

## **Midlothian Council Housing Allocation Policy Review 2023/24**

**Report by Kevin Anderson, Executive Director - Place**

### **Report for Decision**

#### **1 Recommendations**

- 1.1 It is recommended that Council approves the Housing Allocation Policy Review consultation with all Midlothian Council tenants, waiting list applicants, stakeholders and tenant groups during the Winter 2023 period. The consultation outcomes and recommended options will be reported back to Council in March 2024.

#### **2 Purpose of Report**

- 2.1 The main purpose of the Housing Allocation Policy is to prioritise applicants needs to let the available vacant properties to those in the greatest assessed need, in accordance with current legislation and guidance to make best use of housing stock.

**Date:** 02 November 2023

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### **3 Background**

**3.1** The Housing Allocation Policy was last revised in 2019 when it was agreed that Council will review the policy every two years. The bi-annual review process and consultation opportunities were disrupted due to the pandemic. The key changes made in the 2019 revision included:

- Removing the Choice Group
- Reviewing the lettings targets, with a target of 60% of allocations to the Homeless List and 40% of allocations to the General Needs List
- Increasing overcrowding and under-occupancy points
- Expanding the Incentive to Move Scheme
- Operating Local Letting Initiatives for new builds
- Requirement for all homeless households to choose all house types
- Homeless households to be encouraged to choose as many letting areas as possible
- Ability to change tenancies from temporary to permanent
- Homeowners not made offers of council housing unless under certain circumstances
- Developing a statutory suspensions policy aligned to the Housing (Scotland) Act 2014
- Ensuring that all applicants discharged from HM Armed Forces were assessed under the terms of the Homelessness etc.(Scotland) Act 2003
- Set a target of 20 homeless households to be housed via the Housing First model per annum.
- Increased residency points for Midlothian residents
- Increased points for those living in shared stairs

**3.2** A Housing Allocation Policy review allows a landlord to consider whether the policy is still fit for purpose, whether it complies with all current legislation and whether it meets the needs of tenants, applicants and the Council.

### **4 Legislative Requirements**

**4.1** A Housing Allocation Policy must be compliant with a range of key legislation and statutory guidance including:

- Sections 19 and 20 of the Housing (Scotland) Act 1987, as amended by Sections 9 and 10 of the Housing (Scotland) Act 2001 and the Housing (Scotland) Act 2014.
- The Statutory Guidance supporting the 2014 Act
- The Scottish Social Housing Charter
- The Code of Guidance on Homelessness (updated 2019)
- Relevant equality and human rights duties

**4.2** Legislation dictates that a Housing Allocation Policy must give 'reasonable preference' to the undernoted circumstances:

- Homeless persons and persons threatened with homelessness
- People living under unsatisfactory housing conditions
- Under-occupying social housing tenants

Landlords can decide on the priority it wishes to give to those in each of these reasonable preference groups.

## **5 Housing Allocation Policy Review options**

### **5.1** Internal Audit recommendations will be incorporated and the following areas be reviewed during the consultation process:

- Nomination Agreements
- all the Nominations to agencies be highlighted with more information ie Women's Aid, HMF Veterans
- 60/40 Homeless ratio
- how we are addressing those that circumvent the system
- Further expansion of the Incentive to Move Scheme to encourage tenants to downsize to smaller properties
- Allocation model, ie groups, points, combined

## **6 Housing Allocation Policy Review Consultation**

### **6.1** The Housing (Scotland) Act 2014 requires landlords to consult with:

- Applicants on the housing list
- Tenants
- Registered Tenant Organisations

### **6.2** The Housing Allocation Policy will be subject to consultation with all Midlothian Council tenants, waiting list applicants, stakeholders and tenant groups between November 2023 and February 2024. The consultation outcomes and recommended options will be reported back to Council in March 2024.

### **6.3** *Social Housing Allocations In Scotland: A Practice Guide* does not recommend a particular consultation method other than ensuring that the approach is as inclusive and supportive as possible. Midlothian Council officers will incorporate methods and learning from previous effective housing consultation exercises.

## **7 Report Implications (Resource, Digital and Risk)**

### **7.1 Resource**

There are no resource implications arising directly from this report.

### **7.2 Digital**

There are no digital implications.

### **7.3 Risk**

There is a risk to the Council if there is no regular review process that the Housing Allocation Policy does not comply with legislation or guidance from the Scottish Housing Regulator.

#### **7.4 Ensuring Equalities (if required a separate IIA must be completed)**

Equality is central to all housing and housing services delivery. An Integrated Impact Assessment (IIA) has been undertaken on the Local Housing Strategy 2021-26 to ensure that the needs of local communities have been fully considered. The SHIP reflects identified needs and draws on findings from the IIA when considering the implications flowing from the translation of strategic aims into housing policies.

#### **7.5 Additional Report Implications (See Appendix A)**

See Appendix A

#### **7.6 Appendices**

Appendix A – Additional Report Implications

Appendix B – Midlothian Council Housing Allocation Policy (2022)

## **APPENDIX A – Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

The themes addressed in this report impact on the delivery of the Single Midlothian Plan outcome particularly in terms of priorities in relation to the delivery of affordable housing, homelessness and health and social care outcomes through the provision of specialist housing.

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☒ Sustainable
- ☐ Transformational
- ☒ Preventative
- ☒ Asset-based
- ☒ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

### **A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☐ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious
- ☐ None of the above

### **A.4 Delivering Best Value**

We manage all aspects of our business so that tenants and other customers receive services that provide value for money in the rent and other charges they pay.

### **A.5 Involving Communities and Other Stakeholders**

A full consultation will be carried out with Midlothian Council tenants and waiting list applicants. Stakeholders will be informed at the regular Local Housing Strategy Forum meetings.

### **A.6 Impact on Performance and Outcomes**

The proposed Housing Allocation Policy review supports key objectives to accurately assess housing need so Midlothian Council officers can then let vacant properties to those with the greatest assessed need.

### **A.7 Adopting a Preventative Approach**

The review will ensure a continued focus on providing a clear framework for prioritising applicants based on housing need and the reasonable preference criteria, which is set out in legislation. Regular monitoring and review is important to ensuring the Housing Allocation Policy makes best use of housing stock to meet housing need.

### **A.8 Supporting Sustainable Development**

Good practice in relation to energy efficiency and sustainability is contained in the SHIP and Local Housing Strategy 2021/22 – 2025/26.