

Appendix 1 - Summary of proposed changes to the Cherwell District Council Housing Allocation Scheme 2021

Section	Summary of changes	Rationale
3.6.2.1 Unacceptable behaviour	Section re-worded with reference to “ <i>grounds 1-7, Schedule 2 of the Housing Act 1985</i> ” removed as a means of determining what factors will be considered as unacceptable. Instead the section can now be more easily understood and clearly sets out what forms of fraud, convictions, ASB and breaches of tenancy may be classed as “unacceptable behaviour” and lead to disqualification.	Previous wording was both difficult to understand and lacking in detail. The intention of the new wording is not to result in different outcomes but to allow both staff and applicants to more easily understand what behaviour may be classed as unacceptable and therefore lead to disqualification.
3.6.2.1 Unacceptable behaviour (rent arrears)	Previously applicants would be disqualified if they had past or present rent arrears equivalent to 8 weeks’ rent or more. This restriction has been removed. Applicants will no longer be disqualified from joining the housing register if they have rent arrears, however, they will need to have cleared these arrears or made ‘substantial efforts’ to do so, before an offer of housing can be made. ‘Substantial efforts’ would typically include a sustained repayment pattern over a period of at least 12 months and with any housing related debts outstanding being no more than the equivalent of 8 weeks’ rent.	The previous wording resulted in an “all or nothing” approach whereby applicants with less than 8 weeks’ arrears were able to join the housing register whilst those with more were disqualified. By allowing applicants with higher levels of rent arrears to join the housing register they can build waiting time whilst working to clear their arrears and this can be an incentive to address their debt.
3.6.2.2 Duration of disqualification	The duration of disqualification from the housing register has been clearly outlined as well as how this will be determined. Typically the duration of a disqualification will be between 1 and 5 years. This will be determined by taking into account the culpability of the applicant and harm of his/her actions.	The previous wording lacked clarity as to how the duration of any disqualification would be determined. The wording allows staff to have a consistent approach to determine a duration of a disqualification for unacceptable behaviour. The wording also allows applicants to better understand the decision making that has led to their disqualification for a set time period.
3.6.2.3 Local connection	The exemptions to local connection criteria for members of the Armed Forces and their family members have been clearly outlined in accordance with the statutory guidance “ <i>Improving Access to Social Housing for Members of the Armed Forces</i> ” MHCLG, July 2020.	Rather than reference to statutory guidance, the new wording clearly outlines the categories of Armed Forces personnel and their family members that will qualify to join the housing register, whether or not they meet another measure of local connection as per the housing allocation scheme.

	<p>This includes exempting from any local connection criteria current or former members of the regular armed forces who served at any time in the 5 years preceding their application; bereaved spouses or civil partners; divorced or separated spouses or civil partners and members of the reserved armed forces who are suffering from injury attributable to their service.</p>	
<p>3.6.2.5 Sufficient financial resources</p>	<p>Wording has been reviewed to ensure it is easy to understand for both staff and applicants. An assessment of financial resources will continue to jointly consider both annual gross income of applicant/s and any savings and the threshold will remain at £60,000. Applicants with over this amount of annual income/savings combined will not qualify to join.</p> <p>Additional wording had been added to make clear that special consideration and exception may be given to applicants that require larger or more specialist accommodation in cases where it can be evidenced that the typical accommodation required cannot be obtained in the private sector based on the level of income and financial assets they have.</p> <p>An exception has been added for under-occupiers of social housing who will not be subject to a cap on financial resources.</p>	<p>Any combination of annual gross income and savings of over £60,000 has been reviewed as sufficient to secure accommodation in the private rented sector in the district. In some cases 4 bed accommodation may be difficult to secure, depending on factors such as the location of preference. Special consideration therefore can be given where appropriate to those applicants that require larger accommodation or more specialist accommodation, such as disabled adapted accommodation, which may be more difficult to secure in the private sector.</p> <p>Under-occupiers of social housing should be encouraged to downsize whether or not they have sufficient financial resources to obtain housing in the private sector.</p>
<p>3.6.2.6 Refusal of offers</p>	<p>Applicants in the higher priority bands will no longer be disqualified for refusing one offer of accommodation. Applicants in Bands 1 and 2 can benefit from 3 offers of accommodation like those in other Bands.</p>	<p>Applicants can sometimes be surprised to be offered accommodation and may not always put as much consideration into placing bids as they could. Imposing a disqualification for refusing only one offer of housing can therefore be seen as too strict and counter-productive if offers are imposed that do not fully meet an applicant's need or aspirations.</p> <p>Reverting to 3 offers before disqualification is considered should help ensure that the housing provides sustainable, long</p>

