



B-with-us Allocations Policy Review

Outlining the main changes implemented by
the new policy

Updated November 2020

Background

B-with-us is a partnership of five local authorities and twelve housing associations who work together to allocate social housing in the Pennine Lancashire area.

We are reviewing the rules we use to decide who gets social housing to make sure we help those with the greatest need, and we want your views.

By law we must say who can apply for a socially rented home through B-with-us. This has to include the criteria and rules we use to decide who can apply for housing with us, who qualifies to join the register, and how we prioritise who gets a home. We do this through our allocations policy.

Currently, everyone who applies and qualifies for housing is accepted onto the B-with-us Housing Register and is able to bid for homes advertised through B-with-us.

There are currently over 10,000 active applicants on the B-with-us Housing Register, but each year only approximately 2,500 of these applicants are rehoused, with new applicants applying every day. This is because only a small number of households leave their tenancy to make homes available.

Due to homes being in such high demand, we have to make sure that available homes go to those who need them most. To do this, a large scale review of the B-with-us allocations policy has taken place, to ensure that the policy works as well as possible to allocate social housing to those in need, and to ensure that the available properties are being allocated in line with government legislation and guidelines.

Main policy changes

Local Connection

The current B-with-us policy does not include any local connection criteria, meaning that anyone in the country can be eligible to have a B-with-us application to apply for social housing in Pennine Lancashire.

The new policy adds in local connection criteria which applicants will have to meet in order to qualify to have a B-with-us application – if they don't meet these criteria, their application will be closed.

The aim of this is to benefit local people who have a connection to Pennine Lancashire.

Applicants will have a local connection if they:

- Have been continuously resident in Pennine Lancashire for six of the last twelve months, or
- Have been resident in Pennine Lancashire for three of the last five years, or
- Have a family member who is resident in Pennine Lancashire and has been for a minimum of five years – family members include parents, siblings, children, adult children, grandparents and other special persons (the applicant must have an ongoing relationship and be in contact with the person providing the local connection), or
- Have been employed in Pennine Lancashire for the last six months and the work is not seasonal or temporary and the applicant must be working at the point an offer of a tenancy is made

Evidence of the local connection will be required.

The benefit of this change is that we anticipate that there will be fewer applicants on the B-with-us housing register, and the social housing available through B-with-us will be allocated to local people.

The risk of this change being implemented is that some applicants who are currently active on the B-with-us housing register will have their application closed as they will no longer be eligible.

The following applicants will be exempt from requiring a local connection:

- *Statutory homeless applicants and applicants who are victims of domestic abuse, threats of domestic abuse or those escaping domestic abuse*
- *Applicants who are in a reasonable preference category under section 166A of the Housing Act 1996, and a prevention or relief duty is owed by one of the local authority partners*
- *Applicants who need to move to take up an offer of permanent employment in any of the five local authority areas - proof of the offer of employment will be required and applicants will need to demonstrate that they are unable to accept the offer of employment without moving into one of the five local authority areas (see appendix one for more information)*
- *Applicants who have a continuing care responsibility for someone who is resident in the five local authority areas (evidence will be required)*

- *Applicants who have or are due to undertake training or higher education in any of the five local authority areas with a duration of at least six months (evidence will be required)*
- *Applicants who are looked after, accommodated or fostered by Lancashire or Blackburn children service authorities in any of the five local authority areas*
- *Applicants who were looked after, accommodated or fostered by any other children service authority in any of the five local authority areas, providing they were resident in any of the Lancashire County Council district plus Blackburn with Darwen for a continuous period of 16 weeks or more*
- *Applicants who were accommodated under Section 95 of the Immigration and Asylum Act 1999 and granted leave to remain in any of the five Local Authority areas/Pennine Lancashire*
- *Applicants who are serving or former members of the Armed Forces or the Reserve Armed Forces (or their bereaved spouse or civil partners who are leaving military accommodation, where the death of their spouse can be partially or wholly attributed to the armed forces) - evidence of service will be required*
- *Applicants who are divorced or separated spouses or civil partners of members of the UK Armed Forces or Reserve Forces where their lack of local connection can be attributed to the Armed Forces*

Her Majesty's Armed Forces can be defined as any of the military services which are tasked with the defence of the United Kingdom and its overseas territories and the Crown dependencies. Her Majesty's Armed Forces consist of the Royal Navy, the Royal Marines, the British Army and the Royal Air Force.

