



Allocations Policy Review 2023 - 24

YOUR VIEWS COUNT!

Consultation Document

Policy Changes

**Cannock Chase District Council
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Introduction

Cannock Chase District Council (CCDC) aims to provide the right homes to the right people.

A key tool in achieving this aim is its Allocations Scheme (or Policy). CCDC, like all local authorities, is required by law to ensure it has a scheme which meets its legal obligations and enables it to determine priorities and procedures when allocating social housing, including how the Council decides who should have priority for those properties that are available.

The Allocations Policy sets out the aims, objectives, priorities and processes to which the Council will work when allocating empty properties to applicants and transferring tenants, in the context of the nature and availability of social housing within the district and how the local housing market has changed since it was last reviewed.

It also aims to set objectives to ensure that the Council provides an efficient, responsive and customer focused allocations and lettings service incorporating choice and accessibility, in conjunction with our partners.

CCDC is undertaking a comprehensive review the Policy, to ensure it remains up to date, relevant and reflects the challenging environment in which it works.

This document is intended to provide an outline of the key changes which are proposed, subject to consultation with:

- Colleagues in the housing team and more widely across the district
- Partners we work with, including all those whom the Allocations Policy directly affects or whose assistance and support we rely on to help us in our efforts to provide an allocations service to best effect
- Applicants, Tenants and Private Landlords of Cannock Chase district
- Other parties who have an interest or who wish to comment (the public)

The document sets out:

- the key (major) changes that are proposed
- a more detailed list of all changes to the policy
- the key consultation questions we are asking
- the timetable for consultation and process for implementation of this policy
- how to provide feedback to us

How to Respond

We will take account of all views received before the policy is finalised and welcome your involvement.

The 6-week consultation period runs from 17 November to 5 January 2024.

You can either provide responses using the consultation table starting on page 8 of this document (or the word version of that table on our website) and email your responses to serviceimprovements@cannockchasedc.gov.uk

Or complete the short survey available at <https://www.surveymonkey.co.uk/r/C2BPLHJ> from our webpages at <https://www.cannockchasedc.gov.uk/residents/housing-allocations>

or via this QR code



Deadline for responses is 5pm on 5 January 2024.

Any other responses or comments please send to serviceimprovements@cannockchasedc.gov.uk

If you have any queries about the policy review or how you can get involved, please do not hesitate to contact Peter Griffiths, Assistant Tenancy Services Manager on 01543 464 329 or by email: petergriffiths@cannockchasedc.gov.uk

We are very grateful for your time and we look forward to hearing from you.

Key (Major) Policy Changes

This table sets out the major changes affecting applicants proposed to the policy, the key section of the proposed and current policy related to the change¹ and why these have been proposed.

Key Change / Key Sections of Policy	Why have we proposed this change?
1. Qualification: Proposed (Section 11): Most applicants will have to have lived in the district for at least 2 years before applying for housing with the Council. Current (Section 6): This was previously 12 months.	There is overwhelming and growing demand for Council housing compared to the amount of housing available. We need to have a scheme which is fair to and which prioritises residents with housing needs who live in the district at the time they apply for housing with us
2. Determining Priority - Cumulative Need: Proposed (N/A): This has been removed. Current (Section 8): Applicant priority was previously assessed in a cumulative way	This is complex and unnecessary and can be unfair to some applicants. We have fairer means of assessing additional priority through our medical and social (welfare) needs assessments.
3. Medical and Welfare (Social) Need Assessments Proposed (Section 12 and Annex 1): We have made the way we assess these additional housing needs and the reasonable preference criteria related to them clearer Current (Section 7+): This information was not as explicit	Medical and social needs assessments are an important part of assessing an applicants housing need and the impact of their current accommodation on their health and wellbeing. We have made this clearer to ensure that decisions are more clearly understood and consistent in relation to the preference criteria
4. Adapted Properties Proposed (Section 15): We have improved the information provided to be clearer about the processes we use in relation to adapted properties and applicants who need properties with adaptations. Current (N/A): Information about adapted properties was limited	Demand for adaptations and adapted properties is rising meaning we are making more difficult decisions about competing applications for vulnerable people in challenging circumstances. The Council is reviewing its Adaptation Policy and Procedures and these changes help set out the allocations related processes in a clearer way.
5. Refusal (offers of accommodation) Proposed (Section 22): Applicant banding will be re-assessed on refusal of each reasonable offer of accommodation Current (Section 18): Applications placed in abeyance after 3 refusals	Given the high level of demand for housing, refusals of reasonable offers of accommodation are unfair to other applicants. In addition, refusals use up the limited resources of the Council where these could be better used to help vulnerable applicants. This change is therefore fairer, while enabling reasonable refusal to continue

