



BLOCK HPQS.101
**ASSESSING AND
PROVIDING FOR
HOUSING NEED**

Preface

In this block we look at the assessment of housing need and the systems for allocating property in the social rented sector. We begin by examining housing need and evaluating the various systems that have been developed in order to prioritise this need.

The block moves on to look at the process of allocating property and the stages that a tenant must complete before moving in to a dwelling. It also looks at the restrictions of the system and how these affect different groups.

Finally, we examine the issue of homelessness and look at the responses of local authorities to this problem.

Learning Outcomes

When you have completed this module you will be able to:

- consider the different factors that make up housing need and understand how they have changed over time;
- understand that housing need is part of a range of needs that are interdependent;
- recognise the main allocations systems used by housing organisations;
- evaluate the effectiveness and fairness of each system;
- understand the process of allocating property and appreciate how the process may affect different groups;
- understand local authority responsibilities for the homeless and evaluate the ways local authorities have sought to meet them;
- consider the extent of homelessness in Britain today;
- investigate the attitude and approach to the problem of homelessness adopted by your own organisation;
- consider what is good practice in dealing with homeless applicants.

Time Allowance

Studying this block should take you approximately 10-12 hours allowing time for the activities.

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A. Approaches to Identifying and Prioritising Housing Needs

1. What Do We Mean By Housing Needs?

1.1 Definition

There is no single definition of housing need because need is a reflection of a socially accepted aspiration. Our ideas of what is an acceptable standard change over time. Think about how an issue such as poverty is defined.

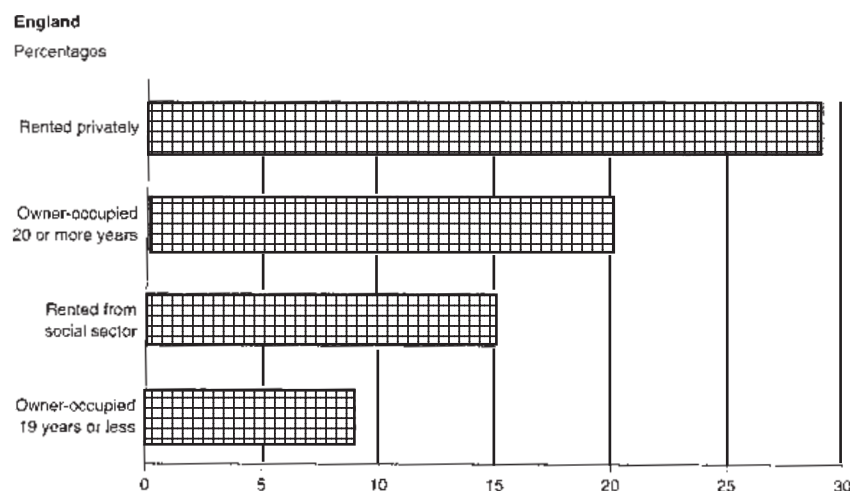
Our definitions today of those in poverty include those who can't take a summer holiday, who can't afford to celebrate Christmas or their major religious or family event properly because of lack of money, those who don't have a car or an automatic washing machine. Not long ago most of these would have been considered signs of a comfortable lifestyle but now we consider these to be necessities.

1.2 Indicators of housing need

A similar pattern emerges in housing. In the past the major indicator of housing need would have been the lack of basic amenities such as an inside lavatory or an adequate hot water supply. *For example, the 1951 Census revealed that almost 40% of households lacked a fixed bath or shower and that one in seven had neither an internal or external flush toilet. By the time of the last census, conducted in 1991, a negligible number of households lacked these facilities.*

These housing problems have been cured for the most part but it would be wrong to suggest that there are no properties without adequate basic amenities. However, the emphasis has shifted from the lack of amenities to disrepair. The table below shows what may be a surprising percentage of housing 'deemed poor'.

Table 1: Poor housing¹: by tenure, 1996



¹ Percentage of housing in each tenure group which is deemed 'poor'. Poor housing is an indicator combining unfit, substantial disrepair and where essential modernisation is needed.

Source: English House Condition Survey, Department of the Environment, Transport and the Regions

To summarise what we have covered so far:

- The lack of basic amenities represents the housing problems of the past and the current physical problem is disrepair.
- Housing need is not simply about property issues.

Let us now focus on the problems that different groups of customers have and consider the services that they might require from a local authority.

2. Needs of Different Customers and Possible Responses

We will start by classifying customers by tenure type and considering their needs, and the responses that could be made to these problems.

2.1 Local authority tenants

Needs	Responses
overcrowding	transfer or nomination to a housing association
medical problem	transfer or nomination to a housing association
job in another area	transfer or nomination to a housing association or to HOMES, the national mobility scheme
want to buy	application for Right to Buy
rent arrears	advice, make suitable arrangements and offer debt counselling
neighbour problems	investigate and help resolve

In this block we'll look some of these needs and problems, other issues including the Right To Buy will be found in other units of the course.

It would be wrong to suggest that the local authority serves only its own tenants. In fact the local authority provides a range of services which at some time or another may benefit many who are not and do not want to be tenants of the local authority. Let's begin with private tenants.

2.2 Private tenants

Needs	Responses
harassed by landlord	advice from Housing Advice team
want to be LA. tenant	application form
want to be H.A. tenant	nomination form
help with rent	housing benefit form and advice
need adaptations for disability	grant application and advice

Owners also have needs and difficulties that the local authority can respond to.

2.3 Owner occupiers

Needs	Responses
living in property in a poor state of repair	grant form and advice
need adaptations for a disabled household member	advice, referral and grant forms, if appropriate

As you can see, the local authority provides a range of services from its housing department that many groups of people may use at some time.

2.4 Needs of particular groups

If we take this a stage further and examine the needs of particular groups of people we can determine how a responsive local authority might help. I want to look at a representative of particular groups;

- A young person.
- A woman fleeing violence.
- A family with children on a low income
- A young couple with a mortgage.
- An elderly woman.

Here is a short case study for each household. Read each one. At the end of each write down the housing needs identified and suggestions of how a local authority might respond to these needs. Let us begin with a young person and look at Jane.

Case study 1: Jane

Jane is 17 and has recently started her first job as a checkout operator in a supermarket. It's not the kind of job she imagined doing but for the first time in her life she has money of her own.

Since she began work her parents have pushed her to leave home. Neither is in paid employment and her mother, in particular, said that Jane's employment has only served to 'muck up their benefits'.

Jane applied to her local authority. Her name was added to the already long waiting list. There are few vacancies for the type of property Jane needs.

Eventually the situation at home became so bad that Jane felt she had no choice but to go even though she did not feel ready to cope with living alone.

At first Lizzie, Jane's friend, offered assistance. Jane was able to use her parent's spare room. Jane quickly realised that this can only be a temporary solution because Lizzie's parents have very firm expectations about the behaviour of young people.

Jane tried hard to find alternative accommodation at an affordable price. All the advertisements for flat sharers in the local papers ask for 'professional' people. Jane did not think a checkout operator fitted this description and was often too shy to reply.

After a couple of months Lizzie's mother asked Jane to leave because she did not want to share her home for a long period. Jane talked to her friends at work and they suggested she should return to the local authority housing department to tell them she was homeless. Although Jane was upset by this suggestion - because she associated homelessness with begging on the street and people sleeping in the open - she did take their advice.

Jane was fortunate to live in a local authority area that determines that young people under 18 years old are vulnerable under the Homeless Persons legislation. After investigation Jane was offered the tenancy of a one bedroom flat in a high rise block. When Jane accepted the offer she hoped her parents would let her take her bed and some other furniture from the family home. Sadly she discovered that these items had been sold. Lizzie's parents gave her some crockery and other kitchen equipment but it was difficult to find furniture.

A few months later Jane is deeply in debt. She grew depressed living in a bare flat and borrowed money on Provident cheques to buy some essential items. She also bought a bed and cooker on hire purchase. She cannot keep up the payments and has no money to pay her electricity bill.

Activity

Using Jane's case study, try to answer the following questions.

1. *What needs are described in the case study?*

2. *What sort of service does Jane receive from her local authority? List and explain the good and bad points.*

3. *What other services could a responsive authority have offered to Jane?*

Time allocation 10 minutes

1. In the case study Jane has the following housing needs:
 - (a) *She is threatened with homelessness twice; firstly at her parents home and secondly whilst staying with her friend. Was Jane homeless when she left her parents? Arranging to live with friends is rarely successful in the long term.*

Analysis of homeless figures by John Greve and Elizabeth Currie in “*Homelessness in Britain*” shows that the biggest causes of homelessness are these:

- breakdown of sharing arrangements;
 - dissolution of marriage or other partnership;
 - loss of privately rented or service tenancy;
 - other reasons;
 - mortgage default;
 - rent arrears.
- (b) *Jane’s needs are not completely met when she is given her tenancy:*
 - *she has no furniture and cannot make her flat into a home;*
 - *she has no experience of budgeting and gets into debt.*

There is no set answer. Much depends your own organisation’s procedures in this situation and whether you think they are adequate. These are my views.

- (a) The local authority is sensitive to the needs of young people and accepts Jane as homeless but its solutions create new problems. By giving Jane an unfurnished tenancy the local authority almost pushes young people like Jane into debt. How is she to furnish her home other than by borrowing money or taking on hire purchase or other forms of credit?
- (b) Was a flat the answer to Jane’s problems? At 17 could you have coped with living alone? Moving from a family home to living alone is a big step for a young person, particularly one of 17.

3. A more responsive authority might have tried to offer a range of solutions to young people's needs.

Needs	Responses
want to share	offer houses on joint tenancies.
need furniture	offer furnished lettings run a furniture scheme by recycling furniture from other tenants or by purchasing new furniture and loaning it out at small cost per week.
need support and budgeting help	have an outreach team of workers who offer help to new young tenants for the first 6 months. offer accommodation with on site support - a bit like sheltered housing.

Let's move on to the next case study and consider the woman fleeing domestic violence. Here is Sarah.

Case study 2: Sarah

Sarah is 30 and has been married to Rob for 12 years. They live in a council house. From the beginning Sarah knew that when Rob could be argumentative, especially when he had been drinking. He had been violent, sometimes slapping her. On one occasion he hit her hard enough to give her a black eye. When he broke her nose Sarah took her then only child and went to stay with her mother for three weeks. Rob begged her to come home.

About the time that Sarah had a second child Rob lost his job. After this their marriage deteriorated. The birth had been difficult leaving Sarah feeling tired in the first few months. Rob seemed content to stay in bed all morning, watch TV all afternoon and then go to the pub after tea. His bouts of violence became more frequent. Sarah often had to use heavy make up to hide the bruises on her face. The final straw came when Rob picked up their six year old son and hurled him across the room. When Rob left for the pub, Sarah phoned the Samaritans who referred her to a women's refuge.

Sarah and her two children have the use of a small room in the refuge with her two children. All the other amenities are shared.

begin to think

uestions.

1. Sarah needs refuge and the hostel offers this. She must feel safe if her husband comes looking for her.

She may need counselling from someone who is sympathetic and who will listen to what she has to say. The workers at the refuge may well undertake this role.

Sarah needs to know what her choices are. Someone with knowledge of the law, of the homeless person's legislation and the council's allocation policy should be able to set out her future housing options.

2. Sarah needs permanent housing in a safe location. As the tenancy is a joint one, Sarah wishes to take over the tenancy and move back to her own home. This has advantages; she will have her own furniture and possessions. The disadvantage is that her husband will know where she is. Sarah may need to take legal action (called an **injunction**) to stop him returning to the house. If Sarah does not want to return to her home she will need to be rehoused by the local authority or by a housing association either via the waiting list or as a nomination. The disadvantage is that she will need to furnish her new house and to work to create a new home for her self and her children perhaps in an unfamiliar area.

Sarah will need to make sure she claims all benefits to which she is entitled.

Let's now move on to Michael and Joyce, a low waged couple in their thirties with one child.

Case study 3: Michael and Joyce

Michael had a good job in a factory until it ceased to trade about a year ago. For a few months Michael was on the dole. Whilst Michael was unemployed the rent on their housing association flat was paid by housing benefit. It wasn't easy managing on benefits but they got by. Michael couldn't bear the thought of not working and applied for every job going. After a couple of months he found a security job in a department store. The wages are low but there is a uniform so Michael doesn't need to buy clothes for work. He also gets a subsidised hot lunch so they save a little in food.

