

# Social Housing Allocations Policy Review – Consultation on Key Issues

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## Introduction and Purpose of Consultation Document

In accordance with the Housing Act 1996, housing authorities must have a social housing allocations scheme, regardless of whether they own housing stock. This scheme determines how individuals and families are prioritised for social rented housing. This housing allocation process must be done in a fair, equitable, transparent and consistent way and prioritises applicants that are most in need.

In County Durham, a Choice Based Lettings scheme is in operation to allocate social housing to people on the housing register, as part of the Durham Key Options (DKO) partnership. The DKO Partnership is made up of Durham County Council and its four key housing partners. The wider partnership is also used to advertise and allocate other types of housing including low-cost home ownership and those in the private rented sector, however this consultation is relevant only to how social housing is allocated via the Allocations Policy.

The Allocations Policy was last reviewed in 2017, it is therefore timely to take account of the relevant changes across the housing sector including the current housing crisis and the considerable sustained pressure on the supply of social housing. There are also changes in National and Local Policy that need to be considered when allocating social housing. Durham County Council and its partners have agreed that the time is now right to comprehensively review the Durham Allocations Policy.

The purpose of this first consultation document is to understand the view of the public and key stakeholders on several key issues related to how the allocations scheme works. The first consultation will run from the 15 January and close on the 12 March 2025. This full consultation issues paper will contain some technical questions and will be appropriate for Registered Providers (RPs) and other housing professionals. There is also a shorter less technical summary paper for the public and a shorter consultation survey which will seek the views of the general public. The public version will cover the same issues and ask the same questions, only in Plain English.

A second consultation will take place later in 2025 where the key findings from this consultation on the Issues paper will be taken into consideration and a revised allocations policy aired for public consultation.

The final allocations policy will be approved by Durham County Council's Cabinet in accordance with our statutory duty to set an allocations scheme.

### How is the Current Allocations Policy Managed?

The Allocations Policy and the local authority housing register is the statutory responsibility of the Council. In Durham there is an active partnership between registered housing providers and the County Council that was established in 2009 to implement and oversee the scheme. The partners are:

- Durham County Council
- Believe housing
- Karbon Homes
- Livin, and
- North Star Housing

The partnership enables a consistent policy and procedural approach when allocating properties. The Council estimates that around 92% (43,000 properties) of available social housing is advertised and allocated via the allocations policy.

As part of the partnership, the housing providers listed above let 100% of their housing stock in County Durham via Durham Key Options. As part of the scheme, partners are committed to a joint Allocations Policy. The policy covers all partners when allocating properties within the County boundary. Any other policy that partners may have is only used by them outside County Durham. All of the partners own stock outside of County Durham and a couple of the RPs have separate lettings policies for stock outside of the boundary of the County.

In addition to the formal partnership a further 15 registered providers (RPs) are signatories to a nomination agreement which assist the Council in addressing housing need. This agreement requires the signatories (sub-partners) to nominate at least 50% of their empty properties to be let to applicants from the housing register. The sub-partners are:

- Accent Group
- Anchor Hanover
- Bernicia Homes
- Castles and Coasts Housing

- DASH – Durham Action on Single Housing
- DAMHA – Durham Aged Miners Housing Association
- Gentoo
- Hellens Residential
- Home Group
- Housing 21
- Johnnie Johnson Housing
- Places for People
- Railway Housing Association
- Riverside North-East
- Thirteen Group

The sub-partners request nominations via Durham County Council's allocations team. The nominating provider will then allocate from the shortlist of applicants and then rehouse. The nomination agreement with the sub-partners is monitored monthly by Durham County Council to check compliance.

The total stock of houses that would fall solely under the allocations policy from the main four partners in County Durham is approximately 39,500 houses. The sub-partners have in addition approximately 7,000 properties, of which at least 50% are allocated via the allocations policy.

## Why are we reviewing the Social Housing Allocation Policy?

There are several reasons why the Allocations Policy requires a revision. Some of the key reasons for review are as follows:

- Help address the Housing Crisis
- Changing National Policy and Legislative Context
- Changing Local Policy Context
- Current Policy is Outdated

### Help address the Housing Crisis

The combination of ageing housing stock in the UK in need of regeneration and a lack of supply of new houses, including affordable houses, has resulted in a long-term increase in house prices, as well as increasing rents in the private rented sector. This means that owning a property is beyond the reach of many in the UK and private rented accommodation is becoming increasingly expensive for households as demand increases. When people are unable to access suitable housing, it can result in overcrowding as more young adults are living with their parents and unable to afford their own property for starting a family.

Since Covid, we have seen the waiting list in County Durham increase by around 30%. Waiting times for social houses have also grown as the cost of rent and properties in the private sector increases. The allocations policy needs to reflect the changes in the wider market and the fact that RPs are no longer struggling with demand for properties. There are very few difficult to let houses and the number of bids on each property is increasing year on year. The number of houses going to individuals with no housing assessed need (in Band 4) is reducing year on year, showing greater demand from those in housing need. During 2020/21 608 properties went to people in Band 4 (19% of the total lets), which reduced to 289 properties going to people in Band 4 during 2023/24 (9% of the total lets).

## Changing National Policy and Legislative Context

The National Housing Federation estimates that around 340,000 new houses need to be supplied in England each year, of which 145,000 should be affordable. The Government have set a national target for 1.5 million new homes to be built over the next five years to tackle the acute shortage of housing across the country. Relevant policy and legislation are summarised below.