¹ Other sections of the policy may also refer to the issues. The principal section(s) only are shown in this table

Proposed Changes - Section by Section

The table below sets out other significant changes (minor wording changes excepted) to the policy, section by section. **Key changes detailed above are highlighted in red.**

Key: Minor Updates New / Replaced Sections Notable Amendments

Section and Title (Proposed Policy)	Comments on Proposed Changes
Section 1 - Introduction Whole Section - Section Updated	Updated - more up to date introduction to the proposed policy
Section 2 - Aims and Objectives Whole Section - Section Updated	Updated - current social housing environment
Section 3 - Statutory Framework and Legal Principles Whole Section - Section Updated	Updated - revised legislative framework
Section 4 - Protection of public funds ALL - Section Added	Sets out the allocation of accommodation as a use of public funds
Section 5 - Eligibility and Qualification 5.1. What is an allocation? 5.2(f) Allocations which are excluded 5.3 Ineligibility of persons from abroad 5.14 Situations Allocation Policy Not Applied	Added reference to nomination to another LA Added reference to 'Management Transfers' Added reference to relevant regulations Added reference to legislative circumstances
Section 6 - Service Standards ALL - Section Added	Sets out the principles of how all CCDC staff are expected to engage with customers
Section 7 - Equality Policies and Practice ALL - Section Added	Sets out the Council's approach to equality and ensuring no groups are disadvantaged
Section 8 - Data Protection and Privacy ALL - Section Added	Sets out the Council's approach to the GDPR and Data Protection and Customer Rights
Section 9 - Choice Based Letting (CBL) - Principles 9.2(a) Principles - existing tenants 9.3(c) Qualification for an allocation 9.7(e) CBL scheme principles	Added requirement that normally Introductory tenants required to have been a tenant for 12 months or more to apply to move. Added 'current arrears' as a factor to consider when deciding an applicant's eligibility. Added reference to using direct offers to make a suitable allocation outside the CBL scheme
Section 10 - Eligibility 10.7 Applications from Employees	Added reference to employee eligibility and associated declarations of interest
Section 11 - Qualification 11.1(a) Qualification Criteria	Amended to 2 years - key change 1. above
Section 11.1 - Qualification Exceptions 11(a) (ii) & (iv) Residency	Amended text related to applicants moving under 'Right to Move' ² legislation and granting a tenancy to applicants aged 16 or 17

² Further text has been added to the notes at the end of 11.1 (after point f) to clarify a cap of 4 Right to Move applications p.a.