Michael's new job has changed their financial situation a lot. His earnings are just high enough to ensure they are not eligible for housing benefit. Joyce frequently finds that she does not have enough money to feed her family, so she 'borrows' the rent money. They now have substantial arrears..

Michael does not know that Joyce has not paid the rent every week. They have received a letter warning them that failure to contact the housing association will result in court action. Joyce is desperately worried that they will lose their home but she has not yet told Michael. She doesn't know what she ought to do.

Activity

1. *What should Joyce do?*

2. *If you were the housing officer advising Joyce, what would you say to her?*

Time allocation 10 minutes

1. Joyce must see her housing officer as soon as possible. She is frightened and feels that the family's home is at risk. She needs reassurance that this will not happen unless the situation deteriorates.

Joyce needs to explain her financial situation and get help.

2. There is no right answer to this question but a good practice model might follow these lines.

Thank Joyce for coming to see you. Be friendly and non-judgemental to put Joyce at ease.

Encourage Joyce to talk frankly about her family finances. Check whether she has claimed her full benefit entitlement, in particular do they qualify for Working Families Tax Credit. If necessary refer Joyce to a specialist money advice worker.

Encourage Joyce to pay rent every week. Re-establishing a pattern of payment is, in the first instance, more important than reducing arrears. When Joyce is back in the habit of making regular payments she will feel more in control of her life. Then she will be more comfortable discussing an agreement to reduce her arrears. If she keeps to the agreement there may be no need to consider court action.

So far we've concentrated on people who are tenants of social landlords now let's look at the problems of people with a mortgage.

Case study 4: Louise and Geoff

Louise and Geoff married last year and moved into their own flat. Luckily they had received a lot of useful presents because Louise and Geoff found that after paying their mortgage and their bills they had no money left. All of their savings had been used to pay for the deposit on the flat. Money was tight but they were able to keep their heads above water. When the mortgage interest rate rose by 1%, Louise and Geoff sat down to re-work their budget and make some economies. They replaced their Friday nights out with a take away pizza and a video. Then the mortgage rate went up again and again. Louise and Geoff reached the point where there was no further scope for cuts. They have now had two letters from the building society, the first polite, the second threatening court action for repossession.

Activity

Louise and Geoff have asked for advice about their options.

What are they?

Time allocation 10 minutes

There are a number of options open to this young couple.

- (a) They could try to reach an arrangement with the building society. But what will happen if there are further rises in the mortgage interest rate? Can they really afford the flat?
- (b) They can wait for the possession proceedings and apply to the local authority as homeless. This is problematic as they will face one or two barriers.
 - As they are a childless couple they will not be in a priority group.
 - They may be viewed as “intentionally homeless” by the local authority. The local authority may consider that by defaulting on their mortgage they contributed to the loss of their home. You might want to find out how your local authority treats people who lose their home through mortgage arrears.

The final case study in this section involves an elderly woman living in private rented property.

Case Study 5: Gladys

Gladys Robson, who is 76 and widowed, lives alone in a large three bedroom house in poor repair in an inner city area. She has arthritis that makes climbing the stairs to her bedroom and bathroom difficult. Mrs Robson's house has no central heating and, even in the coldest weather, she has to economise very carefully on her use of the gas fire. Three months ago Mrs Robson was burgled and she now feels very frightened. Mrs Robson's daughter wants her mother to apply for the new sheltered housing scheme being built by a housing association. Mrs Robson doesn't want to move into any home, as she calls it.

Activity

1. *As the housing visitor calling on Mrs Robson, explain about sheltered housing to her*
2. *What other options might be available to Mrs Robson?*

Time allocation 10 minutes

You might want to begin by emphasising that sheltered housing is independent accommodation not a care home. Sheltered housing is purpose built, designed to be easy to manage for older people with extra facilities including;

- (a) a call system to call for help in an emergency. This might help Mrs Robson to feel safer in her own home.
- (b) a resident warden who can offer help and advice when necessary;
- (c) a communal lounge for meeting other tenants and where activities can be arranged;
- (d) a guest flat for overnight visitors.

The flat being offered has a living room, a bedroom, a bathroom and a kitchen with a cooker and fridge provided. Mrs Robson might find it small because she has been used to living alone in a large house. The advantages will be that the flat will be warm and easy to keep clean.

The other options open to Mrs Robson are:

- (a) to move to other accommodation, such as a high rise block, adapted for older people or a bungalow scheme;
- (b) to stay in her own home.

The property needs improvement and a grant may be available. Could Mrs Robson cope with the inevitable upheaval?

She could be helped to feel more secure if new locks and other security devices were fitted.

Could a call alarm be fitted in her home? Some local authorities have may their schemes available to frail and vulnerable elderly people in private rented or owner-occupied property.

3. Perceptions of Housing Need

We have looked at a number of different housing needs. You will also have your own ideas about needs, which will have been shaped by the perceptions of need adopted by the housing organisation for which you work.

We are going to look at an organisation's definitions of housing need. If you work for a housing provider, you will be able to use your own organisation. Alternatively, if your organisation does not provide housing you will have to select an alternative - preferably, a local authority or housing association.

Activity

Identify, in detail, the ways your chosen housing organisation defines housing need.

*Obtain a detailed description of the needs of the customers that the organisation aims to serve. What are the **criteria** against which an applicant is assessed? How are customers **prioritised**?*

*Perhaps there is a **points system** for allocation, in which case those factors to which points are assigned will reflect the needs that your organisation considers most relevant.*

*What is the organisation's **lettings policy**? From this, you can get a clear indication of its definitions of housing need: the needs it tries to meet.*

Once you have discovered your chosen organisation's definitions of need, write them in the space below.

Time allocation 20 minutes

The criteria of “need” will depend on the type of organisation, so it is impossible to give one “answer” for all circumstances. A housing association’s criteria may be very different to those of a local authority, simply because each organisation will have clear ideas about the different sorts of housing need which they aim to meet.

To illustrate the range we are going to examine extracts from the lettings policies of three very different housing organisations: one local authority, one housing co-operative, and one housing association. (These are not complete lettings policies – just the parts we think are relevant to help you to identify the sorts of needs the organisation tries to meet.)

Read the policies with care, look for similarities and differences, and compare them to the policies of your organisation.

3.1 Lettings policies’ extracts

Hartlepool Borough Council

Who can apply?

Anyone aged 16 or over can apply provided they live in the Borough of Hartlepool.

You will usually have to be 18 before you can be given a council tenancy.

If you are already a Council tenant, you can only apply to transfer after you have had your tenancy six months or more. (See the leaflet entitled ‘Transfer List’ for further details.)

Assessment of Needs

Unless your circumstances fit into one of the special categories listed, the information you give on your application form will be used to assess your need for rehousing. ‘Points’ are given to measure things like overcrowding, medical need, lack of amenities, need for support etc. In time, extra points will be added, to reflect the length of time you have waited. You will be informed in writing of the number of points your application has been given.

The number of points you have will determine your place on the 'Housing List' if you are not already a council tenant or the 'Transfer List' if you are.

Special Categories

- those whom the council has a legal obligation to rehouse, e.g. the homeless, people whose homes are being demolished or extensively renovated;
- those with a special urgency for accommodation, e.g. key workers who will help provide additional employment for local people, ex-service personnel;
- those needing special accommodation, e.g. warden-controlled housing for the elderly, or adapted for easier use by disabled people;
- those who are seeking rehousing in areas covered by special allocations schemes which are set up from time to time by the council.

Examples are where the council is seeking to revitalise an area, for example, Seaton Lane, West View and part of Dyke House.

People in special categories either receive greater priority, or have their applications dealt with differently from other applicants.

How long will I have to wait?

Unless you qualify for one of the special allocations categories, the length of time you have to wait depends on the number of points you have, and the number of vacancies we get in the areas you have chosen.

What priority will my application be given?

This is assessed purely on your present housing conditions. The factors that are taken into account in assessing an applicant's position on the list are:

- (a) whether the present accommodation is overcrowded or substantially under-occupied;
- (b) whether the property lacks any basic amenities like bathroom, internal WC, adequate kitchen facilities, or whether applicants have to share these facilities with other householders;
- (c) the condition and state of repair of the property;

- (d) the security of tenure that the applicant currently has;
- (e) the applicant's age and medical condition (if this is felt to be adversely affected by his/her present accommodation);
- (f) social circumstances.

Points are awarded for each factor which applies to you.

Points

Generally your points will only change if your circumstances change, except that there will be a small addition every six months to reflect the length of time on the list.

Points are assigned for the following:

1. *Overcrowding*
 - (i) lack of bedspace;
 - (ii) shared bedrooms.
2. *Amenities*
 - (a) kitchen facilities;
 - (b) bathroom facilities;
 - (c) WC facilities;
 - (d) living room facilities;
 - (e) shared amenities;
 - (f) water supply;
 - (g) heating and lighting.
3. *Condition of House*
 - (a) the state of repair of the house;
 - (b) dampness;
 - (c) natural lighting;
 - (d) ventilation;
 - (e) drainage and sanitation.
4. *Unsuitable Accommodation* (e.g. children in a flat, aged or infirm with stairs)

5. *Security of Tenure*

- (a) living with friends;
- (b) licensees;
- (c) bed and breakfast accommodation;
- (d) caravans;
- (e) tenants in tied housing;
- (f) multiple occupation;
- (g) temporary hotel accommodation.

6. *Medical Need*

7. *Under-occupation*

8. *Age* (over 70, for aged persons' accommodation)

9. *Room Arrangement*

(kitchen adjacent to bathroom/WC access to bathroom/WC through bedroom)

10. *Family Separation*

11. *Social Need*

12. *Length of Time in Housing Need*

Barnwood Housing Co-operative

Applicants for vacancies in the Co-op's houses and flats are either nominated by the appropriate local authority or taken from the Co-op's own housing waiting lists. As well as direct enquiries the Co-op's list contains people who are referred from local housing agencies, advice centres and voluntary organisations. Priority is given to applicants who already live in or have a direct connection with the borough in which each co-operative is situated. To aid mobility in the public sector, applications for mutual exchanges, where housing is suitable, are sympathetically considered and normally approved, and the requirements of the 'right to exchange' provisions of the 1985 Housing Act are complied with.

The following is a summary of the published lettings policy and procedures for the CDS managed co-operatives.

In considering nominations from local authorities and in selecting applicants from the Co-op's waiting list, the following matters are taken into account:

1. Size, type and location of dwelling available for re-letting and suitability to meet the applicant's housing need.
2. The applicant's housing conditions including:
 - (a) threatened or actual homelessness;
 - (b) overcrowding or under occupation;
 - (c) sharing facilities;
 - (d) location in relation to work, relatives/friends and services;
 - (e) state of repair of present property and ability to influence state of repair.
3. The applicant's ability to cope with their existing housing conditions including:
 - (a) income;
 - (b) health;
 - (c) stress;
 - (d) previous housing history;
 - (e) the needs of dependents.
4. The availability of alternative housing including:
 - (a) potential access to home ownership;
 - (b) ability to meet local authority residential qualifications.
5. The length of time the applicant has had to tolerate unsatisfactory housing conditions.
6. The Co-op only houses people who can be identified as being in housing need but also takes into account their willingness to accept the responsibility of living in a co-operative.

Three Rivers Housing Association

Lettings Policy

1. The aim of our lettings policy is to provide for families and individuals in housing need. When applications for accommodation are considered, the following criteria are used:
 - (a) The existing housing conditions of the applicant. The main points we consider are:

- (i) Whether the applicant is homeless or likely to become homeless.
 - (ii) Whether a family is split-up through lack of suitable accommodation.
 - (iii) Lack of facilities or sharing of facilities.
 - (iv) State of repair.
 - (v) Overcrowding.
 - (vi) Cost of present accommodation in relation to the applicant's financial circumstances.
 - (b) The applicant's ability to cope with their present housing conditions.
 - (c) Length of time applicant has had to contend with bad housing conditions.
 - (d) Alternative solution available:
 - (i) The likelihood of early rehousing by the Local Authority.
 - (ii) The applicant's ability to purchase a house.
2. Having assessed an application using these criteria, other factors may be considered, such as:
- (a) Matching the housing needs of the applicant as closely as possible to the available accommodation, location, environment and local facilities.
 - (b) In allocation tenancies, every effort is made to ensure tenant satisfaction and to help create a balanced community.
 - (c) Where the Association purchases homes for modernisation, a degree of priority will be given to people who have definite links with the neighbourhood, especially family links.
3. The above criteria will form the basis of selection for all tenants but may be added to or modified where accommodation is specifically built to satisfy special needs such as single persons' housing or hostel accommodation.