- **National Planning Policy Framework (NPPF)** - The Labour Government are now proposing the re-introduction of mandatory housing targets for individual Local Authorities as part of their National Planning Policy Framework (NPPF) reforms. Nationally, this has a target of 1.5 million more homes by the end of the parliament and has the potential to significantly increase the housing targets in County Durham. They have also promised there will be much greater emphasis on affordable housing being truly affordable with more social rent products, as opposed to First Homes, Starter Homes or shared ownership products.
- **Social Housing Act 2023** - aimed at improving the regulation of social housing, strengthening tenants' rights, and ensuring better quality and safer homes for residents. This is being delivered through strengthened Consumer Regulation via the Regulator of Social Housing.
- **Renters Rights Bill** - The Renters' Rights Bill is a proposed bill in the UK Parliament that aims to improve the rights of renters by making it safer, more secure, and more affordable to rent. Some areas of consideration include abolishment of no-fault evictions, limits to rent increases, creation of an ombudsman service and strengthened enforcement powers.
- **Homes England Strategic Plan 2023-2028** - The strategy sets out how Homes England will play its part in delivering the previous government's levelling up and housing agendas. Its mission was to "drive regeneration and housing delivery to create high-quality houses and thriving places. The strategy has five interconnected objectives to deliver on the mission: create vibrant and successful places, build a housing and regeneration sector that works for everyone, enable sustainable houses and places, promote creation of high-

quality houses in well-designed places, facilitate the creation of homes people need.

- **The Armed Forces Covenant** is a promise by the nation that the armed forces community should be treated fairly and face no disadvantage when accessing public and commercial services. In our current allocations policy, those applicants who have a connection to the armed forces are awarded a band 2 priority on receipt of their discharge papers. Additional priority is awarded to those applicants leaving the armed forces if they have an urgent medical need and or they are overcrowded by 2 or more bedrooms and awarded Band 2 and a 6-month backdate. The Armed Forces Covenant as a legal responsibility.

## Changing Local Policy Context

Durham County Council has strategies in place to improve the quality of the housing stock generally and work proactively with RPs to reduce the waiting list and the numbers of people who are Homeless and in Temporary Accommodation.

The County Durham Homelessness and Rough Sleeping Strategy has recently been adopted by Full Council and the County Durham Housing Strategy is expected to be approved in early 2025. Both strategies highlight the need for a review of the allocations policy to ensure it meets current housing need and demand as well as ensuring it complies with current legislation. The Council also updated its Tenancy Strategy in 2022 out the Council's expectations to the registered providers of social housing operating within the County regarding the types of tenancy they should offer to their tenants.

- **The Housing Strategy** sets out a key principle that everyone should have access to a home that is affordable to them. By ensuring that there is a sufficient supply of all types of housing we can help prevent homelessness and reduce reliance on temporary accommodation. One of the key actions for the Council is to begin its own Council house building programme which will deliver at least 500 new build properties over the next five years and beyond.

- **The Homelessness and Rough Sleeping Strategy** sets out Durham County Council's vision to eradicate homelessness and rough sleeping. The number of people presenting as being homeless with complex needs has increased significantly.

There are increasing pressures in utilising temporary accommodation due to the lack of Council owned stock. This has been exacerbated by the number of people requiring Temporary Accommodation (TA) increasing with around 145 new households needing placement in TA every quarter in 2023/24 resulting in increased costs to the Council. The allocations policy review will consider whether the current banding structure provides the appropriate level of priority for homeless applicants.

Recent increases in interest rates are having an impact on landlords, forcing them to sell properties or increase their rents, which is resulting in people being evicted or making the sector less affordable for those on lower incomes. This has resulted in an increase in the number of people who have been unable to remain in their existing home which has resulted in them becoming homeless. Around 30% of homeless applicants have stated their reason for homelessness is because their private tenancy is ending or has ended.

- **The Tenancy Strategy 2022-27** sets out the Council's expectations to the registered providers of social housing operating within the County. The Strategy sets out a commitment to provide a range of tenancies to meet all housing needs, providing security of tenure and a safety net for those facing financial difficulties. It also seeks to tackle under occupancy by giving people the opportunity to move to smaller accommodation and where appropriate, supporting the adaptation of homes so people can remain in existing homes.

## Current Allocations Policy is Outdated

Much has changed since the existing joint allocations policy was reviewed and adopted in 2017 following a full public consultation exercise. Since then, there has been several incremental reviews which have reacted to issues the DKO Board have identified. For example, a light touch review was carried out in 2022 with additional

preference for those people with a connection to the Armed forces. There were then some minor changes relating to medical need and the appeals process, which were implemented in May 2023. These incremental changes add up, and in light of the changes outlined above, it is felt appropriate that Council Members are given the opportunity to consider draft proposals for a new Allocations Policy.

Customer expectations on service have grown in the information age where data can be assessed in real time online. Part of this review will seek to improve the quality of the application experience by ensuring expectations are effectively managed, processes are streamlined and responsive to the diverse needs of applicants, and process efficiencies leveraged to speed up administration. A clear and transparent policy is one way to make sure the policy responds to the needs of customer expectations.

The review gives the Council the opportunity to work with its partners to agree formally to a new housing allocations system that responds to the current Housing Crisis and to comprehensive policy changes as Local and National Government's responds to the Housing Crisis. There is an opportunity to comment on the current bands in the allocations policy and the banding reasons in the consultation document.

The housing register in County Durham has increased from 7,686 in 2020 to around 10,600 in 2024, a rise of over 38%. This review is a tool to further demonstrate that the Partnership makes best use of available social housing stock given the considerable and sustained rise in demand since 2020.

## Key Definitions when Framing Allocations Policies

Before we ask questions around the key issues, we will need to explain some key definitions that are used to frame housing allocations policies.