11.1 (b) Independent Living Accommodation	Added exception for Independent Living applicants
11.1 (d) (i) Homeless Applicants/Duty	Additional text to clarify this exception
11.1.(d) (ii) Owner Occupiers	“Revision to ‘high’ medical priority from ‘medium or high’ and new equity restriction related to applicants for Independent Living Accommodation”
11.1.(e) Members of the armed forces	Added reference to (the applicant or) their spouse/civil partner
11.1.1 - 11.1.5 People on an Application	New Text to clarify people who will be accepted on applications as applicants
Section 11.2 & 11.3 - Non Qualifying - Rent Arrears / Unacceptable Behaviour	Re-written sections on applicants who will not qualify due to rent arrears (11.2) or unacceptable behaviour (11.3)
Section 12 - Reasonable and Additional Preference 12.1 (f) & (g), 12.2 (whole section) Medical and Welfare (Social) Needs ³	Significant Changes - key change 3. above
Section 13 - Determining Priority Bands 13.2 (d) Cumulative Need	Deleted - key change 2. above
Section 13 - Determining Priority Bands 13.4 (whole section) Band One +	Significant re-wording to define the criteria for all assessing applicants as band 1 + status
13.5 (a) (b) (c) (d) (h) & (i) Band One AND 13.5.1 Downsizing / Adapted Homes Band 1 (House/Bungalow)	Significant re-wording to reflect changes to the criteria for awarding Band One status
13.6 (h) Living in unsafe or unsanitary housing conditions (Band 2)	Re-banded to Band Two from Band One
13.6.1 Downsizing from a flat or maisonette	Re-wording to reflect this as a Band 2 priority
13.7 and 13.8 (whole sections) Band 3 / 4	Amendments to reflect revised banding criteria
Section 14 - Assessment Criteria 14(i) (v - viii) Reduced Preference	Amended and additional wording to show where the applicants circumstances or behaviour could result in reduced preference
Section 15 - Property Eligibility 15.1- 15.6 Property Type / Eligible Households	Additional wording throughout to reflect additional bedroom size criteria
Section 15 - Property Eligibility 15.7 - 15.18 Adapted Properties	Additional Section - key change 4. above
Section 16 - Additional Property Eligibility Criteria 16.5 - 16.7 Other additional criteria to make the best use of housing stock	Additional criteria to make best use of stock which in responding to changes or patterns of demand which mean the usual criteria is ineffective

³ Associated wording in other sections (esp. 13&14) has also been amended to reflect the changes proposed at section 12

Section 17 - Excluded Properties / Management Moves / Right to Move	No significant amendments
Section 18 - Nomination to Registered Providers	No amendments
Section 19 - Local Lettings Policies (LLPs) 19.3 - 19.11 Application of local letting policies	Substantial additional explanatory text to show how LLPs will be applied at CCDC
Section 20 - Making an Application 20.1 (c) List of required information 20.7 Housing Register Review	Simplified list of identification and other information required from applicants Amended wording about how the Council will review the waiting list or close it temporarily to ensure housing needs are being met
Section 21 - Making an Allocation 21.1 Direct Offers of accommodation 21.8 Quarterly Review of Allocations Quotas	Amended wording to make this clearer New approach to ensuring the fair allocation of stock across all housing need priority bands
Section 22 - Refusals 22.1 Direct offers to homeless applicants	Amended wording - direct offers can be made at any time to certain homeless applicants
Section 22 - Refusals 22.2 Re-banding of applicants who refuse reasonable offers of accommodation	Amended proposal - key change 5. above
Section 23 - Review of Decision / Complaints 23.2 Review procedure - right to review 23.3 - 23.3.4 Making a complaint	Amended list of decisions which applicants can ask for a review of Amended text to explain where a complaint is different from a review and applicant right of referral to the Ombudsman services
Section 24 - False Statements and Withholding Information	No amendments
Section 25 - Closed Application 25 Whole Section - Closing Applications	New section to explain when applications will be closed and the right to review / re-apply
Annex 1 - Medical Priority Medical priority and subsequent priority banding decisions	New operational guidance framework to help officers make decisions on whether (and what) medical priority should be awarded
Annex 2 - Length of time in priority band Review of applicants in priority bands one and two over time	New guidance on reviews (and extending) applications in priority bands 1 and 2 after 6 month

This table sets out the key consultation questions for each area of the proposed policy where we have made major or notable changes. We would welcome your views on these questions (or as many of these questions as you wish), any other points related to these changes you have and on the proposed revised policy as a whole. It may be useful to refer to the revised proposed policy document to understand the actual detailed wording, context or links to other areas of the policy to which these questions relate.

Section and Title (Proposed Policy)	What this means for ap- plicants	What we want your views on?	Response
Section 1 - Introduction Whole Section - Section Updated	General Information	No formal consultation - please comment if you have any observations	
Section 2 - Aims and Objectives Whole Section - Section Updated	General Information	No formal consultation - please comment if you have any observations	
Section 3 - Statutory Framework and Legal Principles Whole Section - Section Updated	General Information	No formal consultation - please comment if you have any observations	
Section 4 - Protection of public funds ALL - Section Added	General Information	No formal consultation - please comment if you have any observations	
Section 5 - Eligibility and Qualification 5.1. What is an allocation? 5.2(f) Allocations which are excluded	If an applicant is nominated to another local authority for re-housing, this counts as an allocation of housing In exceptional cases, with housing needs sitting outside the normal criteria, allocation of housing can be made by the Council outside other criteria	Is this reasonable? Is our wording on this sufficient to make this clear to applicants? Should any amended wording be provided to clarify this? N/A	