Transfers

Three Rivers Housing Association will try to assist tenants who wish to transfer from one of the Association's properties to another. Requests should be made in writing to the Association's office. Criteria for consideration will be based on:

- (i) Medical grounds which may need to be supported by doctor's recommendation.
- (ii) Overcrowding or under-occupation of the present home.
- (iii) The need to be closer to relatives, work, school, etc.
- (iv) The tenants' ability to cope with their present housing conditions.

A member of staff will discuss the request for a transfer and assess the possibility of a move with the tenant.

Self Test 1

1. *What sort of help does a local authority offer for owner occupiers?*
2. *Why is it important to consider the whole of a household's situation before solving their housing need?*
3. *Why might the definitions of housing need vary between different types of housing organisation?*
4. *What are the four main factors that the Three Rivers Housing Association use to establish housing need?*

Now turn to the Answers at the end of the Block.

Summary

1. **Housing need is not simply a matter of physical housing conditions. The definition must cover the needs of individuals.**
2. **The local authority provides a range of services that can benefit many different groups of people not just its tenants.**
3. **Different organisations have different perceptions of housing need. In part this reflects the needs which, by law, they are required to try to meet.**
4. **The needs that an organisation aims to meet will be clear from its letting policy. The letting policy will state the criteria the organisation uses to assess whether or not to house an applicant.**

B. Systems for Identifying and Prioritising Housing Needs

1. Introduction

In this section we will be looking at how housing organisations allocate the housing that becomes available. We will focus on the methods used by local authorities and housing associations.

If social housing were in plentiful supply in the areas where it is most in demand, the way it is allocated would be less important, as most people who needed rented housing would be able to get it. In these circumstances we would be more concerned with the relative quality of allocations.

Many housing organisations operate within a context where the demand for property is far greater than the supply. In a free market the response to this situation would be for the price of the product, in this case the rent, to rise. In Britain notions of affordability restrict the rents of social housing, so a different way has to be found to decide who should be housed.

The selection and allocations policies of social housing organisations provide the mechanism to ration housing. As in any situation where a commodity is in short supply, some gain - those who are housed - and some lose - those who cannot get access to social housing. Housing managers need to ensure that the system is simple to understand and can be seen to be fair. As we will discover, there is no consensus about the nature of a fair system.

If we see selection systems as a form of rationing, we can then visualise a queue for housing with the people at the front of that queue being housed first. Even this is too simplistic because there is more than one queue and the queues for different types of applicant, area or type of house will vary. There may be a five year queue for housing on a popular estate and no queue at all for an unpopular one. Some people in a long queue will go straight to the front, for example, homeless families, others may never reach the front of the queue and some will not be allowed to even join it.

A new theme relating to the need to build sustainable communities has emerged in recent years in allocations policy. It is now recognised that a concentration on housing those most in need can lead to a concentration of poverty and social problems. In some areas housing organisations are now moving away from housing purely on need and trying to build communities by allocating to those with a strong commitment to the area and are able to contribute to a “balanced community”.

2. Access and Priority

Activity

What rights do you think a new applicant for housing by a local authority or housing association has?

Time allocation 5 minutes

We asked a small number of people, going into a housing association reception area in the South of England, the same question and this is what they said:

“I think we should have a right to a house because we’re homeless.”

“We have a right to know how they take decisions as to who gets housed.”

“We have a right to be treated with respect.”

“I think we should have the right to a full explanation on why they won’t house us.”

“Don’t they have to obey the Housing Acts?”

“To be perfectly honest I don’t think we have any rights.”

Perhaps you identified similar rights, such as:

- a right to be treated with respect;
- a right to information; and
- a right to be advised about how a decision was reached.

In recent years many organisations have made strenuous efforts to develop a more customer-orientated service. Some obligations are set down in legislation.

3. Obligations

Let's look at these obligations in more detail.

Historically, local authorities have had little interference from central government on decisions on access to their housing stock. Some statutory duties do limit their freedom to determine local priorities.

Housing associations are bound both by legislation and additional obligations required by the Housing Corporation.

3.1 Housing Act 1996, Part 6

In England and Wales more extensive controls on allocations by councils were introduced by **Part 6** of the **Housing Act 1996**. These complemented the changes in the homelessness legislation and have ensured that the only route into permanent housing is from the waiting list, as regulated by **Part 6** of the **1996 Act**. The Code of Guidance issued in 1996 provides further Guidance from the Government as to how the provisions should be interpreted.

Part 6 applies to the selection of any new tenant (but not to transfers), and to nominations by an authority to housing associations. It introduces the concept of a qualifying person, under which all persons subject to immigration control and those not habitually resident in the U.K. are disqualified from permanent council housing.

Certain persons qualify automatically including unintentionally homeless people over the age of 18. Although authorities have discretion, the Code of Guidance suggests authorities need to consider the following in determining criteria:

- persons placed by another authority;
- age limits;
- those with history of anti-social behaviour; who have attacked housing department staff or tenants with records or rent arrears;
- residency;
- owner occupiers.

Part 6 requires authorities to establish and maintain a waiting list. Everybody who is a qualifying person is entitled to go on the waiting list.

Allocation from the waiting list must be in accordance with the priorities established by the authority, but a reasonable preference must be given to:

- those in insanitary or overcrowded housing;
- those in unsatisfactory housing conditions;
- those in conditions of temporary or insecure tenure;
- families with dependent children or who are expecting a child;
- households containing someone with an identified need for settled accommodation on medical or welfare grounds; and
- households with limited opportunities to secure settled accommodation.

The last category “reflects the particular difficulties that some households on a low income may have in obtaining settled accommodation for themselves in the private sector” (Code of Guidance para. 5.19).

Shortly after winning the 1997 election the Labour government also added a further category of those who have been accepted as homeless.

Additional preference must be given to those with an identified need on medical or welfare grounds, who cannot reasonably be expected to find settled accommodation for themselves in the foreseeable future.

Authorities still have considerable discretion to decide their own priorities. The Code of Guidance says that giving a reasonable preference means

“that authorities should give due weight to the factors listed..., but it does not restrict authorities to taking only such factors into account... an authority should not allow their own secondary criteria to dominate their allocations scheme at the expense of factors in the statutory list.”

Other considerations also apply to allocations. Authorities have a general duty to manage the resources at their disposal prudently. They may wish to take into account the characteristics

of the people they select as tenants, both individually (as potential good tenants) and collectively. This could extend to selecting tenants for property on a new estate in such a way as to ensure a viable social mix on the estate.”

The Act also regulates the making of applications, requiring that certain information as to the applicant’s name and details is kept on the register and allowing the applicant access to that information.

3.2 Housing Act 1985 and Housing (Scotland) Act 1987

The **Housing Act 1985 and Housing (Scotland) Act 1987** require local authorities to examine the housing needs of their district and prepare schemes for the provision of dwellings. They must give reasonable preference to:

- people living in unsanitary or overcrowded conditions;
- persons with large families;
- the homeless; and
- persons living in unsatisfactory housing conditions.

This does not apply to the housing associations, although they are required to provide housing for people in need.

3.3 Land Compensation Act 1973

Local authorities must either provide, or ensure that accommodation is available, for families who are made homeless because of slum clearance or redevelopment schemes. Again, this does not apply to housing associations, although many will give priority to this group of applicants.

3.4 Housing Act 1996 (Part 7) and Housing (Scotland) Act 1987 (Part 2)

All local authorities are required to ensure that adequate accommodation is available for:

- persons who are homeless;
- persons who are eligible;
- have a local connection with the area;
- have a priority need; and
- have not made themselves homeless intentionally.

3.5 Rent (Agriculture) Act 1976

This legislation requires local authorities to use their best endeavours to ensure that accommodation is available to rehouse former agricultural workers in tied accommodation. It only applies in England and Wales.

3.6 Housing Act 1985 Section 106 - Housing (Scotland) Act 1987 Section 21

These provisions were originally included in the **1980 Housing Act** and have now been absorbed into the **1985 Act**. Landlords of secure tenancies must publish their rules relating to their method of selecting tenants and allocating their dwellings. Applicants have the right to check details they have provided in making an application for housing. These provisions apply to housing associations with secure tenancies.

3.7 Overcrowding (Part 10 Housing Act 1985 and Part 7 Housing (Scotland) Act 1987)

Local authorities have some statutory responsibility for the assessment of overcrowding. Most allocations schemes set their own level to decide overcrowding using a more generous definition of overcrowding than that contained in the legislation.

3.8 Access to Information Act 1987

Applicants and tenants have a right to access to personal information held about them, although certain information supplied by third parties is exempt. These rights are in addition to those set out in the earlier **Data Protection Act (1984)**.

These obligations also apply to housing associations.

3.9 Sex Discrimination Act 1975

The Act prohibits sexual discrimination in the allocation of housing, both directly and indirectly.

3.10 Race Relations Act 1976

This Act has similar provisions to the Sex Discrimination Act and requires that there should be no discrimination in access to housing on racial grounds.

The Commission for Racial Equality has published a detailed Code of Practice for Rented Housing which local authorities and housing associations should comply with.

3.11 Housing Act 1988 and Housing (Scotland) Act 1988

The **Housing Act 1988** introduced a new type of tenancy to the housing association sector - the assured tenancy. Assured tenants have fewer rights than secure tenants. In its Performance Standards the Housing Corporation sets out additional rights for tenants and applicants, including access to information, that previously applied only to secure tenancies. There are no similar provisions for assured tenants in Scotland, although the Scottish Federation of Housing Associations has produced a Model Tenancy Agreement, which includes additional rights.

Local authorities have to comply with a significant amount of diverse legislation when allocating housing. Much of this also applies to housing associations who are required to:

- provide information about their allocations policy;
- comply with the anti discrimination legislation;
- comply with the Code of Practice in rented housing;
- assist local authorities in the carrying out of their homelessness responsibilities.

Although local authorities and housing associations must comply with the legislative framework, in practice they have much discretion over the operation of their allocation systems.

In Scotland local authorities are prevented from restricting certain applicants from registering on their housing lists. For example, the **Housing (Scotland) Act 1987** says that local authorities can take no account of:

- age - as long as the applicant is over 16;
- income;
- owning property.

These provisions are not within the **1996 Housing Act** for England and Wales.

Clearly a housing organisation must have regard to its local housing circumstances and try to match supply of housing to demand from applicants.

4. Allocation Schemes

Activity

You have been asked to design a new allocations system for your housing organisation. Without going into the details of a system, what would be the basic principles you would want to include?

For example, you would presumably want it to be easily understood by applicants. What other general principles would you want to see?

Make a list of the principles you would want to include.

Time allocation 10 minutes

You may have found this activity difficult. Hopefully you will have been able to identify some general principles for all allocations systems such as:

Understandable by applicants

Why is this important? Applicants should be able to understand how the system operates because if they do not they may not have faith in it and they may feel it discriminates against them unfairly. The policy should be set out clearly in leaflets so applicants are able to know how their application will be handled.

Understandable by staff

This may seem obvious, but if a system is not clearly understood by the staff, there is little chance that applicants will trust the system. Applicants may find that different staff give conflicting advice damaging the credibility of the allocations system.

Flexible enough to cope with unusual cases and changes in local circumstances

No allocations system will be able to cope with every possible situation but it should be able to deal with changing circumstances. For example, until the mid to late 1990s few allocations systems would have made specific mention of applicants with HIV/AIDS. The more flexible systems accommodate this situation within their policies.

Capable of discriminating between cases where priority is to be considered

In many systems there will be priority cases -perhaps applicants with severe medical problems or who are homeless. A system should be able to discriminate between the competing priorities. If, for example, the allocations system says that priority will be given to applicants who are homeless, or have a medical priority, how can the system choose between a homeless applicant and a medical applicant with a valid claim?

