
- *Applicants who are serving or former members of the Armed Forces or the Reserve Armed Forces (or their bereaved spouse or civil partners who are leaving military accommodation, where the death of their spouse can be partially or wholly attributed to the armed forces) - evidence of service will be required*

Her Majesty's Armed Forces can be defined as any of the military services which are tasked with the defence of the United Kingdom and its overseas territories and the Crown dependencies. Her Majesty's Armed Forces consist of the Royal Navy, the Royal Marines, the British Army and the Royal Air Force.

Unfortunately there is no way to report on how many applicants will be affected by the introduction of local connection criteria, as we currently don't ask applicants if they have a local connection to the area.

Housing Related Debt

The current B-with-us policy states:

"Customers owing rent arrears or any other housing related debt to any B-with-us partner organisation or any other social or private landlord will be eligible to apply but may have their application suspended. Each case will be considered on its own merits

In order for customers to have their suspension removed, a satisfactory arrangement to repay the debts must be made and maintained until either the debt is cleared, or that the debt has been significantly reduced (by at least 50%) in the opinion of the partner organisation dealing with the customer and the organisation that is owed the debt."

Clearer criteria has been implemented into the new policy to help staff when decision making and to improve transparency for customers about how any housing related debt affects their ability to qualify to join the B-with-us housing register.

The new criteria are:

- Persons (the applicant or anyone who usually lives or might be expected to live with the applicant) who have housing related debt of £500 or more will be disqualified from joining the housing register
- Persons (the applicant or anyone who usually lives or might be expected to live with the applicant) who have housing related debt below £500 will qualify to join the housing register but will not be made an offer of accommodation until the debt has been cleared in full (evidence will be required)
- Statute barred debts will not be taken into consideration when determining eligibility and qualification

Applicants who are homeless and are owed a full statutory duty will automatically qualify to join the register (regardless of the qualification criteria), with some exceptions being agreed by senior officers.

There are currently (as at 30/10/2019) 648 applicants on the register whose applications are suspended due to current or former arrears or other housing related debt (such as rechargeable repairs). Under the new policy, some of these applicants will be activated (if their debt is less than £500) and some will be closed (if their debt is £500+).

Without checking each individual application, there is no way of reporting on how many of these applicants will be activated or how many will be closed.

The below table shows how many applicants are suspended due to housing related debt by local authority.

Housing Related Debt						
Suspension reason / Local Authority	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
FTA's	162	72	35	52	81	402
Rechargeable repairs / other debts	0	5	0	1	0	6
Rent arrears	51	99	47	23	20	240
Total	213	176	82	76	101	648

Homeowners

The current B-with-us policy imposes no qualification criteria on homeowners, so applicants may own a property and still qualify to join the B-with-us housing register.

The new policy adds in new qualification criteria regarding homeowners:

- Persons (be it the applicant or anyone who usually lives with them or might be expected to live with them) who have equity of £120,000+ in a property will be disqualified from joining the housing register
- Homeowners with equity of less than £120,000 in a property will qualify to join the register, but will need to demonstrate that they are making provisions to sell their property

The same exemptions apply as for housing related debt.

There are currently 835 applicants on the register who are owner occupiers. Under the new policy, any of these applicants with equity in their property of £120,000+ will be disqualified from joining the register (except in exceptional circumstances). Unfortunately there is no way to report on how many applicants this change will effect, as currently we don't ask applicants how much equity they have in their property.

Owner / Occupiers						
Team / Local Authority	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Grand Total
Calico Homes	0	128	0	0	0	128

Onward	0	0	236	0	0	236
Together Housing	210	0	0	113	148	471
Grand Total	210	128	236	113	148	835

Deliberate worsening of circumstances

The current B-with-us policy has no provision to give reduced priority to those applicants who have worsened their own circumstances. Criteria has been added into the new policy to give staff the option to reduce the priority of applicants who have worsened their own circumstances, by being able to place applicants in whichever banding they would be in had they not worsened their circumstances.

Examples of what may class as deliberate worsening of circumstances are:

- Applicants who have sold a property that was affordable and suitable for their needs
- Applicants who have moved into insecure / overcrowded accommodation where there was no good reason to do so
- Applicants who have transferred or gifted a property to someone else within the last five years (including social housing tenants who have assigned their tenancy to someone else)
- Where an applicant has moved additional family / friends into the property which has resulted in them being overcrowded, where there was no good reason to do so

There is no way to report on how many applicants are likely to be affected by this policy change.

Community Contribution

The community contribution banding has been amended to include a provision to cover those applicants who are unable to work or volunteer due to a disability, caring responsibility or other characteristic. These applicants will benefit from the same additional preference as those who are actively involved in and/or participating in their community, subject to satisfactory evidence.