### Definition of Housing Need

Housing need is a particularly relevant term in a housing allocation policy. Prioritising properties for those most in housing need is a fundamental requirement of an allocations policy and is a key objective of this review. It's important to understand the difference between housing need and housing demand.

Housing demand often refers to an individual's wants or aspirations and is usually limited (or not) by an individual's ability to afford a property. Housing need is based on the premise that everyone requires a suitable home to live in regardless of how much money they have. An individual's need may vary depending on several factors including location, affordability, property condition and suitability, health, and welfare.

### Definition of Reasonable Preference

In framing the allocation policy to determine allocation priorities, National legislation via the Housing Act 1996, and the 'allocation of accommodation, guidance for local authorities' states that housing authorities must ensure that 'reasonable preference' is given to people in housing need:

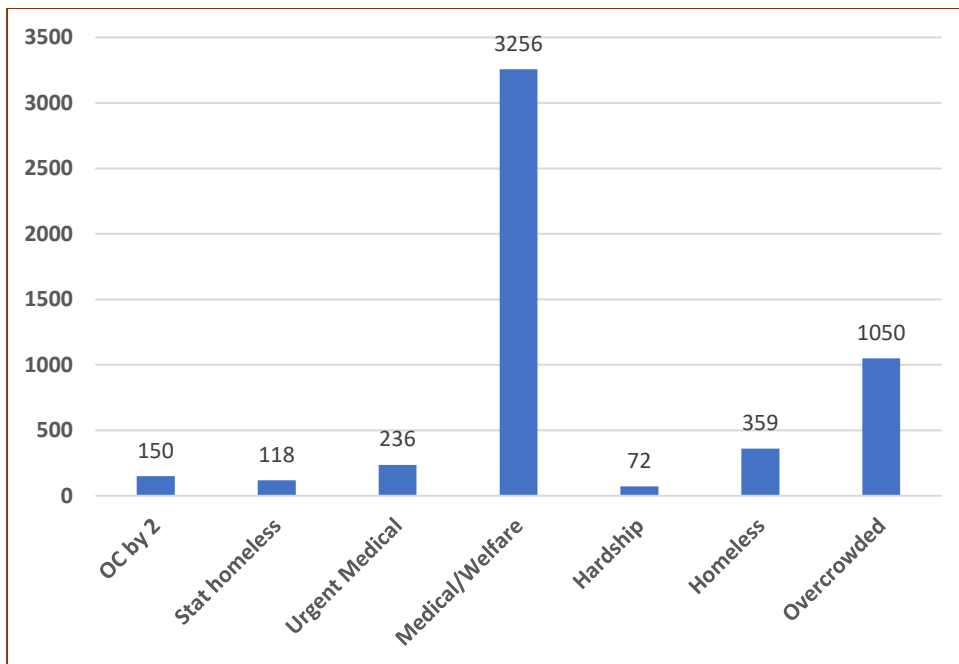
- People that are homeless or threatened with homelessness,
- People living in overcrowded or unsanitary conditions,
- People who need to move on medical or welfare grounds,
- People who need to move to avoid hardship.

At the time of the last annual DKO report (April 2024), there were 10,879 active applicants, of which 5,241 (44%) were in a reasonable preference group, as listed above.

Graph 1 shows the numbers of applicants in each of the reasonable preference groups, the majority of people have a medical or welfare housing need. These people in reasonable preference are usually placed into the top two bands of applicants requiring re-housing.

### Graph 1: Reasonable Preference Groups

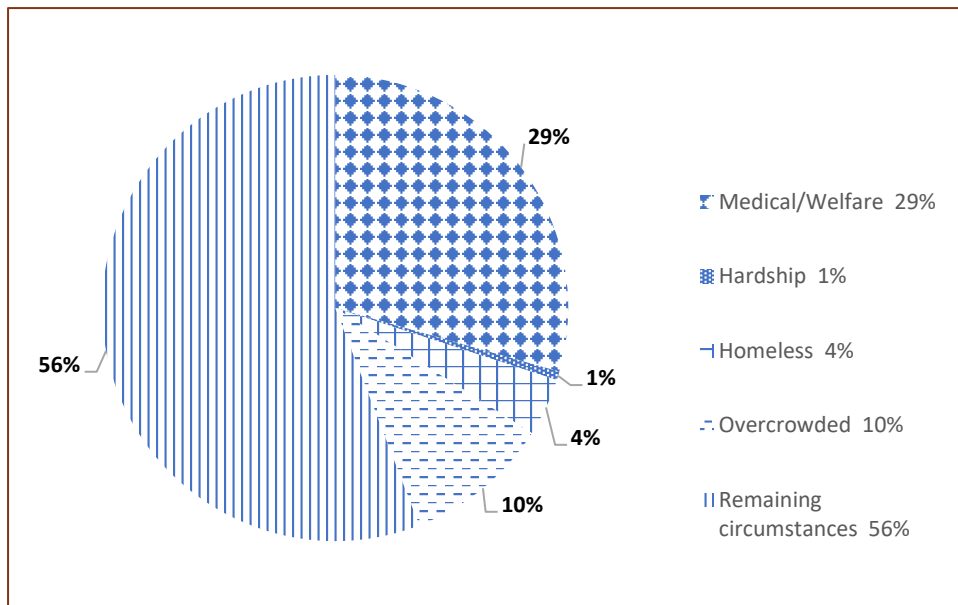
Data Source: DKO Annual Report 23/24



Graph 2 shows the breakdown of the total active applicants by reasonable preference group and those who don't fall within a reasonable preference group. Overcrowded by 2 additional bedrooms is categorised as (OC by 2) within the graph. The breakdown for total of 'Remaining Circumstances' include those applicants that fall within the following categories:

- care leavers,
- living in intensive supported housing,
- regeneration schemes,
- leaving the armed forces and do not fall within homelessness legislation with an additional preference,
- those wishing to live independently with no other housing need,
- adequately housed and have no housing need.