Accepted as fair by the applicant

This is perhaps one of the most important principles, but also one of the most difficult to achieve. Those benefiting from a system tend to consider it fair, whilst those who are not helped may have a different opinion.

Nevertheless, housing organisations need to attempt to ensure the system is seen to be fair by explaining decisions and, if necessary, introducing an appeals system into the process.

Activity

Look at your organisation's allocation policy. Does it meet these general principles?

Time allocation 10 minutes

Now that we have looked at the general principles and your own organisation's allocation system, let's consider the ways housing organisations decide the relative priority of different types of applicant.

Activity

Imagine that you are the allocations officer for a small rural authority. You have a 3 bedroom house to allocate in a village and you have the following applicants on your waiting list:

1. Mrs Johnson

Mrs Johnson is a single parent with two children, one boy aged 12 and a girl aged 15. She is currently sharing her mother's two bedroom house. She has been registered on the waiting list for 2.5 years.

2. Mr and Mrs Green

Mr and Mrs Green are both pensioners. They live in a two bedroom flat above a shop. Mr Green has severe medical problems that make it difficult for him to climb stairs. He sleeps in a separate room to avoid disturbing his wife at night. They have just registered on the waiting list.

3. Mrs and Mrs Williams

Mr and Mrs Williams are a young married couple with a fourteen year old son and a six year old daughter. Mrs Williams is pregnant. Their child is expected in the next few weeks. They rent a two bedroom private flat in the neighbouring town. They registered 12 months ago.

4. Mr Slater and Ms Baynham

Mr Slater and Ms Baynham have recently set up home together. Ms Baynham has a 10 year old son from a previous relationship. The child has cystic fibrosis. Mr Slater has contact with his 7 year old daughter from a previous marriage. She comes to stay with Mr Slater every other weekend. Ms Baynham has a one bedroom flat - she is sleeping in the living room while her son uses the warmer bedroom. They registered last month.

5. Mr and Mrs Arkwright

Mr and Mrs Arkwright have two children. They are long term residents of the village. Mr Arkwright is the village postman and his wife is the District Nurse. They have a small two bedroom house and a large mortgage. The house will be too small when the third child arrives in six months time. No other suitable houses are for sale, nor likely to be in the near future. They registered on the list two years ago.

6. Mr Chequers

Mr Chequers has been accepted as homeless by the council because he has moderate learning difficulties and is considered to be vulnerable. He lives with his 80 year old grandmother who finds it difficult to cope. He registered on the council's list today. He wants to set up home with a friend. Social services want to encourage this move. He has the active support of the local MP and Chair of the Council's Housing Committee. Although the house may be too big for them, they are urgently in need of alternative housing in the village.

Decide who you would allocate the property to and why?

If your priority applicant refused the offer, who would you offer it to as your second choice?

Time allocation 15 minutes

You have probably struggled to complete this activity. It is admittedly an extremely difficult exercise similar to the decisions allocations staff have to make every day. Of course, if you were the allocations officer in this local authority you would have the benefit of a policy statement approved by your committee to guide you.

We asked three allocations officers, working in different parts of the country for different local authorities, for their decision.

Fatima

Fatima was concerned to make the best use of the property. She thought a three bedroom house should go to a family who would maximise its use. This automatically ruled out some of the applicants.

Her first choice was Mrs Johnson. She needs three bedrooms and had waited the longest of the three families who would be eligible for the property.

Peter

Peter took a different approach. He wanted to make the fullest use of the house but was also concerned about the circumstances of some of the applicants.

He decided to allocate the property to Mr Slater and Ms Baynham because of her son's medical condition which meant the household had urgent need of suitable accommodation.

Jayne

Jayne decided to offer the property to Mr Chequers. She recognised that some of the other applicants had pressing claims but felt the authority should respond to Mr Chequers' needs. She also recognised that there would be a lot of local support for this allocation.

What was your decision? Did it differ from the ones listed above? It may be that you came to a different decision and that you object to some of the decisions our staff made.

Should Jayne have been swayed by the support of the MP and Chair of Housing?

Is Mr Slater and Ms Baynham's relationship stable enough to warrant the allocation of a three bedroom house?

Is Mrs Johnson really in severe housing need sharing her mother's house?

Imagine trying to allocate every property in this way. It would be impossible to run an allocation system in the way we have described.

Staff need some ground rules or different people will come to different decisions.

In England and Wales the 1996 Act proved a catalyst for reviewing housing waiting lists in local authorities. Many changed their system and/or priorities.

All housing organisations set out their requirements in an allocation policy and procedure. There are four types of policies (although in reality most use an amalgamation of two or more types);

- Merit schemes,
- Date order schemes,
- Group schemes,
- Points schemes.

Let's look at each of these in turn.

4.1 Merit scheme

As the name implies there are no formal criteria involved and each case is considered on its merits often by a committee.

Usually officers or members will review lists of potential applicants and decide who deserves to be housed. The system can be very flexible as it enables each applicant's case to be considered. It has a number of serious weaknesses including the difficulty of demonstrating fairness. Who decides who should be housed? Different people will have different views on who is deserving.

A system with few rules is open to abuse. Those involved with selection are open to unfair persuasion. In the past, some local authorities operating this system have had to deal with claims, sometimes justified, of corruption in the allocations process. The Local Government Ombudsman has issued a number of critical reports about the merit based allocations systems still operating in some parts of the country.

Merit schemes have been popular in the past in many local authorities and still exist in some housing associations. When a merit system is used a policy statement giving information about who will be housed by the organisation should accompany it.

An example of a policy statement is given in the box below. This statement does indicate which applicants will be considered. However when this association considers applicants, a group of officers decide who should be housed. Staff aim to house those in greatest need but it would be (and is) very difficult to explain clearly how an allocation decision was made because the decision emerges during discussion after comparing applicants on the association's list.

A housing association allocations policy statement

In considering nominations from local authorities and in selecting applicants from the association's waiting list, the following matters are taken into account:

1. Size, type and location of dwelling available for reletting and suitability to meet the applicant's housing need.
2. The applicant's housing conditions including:
 - threatened or actual homelessness;
 - overcrowding or under occupation;
 - sharing facilities;
 - location in relation to work, relatives, friends and services;
 - state of repair of the present property and ability to influence the state of repair.
3. The applicant's ability to cope with their existing housing conditions including:
 - income;
 - health;
 - stress;
 - previous housing history;
 - the needs of dependants.
4. The availability of alternative housing including:
 - potential access to home ownership;
 - ability to meet local authority residential requirements.
5. The length of time the applicant has had to tolerate unsatisfactory housing conditions.

4.2 Date order scheme

This is the easiest allocations system to explain and to operate, as applicants are selected in order of application. This system is now rare because it does not comply with local authorities legal duties.

When a housing organisation allocates a vacant property, it looks at the applicant for that type of property who has waited the longest.

For the applicant the system appears straight forward as they will know where they stand in the queue. It should be possible to gauge the length of time before an offer of housing would be made. If the applicant is 100th on the list and the housing organisation usually has about 25 vacancies each year for their type of property it is easy to calculate that it will be about 4 years before they are offer of housing. For staff, too, the system is fairly easy to operate and explain to applicants.

Activity

We have seen that the date order system is easy to operate and to understand. What problems might you encounter in using this method of allocations?

Time allocation 5 minutes

You have probably been able to identify quickly the major weaknesses of this system. The main problem with date order schemes is that they take no account of housing need. People who have waited a long time may be in severe housing need but the system does not ensure that people in housing need get housed first. Consider the following situation that illustrates this point.

Mr and Mrs Caldicott registered on the council waiting list 5 years ago. They live in a 2 bedroom private rented house. They want a council house because their current home is on the outskirts of town and the rent is high.

Ms Middleton is a lone parent with 2 pre-school children, living in a one bedroom flat above a fish and chip shop. She has lived there for a year following the break-up of her previous relationship.

Date order schemes favour applicants whose needs are less pressing and can wait for housing to become available. Those in severest need are less able to wait and may be forced to find other accommodation or to accept the first offer.

Activity

If you had to make a decision between Mr and Mrs Caldicott and Ms Middleton who would you house?

Time allocation 5 minutes

You would probably have selected the lone parent because she appears to be in greatest need. In a strict date order scheme, Mr and Mrs Caldicott are likely to be housed first because they have been waiting significantly longer.

If applicants are in similar housing need the time they have waited may be a relevant factor. It is difficult to justify an allocation system operating solely on a time waiting basis.

4.3 Group schemes

This is a variation of the date order scheme, where applicants are grouped according to their circumstances and then selected from within that group in date order.

Groups might include:

- homeless applicants;
- applicants who are in overcrowded conditions;
- applicants with medical reasons for moving; and
- applicants with over-large housing.

The organisation will decide how many people from each group will be housed with applicants within the specified group selected in strict date order.

This variation of the date order scheme overcomes some of the problems of inflexibility but the system does not reflect housing need.

4.4 Points scheme

The most widely used allocation system is the points scheme where points are awarded for various aspects of housing need. When the points are totalled the applicant with the highest number is allocated the property.

Activity

*Which elements of housing need should be included in a points scheme?
Make a list of all of the factors you would include in the space below.*

Time allocation 10 minutes

This is not an easy activity and illustrates again the problems involved in devising any allocations system. What do we mean by housing need? What elements would you include? Is there universal agreement to the definitions chosen?

You may have included some, or all, of the following.

(a) Security of Tenure

This refers to the permanency of the applicant's existing housing. An applicant living in a private rented flat is in a more secure type of housing with greater rights than an applicant living in a hostel.

(b) Size of accommodation relative to needs

If an applicant is living in overcrowded accommodation, agreement is likely that they are in greater need than another applicant who has more than enough room for their needs. Two adults with two children living in a one bedroom flat are likely to be in greater need (all other things being equal) than a similar household living in a three bedroom house.

(c) Condition of the current housing

If the applicant lives in housing in need of repair, they will be considered to be in greater need than an applicant occupying a property in an excellent state of repair.

(d) Suitability of the housing

Your points scheme may refer to the suitability of existing accommodation for the applicant's needs. If an applicant has a serious heart condition then living in a top flat, in a three storey block without a lift, may be an indicator of housing need that you would want to include in a points scheme.

(e) Time on the list

Earlier in this section we were critical of date order schemes in housing allocation systems, but a points scheme may be set up to reflect the waiting time as some form of indicator of housing need. If two applicants have the same level of housing need, it might be appropriate to argue that the applicant who has waited the longest should be considered as being in the greater need.

How did your list compare with the ones which we have just identified? You may well have included other aspects in your points scheme.

The example below comes from Hartlepool Borough Council, a shire district council with 9,000 council houses and shows the headings under which points are awarded.

As you will realise from this activity, and the example, there is no agreement within the housing profession on the definition of housing need and what should be included in a points scheme. All points schemes are different reflecting subjective judgements by the people who devised them.

Hartlepool Borough Council's points system

The following headings have points awarded to them in this points scheme.

Overcrowding

This section deals with overcrowding in two main categories:

- lack of bedspace which involves determining how many persons the property could sleep;
- sharing bedrooms which requires an analysis of how the bedrooms available have to be shared.

Amenities

This section considers the amenities of the applicant's existing housing. If the amenities are poor or missing then extra points are awarded to the application:

- kitchen facilities (such as sink, hot water, size of kitchen);
- bathroom facilities (such as bathroom, shower, hot water, handbasin);
- WC facilities (such as no WC, external WC);
- living room facilities;
- sharing of any amenities;
- internal water supply;
- adequacy of heating and lighting facilities.

Condition of property

This section awards points for the state of the property and points are awarded if the property has significant defects:

- state of repair of the house;
- dampness;
- poor ventilation;
- poor drainage or sanitation.

Unsuitable accommodation

In this section the council awards points for certain types of accommodation which the council feels are particularly unsuitable for the needs of the applicants:

- family with children under 14 in a flat or maisonette;
- aged or infirm applicants who have to deal with steep stairs.

Security of tenure

The council awards a range of points depending on how secure the applicant's current housing is. For example, most points are awarded if applicants are living with friends or relatives, with the lowest numbers of points if the applicant has a non resident landlord.

Medical need

The council recognises that applicants may well have a medical need for rehousing and points are awarded if the medical condition would be alleviated by rehousing.

For example, an applicant with a heart defect living in a house would receive medical points for a move to ground floor accommodation.