There is no way to report on how many applicants will benefit from this change.

Unreasonable refusals

In the current B-with-us policy, applicants who unreasonably refuse three properties are suspended for 12 months. Whilst they are suspended, they may still make updates and changes to their application, but they are unable to place any bids.

The new B-with-us policy changes this, so applicants will be suspended for six months if they unreasonably refuse three properties.

There are currently 61 applicants (as at 30/10/2019) who are currently suspended due to unreasonably refusing three or more properties. Each is currently suspended for twelve months, but the new policy reduces the suspension period to six months. This means that some of the applicants who are currently suspended would be activated sooner than their current suspension review date.

Unreasonable Refusal Suspensions						
Suspension reason / Local Authority	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
Unreasonable refusal	21	9	13	8	10	61

Suspensions

The current B-with-us policy allows us to suspend applications for multiple reasons. While an application is suspended, the applicant may still login and update or change their application, but they are unable to place any bids.

The new policy implements clearer eligibility and qualification criteria which removes the need for a lot of the current suspension reasons.

Suspensions for further information or documents needed are remaining as part of the new policy, as are suspensions for unreasonable refusals, but the suspension period is being reduced to six months instead of twelve.

Suspension reasons remaining	Suspension reasons being removed
Awaiting documentation	Supported move on
Criminal Convictions (but only to be used while waiting for the form to be returned)	Does not meet transfer criteria (applicants are closed for this but the current system means they have to be suspended before they can be closed – new system won't require this)
Missing information	Not been a partner organisation tenant for 12 months
Other – see notes	Failed transfer visit (applicants will be closed, not suspended)
Unreasonable refusal	Unacceptable behaviour
Awaiting transfer visit (there are currently two suspension reasons with similar wording to cover this – only one is required)	No response to offer (not currently used)
	FTA's
	Rent arrears
	Rechargeable repairs / other debts
	Suspension review

There are currently 613 applicants with applications which are suspended for reasons which will be remaining in the new policy. These applicants will remain suspended following the implementation of the new policy, subject to the criteria of their suspension.

The table below shows the amount of applicants for each suspension reason which is remaining in the new policy.

Suspension Reasons - Remaining						
Suspension reason (remaining)/ Local Authority	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
Awaiting documentation	19	42	25	10	11	107
Awaiting transfer visit / transfer visit required	0	31	2	0	0	33

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Criminal Convictions	40	26	19	9	15	109
Missing information	15	137	39	5	4	200
Under 18	9	15	4	2	15	45
Unreasonable refusal	21	9	13	8	10	61
Other - see notes	25	9	5	8	11	58
Total	129	269	107	42	66	613

There are 846 applicants who are currently suspended for reasons which are being removed or changed with the implementation of the new policy. Some of these applicants will be disqualified under the new criteria and will have their application closed, such as applicants who have displayed unacceptable behaviour, applicants who are under 18 and some of the applicants with housing related debt.

Some applicants will be activated under the new policy criteria, such as supported move on and some of the applicants with housing related debt.

The table below demonstrates the amount of applicants suspended for reasons which are being removed or changed in the new policy.

Suspension Reasons - Removing						
Suspension reason (removing) / Local Authority	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
Awaiting supported move on form	68	14	15	14	8	119
Failed transfer visit	1	1	0	0	0	2
FTA's	162	72	35	52	81	402
Rechargeable repairs / other debts	0	5	0	1	0	6
Rent Arrears	51	99	47	23	20	240
Suspension review	3	2	4	3	3	15
Unacceptable behaviour	1	13	3	0	0	17
Under 18	9	15	4	2	15	45
Total	295	221	108	95	127	846

Banding changes

The new policy adds in a fifth band and rearranges some of the bands to ensure they give the correct applicants reasonable preference.

The table below shows the bands in the current policy, where the equivalent item is in the new banding structure, and a description of the change.