**Graph 2: Reasonable preference groups compared to the total housing Register**



### Additional Preference

Section 166A (3) of the Housing Act 1996 gives housing authorities the power to create an allocation scheme that gives higher priority to particular kinds of people who fall within the statutory reasonable preference categories and who have urgent housing needs. Our allocations policy allows us to give higher priority to applicants who are severely overcrowded (overcrowded by 2 bedrooms) and applicants who need to move for urgent medical reasons. We give an even higher priority to applicants in these two groups if they have a prescribed connection to the armed forces as set out in the current policy.

## Vision and Objectives of Allocations Policy Review

### Vision

We want a policy that “ensures that social housing across the county is allocated consistently and fairly to those in the greatest housing need in an open and transparent way”.

### Objectives

The draft objectives of the review and consultation is to:

1. Work collaboratively and transparently with DKO partners and other stakeholders to develop a joint allocations policy.
2. Ensure that the policy complies with current legislative and regulatory expectations and considers the Allocations Guidance issued by central government.
3. Ensure that housing is allocated to those most in need.
4. Help prevent homelessness and offer a realistic choice to those with a housing need.
5. Contribute to creating balanced and sustainable communities.
6. Provide a clear mechanism to ensure that the Council can be satisfied that the policy is applied fairly and consistently.

### Outcome

The draft outcome of the review and consultation is to have an up-to-date joint allocations policy that responds to national and local policy and helps to address the housing crisis. The outcome will mean that “*people in housing need have access to social housing of the right type and in the right place to meet their needs*”.

**Question 1 – Do you agree or disagree with the proposed vision, objectives and outcome?**

- **Strongly agree / Agree / Neither agree or disagree / Disagree/ Strongly disagree**

**Q1a - Why do you feel this way? Open text**

**Q1b - Do you feel there is anything missing from the proposed vision, objectives or outcome? Open text**

## Key Issues for Public Consultation

For the consultation, we have broadly split the consultation into six key Issues.

1. Housing register qualification criteria.
2. Better Use of Social Housing Stock.
3. Local Lettings Policies.
4. Priority of Homeless Cases.
5. Priority of Medical and Domestic Abuse Cases.
6. Monitoring and Service Standards.

### Key Issue 1 – Housing register qualification criteria

#### Introducing a residency test for qualification?

The partnership wants to ensure that the housing register reflects the housing needs of residents and effectively manages applicant expectation. The register has grown by around 30% since 2020 while the time spent on the register waiting for appropriate housing in the County has grown for individuals and families across all preference bands.

The current allocations policy states that anyone over 16 who needs help to find affordable housing in County Durham can apply to join our register. If a resident is eligible, they can then 'qualify' to join the housing register providing their 'behaviour' is acceptable to the partnership.

The current policy contains a preference to those applicants with a local North East connection at the point when properties are being offered. However, there is no 'geographical limit' within the UK to people qualifying to join the housing register. These people won't be prioritised over people with a local connection, but they will qualify to join to the register.

The current allocations policy does include a 'local connection test' at the point a property is being shortlisted. This test gives priority or a higher priority to those people with a local connection, which is the wider North-East region with no more 'local' connection than that required. The 'local connection test' does not currently affect

those people when they apply to join the register, but it may affect them when they are short listed for a property.

We are seeking views as to whether you think only people with a recent connection to County Durham should qualify to join the register here. By recent connection, we mean someone who has lived or worked in County Durham for at least 12 months or has been offered a permanent employment opportunity in the County. We would also consider applications from people whose circumstances mean they need support from family who live in the County.

A residency test to qualify for the register would not apply to those with exemptions, including those with reasonable preference, namely veterans, domestic abuse victims and care leavers.

**Question 2 – Do you agree or disagree that only people with a recent connection to County Durham should qualify to join the register here? (with some exceptions such as those outlined above).**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q2a - Why do you feel this way? OPEN TEXT BOX**

**Q2b - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

#### [Qualification with no Housing Need?](#)

Houses are currently allocated based on a banded approach. There are 4 bands. Everyone in Bands 1-3 have some form of housing need. A description of all the bands is set out in key issue 4. Those in Band 4 are both 'eligible' and 'qualify' to join our housing register but at the time of applying for the register, they are adequately housed and have no 'housing need'. Band 4 has the largest number of people active within it, with 5,477 in 2023/24 at the end of the previous financial year.

The partnership is now considering whether it is necessary, in a time of housing crisis, to have people on the register with no housing need i.e. those currently in Band 4. The providers of social housing are telling us that they have very few voids and most of

their lets are going primarily to people in the highest bands of need, i.e Band 1 and Band 2 of housing need.

In 2023/24, 88% of lets (from the full partners) were allocated to residents in Band 1 and 2. Band 3 only has 3% of total lets although there is only 749 people in this Band (8<sup>th</sup> October 2024). The percentage of lets to applicants going into Band 4 has decreased year on year since Covid. In the year 2020/21, 23% of lets were to people in Band 4 this reduced to 17% in 2021/22, 14% in 2022/23 and is now down to 9%. Therefore, band 4 accounts for about 47% of the housing register but only about 9% of the annual lets. Put another way, only 6% of applicants from Band 4 received a social rented property because of being on the register so 94% of residents in this Band are not being housed.