Under occupation

In this scheme points are awarded to applicants if they currently have a property with one bedroom in excess of their needs.

Age

The Council awards points for applicants over the age of 70 years.

Room arrangement

This section allows points to be awarded if the room arrangement is particularly poor such as:

- a kitchen directly adjacent to the bathroom or WC;
- access to a bathroom or WC through a bedroom.

Family separation

Points are awarded if a family cannot live together because of domestic problems or overcrowding.

Social need

The council recognises that applicants may have a range of social reasons for needing rehousing, such as needing to be nearer work, schools or relatives. This scheme allows the area housing manager to award a number of discretionary points.

Length of time in housing need

Although this is a points scheme, the council does award a 10% uplift in points for every 6 months the applicant is registered on the waiting list.

This is a typical points scheme containing many elements common to most schemes. If you compare this points scheme with another scheme, it would be surprising if they were identical. There would almost certainly be differences in the number of points awarded for each element organisations will have their own perception of weighting of indicators of housing need.

Using the points scheme above, which area would attract most points?

We analysed the average number of points which could be awarded under each heading as follows:

Overcrowding

- lack of bedspace (9 points)
- sharing bedrooms (5 points)

Amenities

- kitchen facilities (4 points)
- bathroom facilities (4 points)
- WC facilities (3 points)
- living room facilities (2 points)
- sharing of any amenities (2 points)
- internal water supply (5 points)
- adequacy of heating and lighting facilities (6 points)

Condition of property

- state of repair of the house (up to 15 points)
- dampness (12 points)
- poor ventilation (3 points)
- poor drainage or sanitation (6 points)

Unsuitable accommodation

- family with children under 14 in a flat or maisonette (10 points)
- aged or infirm applicants who have to deal with steep stairs (3 points)

Security of tenure

- (Up to 14 points)

Medical need

- (Up to 20 points)

Under occupation

- (2 points)

Age

(2 points)

Room arrangement

- a kitchen directly adjacent to the bathroom or WC
(2 points)
- access to a bathroom or WC through a bedroom
(3 points)

Family separation

Points are awarded if a family cannot live together because of domestic problems or overcrowding
(10 points)

Social need

(10 points)

Length of time in housing need

(10% uplift with every 6 months)

As you can see, this points scheme gives higher priority to factors such as overcrowding, amenities, conditions and medical needs, with factors such as length of time on the list and under occupation having less weight in the system.

Clearly, different organisations will place different emphasis on each factor an organisation will need to test its system with a number of real cases, to see if applicants are prioritised in the order that they would want.

To demonstrate how difficult this process is, complete the activity below.

Activity

You have been asked to draw up a points scheme using a total of 100 points. How would you distribute the points between the following elements making up the organisation's points scheme?

Overcrowding

Lack of bedspace per person

Lack of amenities

- *No bath*
- *No inside WC*
- *No separate kitchen*

Security of tenure

- *Private rented*
- *Tied tenancy*
- *Bed and breakfast*

Suitability of property

- *Steep stairs*
- *No garden*
- *Distant from relatives to give/offer support*
- *Dampness*
- *Serious disrepair*

Floor level

- *Ground floor*
- *1st-4th floor*
- *5th-above*

Age of applicant

- *Under 60*
- *Over 60*
- *Over 80*

Medical requirements

- *Serious medical need for rehousing*

Time allocation 10 minutes

This, again, will have been a difficult exercise for you to complete, but it is the process all allocations managers must follow when revising a points scheme.

How do you decide between competing priorities?

Is medical need more important than overcrowding?

How many points should be age related?

There can never be a single 'right' answer to this activity. It depends, crucially, on the judgement of those people managing the allocation procedures.

Of all the allocations systems we have considered, the points scheme is by far the most sophisticated method of determining priority but it is often difficult for applicants to understand, is complex and may be expensive to administer.

5. Nomination Arrangements

Local authorities can meet the needs identified in their housing strategy either by providing accommodation in their own stock or by making referral and nomination arrangements with other housing providers, primarily housing associations.

This can operate through a formal agreement reviewed regularly in response to changing needs and stock availability. Sometimes a local authority will assist a housing association to develop a scheme – perhaps by giving free or discounted land – in exchange for 100% nomination rights to the first lettings and a substantial proportion of re-lets.

In areas, including London, where nomination agreements are common it can be very difficult for a housing association to maintain an effective selection and allocation policy because, in practice, the local authority controls the process.

6. Transfers and Mutual Exchanges

Although we have concentrated on new applicants, most housing organisations will also consider rehousing their existing tenants by transferring them to other housing in their stock. Some organisations operate a separate system to deal with transfers, others include transfers and the general waiting list within the same allocations scheme.

Most tenants seeking a transfer will not be in as great a need as the many on the general waiting list because they will tend to have an adequate standard of accommodation.

They may be overcrowded, perhaps a property has become small as family has grown. Other transfers will be sought for social reasons. A tenant may want to move to a better area, to be nearer to work or relatives. Some will reflect a medical priority perhaps when after a member of the household has become ill. If these applicants were compared with those on the waiting list, a significant number would not be perceived as having a high priority. However, scarce stocks of housing can be more efficiently used if priority is given to some groups of existing tenants including, for example, elderly people in family housing who want to move to smaller accommodation.

How much priority should be given to a long standing but adequately housed tenant who wants to move to a more popular estate? If existing tenants are effectively prevented from moving for social reasons this may lead to other problems including neighbourhood disputes, lack of care for the property or rent arrears. This is a difficult area for all housing organisations. Some adopt a policy of treating transfer applicants in exactly the same way as applicants seeking housing from the organisation. Others give existing tenants first choice when letting property. They can then allocate the 'new' void to non-tenants.

Activity

How does your organisation prioritise different types of transfer applicants?

Time allocation 5 minutes

Mutual exchanges

Sometimes households can meet their changing housing needs by making a mutual exchange with another tenant in social housing.

In England and Wales secure tenants, if they obtain the written permission of their landlord, have a right under Housing Act 1985 to exchange their tenancy with:

- Another secure tenant,
- An assured tenant of a registered social landlord (or housing association),
- An assured tenant of a charitable housing trust.

Secure tenants in Scotland do not have a right to exchange but they do have a right to assign their tenancy under Housing (Scotland) Act 1987. Again, written permission from the landlord is essential. This permission cannot be unreasonably withheld.

To comply with the Housing Corporation's Performance Standards, housing associations must give assured tenants a right to exchange, subject to written permission, above the requirements of the law.

7. National Mobility Schemes

If a tenant of a social housing landlord needs to move to another area because they have found work or want to live closer to a relative they can use the services offered by HOMES (Housing Organisations Mobility and Exchange Services). The government funds this organisation to work with all social landlords in the United Kingdom to facilitate tenant mobility. The scheme is designed to enable tenants to move between housing organisations by making available up to 2% of net lettings in local authorities and 4% in housing associations. Very few organisations meet these targets.

A similar scheme, Shared Ownership HOMES, provides a service for the shared ownership sector in England and Wales.

8. Special Needs

It is important that housing organisations recognise that some groups in society have special or additional needs.

Activity

Make a list of the groups that you think may have special needs in relation to housing.

Time Allocation 5 minutes

Your list might have included the following:

- the elderly,
- people with physical disabilities,
- people with mental health problems,
- people with learning difficulties.

These different groups have non-housing need that may affect their housing needs. For example, someone with learning difficulties may be unable to live independently and therefore requires additional support and assistance. Similarly, someone with mental health problems may require additional support to ensure their well being.

Housing organisations often have specific projects that provide for the special needs of the groups mentioned above. These will provide a varying degree of additional services. This type of housing is called sheltered accommodation. In order to allocate sheltered accommodation, housing organisations will have to have a system to measure the additional needs of prospective tenants to ensure that the provision is appropriate. They may also have to employ specialist or non-housing staff to manage the accommodation.

9. Anti-discrimination Practices

9.1.Introduction

As social housing can be a scarce resource it is important that access is, and is seen to be, fair and non-discriminatory. The effects of all policies must be considered. Particular attention should be paid to the effect of allocation policies on the groups in society that have the least choice and are susceptible to discrimination.

Activity 17

Think of the groups in society which tend to be discriminated against unfairly and make a list.

Time allocation 5 minutes

In this activity we asked you to make a list of the groups which have tended to be unfairly discriminated against, and your list would probably include the following:

- women;
- people with physical disabilities;
- mentally ill and mentally handicapped people;
- older people;
- people from minority ethnic groups;
- lesbians and gay men;
- people with AIDS or HIV.

There are two types of discrimination – direct and indirect. Direct discrimination is when an individual or group is discriminated against purely on the basis of an individual characteristic. In employment this may take the form of appointing a white applicant instead of a better qualified black person. In housing, this form of discrimination may result in a black family being

housed in a poorer quality housing than a white household in the same housing need. Indirect discrimination is more subtle. It occurs when a particular policy has a greater impact on a particular group.

9.2 Equal Opportunities and the Law

The government has enacted a number of pieces of legislation covering the equal treatment of people from groups who have been traditionally experienced discrimination.

The **Race Relations Act 1976** makes it illegal to discriminate directly or indirectly on the basis of race. This Act covers both employment and the provision of services and placed a duty on local authorities to promote good community relations.

Both the **Sex Discrimination Act 1975** and the **Employment Protection Act 1975** provide for equal treatment on the basis of gender. These Acts operate in a similar way to the Race Relations Act making it illegal to discriminate on grounds of sex, marital status or motherhood.

Wide ranging powers to prevent discrimination against people with disabilities were set out in the **Disability Discrimination Act 1995**. This legislation protects disabled people from discrimination in employment and ensures they can expect fair access to goods and services.

9.3 Monitoring the law

As part of the legislation, two bodies were set up to deal with complaints about race and sex discrimination. Both the *Commission for Racial Equality* and the *Equal Opportunities Commission* will investigate complaints and issue a determination. If evidence of discrimination is found the commissioners have the power to award compensation and can recommend action to repair the damage. The Commission for Racial Equality can investigate an organisation if they suspect discrimination.

We have already seen that certain groups are discriminated against in our society because of prejudice and preconception. This can lead to these groups not getting access to employment or services and receiving a poorer quality of service. In housing this could mean people not getting interviewed or appointed to jobs, not getting onto the waiting list, not being offered a property when they qualify, or being offered a lower quality of property compared to others in similar circumstances. It could mean not getting repairs done on time or suffering verbal abuse from contractors. All of this is unfair and housing organisations, as publicly accountable bodies, should not allow such unfairness to take place.

In order to eliminate discrimination, all housing organisations should have an equal opportunities policy. This is a document that sets out a commitment by the organisation to provide a non-discriminatory service to its staff, tenants and prospective tenants. It may also include policies that ensure this practice.

Activity

In which ways might minority groups experience discrimination in the allocations process?

How can these problems be overcome?

Time allocation 10 minutes

Your answer to this activity might include the following:

(a) Restrictions on access

Owner occupiers may be prevented from joining the waiting list. This assumes that all owners live in good quality housing. Studies of owner occupation among the minority ethnic communities show that housing conditions may be very poor.

This restriction could be lifted. A points system operates should be sufficiently sensitive to discriminate between those with good housing and those without.

(b) Communication problems

Information and application forms may not be available in the languages spoken in the community the housing organisation serves. They may be complicated and difficult to understand. There may be no access to translation or interpretation facilities.

Information could be translated or easy access to interpretation - perhaps via LanguageLine - could be arranged.

(c) Reliance on stereotypes

Housing officers may assume that all people from minority ethnic communities want to live together and suggest, for example, areas known to have a large black population.

Housing officers must give all applicants the same degree of choice.

(d) Culture Ignorance

Housing officers may make assumptions about desired living arrangements that are based on their own prejudices.

Officers should receive training in cultural awareness.

(e) Racism

Housing officers may have unacknowledged racist attitudes that inform their work, even unwittingly.

All housing workers should undergo training to recognise that they may hold views that are prejudicial to certain groups of their clients, to challenge any such views and make them aware of their legal obligations.

Associations are asked to assess the housing needs of minority ethnic groups in their areas and to take appropriate action as a result.