5.3 Ineligibility of persons from abroad	Clarity on regulations which apply	N/A	
5.14 Situations Allocation Policy Not Applied	Clarity on other legislation which applies		
Section 6 - Service Standards ALL - Section Added	Sets out the principles of how all CCDC staff are expected to engage with customers	No formal consultation - please comment if you have any observations	
Section 7 - Equality Policies and Practice ALL - Section Added	Sets out the Council's approach to equality and ensuring no groups are disadvantaged	Does this provide effective information to set out how the Council ensures equality in its allocations processes?	
Section 8 - Data Protection and Privacy ALL - Section Added	Sets out the Council's approach to the GDPR and Data Protection and Customer Rights	Does this provide effective information to set out how the Council handles data and the customer rights which apply to it?	
Section 9 - Choice Based Letting (CBL) - Principles 9.2(a) Principles - existing tenants	To apply for a transfer, any introductory CCDC tenant will normally have to have lived in their council home for 12 months or more.	Is this requirement fair? If no, in what circumstances is it not fair?	
9.3(c) Qualification for an allocation	Any 'current arrears' owed will be considered in deciding whether an applicant is eligible for rehousing.	Is this requirement fair? If no, in what circumstances is it not fair?	
9.7(e) CBL scheme principles	All offers of accommodation will only be made through the CBL	No formal consultation - this is text to clarify the operation of	

	scheme, other than in limited circumstances including direct offers of a particular property	direct offers set out in other sections of the policy	
Section 10 - Eligibility 10.7 Applications from Employees	Employees, Councillors (and their close relatives) may apply for housing but this will be subject to an appropriate declaration of interest	Are there any factors we have not considered in relation to such applicants to ensure fairness in the policy?	
Section 11 - Qualification 11.1(a) Qualification Criteria	With limited exceptions, housing applicants will not qualify for re-housing until they have lived in the district for at least 2 years prior to their application	Is this fair in the context of the current housing environment we are in? Are there any other exceptions that should be included in this section?	
Section 11.1 - Qualification Exceptions 11(a) (ii) & (iv) Residency	The 2-year qualification will not apply to applicants with a "Right to Move" Applications will not normally be accepted from anyone aged 16 or 17	No formal consultation - legislative requirement Are there any particular exceptions to this the Council should consider?	
11.1 (b) Independent Living Accommodation	The 2-year qualification will not apply to applicants wishing to move to independent living accommodation	Are there any reasons this exception should not apply?	
11.1 (d) (i) Homeless Applicants/Duty	The 2-year qualification will not apply to homeless applicants where the Council has accepted a duty to re-house them.	No formal consultation - legislative requirement Is this fair to applicants?	

<p>11.1.(d) (ii) Owner Occupiers</p>	<p>Owner occupiers with health-related housing needs will need to reach the 'high' medical assessment threshold to be eligible, where their application does not meet one of the other acceptance criteria. Also, owner occupiers applying for Independent Living Accommodation will only be eligible if the equity released from sale of their current home is £80,000 or less.</p>	<p>Should we consider any other circumstances in relation to this criteria?</p>	
<p>11.1.(e) Members of the armed forces</p>	<p>The qualifying criteria related to members of the armed forces is extended to their spouse or civil partner, as if they were the applicant</p>	<p>Is this fair to applicants?</p>	
<p>11.1.1 - 11.1.5 People on an Application</p>	<p>Certain types/categories of people may and may not be accepted on applications as applicants, based on their age or relationship to each other</p>	<p>Are these criteria reasonable? Should we consider any other persons to be eligible or ineligible?</p>	
<p>Section 11.2 & 11.3 - Non Qualifying - Rent Arrears / Unacceptable Behaviour</p>	<p>Applicants with current or former rent arrears or where there is evidence of unacceptable behaviour in their current or former housing may be assessed by an</p>	<p>Is this fair to applicants? Should we consider any other categories or criteria in relation to this?</p>	