It should be noted that, even where applicants are accepted onto the Housing Register, there is no guarantee that an offer of accommodation will be made to those in the lower banding priorities. There were 289 Band 4 lets in 23/24. This is more than double the number of people in TA. These Band 4 lets were allocations for low demand properties, usually located in low demand areas in the East of the county but also 10% were in our more rural communities in the west. 29% of the Band 4 lets were for flats which are also usually in less demand.

The Council are suggesting that any voids created from removing Band 4 applicants would be better used helping those in bands 1-3 get re-housed or those homes would be better used to house individuals who are in urgent homelessness situations.

**Question 3 - Do you agree or disagree that people who are already adequately housed should be allowed to join the housing register? (e.g. because they want to move to another property or location).**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q3a - Why do you feel this way? OPEN TEXT BOX**

**Q3b - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

#### Exclusion from Housing register

During 2023/24 19,452 applications were received, and a total of 1758 (9% of the total applications) were disqualified at the point of application. The current allocations policy states that everyone who is eligible for social housing will qualify to join the housing register except applicants (or households) who fall into the three categories below. The allocations policy excludes applicants that fall into one of the following categories:

1. People whose behaviour makes them unacceptable to us.
2. People we have previously removed from our register – if they refused or did not respond to 3 offers of any suitable property in any rolling 12-month period.
3. Tenants who have (a) signed up to a new tenancy in the last 12 months through DKO and (b) who we regard as adequately housed.

During 2023/24 1758 (9%) of applicants were disqualified from accessing the housing register, of which 97% were due to behaviour which is unacceptable as identified within category 1 above, as part of the allocations policy. As this is the main reason for disqualification, it is important to review what constitutes 'unacceptable behaviour' as part of this consultation.

#### People whose behaviour makes them unacceptable to us

Upon assessment, the applicant will not qualify to join the register if they or a member of their household who they live with has been guilty of unacceptable behaviour. The behaviour must be serious enough to make the person unsuitable to be offered housing. Until the applicant can demonstrate better behaviour, we will not consider another application from them if we have disqualified them from our register. It's important to the Council though that appropriate housing solutions are available to those with multiple complex needs and that past, non-tenancy related transgressions are not an automatic barrier to social housing.

Tenancy related behaviours such as damage to property, causing neighbourhood disputes or non-payment of rent are easy for us to assess, but non-housing related criminal activity is more subjective and difficult to manage. People with a history of

criminal behaviour may still live in the area with family or friends, private renting or end up homeless.

Access to social housing, however, could improve someone's life chances and help them integrate fully into the community. It would also help the police, probation service, housing providers and the council to better monitor and support them.

With this in mind, we are reviewing what we mean by unacceptable behaviour, and we would like your thoughts on this.

**Question 4 - Do you agree or disagree with the proposal to review what constitutes unacceptable behaviour?**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q4a - Why do you feel this way? OPEN TEXT BOX**

**Q4b - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

**Q4c – Which of the following statements do you think should be considered as unacceptable behaviour, so someone is not able to join the housing register? (Please choose up to five)**

**(add digitised box for people to select top 5 choices)**

- Convicted of a drug-related offence.
- Convicted of a violent criminal offence that we consider makes them a threat to the local community, including domestic abuse, racial violence or harassment
- Convicted of a sex-related offence that we consider makes them a threat to the local community.
- Been abusive to, attacked or threatened staff.
- Have a history of anti-social behaviour or are subject to an anti-social behaviour order.
- Have a record of unacceptable rent arrears (including garage arrears owed to DKO partners), or mortgage arrears.

- Have unsatisfactory tenancy reports.
- Have damaged a current or previous rented home and owe money for 'rechargeable repairs.'
- Have knowingly given a false statement or given false information when applying to join our housing register.

Spent convictions will not be taken into account during our assessment.

**Q4d - Do you have any other comments to make in relation to disqualification from the housing register due to unacceptable behaviour? OPEN TEXT BOX**

#### Financial Resources

It is evident that there is a shortfall between the supply and demand for social housing, with around 10,700 active applicants on the housing register and on average around 3,000 lets each year. It is therefore important to consider whether people who have the resources to buy or rent their own property on the open market without public subsidy should be allowed access to the housing register and ultimately social housing, thereby reducing the number of properties available for those people who cannot afford to buy or rent a property on the open market.

The current allocations policy allows anyone to access the housing register, regardless of their income, savings or equity. There are currently around 593 active applicants on the housing register with an income of £30,000 or more, making up around 6% of the total register.

**Question 5 – Do you agree or disagree that income, savings or equity should be taken into account when assessing if someone should access the housing register?**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q5a – Why do you feel this way? OPEN TEXT BOX**

**Q5b - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

## Key Issue 2 – Better Use of Social Housing Stock

Under occupation arises where a household lives in a property that is deemed too large for its needs. Under occupancy is a problem in County Durham because there is a shortage of larger family homes accessible via the housing register. This is particularly the case for 4 bedroomed houses, with only 648 properties across the DKO partnership, accounting to 1.6% of the total housing stock. Although there are more three-bedroom properties, underoccupancy is also an issue too, where single people or a couple are under-occupying a three bedroomed property.

The annual turnover of these four bedroomed properties is very low, only 1% of all lets in 2023/24 were made to four-bedroom properties (18 properties). The current housing register has 223 active applicants who require a property with four or more bedrooms. Therefore, the demand for larger properties is rarely being met so we are seeking views whether it is possible to free up these larger properties where they are being under-occupied and make better use of the social housing stock. Under occupancy is considered below in relation to both existing tenants and applicants

### Underoccupancy for existing tenants

The current allocations policy doesn't have a separate banding reason to address existing tenants who are under occupying and who wish to downsize, with no other housing need.