Self Test 2

1. *What are the four main types of allocations systems used by housing organisations?*

2. *Which piece of legislation requires local authorities to publish their rules for the selection of tenants for their housing?*

3. *How does a points system reflect the severity of the different factors that make up housing need?*

4. *What is the name of the legislation that makes it illegal to discriminate on the basis of race in the provision of services?*

5. *What percentage of local authority homes can be made available for transfer through the HOMES scheme?*

Now turn to the Answers at the end of the Block.

Summary

1. In this section we have looked at the systems that housing organisations use to identify and measure housing need. The main systems are merit schemes, points systems, group schemes and date order schemes. The advantages and disadvantages of the different approaches were considered.
2. The process of transferring between properties in the social housing sector was investigated. The 1985 Housing Act gives tenants the right to move within the sector. The HOMES scheme helps to facilitate this process.
3. We also examined the issue of special needs and identified groups that may have additional needs that effect their housing requirements.
4. Finally this section examined discrimination in the housing sector and considered how it can be overcome. The legislation surrounding equal opportunities was also considered.

C.The Allocation of Housing

1. Introduction

In the last section we looked at the various systems housing organisations use to prioritise applicants. In this section we move on to looking at the whole process from the point when an applicant joins the waiting list through to the signing of the tenancy agreement.

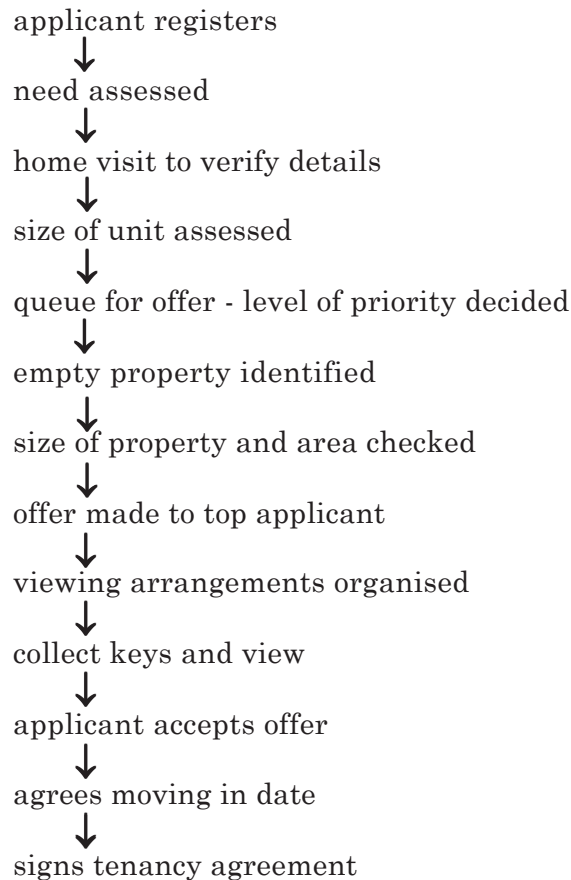
Activity

Read your organisation's allocations policy and think about the stages in the process. If you don't work for a housing provider, think about the likely stages.

List these stages in order. Try to show them in a flow chart.

Time allocation 20 minutes

Although the details of your procedures may vary, the basic process will be broadly similar to the one below.



2. Stages in the Allocations Process

The allocations process can be divided into three main stages:

1. Registration.
2. Assessment of need.
3. Matching people and property.

Let's examine each of these stages in more detail beginning with admission to the list.

2.1 Registration of applicant

You may have discovered from looking at your own organisation's policy and practice that not everyone who wants to register on the re-housing list may do so. Most local authorities operate 'open' waiting lists. This means that any eligible applicant may join the register even if the waiting time for housing will be lengthy. In contrast many housing associations, because of their more limited

resources, run 'closed' lists where they only accept an applicant onto their waiting list if there is a reasonable chance that suitable accommodation will become available within a set time (often one year).

Local authorities and housing associations may have other restrictions including:

- Setting a minimum age for registration,
- Excluding particular groups – single people, for example,
- Requiring a local connection through residence or employment,
- Setting income limits.

Activity

1. *Why might housing providers set these restrictions?*

2. *What are the effects of these restrictions?*

Time allocation 10 minutes

1. a minimum age restriction

- The minimum age requirement varies from 16 to 18 years old.

This may reflect the view that young people should not be encouraged to live independently or that they cannot legally sign a tenancy agreement.

2. restriction on single people

- A few local authorities, where demand is exceptionally high, are still reluctant to accept applications from single people under retirement age. These restrictions may have arisen because a local authority's stock has predominately comprised family housing.

This restriction limits the mobility and independence of young, particularly single, people. They are forced to use the private rented sector for their housing solutions. Conditions will probably be poorer, security less and there is an increased likelihood of problems with their landlord.

3. restriction on local residence or employment

- Some housing organisations will only allow applicants to register if they have a local connection through residence, employment or family connections. This can be interpreted as maintaining a scarce resource for local people.

This restricts access to housing for people moving into the area to take work. This is especially true for people moving to areas of high demand when there will be few alternative options.

4. income restrictions

- Many housing organisations will not accept applications from people whose incomes are deemed sufficient to enable them to obtain housing at a market price to encourage people, who can afford the option, to look to owner occupation or the private rented sector to meet their housing needs.

This restriction enforces the view that social housing is only available to accommodate the poorest sections of the community and increases the residualisation of the sector. If income limits are set, they should be monitored regularly to ensure they remain adequate in local conditions.

We'll now look at the application form.


Activity

1. *Obtain a copy of your organisation's form and evaluate it against the following checklist:*
 - *Is it well laid out and easy to understand?*
 - *Are the questions clear?*
 - *Is there enough space for the answers?*
 - *Are the questions relevant?*
 - *Does it explain what happens next?*
 - *If you have difficulty reading and writing in English how would you get help?*
2. *If your form doesn't match this good practice list try to design a better version.*

Time allocation 20 minutes

Newcastle upon Tyne Housing Department designed the form set out below. You may want to compare your form with this example.

The form uses big, bold headings and clear boxes for answers. There is no information to indicate if the form is available in other languages or versions including tape, large print or Braille.



City of Newcastle upon Tyne
Housing Department

Application for Rehousing and Direct Exchange

Name

Address

Date of Birth

Telephone

Postcode

If you don't want letters sent to the above address Tick this box ☐

Direct Exchange Tick this box ☐

Household Details Please give details of everyone living with you and anyone who you wish to be re-housed with you. If anyone is pregnant please state who and give the expected date of the birth of the child.

Name	Date of Birth	Relationship to you	Living with you	To be rehoused with you

Is this a joint application? Yes ☐ No ☐ Do you have a pet? If so what

Have you ever been a tenant of Newcastle City Council before? Yes ☐ No ☐

If yes please state your last council address
from to

For Office Use

Number of persons ☐

Number of couples ☐

Number of lone parents ☐

Households ☐

Current/Previous/Tenant Reference

LH RO18 Yes/No

Officer Registered Date

Application Reference No.

Where You Live Now.....

Do you own your own home? Yes No
☐ ☐

Are you a tenant of Newcastle City Council? Yes No
☐ ☐

Are you a tenant of another council, or a housing association? Yes No
☐ ☐

If so please give name

When did your tenancy begin

Are you a Private Rented Sector tenant? Yes No
☐ ☐

Who is your landlord

Address

When did your tenancy begin

Do you live in with someone Yes No
☐ ☐

If you are not the tenant of your current home who is? What relationship are they to you

What sort of dwelling do you live in

House ☐ Flat ☐ Maisonette ☐ Bungalow ☐ Bedsit ☐ Sheltered ☐ Other ☐

Do you share a communal entrance Yes No ☐ ☐ On which floor is your front door Do you have use of lift Yes No ☐ ☐

No of bedrooms available to you and your family/household Double ☐ Single ☐

Do you have use of a kitchen ☐ bathroom/hot water ☐ inside w.c ☐

What you want.....

Please specify up to four preferred neighbourhoods, or individual estates or blocks. The Housing Department will do its best to match your requirements

1. <input style="width: 90%;" type="text"/>	2. <input style="width: 90%;" type="text"/>
3. <input style="width: 90%;" type="text"/>	4. <input style="width: 90%;" type="text"/>

Do you require adaption for disability? Yes No ☐ ☐ Wheelchair ☐ Bathroom ☐ Kitchen ☐

Number of Bedrooms required: Double ☐ Single ☐

Dwelling Type required: House ☐ Maisonette ☐ Flat ☐ Bungalow ☐ Sheltered ☐

Do you wish to be considered for Housing Association Tenancy? Yes No ☐ ☐

If yes which Association in which Area

Applicant's Requesting Housing Association

Housing Associations are independent, non profit making, landlords. The council assists Housing Associations in developing housing for rent, and in return receives the right to nominate up to half of all new tenants.

A nomination by the council does not mean you will be automatically rehoused. Each Housing Association will do its best to help - but most have only a small number of dwellings available at any time. For most requests for housing, nominees are forwarded to the association automatically when a vacancy occurs. For sheltered housing applicants nominations, we must offer a home visit by the neighbourhood officer.

Please indicate your preferred Housing Association and its location:

Association	Location
_____	_____
_____	_____
_____	_____

Application for Direct Exchange

Please give name and address of proposed exchanger

Name and address of landlord

Any other details about your request for re-housing

(Other factors affecting your need to be re-housed for example medical support, harassment, family needs.)

Continue overleaf on Page 4 if necessary

DECLARATION TO BE SIGNED BY THE APPLICANT

The details given on this form are true to the best of my knowledge, and I agree to notify the Housing Department of any change which might occur. I understand that if it is proved that I have deliberately made a false or misleading statement. It might result in my application being cancelled, or a tenancy granted to me, on the basis of false information, being terminated.

SIGNATURE OF APPLICANT: DATE:

Any other information which you feel is relevant.



City of Newcastle upon Tyne
Housing Department

Office use only
Ref No.

Application Form/Direct Exchange

Equal Opportunities Monitoring Form

The City Council is striving to ensure that applicants have equal opportunity in access to Council Housing.

This form is used to help monitor our performance and for no other reason. The form is not attached to the rest of your application and no personal details are unnecessarily reproduced or circulated.

Please assist us in our monitoring by answering the questions below

Please describe yourself (please tick)

Sex MALE FEMALE

☐ ☐

Black ☐ White ☐ Other ☐

I would describe my national/ethnic origin as:
(tick one box only)

African	<input type="checkbox"/>
Bangladeshi	<input type="checkbox"/>
Caribbean	<input type="checkbox"/>
Chinese	<input type="checkbox"/>
European (Non UK.)	<input type="checkbox"/>
Indian	<input type="checkbox"/>
Pakistani	<input type="checkbox"/>
UK	<input type="checkbox"/>

Day Month Year

Date of Birth

and your partner (please tick)

MALE FEMALE

☐ ☐

Black ☐ White ☐ Other ☐

African	<input type="checkbox"/>
Bangladeshi	<input type="checkbox"/>
Caribbean	<input type="checkbox"/>
Chinese	<input type="checkbox"/>
European (Non UK.)	<input type="checkbox"/>
Indian	<input type="checkbox"/>
Pakistani	<input type="checkbox"/>
UK	<input type="checkbox"/>

Day Month Year

Date of Birth

HOUSING NEEDS

E.O.1

2.2 Assessment of needs

We will now move to the second stage and examine how need is assessed by grouping applicants into categories. Gateshead MBC uses the following categories:

- general needs;
- medical priority;
- aged persons;
- out of borough category;
- living in;
- single persons;
- overcrowded;
- flat dwellers with children;
- special priority (homeless, key workers, forces cases, tied tenants, new staff, urgent medical cases).

Housing organisations can group applicants in other ways: perhaps by assessing whether they would be suitable for particular types of homes rather than others. Young single people, for example, are generally restricted to small flats. Elderly people and people with disabling medical conditions may have special requirements for access. This does not mean that these groups are in competition with each other. In some areas it is common for blocks of flats to be designated for particular groups. In some large cities, including Leeds and Newcastle, some high rise blocks have been adapted and set aside for mature households without dependent children. Other blocks have been set aside for a younger age group.

All potential applicants should be given clear information about the quantity and quality of housing that will be available. This will help to prevent unrealistic expectations.