Housing Related Debt

The current B-with-us policy is not clear enough about housing related debt, such as rent arrears or recharges.

Clearer criteria has been added into the new policy to help staff when decision making and to help customers to understand how any housing related debt will affect their ability to qualify to join the B-with-us housing register.

The new criteria are:

- Persons (the applicant or anyone who usually lives or might be expected to live with the applicant) who have housing related debt of £500 or more will be disqualified from joining the housing register (meaning that their application will be closed)
- Persons (the applicant or anyone who usually lives or might be expected to live with the applicant) who have housing related debt below £500 will qualify to join the housing register but will not be made an offer of accommodation until the debt has been cleared in full (evidence will be required)
- Statute barred debts will not be taken into consideration when determining eligibility and qualification

Applicants who are homeless and are owed a full statutory duty will automatically qualify to join the register (regardless of the qualification criteria), with some exceptions being agreed by senior officers.

Homeowners

The current B-with-us policy allows all homeowners to join the housing register, but the new policy adds criteria so that applicants who are homeowners won't qualify to join the register if they have no housing need (they don't qualify for bands one, two or three).

The benefit of this is that the social housing allocated through B-with-us will be given to those who need it, rather than those who own a property.

The risk of this is that some applicants who are currently active on the B-with-us housing register will have their application closed as they will no longer be eligible.

Deliberate worsening of circumstances

The current B-with-us policy has no provision to give reduced priority to those applicants who have worsened their own circumstances. Criteria has been added into the new policy to give staff the option to reduce the priority of applicants who have worsened their own circumstances, by being able to place applicants in whichever banding they would be in, had they not worsened their circumstances.

Examples of what may class as deliberate worsening of circumstances are:

- Applicants who have sold a property that was affordable and suitable for their needs
- Applicants who have moved into insecure / overcrowded accommodation where there was no good reason to do so
- Applicants who have transferred or gifted a property to someone else within the last five years (including social housing tenants who have assigned their tenancy to someone else)
- Where an applicant has moved additional family / friends into the property which has resulted in them being overcrowded, where there was no good reason to do so

The benefit of this is that the social housing allocated through B-with-us will be given to those who need it, rather than those who have worsened their own circumstances.

The risk of this is that some applicants will be given a lower banding when they apply than they were expecting.

Community Contribution

The community contribution banding has been removed from the policy, so no additional priority will be given to applicants who are working or volunteering.

The benefit of this is that applicants who are unable to work or volunteer will not be disadvantaged.

The risk of this is that many applicants will have their band lowered.

Unreasonable refusals

In the current B-with-us policy, applicants who unreasonably refuse three properties are suspended for 12 months. Whilst they are suspended, they may still make updates and changes to their application, but they are unable to place any bids.

The new B-with-us policy changes this, so applicants will be suspended for six months if they unreasonably refuse three properties.

The benefit of this is that applicants will not be punished as severely for unreasonably refusing properties, so those who are in housing need and have unreasonably refused properties will be able to continue bidding quicker as their suspension period will be shorter.

The risk of this is that applicants may be more likely to unreasonably refuse properties as the punishment for doing so is not as severe.

Suspensions

The current B-with-us policy allows us to suspend applications for multiple reasons.

The new policy implements clearer eligibility and qualification criteria which removes the need for a lot of the current suspension reasons.

Some will be remaining, such as suspending an application while awaiting further information from an applicant, but others will be removed in line with the eligibility and qualification criteria, such as suspensions for housing related debt, as applicants would now be closed rather than suspended if they have housing related debt.