**Question 6 – Do you agree or disagree that we need to encourage people to downsize if they are under occupying their home?**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q6a - Why do you feel this way? OPEN TEXT BOX**

**Q6b - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

**Q6c – Do you have any ideas how we can encourage or support people to downsize? OPEN TEXT**

**Under occupancy for applicants**

Like the lack of four bedroomed properties, there is also shortage of single person properties with only one bedroom. Only 19% (7686) of the total housing stock across the partnership are one-bedroom properties, of which at least 5327 are bungalows and predominantly for older people. The shortage of one-bedroom properties means single people and couples should be eligible to access a two-bedroom property via a future allocations policy.

The current allocations policy allows single persons and couples to apply and bid for three-bedroom properties, subject to passing an affordability assessment. There are 12,400 three-bedroom properties across the DKO partnership, however the turnover of these properties is low, with only 17% of total lets during 2023/24 going to properties with three bedrooms. There are over 1,700 active applications/households that are eligible for a minimum of a three-bedroom property, making it extremely difficult for families or single people with multiple children to be allocated a property of this size.

Between April 2022 and September 2023, there were only 21 lets of a three-bedroom property to single persons and a further 10 to 'other households' which could include a couple without children.

In the current allocations policy, a single person or a couple with no children could be allocated a three-bedroom property if their income is sufficient to pay the rent for a property larger than what they need. Given the under supply of accommodation for families, it is therefore important that the current stock is utilised in the most appropriate way to meet the housing need.

**Question 7 – Do you agree or disagree that a single person or a couple (with no children) should be entitled to apply for a three bedroomed property?**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q7a - Why do you feel this way? OPEN TEXT BOX**

**Q7b - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

### **Key Issue 3 – Local Lettings Policies**

Local Lettings Policies (LLPs) can override the allocations policy on the basis that there are important local issues that must be addressed when allocating households to housing. There are currently 26 active LLPs within County Durham which deal specifically with new build housing.

LLPs can be introduced so that the LLP effectively replaces the allocation policy on a defined housing area to address a specific local issue.

The allocation of accommodation guidance advises that LLPs are allowed under Section 166 of the 1996 Act. LLPs allows local authorities to allocate particular accommodation to people of a particular description whether or not they fall within the 'reasonable preference' categories. Cohorts of people in reasonable preference could be people who are classed as homeless, people living in overcrowded conditions, people who need to move on medical or welfare grounds or people who need to specific local authority to avoid hardship.

LLPs are therefore a policy that allows local 'issues' to take precedence over the countywide allocations policy.

**Q8 – What local issues do you think are important enough to override the countywide allocations policy? (Please tick as many as you want)**

- **Demand for affordable housing**
- **High levels of anti-social behaviour in a particular area**
- **A shortage of a particular type of housing eg bungalows, larger family homes**
- **Requirement to work within a certain area of a particular location**
- **Housing in regeneration areas**
- **New build housing**
- **Age related housing eg older persons sheltered accommodation**

- Rural issues eg affordability of housing
- Other (please specify)

**If you ticked 'other' above, please can you state in the comments box below what other local issues would require a Local Lettings Policy. Do you have any other comments to make on Local Letting Policies and the use of them? OPEN TEXT BOX**

#### **Key Issue 4 – Priority of Homeless cases**

The current allocations policy has four bands (set out in Table 1 below). All qualified applicants will have their circumstances assessed and will be placed in the relevant band, according to their level of housing need. Those that are homeless are currently banded into the top two categories and the Council are seeking views if there is a better way to prevent people becoming homeless in the first place and also to create a safety net for those without a roof over their heads.

**Table 1- Housing Register by bands in 2024**

<b>Band</b>	<b>Banding Reason</b>	<b>No. active applicants</b>	<b>% of total active applicants</b>	<b>No. of lets 23/24</b>	<b>% of total lets</b>
<b>1</b>	Accepted as statutorily homeless	119	<b>1.1%</b>	251	7.8%
<b>1</b>	Care leavers	18	<b>0.1%</b>	27	0.8%
<b>1</b>	Living in intensive supported housing	161	<b>1.5%</b>	257	8.0%
<b>1</b>	Overcrowded by at least two bedrooms	127	<b>1.2%</b>	150	4.6%
<b>1</b>	Regeneration scheme within County Durham	34	<b>0.3%</b>	19	0.5%
<b>1</b>	Urgent medical reasons	220	<b>2.1%</b>	285	8.8%
<b>Band 1 Total</b>		<b>679</b>	<b>6.3%</b>	<b>989</b>	<b>30.8%</b>
<b>2</b>	Leaving the armed forces and you do not fall within homelessness legislation	18	<b>0.2%</b>	10	0.3%
<b>2</b>	Move to a locality to avoid hardship	59	<b>0.6%</b>	35	1.2%
<b>2</b>	Need to move on medical or welfare grounds	2880	<b>26.9%</b>	1125	35%
<b>2</b>	Occupying unsanitary, overcrowded or unsatisfactory housing	977	<b>9.1%</b>	348	10.8%
<b>2</b>	Prevention/Relief duties owed by local authority (Homeless)	353	<b>3.2%</b>	305	9.5%
<b>Band 2 Total</b>		<b>4287</b>	<b>40%</b>	<b>1823</b>	<b>56.7%</b>
<b>3</b>	Wishing to live independently with no other housing need	749	<b>7%</b>	<b>111</b>	<b>3%</b>
<b>4</b>	Adequately housed and have no housing need	4996	<b>47%</b>	<b>289</b>	<b>9%</b>
<b>Grand Total</b>		<b>10,711</b>		<b>3,212</b>	

Table 1 shows that on 08 October 2024, there were 10,711 active applicants on the housing register, it also shows the breakdown of active applicants within each band and the number of lets within each band during 2023/24.