Now we will move on to looking at way a particular property is allocated. In the last module we looked at the three systems of prioritising applicants. To recap, these are:

- Points Scheme - based on awarding a predetermined number of points for aspects of housing need and, perhaps, waiting time,
- Merit Schemes – based on the assessment by a committee of individual housing need,
- Date Order schemes - based on queuing not need.

2.3 Matching people to property

Activity

How does your organisation match people to property? Write a brief description of the process.

Time allocation 10 minutes

Three systems are commonly used to match applicants to property. Try to identify which is closest to your organisation's procedures.

1. Applicants Choice

Applicants identify as many of their needs and preferences as possible to allow close matching with empty property. The range of choice might include:

- location;
- a house or a flat,
- type of heating.

2. Discretion

Most officers have to exercise discretion to make efficient use of their stock. A decision not to rehouse a young person in a small block of flats with five elderly occupants might prevent potential management problems.

Officer discretion may be a substitute for customer choice. In this example the young applicant should have been informed in advance that these flats were not allocated to younger people.

Discretion should be monitored to ensure it is not resulting in direct or indirect discrimination.

3. Grading

Under this process applicants home visits are arranged to check details in the application and to assess personal standards of housekeeping and behaviour. This procedure is justified by emphasising the need to promote sustainable communities but it can easily lead to discrimination and social segregation.

3. Creating Demand

Throughout our examination of allocation systems and procedures we have concentrated on ways of rationing demand for a scarce commodity – social housing. In some areas, particularly in the north of England, demand for some or all stock has collapsed. Here the problem for housing organisations is not how decide which applicant should have priority but how to create demand for their stock.

Activity

Your organisation has difficulty letting its large stock of bedsits and one bed flats in an inner city area. List some steps you might take to increase demand.

Time allocation 10 minutes

If you work in an area where demand is consistently high you may have found this exercise difficult. It might help if you concentrate on the least popular stock your organisation manages.

Your list might include these suggestions;

- advertising vacancies in the local press,
- adopting a more private sector approach by conducting accompanied viewing at times convenient to the potential tenant,
- provide basic furniture and levy a service charge to meet the costs,
- lower rents to a level comparable, or even below, the private sector,
- arrange an out of hours repair service to ensure access is not a problem.

4. Good Practice in Allocation Schemes

In the previous module we identified the essential requirements of an allocations system as:

- understandable by applicants;
- understandable by staff;
- sufficiently flexible to cope with unusual situations and changes in local circumstances;
- capable of discriminating between cases,
- accepted as fair by the applicant.

Think about the way your organisation deals with an applicant for housing. Do they have to complete an application form? Is it easy to complete? Is help available to applicants to fill in the form? Does it ask for unnecessary information? Does it tell the applicant what will happen next? Is it available in different formats? Is help with translation available?

Is information available to tell applicants about allocations procedures? Is the information easy to understand? Is it up to date? Is it accurate? (For example, the leaflet may say that there is a points scheme but fail to mention that statutory homeless applicants get priority and almost all family housing is allocated to homeless families rendering the points scheme virtually useless).

Do staff understand the system? Can they explain how it operates? Can staff justify their decisions? Do managers ever ask them to justify their decisions?

Only by asking these questions and by considering how the allocations procedure appears to an applicant can we be sure that the system is effective. Whilst good quality social housing remains in short supply it is essential for the allocations process to be seen to be fair.

Self Test 3

1. *What are the three main stages of the allocations process?*
2. *What sort of restrictions might a housing organisation place on joining its waiting list?*
3. *Why is it important to provide clear information about the quality and quality of the housing that is available to prospective tenants?*

Now turn to the Answers at the end of the Block.

Summary

1. This section has looked at the process of allocating social housing. It examines the stages leading up to moving in to a house in the social housing sector. It also looked at the restrictions on the process and the possible consequences.
2. The issue of creating demand for housing was also examined. We looked at the methods that housing organisations may use to increase demand for sections of their stock that were unpopular.
3. Finally we looked at good practice in allocations policies. The factors identified where that the policy should be:
 - understandable by applicants;
 - understandable by staff;
 - sufficiently flexible to cope with unusual situations and changes in local circumstances;
 - capable of discriminating between cases,
 - accepted as fair by the applicant.

D. Homelessness

1. Introduction

As we have seen in previous sections, most systems of identifying and prioritising housing need and the methods of allocation based on them depend on some form of queuing system. In this final second section of the block we will move on to examining the ways we deal with the most urgent form of housing need which is homelessness.

Activity

Why is homelessness an important issue for housing managers in contemporary Britain? Make some notes in the space below.

Time allocation 5 minutes

We asked Paul who works as a homelessness officer for a local authority the same question. Here is his response:

“Local authorities are in a very difficult position today. Most have stopped building new houses and the size of their stock continues to fall because of the Right to Buy legislation. At the same time, housing associations are not able to replace the number of homes lost by local authorities. This means that in most areas the supply of rented accommodation has declined.

If you combine that situation with the problem of an ever increasing demand for rented housing you see the result in terms of lengthening waiting lists and homelessness. Homelessness is not only about people sleeping rough, it is also about families whose relatives can no longer house them, people whose homes have been repossessed and people being evicted unlawfully by their landlord.

All these people need to be housed and they usually turn to the local authority. We have a statutory obligation to assist many of them. In my authority the Homeless Persons Unit is the only growth area. As homelessness has increased, we have had to take on new staff. We have to give most of our lettings of family homes to the homeless. We have to devise new schemes for temporary housing, such as leasing and hostel provision. We are having to push the local housing associations to take more nominations of homeless families and we are working much more closely with colleagues in social services and the health authority on care in the community issues."

Admittedly Paul view is influenced by his work in a homeless section and he sees this as a key area in housing management. You would probably find similar sentiments expressed in many local authorities.

If you work for a housing association you may think that the issue of homelessness is less important. But increasingly, associations have to deal with the issue. More and more people applying to housing associations for housing are likely to be homeless. Often new schemes are being funded specifically to house the homeless. The number of nominations from local authorities to housing associations of homeless applicants has increased.

Homelessness has become a key issue for housing managers in all sectors of social housing. In this section we will concentrate on examining the following:

- the legislative provisions and the revised Code of Guidance;
- the nature and extent of homelessness in Britain today;
- recent reports on homelessness, particularly from the Audit Commission;
- ways of improving services to the homeless, particularly in terms of performance monitoring and liaison with other agencies.

2. The Legislative Provisions and the Revised Code of Guidance

What responsibilities do housing organisations have towards homeless people?

Local authorities have a number of legal responsibilities for homeless people including:

- investigating whether someone is homeless;
- providing advice and assistance;
- possibly providing some form of temporary accommodation; and
- in certain cases ensuring that accommodation is provided for at least two years.

Let's look at these responsibilities in more detail.

In Wales and England the statutory responsibility is set down in Part 7 of the **Housing Act 1996**. The 1996 Act made a number of significant changes to the homeless persons legislation previously contained in the **Housing Act 1985**, Part 3. The 1996 Act still places certain obligations on those local authorities that are housing authorities. In England and Wales these are the unitary authorities, the metropolitan district councils and, in areas still with two-tier authorities, the district councils.

The main changes in the 1996 Act were to:

- introduce eligibility criteria relating to immigration status;
- reduce the housing duty to securing accommodation for two years.

The changes were prompted by a belief that too many homeless persons were being housed into local authority housing at the expense of those on the waiting list. Accordingly their priority for permanent accommodation was withdrawn and all allocations of permanent housing by a local authority or a registered social landlord must be made through **Part 6** of the Act that regulates the waiting list. In Scotland, however, the position remains governed by the **Housing (Scotland) Act 1987, Part 2**, which has not undergone the same changes.

2.1 What does the Act say?

The Act says that local authorities have certain duties. They must firstly:

Make enquiries

Anyone could arrive at a local authority office and say that they are homeless. What does a local authority have to do in these circumstances? We asked Paul to explain further:

“If a person appears in our office and says that they are homeless we still have a statutory obligation under the 1985 Housing Act to investigate that claim and to make suitable enquiries about their claim. Because we have so few properties available we can’t simply accept what everyone says to us and if people lie to us when we’re investigating, they commit a criminal offence.”

Activity

What sort of people might make a homeless application to a local authority? In the space below make a list of the people who might turn up in Paul’s office.

Time allocation 5 minutes

In many ways this was an unfair activity because almost anyone you could think of could make a homeless application. Amongst the people Paul saw in the month before our conversation, were:

- a family whose home was being repossessed because of mortgage arrears;
- a 16 year old pregnant woman whose mother had thrown her out of the house;
- a family fleeing racial harassment on a council estate;
- a single farmworker who had lost his job and tied accommodation on a farm;
- an elderly lady whose private landlord had turned off her water supply because he wanted to sell the house she was renting;
- a young couple with two children who had been living for 6 months in a bed and breakfast hotel;
- a family of travellers who had just arrived in the area and were being threatened with eviction from a field where they had parked their caravan;
- an elderly couple with a structurally unstable house and no house insurance;
- a middle aged couple whose house had been destroyed in a fire;
- an alcoholic who had been thrown out of his hostel;
- a released prisoner with no access to accommodation;
- an engaged couple who had been waiting 5 years on the council waiting list; and
- a mentally ill man who had threatened the receptionist and wanted a new flat immediately.

As you can appreciate, they are a diverse group of people with differing needs. The only common link is an urgent need of housing. When each of them arrived in Paul's office, he had a statutory obligation under the **Housing Act 1985** to investigate their claims.

The first stage is to interview with each applicant to discover more about their circumstances and to decide whether the council has any duty to the applicant under the **Housing Act 1996, Part 7** or the **Housing (Scotland) Act 1987 Part 2**.

If the applicant, and their family, is roofless the local authority may have to provide some form of temporary accommodation until the investigations are complete.

2.2 What is the authority looking for when it carries out an investigation?

The local housing authority has to conduct enquiries to provide answers to five points set out in the **Housing Act 1996** and **Housing (Scotland) Act 1987**:

- (a) Is the applicant homeless or threatened with homelessness in 28 days?
- (b) If so, is the applicant eligible for assistance?
- (c) Is the applicant in priority need?
- (d) Is the applicant intentionally homeless?
- (e) Does the applicant have a local connection with another local authority?

If an applicant jumps over all of these hurdles, the local housing authority then have an obligation to secure that temporary accommodation becomes available for them.

To help council officers like Paul make these decisions, the Government has issued a Code of Guidance. This gives detailed advice to local authorities on the interpretation of the legislation. Local authorities must have regard to it. A new Code was issued for England and Wales in 1996. A revised edition was expected, but did not appear, in late 1999. The last Scottish revision was issued in 1991.

Unsurprisingly, many people object to the decisions made by a local authority, particularly if it means that accommodation will not be provided. Sometimes the applicant may seek judicial review of the decision. In recent years, an enormous amount of case law has evolved through individuals challenging decisions made by local authorities. It is essential that each authority ensures that it keeps up to date with the recent changes in interpretation of the law by the courts.

Let us look at each of these hurdles in a little more detail.

2.3 Homeless?

The definition of being homeless may not be quite as simple as you think.

Activity

This may seem a straightforward matter to decide. How would you define being homeless? Write your thoughts in the space below.

Time allocation 5 minutes

Unless you already have a good knowledge of this subject, you will probably have said that 'homeless' means someone without a home, someone, literally, without a roof over their head - a person who is roofless. A good example would be the rough sleepers often seen in big cities today, or someone whose house has just been burned down. These people are obviously homeless but other people will come into the category. Let Paul explain further:

"Under the legislation applicants are deemed to be homeless if 'they have no accommodation that they can legally occupy, or if they have accommodation that they cannot get entry to, are liable to threats of violence from someone living there, or it is not reasonable for them to continue to live there'.

What this means is that we have to consider other people in addition to the roofless. People who are not able to get into their property because, for example, their husband has locked them out or the landlord has changed the locks. Sometimes women will be fleeing domestic violence or a family may be being harassed. All of these people might be homeless.

We can also consider someone who is not homeless yet, but is threatened with being homeless in 28 days. For example a family being repossessed because of mortgage arrears may know that they are to be evicted in a month's time and we may be able to consider their application now and hopefully do something to stop the eviction."

The Code of Guidance gives substantial advice to authorities as to how they should interpret these matters.