	exclusion panel and if appropriate, be deemed ineligible to be rehoused	Should we approach these issues in any different way?	
<p>Section 12 - Reasonable and Additional Preference 12.1 (f) & (g), 12.2 (whole section) Medical and Welfare (Social) Needs⁴</p> <p><i>See Also Annex One below</i></p>	We have significantly amended the wording and information provided to applicants who may have medical and/or welfare housing needs about how we will consider and apply (or not apply) increased priority banding as a result of medical or social needs assessments	<p>Is this information sufficiently clear to provide greater understanding of the process? If not, how should it change?</p> <p>Are there any other factors or considerations we should give to medical and/or welfare need assessments?</p>	
<p>Section 13 - Determining Priority Bands 13.2 (d) Cumulative Need</p>	Housing needs will now be assessed only through priority bands, along with medical and welfare need assessments. Housing needs will no longer be cumulated to override the banding priority awarded.	Are there any reasons why we should consider not deleting this in the policy?	
<p>Section 13 - Determining Priority Bands 13.4 (whole section) Band One +</p> <p>13.5 (a) (b) (c) (d) (h) & (i) Band One AND</p>	<p>Homeless applicants in the most critical circumstances will receive preference over homeless applicants whose circumstances are urgent but less severe</p> <p>Applicants in urgent need; or who are releasing a house or bungalow larger than they need or a home with adaptations they</p>	<p>Is this fair to applicants? Are there any other circumstances or criteria we should consider in relation to this for homeless applicants?</p> <p>Is this fair to applicants? Are there any other circumstances or criteria we should</p>	

⁴ Associated wording in other sections (esp. 13&14) has also been amended to reflect the changes proposed at section 12

<p>13.5.1 Downsizing / Adapted Homes Band 1 (House/Bungalow)</p>	<p>no longer need, will be placed in Band one</p>	<p>consider in relation to priority band one?</p>	
<p>13.6 (h) Living in unsafe or unsanitary housing conditions (Band 2)</p>	<p>Applicants living in conditions (as defined by the Housing Health and Safety Rating System (HHSRS)) where there is a high risk of harm to the applicant (but who are not homeless) will be placed in Band two.</p>	<p>Is this fair to applicants? Are there any other issues or criteria we should consider in relation this?</p>	
<p>13.6.1 Downsizing from a flat or maisonette</p>	<p>Applicants downsizing from a flat or maisonette (not a house or bungalow) will be placed in Band two</p>	<p>Is this fair, in the context where flats and maisonettes are in lower demand than houses and bungalows?</p>	
<p>13.7 and 13.8 (whole sections) Band 3 / 4</p>	<p>Applicants who do not meet the criteria for Band One or Two will be placed in priority Band Three and Four</p>	<p>Are the criteria we set out for Bands Three and Four reasonable and fair to applicants? If not, what do you consider needs to be amended or added?</p>	
<p>Section 14 - Assessment Criteria 14(i) (v - viii) Reduced Preference</p>	<p>Applicants previous behaviour, housing history and financial circumstances (affordability) can be considered in deciding whether to exclude or give reduced preference to their application</p>	<p>Is this fair to applicants? Are there any amendments to the criteria set out or additional criteria we should take account of?</p>	
<p>Section 15 - Property Eligibility</p>			

15.1- 15.6 Property Type / Eligible Households	We have clarified how we assess the number of bedrooms an applicant needs	Are our assessment criteria appropriate? If not, how should they change?	
Section 15 - Property Eligibility 15.7 - 15.18 Adapted Properties	We have improved the information provided to be clearer about the processes we use in relation to adapted properties and applicants who need properties with adaptations.	Is this information sufficiently clear to provide greater understanding of the process? If not, how should it change? Are there any other factors or considerations we should make related to adapted properties and / or applicants with adapted housing needs?	
Section 16 - Additional Property Eligibility Criteria 16.5 - 16.7 Other additional criteria to make the best use of housing stock	We can change the criteria applied for any of our housing stock where is in low demand (for the period such low demand exists) to make best use of our stock	Are the criteria we set out reasonable and is this fair to applicants? If not, how should it change?	
Section 17 - Excluded Properties / Management Moves / Right to Move	No significant amendments	No formal consultation - please comment if you have any observations	
Section 18 - Nomination to Registered Providers	No amendments	No formal consultation - please comment if you have any observations	
Section 19 - Local Lettings Policies (LLPs) 19.3 - 19.11 Application of local letting policies	We may from time to time apply restrictions or other criteria to the letting of homes tailored to fit local situations in well-defined communities	Are our local lettings policy criteria fair and reasonable to existing tenants and applicants? If not, what should we change?	
Section 20 - Making an Application			