#### Homeless applicants

There are around 7,500 people each year who approach the Council when they require housing advice, are homeless, or are at risk of being homeless, of which around 2,500 people are owed a homelessness duty from the Council and require some form of accommodation.

Each person with an active homelessness application will be at a different stage of homelessness and therefore will have a differing level of priority in terms of requiring accommodation.

If someone is still housed but is at risk of becoming homeless within the next 56 days, for example has been asked to leave their current accommodation by a landlord or friends/family, they will be in a 'Prevention Duty'. After 56 days have lapsed and if no accommodation has been found, they will move into a 'relief duty'. Someone can be placed immediately into a relief duty if they are homeless upon application. The applicant will remain in relief duty for a further 56 days and if no accommodation has been found they will move into a 'main duty' and be classed as 'statutory homeless', providing they have a priority need and have not made themselves intentionally homeless.

Where suitable accommodation cannot be sourced for people who are homeless, temporary accommodation is utilised. The number of placements into temporary accommodation has increased significantly, resulting in increased costs to the Council. It is therefore important that homeless people are assessed and placed in the most appropriate band, to ensure that they can access accommodation as quickly as possible, to avoid the need to use temporary accommodation.

Currently, homeless applicants accepted as 'statutorily homeless' with a full duty to be rehoused are placed in Band 1 on the housing register. Statutory homeless people are those people who have been assessed as homeless by the local authority, are unintentionally homeless and are in a 'priority need' group.

Band 1 has the least number of active applicants, making up just over 6% of the total housing register (679 applicants), of which just over 1% are statutory homeless (119 applicants). During 2023/24, almost 31% of total lets went to people within Band 1. Band 2 is the second largest band containing 40% of the total active applicants. Of the total number of applicants in band two around 8% are 'non statutorily' homeless. This priority includes applicants that are at risk of becoming homeless within the next 56 days and are at a 'prevention' stage in their homelessness application with the local authority's housing service. It also includes applicants that are currently homeless and in a 'relief' stage of their homelessness case (stage after the 56 days of prevention). The Council want to prevent people becoming homeless in the first place so want to prioritise those in the prevention stage. The question below is seeking views on the Council's position on prevention.

**Question 9 – Do you agree or disagree that people who are at risk of becoming homeless be awarded a higher priority than people who are already homeless?**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q9a - Why do you feel this way? OPEN TEXT BOX**

**Q9b - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

#### **Temporary Accommodation**

There are a high number of people that approach the Council's housing service each year who are at risk of becoming homeless within the next 56 days. It is important that they can access affordable housing as quickly as possible to prevent the use of temporary accommodation, which is very costly to the Council. These people would currently be awarded the second priority grouping (Band 2, table 1) on the housing register. The average waiting time in the current Band 2 is around 251 days.

Anyone who presents to the Council's housing service as homeless and requires temporary accommodation are currently assessed as having a relief duty and would be awarded the second banded group on the housing register. A pilot was agreed by the DKO Board members to place all applicants living in temporary accommodation into the first banded group to assist these applicants get permanently rehoused. The pilot was successful and therefore as part of this consultation the Council would like to ask views on making this change to the allocations policy a permanent change.

**Question 10 – Do you agree or disagree that homeless applicants living in temporary accommodation should be given the highest priority in the new allocations policy?**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q10a - Why do you feel this way? OPEN TEXT BOX**

**Q10b - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

## Key Issue 5 – Priority of Medical and Domestic Abuse Cases

There are two questions in this key issue. They both relate to how a future allocations policy awards the correct priority to those who are seeking re-housing due to medical need and Domestic Abuse (DA).

Nearly 27% of the total current active register (around 3,000 applicants) are classed as having medical (non-urgent) or welfare needs, and these applicants currently are all banded together. The band currently hosting these applicants (Band 2) contains 75% of the total active applicants on the register who have an identified housing need. Waiting times for this group of people has grown from a historic average of 312 days to a current average waiting time of 428 days. This section asks questions on how it may be possible to prioritise those with higher medical and welfare needs.

### Medical Assessments

Currently, the policy allows people who have prescribed medical issues relating to their need for re-housing to be allocated within one of only two categories, urgent or non-urgent.

People with chronic illnesses receive a higher banding and are placed into current Band 1 such is the urgency of their medical condition. The level of evidence required for 'urgent' is significant. A medical professional, such as an occupational therapist, a Community Psychiatrist Nurse (CPN), General Practitioner (GP), or social care professional, is required to provide written evidence of chronic illness and how it relates to the unsuitability of the patients current housing. Of the current active register, 2% (220 applicants) are assessed as being in urgent medical need. The Council believe this classification prioritises those most in need and is correctly based on the requirement for a professional medical assessment.

For non-urgent medical cases the same level of evidence is not required. There have been increasing numbers of people seeking a housing related assessment on medical grounds and it has become increasingly challenging for housing providers, medical organisations, occupational therapists etc to provide suitable evidence to demonstrate a medical need. Therefore, to cope with demand, the Council and some RP partners now accept desktop assessments, while GPs and applicants are reliant on social prescribers to submit medical evidence.

As all non-urgent housing applicants do not require an assessment from a medical professional, there is a risk that people with a more substantial medical need are not being provided with a new home while those with a moderate medical condition are being re-housed. The question below seeks feedback on how we can better categorise people in medical need by moving to a three-tiered system so those with more substantial medical issues can be prioritised over those with moderate medical issues. We are also asking if medical assessments should be validated by a medical professional.