Current policy	Proposed policy	Change
Band 1 – Statutory homeless	Band 1 – Statutory homeless	No change
Band 1 – Homeless prevention	Band 1 – Homeless prevention	No change
Band 1 – High medical need	Band 1 – High medical need	No change
Band 1 – Care leavers	Band 1 – care leavers	No change
Band 1 – tenants needing to move for improvement works (decants)	Band 1 – tenants needing to move for improvement works (decants)	No change
Band 1 – tenants with a closing or clearance order on their property	Band 1 – Tenants with a closing or clearance order on their property	No change
Band 1 – households with a prohibition notice on their property	Band 1 – households with a prohibition notice on their property	No change
Band 1 – Under occupying by two or more bedrooms	Band 4 – under occupying by one or more bedrooms	Down from band 1 to band 4
Band 2 – Overcrowded by two or more bedrooms	Band 3 – applicants that lack one or more bedrooms	Down from band 2 to band 3
Band 2 – Households at risk due to homeless reduction act	Band 2 – Prevention Duty Band 2 – Relief Duty	No change
Band 2 – Households at risk from violence or harassment	Band 2 – applicants needing to move away from a particular locality where they would be at risk of harm if they didn't	No change
Band 2 – Supported move on	Band 3 – Living in unsatisfactory housing conditions	Down from band 2 to band 3 with additional priority
Band 2 – Leaving a refuge	Band 2 - Applicants needing to move away from a particular locality where they would be at risk of harm if they didn't	No change
Band 2 – Occupational Therapist report	Band 2 – Occupational therapist report	No change
Band 2 – Cumulative need	Not covered	Will likely go down
Band 2 – Under-occupying by one bedroom	Band 4 – under occupying by one or more bedrooms	Down from band 2 to band 4
Band 3 – Homeless with no priority or intentionally	Band 3 – Homeless with no priority or intentionally	No change
Band 3 – Standard medical	Band 3 – Standard medical	No change
Band 3 – Particular Locality	Band 3 – Applicants needing to move to a particular locality where hardship would be caused if they didn't	No change
Band 3 – Right to move	Band 3 - Applicants needing to move to a particular locality where hardship would be caused if they didn't	No change
Band 3 – Overcrowded	Band 3 – Applicants living in unsatisfactory or overcrowded housing conditions	No change

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Band 3 – Unsatisfactory / Unsanitary	Band 3 – Applicants living in unsatisfactory or overcrowded housing conditions	No change
Band 3 – Community contribution	Band 4 – Community Contribution	Down from band 3 to band 4
Band 3 – Tenant community reward scheme	Not covered	Not covered
Not covered	Band 4 – Approved foster carers or adoptive parents where their current home is not suitable	New addition
Band 4 – All others (no housing need)	Band 5 – All others (no housing need)	Down from band 4 to band 5

The data below shows the amount of applicants in each of the affected bandings who may be affected by the changes:

Band 1 – Under occupying by two or more bedrooms:

- 83 applicants have this banding in total
- 53 of those have this as their only band
- 29 of those have this as their highest band but have at least one other band
 - 2 also have Band 2 – Occupational Therapist Referral
 - 15 also have Band 3 – Standard Medical
 - 10 also have Band 3 – Community Contribution
 - 2 also have Band 2 – Cumulative need

Band 1 – Under occupying by two or more bedrooms	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
Total applicants with this band	47	6	12	13	5	83
Applicants with this as their only band	34	2	7	7	3	53

Band 2 – Under occupying by one bedroom

- 320 applicants have this banding in total
- 167 of those have this as their only band
- 6 have another higher banding
- 151 have another equal or lesser banding

Band 2 – Under occupying by one bedroom	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
Total applicants with this band	149	27	77	34	33	320
Applicants with this as their only band	76	15	43	16	17	167

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Band 2 – Cumulative need

- 863 applicants have this banding in total
- 14 have another higher banding
- 836 have another equal or lesser banding

Band 2 – Cumulative need	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
Total applicants with this band	369	82	124	141	147	863

Band 2 – Supported move on

- 136 applicants have this banding in total
- 111 of those have this as their only band
- 13 have another higher banding
- 2 also have an “at risk” banding
- 7 have another lower banding

Band 2 – Supported Move On	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
Total applicants with this band	53	24	26	20	13	136
Applicants with this as their only band	39	21	22	17	12	111

Band 2 – Overcrowded by two or more bedrooms

- 160 applicants have this banding in total
- 98 of those have this as their only band
- 4 have another higher banding
- 4 have another equal banding
- 59 have another lower banding

Band 2 – Overcrowded by two or more bedrooms	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
Total applicants with this band	84	14	26	26	10	160
Applicants with this as their only band	51	7	18	16	6	98

Band 3 – Community contribution

- 2277 applicants have this banding in total
- 2076 have this as their only band

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- 907 have another equal or higher banding

Band 3 – Community Contribution	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
Total applicants with this band	731	341	482	376	347	2277
Applicants with this as their only band	645	317	443	353	318	2076

Band 4 – Standard

- 3201 applicants have this banding in total

Band 4 – Standard	Blackburn with Darwen	Burnley	Hyndburn	Pendle	Rossendale	Total
Total applicants with this band	1011	554	681	522	433	3201