The benefit of this is a clearer process for applicants and staff.

The risk of this is that applicants who are ineligible or non-qualifying will have their applications closed, so will be given a new effective date when they reapply, rather than keeping their effective date as they currently do while suspended.

Cumulative Need

The current B-with-us policy gives a high priority to applicants who have more than one housing need.

The new policy aims to ensure that social housing is allocated to those applicants who have the most urgent or severe housing need, therefore the new policy will give priority to applicants based on the severity of their need, rather than the number of different needs the applicant has (see the highlighted changes in the table below).

The benefit of this is that the social housing allocated through B-with-us will be given to those who need it most, rather than those who have multiple but less severe needs to move.

The risk of this is that some applicants who are currently active on the B-with-us housing register will have their priority reduced.

Banding changes

The new policy adds in a fifth band and rearranges some of the bands to ensure they give priority to the applicants with the most severe and urgent needs.

The table below shows the bands in the current policy, where the equivalent item is in the new policy, and a description of the change.

Current policy	Proposed policy	Change
Band 1 – Statutory homeless	Band 1 – Statutory homeless	No change
Band 1 – Homeless prevention	Band 1 – Homeless prevention	No change
Band 1 – High medical need	Band 1 – High medical need	No change
Band 1 – Care leavers	Band 1 – Care Leavers	No change
Band 1 – tenants needing to move for improvement works (decants)	Band 1 – tenants needing to move for improvement works (decants)	No change
Band 1 – tenants with a closing or clearance order on their property	Band 1 – Tenants with a closing or clearance order on their property	No change
Band 1 – households with a prohibition notice on their property	Band 1 – Households with a prohibition notice on their property	No change
Band 1 – Under occupying by two or more bedrooms	Band 4 – Under occupying by one or more bedrooms	Down from band 1 to band 4
Band 2 – Overcrowded by two or more bedrooms	Band 3 – Applicants that lack one or more bedrooms	Down from band 2 to band 3
Band 2 – Households at risk due to homeless reduction act	Band 2 – Prevention Duty Band 2 – Relief Duty	No change
Band 2 – Households at risk from violence or harassment	Band 2 – Applicants needing to move away from a particular locality where they would be at risk of harm if they didn't	No change
Band 2 – Supported move on	Band 3 – Living in unsatisfactory housing conditions	Down from band 2 to band 3 with additional priority
Band 2 – Leaving a refuge	Band 2 - Applicants needing to move away from a particular locality where they would be at risk of harm if they didn't	No change
Band 2 – Occupational Therapist report	Band 2 – Occupational therapist report	No change
Band 2 – Cumulative need	Not covered	Will likely go down
Band 2 – Under-occupying by one bedroom	Band 4 – under occupying by one or more bedrooms	Down from band 2 to band 4
Band 3 – Homeless with no priority or intentionally	Band 3 – Homeless with no priority or intentionally	No change
Band 3 – Standard medical	Band 3 – Standard medical	No change
Band 3 – Particular Locality	Band 3 – Applicants needing to move to a particular locality where hardship would be caused if they didn't	No change
Band 3 – Right to move	Band 3 - Applicants needing to move to a particular locality where hardship would be caused if they didn't	No change
Band 3 – Overcrowded	Band 3 – Applicants living in unsatisfactory or overcrowded housing conditions	No change

Band 3 – Unsatisfactory / Unsanitary	Band 3 – Applicants living in unsatisfactory or overcrowded housing conditions	No change
Band 3 – Community contribution	Not covered	Will likely go down
Band 3 – Tenant community reward scheme	Not covered	Not covered
Band 4 – All others (no housing need)	Band 5 – All others (no housing need)	Down from band 4 to band 5

Although the new policy changes the bandings and has added in a fifth banding, it is likely that the implementation of the new policy will result in there being less people on the B-with-us housing register overall, due to the additional qualification criteria which have been added in.

This means that most applicants will still have the same amount of people (or less) with a higher priority than them.