**Question 11 – Do you agree or disagree that a medical professional should carry out an assessment to categorise the medical need of individual applicants who believe they should have medical priority?**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q11a - Why do you feel this way? OPEN TEXT BOX**

**Q11b - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

**11c - Do you agree or disagree that we should move to a three-tiered system of assessing medical need?**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q11d - Why do you feel this way? OPEN TEXT BOX**

**Q11e - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

## Domestic Abuse

People on the housing register who are victims of DA, are currently banded together with people with other welfare needs in accordance with the allocations policy.

Other welfare reasons could include the need to be near family or friends to give or receive support or people who need to receive or give care and an urgent move is required from their home. It is the Council position that those who are current victims of DA should be given additional priority over people in the welfare category.

**Question 12 - Do you agree or disagree that victims of domestic abuse should be given greater priority than those with other welfare needs?**

- **Strongly agree / Agree / Neither Agree or Disagree / Disagree / Strongly Disagree**

**Q12a - Why do you feel this way? OPEN TEXT BOX**

**Q12b - Do you think this change would affect you / the people you represent in a positive or negative way?**

- **Extremely positive / Positive / No change / Negative / Extremely negative**

## Key Issue 6 – Monitoring and Service Standards

The housing register has two service standards regarding the processing of applications. These are key to achieving customer satisfaction and ensuring that forms are processed quickly enough to allow access to housing in a suitable timeframe and assist with housing demand.

The first service standard is that all applications received will be registered by a staff member within five working days of the application date. The second service standard is that all applications will be activated within 20 working days (where we have received the information requested when registering the form).

The targets for all partners for both standards are 95%.

**Question 13 – Have you had experience of accessing the housing register in the last three years? Yes / No**

**Q13a If yes, how do you rate your experience of the following:**

- **The DKO website**
- **Applying to join the housing register**
- **Acceptance to the register (banding)**
- **Searching and bidding for properties**
- **Allocation of a property**
  - **Very good / Good / Neither good nor poor / Poor / Very poor / Not applicable (for each option)**

**Q13b Please tell us about why you think this way? OPEN TEXT**

## Any Other Comments?

On behalf of Durham County Council, thank you for taking the time to engage in the consultation. Two final questions.

**Question 14 - Do you have any other comments on social housing allocations in County Durham? OPEN TEXT BOX**

## Glossary of Terms

**Additional Preference** – Additional preference in housing allocations policies is when local authorities give priority to certain groups of people who have both a reasonable preference and urgent housing needs. Some examples of people who may be given additional preference include:

- People who need to move quickly due to a life-threatening illness or sudden disability
- People who are severely overcrowded and this poses a serious health hazard
- People who are homeless as a result of violence or threats of violence
- Members of the armed forces

Local authorities can also consider other factors when determining priority, such as financial resources, behaviour, and local connection.

**Bands** - In housing allocations policies, a band is a category that applicants are placed into based on their housing need. The bands are used to prioritise applicants, with those in the highest band having the highest priority.

**Care Leavers** - are young people aged 16-25 years old who have been in care at some point since they were 14-years old and were in care on or after their sixteenth birthday. These young people are statutorily entitled to some ongoing help and support from the local authority after they leave care.

**Domestic Abuse** - (sometimes called 'domestic violence' or 'intimate partner violence') is an incident or a pattern of behaviour that is used by someone to control or obtain power over their partner or ex-partner.

**Durham Key Options (DKO)** – is a Choice Based Lettings scheme established to allocate social housing in County Durham. DKO is a partnership, made up of Durham County Council (DCC) and its four housing provider partners; believe housing, Livin, Karbon Homes and North Star.

**Housing Need** – is based on the premise that everyone requires a suitable home to live in regardless of how much money they have. An individual's need may vary

depending on several factors including location, affordability, property condition and suitability, health, and welfare.

**Local Connection Test** - gives priority or a higher priority to those people with a local connection when houses are being offered, regardless of priority banding.

**Medical Assessments** - is a process used to determine if an applicant qualifies for medical priority in a housing allocation scheme. The assessment considers how an applicant's current home affects their health or disability, and if they would benefit from moving to a different property.

**Prevention** – Those that are at risk of becoming homeless in the next 56 days.

**Reasonable Preference** - Cohorts of people in reasonable preference could be people who are classed as homeless, people living in overcrowded conditions, people who need to move on medical or welfare grounds or people who need to specific local authority to avoid hardship.

**Registered Provider (RP)** - is a social housing provider that is registered with the Regulator of Social Housing. RPs are responsible for meeting the standards set by the regulator, which includes codes of practice and regulatory guidance.

**Relief Duty** – A relief homeless duty is a local authority's obligation to help a homeless household find suitable accommodation. This applies to all households that are homeless and eligible for assistance, regardless of priority need and can last up to 56 days. The authority must take reasonable steps to help the applicant find accommodation. The relief duty ends when; accommodation is found or if the applicant refuses suitable accommodation offered by the authority. If the relief duty fails and no accommodation is found within 56 days, the main homelessness duty comes into effect.

**Residency Test** - is a test for allocations policies is a requirement for some applicants to qualify for social housing in a particular area. The test requires applicants to have lived in the area for a certain amount of time, or to have a family or work connection to the area.

**Social Prescribers** – is a role who helps patients to improve their health, wellbeing and social welfare by connecting them to community services which might be run by

the Council or a local charity. For example, signposting people who have been diagnosed with dementia to local dementia support groups.

**Statutory Homeless** - This is often referred to as the main homelessness duty. Statutory homeless people are those people who have been assessed as homeless by the local authority, are unintentionally homeless and are in a 'priority need' group.