



The Chartered Institute of Housing

HOUSING 2011 CONFERENCE



Housing 2011 Session Information

Working through... issues of allocations, tenure and transparency

The allocation of housing is a contentious area and its process is not widely understood by both potential applicants and the wider public. Research has shown that the majority of people perceive the way social housing is allocated as unfair. There is further a perception that the allocations process puts white British families at a disadvantage. Good quality communication is therefore key if we are to dispel these and other myths and misconceptions.

KEY FACTS

- There are currently around 1.8m households registered for social housing in England. Although not a measure of actual need, housing register figures provide some indication as to the demand for affordable housing within an area.
- Following the decision in *Ahmad v. Newham LBC*, LAs are no longer required to provide for 'cumulative preference' when prioritising between applicants, therefore allowing for the implementation of more simple and transparent systems.



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BACKGROUND

The housing allocations process involves more than just ensuring that those in greatest needs will be given priority. Allocations schemes are expected to support broader public policy outcomes, namely promoting greater choice and wider options for prospective and existing tenants; creating more mixed, socially cohesive and sustainable communities; providing for greater mobility; utilising the existing stock to its full potential; and supporting people in or seeking work. In 2009, government published new statutory guidance, which clarifies the flexibilities local authorities can exercise in the allocation of social housing, following the House of Lords ruling in *Ahmad v. Newham LBC*. In consultation with communities, local authorities are encouraged to make greater use of available flexibilities within the current legislation, such as putting more emphasis on local connection and waiting time in determining relative priority between applicants.

With demand for social housing clearly outstripping supply, issues of perceived fairness, transparency and equality are particularly important when it comes to distributing such a scarce resource. Thus, addressing the common misconceptions and misinformation about who can access housing through effective communication, forms a key part of the guidance, as does engagement and involvement with communities when allocations schemes are reviewed.

UPDATE

Government is proposing a number of changes around tenure, allocations and homelessness which will be taken forward through the Localism Bill. One of the flagship proposals is to allow social landlords to grant **fixed-term general needs tenancies** with a minimum term of two years. To ensure transparency, all social landlords will be required to publish and follow a **policy on tenure** which sets out the circumstances in which fixed-term tenancies will be granted as well as their duration and the conditions that will have to be satisfied in order for a tenancy to be reissued at the end of the fixed term.

In terms of allocations, the Bill will give new powers to local authorities to determine which **categories of person qualify to join their waiting list**. Social tenants seeking a transfer are to be taken out of the statutory allocations framework, unless they fall into the reasonable preference categories. The Bill will further provide local authorities with new powers to fully **discharge the main homelessness duty** with a letting in the private rented sector.

OTHER INFORMATION

CIH *Allocations and Local Flexibility* practice brief

<http://www.cih.org/practice/briefs/documents/AllocationsPracticeBrief.pdf>

A follow up is due to be published in November, focusing on how LAs and partner registered providers are responding to the new social, political and organisational context in which housing is allocated and used.

CIH report *Allocating social housing: opportunities and challenges*

<http://www.cih.org/policy/fpp-AllocatingSocialHousing-July10.pdf>

CIH's *practice hub* online resource has a dedicated section on allocations and lettings, bringing together news, expert knowledge and good practice. Users have also access a discussion forum.



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