<p>20.1 (c) List of required information</p>	<p>We have simplified the list of identification and other information required</p>	<p>Is the list reasonable? If not what should be added, deleted or amended?</p>	
<p>20.7 Housing Register Review</p>	<p>Each Year we will review all applications and from time to time, we can close the waiting list temporarily to ensure housing needs are being met</p>	<p>Are these fair and reasonable steps to ensure housing needs are being met and that we are managing up to date applicant information? If not, what should we consider amending?</p>	
<p>Section 21 - Making an Allocation 21.1 Direct Offers of accommodation</p>	<p>We will make some direct offers of accommodation in limited circumstances particularly to homeless applicants in temporary accommodation</p>	<p>Is this provision reasonable and fair to applicants who may be affected? If not, why and what do you consider needs to be amended?</p>	
<p>21.8 Quarterly Review of Allocations Quotas</p>	<p>We will consider quotas for each priority band when advertising empty homes if we are unable to allocate homes across bands as part of our normal policy. This option will be reviewed quarterly and if used, the application of this feature will be reviewed after 12 months of this policy becoming effective.</p>	<p>Is this approach fair and reasonable to all applicants? If not why not? Are the proposed quotas appropriate? What do you consider, if anything needs to be amended about this feature, the quotas and/or review proposals?</p>	
<p>Section 22 - Refusals 22.1 Direct offers to homeless applicants</p>	<p>Offers to homeless applicants can be made at any time where</p>		

	the Council considers that it needs them to move on from temporary accommodation	Is this fair to homeless applicants affected? If not, what should be amended?	
Section 22 - Refusals 22.2 Re-banding of applicants who refuse reasonable offers of accommodation	Applicants who refuse reasonable offers of accommodation may be re-banded (be given lower preference) as a result of their refusal; in the case of 3 offers being refused their application may be placed in abeyance for 12 months.	Is this fair to both the applicant directly affected and all other applicants? If not, why and what do you consider needs to be changed? Should we consider any other factors in regard to offer refusals?	
Section 23 - Review of Decision / Complaints 23.2 Review procedure - right to review 23.3 - 23.3.4 Making a complaint	Applicants have a right to ask for a review of all key decisions related to their application Applicants can make a complaint about poor service in relation to their application (in addition to the right of review)	Is this information sufficiently clear and comprehensive? If not what amendments or additions are needed? Is this information sufficiently clear and comprehensive? If not what amendments or additions are needed?	
Section 24 - False Statements and Withholding Information	No amendments	No formal consultation - please comment if you have any observations	
Section 25 - Closed Application 25 Whole Section - Closing Applications	Applications can be closed where the applicant is no longer eligible, does not keep us informed/review their application and other limited circumstances	Is this fair to applicants? If not, what needs to be amended?	

<p>Annex 1 - Medical Priority Medical priority and subsequent priority banding decisions <i>See also Section 12 above</i></p>	<p>This Annex provides a new operational guidance framework to help officers make decisions on whether (and what) medical priority should be awarded</p>	<p>Is this information sufficiently clear to provide greater understanding of the process? If not, how should it change? Are there any other factors or considerations we should give to medical and/or welfare need assessments?</p>	
<p>Annex 2 - Length of time in priority band Review of applicants in priority bands 1 and 2 over time</p>	<p>Applications awarded priority bands one and two will be re-viewed (and may be extended) after 6 months</p>	<p>Is this fair to applicants in Bands One and Two? If not, what do you consider needs to be amended?</p>	

Any other comments:

Name:

Address:

Contact telephone number:

Email address:

Please send responses to: serviceimprovements@cannockchasedc.gov.uk