		term solutions whilst balancing the need for applicants to be realistic and to only place appropriate bids
5.1.1 Band 1 reason Adopters and Foster Carers	A new Band 1 reason has been added to give priority to approved adopters or foster carers that need to move to a property with an extra bedroom in order to commence or continue with the arrangement.	Joint working between OCC and CDC has identified the need to facilitate access to suitable housing for foster carers and adopters. Otherwise housing can be a barrier to carers being able to take up, sustain or expand their role. Numbers are likely to be low and this is seen to be a positive move for the benefit of vulnerable children.
5.1.2 Band 2 Non-priority homeless	Currently a Band 3 is applied to the applications of non-priority homeless persons. These are applicants that are verified as being homeless but are not considered vulnerable to the point they are 'priority-need'. This priority will be increased to Band 2 to sit alongside applicants that are statutory homeless.	Whilst alternative housing options will remain in place for applicants that are homeless, such as the adult homeless pathway and Housing First programme, this raised priority puts non-priority homeless households on an equal footing with statutory homeless households. The rationale being that whether priority need or not the person/couple is still homeless and needs access to housing.
8.9 Direct matches	Additional wording to give indicative examples of when a direct match may be carried out and a statement that these will typically account for less than 5% of all lettings per year.	The allocation scheme current lacks transparency and detail for both applicants and staff to understand in what circumstances a direct match may be carried out.
14.5 Oxford's unmet housing needs	New section that acknowledges that some social housing in the district may be built to meet Oxford's unmet housing needs and may not be allocated through Cherwell District Council's housing register.	Applicants will need to be aware that some social housing in Cherwell may not be allocated through Cherwell District Council's housing allocation scheme and for housing built to meet Oxford's unmet housing needs they may need to register with Oxford City Council's housing register.
Appendix 3: Space Standard	New introduction of a space standard that determines adequate bedroom sizes in addition to the existing bedroom standard that determines the number of bedrooms a household requires.	The space standard as outlined by Section 326 of the Housing Act 1985 is proposed to be adopted to determine if bedrooms are of an adequate size to accommodate household members according to their ages. The standard is already used by the council's Housing Standards Team to determine statutory overcrowding. The space standard can then be used when considering priority under the category of social, welfare and hardship grounds – see Appendix 5 changes below.

<p>Appendix 4: Health and Disability assessments</p>	<p>A Band 3 reason has been introduced under the Mental Health section so that applicants receiving short-term, time-limited secondary care intervention may have a Band 3 applied in cases where housing is the cause or a significant aggravating factor in the mental health issue.</p>	<p>Currently only applicants with sustained secondary care input will receive any form of priority for housing (Band 2) and there is no Band 3 reason to apply to those with mental health issues where housing is the cause or an aggravating factor. As a result, only a Band 4 or Band 2 can be applied to those with mental health problems where a Band 3 may be more appropriate.</p>
<p>Appendix 5: Social, Welfare and Hardship assessments</p>	<p>New Band 3 reasons under social, welfare or hardship grounds:</p> <ul style="list-style-type: none"> • Inadequate bedroom sizes. If the household has an adequate number of bedrooms but bedroom sizes are inadequate, as per the space standard. • Split households with insufficient bedrooms. If a property has a sufficient number of bedrooms to accommodate all occupiers as per the bedroom standard but two or more households are sharing and the applicant’s household is left short of a bedroom due to genuine and justifiable bedroom allocation. • No Fixed Abode. Cases where the applicant has no principal, settled address but is not deemed to be homeless. <p>New Band 1 reason:</p> <ul style="list-style-type: none"> • Family member of social tenant in the district with at least 12 months verified prior residence with the family member and no right of succession following the death of the tenant in cases where a move would prevent homelessness or exceptional hardship. 	<p>These are scenarios which are not currently covered by the allocations scheme. This means that discretion must be used by senior offers to apply any level of priority or a Band 4 will apply when this may be inappropriate. For applicants with inadequate bedrooms or split households with insufficient bedrooms, the Band 3 acknowledges that these scenarios are not as urgent as overcrowding which is a reason for a Band 2.</p> <p>The proposal for a Band 1 for family members of social housing tenants with no rights of succession would help avoid homelessness of those applicants who have lost a family member as well as allow negotiations to take place between the council and registered providers of social housing to allow the applicant to remain whilst they secure alternative housing without having to commence legal proceedings to regain possession.</p>
<p>Key worker amendments: 3.6.2.3 local connection and 7.11 quota arrangements</p>	<p>The local connection criteria has been expanded to include the following categories of key workers working in any district within Oxfordshire: National Health Service staff (all clinical staff), Support workers in health roles, Adult social care roles, local authority and government agency workers.</p>	<p>Certain key workers working in Oxfordshire benefit the whole county, including residents in Cherwell, whether they are employed within Cherwell or not. They can also face significant recruitment and retention difficulties with housing being a contributing factor in those difficulties. As such it makes sense</p>

	<p>The quota guide that states 1% of all property adverts should give preference to key workers has been raised to 3% of all adverts.</p>	<p>to acknowledge the benefit they bring by allowing them to join CDC's housing register, whether or not they have another connection to Cherwell (e.g. through residence, family members or other work).</p> <p>Currently 1% of property adverts (around 7 adverts per year) give additional priority to key workers over all other applicants. Increasing this quota to 3% (around 21 adverts per year) would help ensure that more social housing is allocated to key workers as they would be prioritised over all other applicants for these properties. If additional preference is not given, those in lower levels of housing need will have little chance of securing social housing or will experience long waiting times.</p>
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