2.4 Eligible?

In England and Wales certain persons from abroad are deemed to be ineligible for assistance under **Part 7** of the 1996 Act. This means that officers from the local housing authority have to be aware of an applicant's immigration status. All people subject to immigration control are ineligible for assistance from a local housing authority. The only categories of applicants that can be assisted are British citizens, some Commonwealth citizens with a right to live in the UK established before 1980 and European Union citizens.

Some asylum seekers (those who apply for asylum at the port of entry) and other limited groups can make applications in limited circumstances. Where asylum seekers do have the right to assistance the duties of local authorities are withdrawn if the asylum seeker has any accommodation, however temporary.

Applicants who are not habitually resident in the UK will be treated as ineligible unless they have European Union rights to live and work here even though they are not subject to immigration control.

2.5 Priority need?

Priority need is the second hurdle an applicant has to jump. This is also subject to much interpretation by the courts and the local authorities.

Activity

In the space below give some examples of the circumstances that you think might count as a priority need?

Time allocation 5 minutes

You probably have produced a long list of people who might be in priority need. The **Housing Act 1996 (Housing (Scotland) Act 1987)** and Code of Guidance lay down the following broad categories of people in priority need:

- a woman who is pregnant or another person who might reasonably be expected to live with a pregnant woman;
- people with dependent children;
- people who are deemed to be vulnerable because of old age, mental illness, handicap or physical disability or other special reasons;
- people who are homeless or threatened with homelessness because of an emergency such as fire, flood or other disaster.

This is a fairly broad list and again authorities have discretion in how they interpret these guidelines, although there is detailed advice in the Code of Guidance.

Nevertheless, there is a wide variation in interpretation in the definition of priority need. For example some authorities classify all applicants under 21 as being in priority need because of vulnerability. Other authorities will want to see such applicants qualify as being in priority need under other headings.

What happens if an applicant is homeless but not in priority need? We asked Paul to give us his answer:

“You should be aware that if an applicant falls at this hurdle and are homeless but not in priority need, then the only responsibility of the authority is to provide advice and assistance, and not to provide accommodation.

“We interpret this to mean that we should give positive assistance to people to try to find housing elsewhere, but we have limited resources. We have all heard of cases where people are given a list of possible landlords and shown the door. We try to do much more than this but it is often very difficult to arrange accommodation for such applicants.”

This advice should aim to help applicants find their own accommodation, but as Paul remarks there has been criticism that often all that happens is that applicants get an outdated list of bed and breakfast hotels and other accommodation providers.

2.6 Intentionality?

This is the third hurdle an applicant has to clear. This Act says that if:

‘an applicant has deliberately done, or failed to do, something in consequence of which they ceased to occupy housing in which they could have reasonably remained, then they should be considered as intentionally homeless.’

One example of an applicant in this category might be a family with young children who have been evicted from their home because of a deliberate failure to pay the rent, when they have enough income to be able to afford to pay.

It is often difficult for a local authority to decide if applicants have deliberately made themselves homeless.

Part 7 of the **1996 Act** introduced a further category of intentionality. This arises where a person:

- (a) enters into an arrangement under which he is required to leave accommodation which it would have been reasonable to continue to occupy and
- (b) the purpose of the arrangement is to enable him to become entitled to be housed under Part 7 and there is no other good reason why he is homeless.

This change was to prevent collusion where, for example, parents ask their adult children to leave home or landlords evict their tenants, at the instigation of the applicant adult child or tenant.

If the authority decides that the applicant is intentionally homeless, what happens next? We asked Paul to explain.

“We obviously have to tell the applicant why we feel they are deliberately homeless and in those circumstances the only obligation of the authority is to provide advice and assistance. However, if the applicant is in priority need, the authority will provide the applicant with temporary accommodation for a reasonable period, to enable them to find alternative accommodation. In my authority this would mean that we would provide a place in our hostel, but usually only for 28 days.

In addition, we give people the right to make an appeal against our decision. This appeal will be heard by a small panel of experienced councillors.”

2.7 Local connection?

At last! This is the final hurdle to be cleared.

A local connection can be acquired by working or living in the area, or by having family connections in the area. This is usually defined as having lived or worked in the area for 6 months out of the last 12, or 3 out of the past 5 years.

If the applicant does not have a local connection with the area where they have applied, but does have a local connection with another authority, the council may transfer the obligation for rehousing to the other authority. This provision exists to stop people applying to an area where they have no links and creating a duty for the new authority.

As you can probably imagine there are sometimes disputes between authorities on this issue and the local authority associations have drawn up guidelines to deal with these disputes.

2.8 Local authority's responsibilities

If the applicant clears all the hurdles, local authorities in England and Wales must first decide if 'other suitable accommodation is available for occupation' by the applicant in the district. If accommodation is available, the local authority has a duty to provide the applicant with 'such advice and assistance as is reasonably required to enable him to secure such accommodation'

If the authority concludes (as most do) that there is no such alternative suitable accommodation, then there is a duty to secure accommodation for occupation by the applicant for a period of two years. If the applicant is still in need of assistance at the end of this period, the authority may extend the period or the applicant may reapply.

The authority may not, however, provide accommodation in their own stock for more than two years. In practice, most authorities will seek to make an offer from their waiting list within the period of two years.

They could:

- request assistance from a housing association to house the applicant through their own waiting list or as a nomination;
- make arrangements with a private sector landlord to house them permanently;
- help the applicant to purchase appropriate property; or
- intervene (for example with a building society seeking to repossess a property because of mortgage arrears) to retain the accommodation when the applicant has been threatened with the loss of the property.

You will be aware that a number of local authorities have disposed of housing stock by voluntary transfer to a housing association. In these cases, the local authority remains responsible for its homeless duties but may enter into arrangements with the association to assist the council with its work in this area.

If an applicant is made an offer of suitable permanent accommodation from the waiting list and refuses it, then the duty towards him or her as a homeless person also comes to an end.

2.9 Reviews and Appeals

Under **Part 7** of the **1996 Act** all applicants in England and Wales are entitled to seek an internal review of any adverse decision. This includes a decision on any hurdles that have to be cleared. It also includes challenges to the suitability of any accommodation that might be offered, including any from the waiting list that would end the homeless duty. The review can be carried out by councillors or by a senior officer who was not involved in the original decision. In practice, the majority of councils use senior officers.

If the applicant is still unhappy about the decision there is a right of appeal to the county court on a point of law. During the period of the internal review or the appeal to county court the council can exercise a discretionary right to house, or not, the applicant.

2.10 Code of Guidance

As we have seen, the Code of Guidance was revised in 1996 in England and Wales and now gives much more extensive advice to local authorities on how they should interpret the legislative provisions. It also gives other advice to authorities including:

- the setting of targets for the completion of enquiries and a decision to be made;
- the improvement of preventative advice;
- an indication of the benefits of liaison with statutory and non statutory agencies;
- an identification of the types of temporary accommodation that would be suitable for the homeless;
- the establishment of an appeal system; and
- the need to improve standards of homeless reception areas.

3. The Nature and Extent of Homelessness in Britain Today

The Department of the Environment, Transport and the Regions collects, on a quarterly basis, statistical information from all local authorities in England and Wales and the Scottish Office does the same in Scotland. The following table shows how many households have been accepted as homeless by local authorities.

Table 2: Households accepted as homeless in Great Britain

Year	England	Scotland	Wales	Total
1990	145,800	15,813	9,963	171,576
1995	125,500	16,700	9,001	151,201
1998	111,960	n/a	4,760	

(Source: *JRF Housing Finance Review 1999/2000*.)

The number of households accepted as homeless peaked in 1991. A significant fall has occurred in the wake of the 1996 Act.

This can be compared with details of the stock of local authorities and housing associations over the same period.

Table 3: Stock of dwellings by tenure in Great Britain

Year	Council stock	HA stock	Total
1981	6,387,000	468,000	6,855,000
1985	5,864,000	537,000	6,401,000
1990	5,270,000	684,000	5,954,000
1995	4,401,000	1,036,000	5,437,000
1997	4,188,000	1,173,000	5,361,000

(Source: *Institute of Housing Yearbook 1994* and *JRF Housing Finance Review 1999/2000*.)

This table shows that the social housing sector in Great Britain has declined by more than 20% over a 15 year period.

This decline in the available council and housing association stock needs to be considered alongside the increase in homelessness. Clearly if councils and housing associations are losing stock, mainly because of the Right to Buy, they are going to find it more difficult to meet the demand for housing. The evidence of this failure is demonstrated by lengthening waiting lists and by increasing homelessness applications. Previously, people, who

would have been housed by local authorities from the waiting list, are now propelled into homelessness by their increasingly acute housing need in the face of ever lengthening waiting times.

In some parts of the country (particularly the North of England) there is a rather different picture emerging with low demand for council housing meaning that there is little problem in allocating housing to homeless families. In these areas the issues centre on the quality of housing, with families refusing offers which they do not consider suitable.

3.1 Why do people become homeless

The Government collects data from local authorities on the reasons for homelessness. The table below examines the reasons given by applicants in 1998.

Table 4: Reasons for homelessness in 1998

Reason	% of all applications accepted
Parents, friends or relatives not willing to accommodate	27%
Relationship breakdown	24%
Mortgage arrears	6%
Rent arrears	3%
Loss of private rented dwelling	23%
Other reason	18%

As you can see from this table, the most common reason for homelessness were friends, parents or relatives no longer being willing to house the applicant and followed by relationship breakdown leading to homelessness. Over the last ten years although unwillingness to accommodate has remained the major reason for homelessness, it has declined as a percentage of the total. Relationship breakdown and loss of private rented dwelling has increased in importance.

3.2 Joseph Rowntree Trust Report

In 1990 John Greve and Elizabeth Currie published a major report for the Joseph Rowntree Trust, looking at homelessness across the country. The report had a number of interesting findings:

(a) Homelessness - a national problem

The report showed that homelessness is not a new or transient problem and the main causes have remained fairly constant. The lack of income to 'purchase' (either by becoming an owner occupier or by being able to pay a market rent) housing is a key factor. In recent years, the problem of homelessness caused by mortgage default appeared. The decline of the private rented sector and the recent cuts in social housing have also contributed to the problem.

(b) The causes

The main cause is a shortfall of affordable rented housing. In many parts of the country this is a worsening situation often is exacerbated by problems of disrepair in the existing housing stock.

Greve identifies the two factors in this as the Right to Buy and the switch of resources away from new social housing.

(c) Mythology and policy

Greve identifies a number of myths which he feels have built up about reasons for the large increase in homelessness. These are:

Myth: Young people flooding to London

London is the capital and will attract young people in search of work, but youth homelessness is increasing all over the country, because of the shortage of available rented housing and the changes to housing benefit entitlement for young people.

Myth: Teenage pregnancies

There is little evidence that young women deliberately get pregnant to obtain a house. There are clearly far more complex social problems at work. However politicians of all persuasions have found this an easy target.

Myth: Jumping the housing queue

Most homeless people are already registered on the housing list and it is right that the homeless should get priority. However, if more housing were available so that people on waiting lists could be housed, this would not be an issue.

Myth: Over liberal housing and social security policies

This suggests that the main reason why so many young people have become homeless, is because of over-generous policies which have encouraged people to leave home. The main reason for young people becoming homeless is lack of money and lack of available accommodation. These situations have been made worse by the recent benefit changes.

Myth: Empty council houses

The majority of council houses are empty because of the need for major repairs. The parts of the country with low demand – and empty homes- are largely the areas with higher rates of unemployment. There are far more private and government properties standing empty. Of course, efforts should be made to relet empty properties as quickly as possible.

4. Audit Commission Report - Housing the Homeless

Unsurprisingly, given the growth in homelessness, the costs of providing temporary accommodation and the pressures on local authorities in this area, the Audit Commission carried out an investigation.

In 1989 the Audit Commission published its report on the operation of local authorities services for the homeless. The report recognised the enormous pressures on local authorities because of the increasing numbers of the homeless and the lack of suitable permanent accommodation.

The Commission found that action was needed in four areas. These are still relevant today.

4.1 Local policies

The Commission felt that the Act allowed too much scope for discretion, and that some authorities operated a fairly liberal interpretation of policies, leading to a rapid increase in applications that could not be checked properly and an increase in temporary accommodation, including bed and breakfast.

This difference in interpretation particularly related to: the interpretation of the terms homelessness, priority need and intentionality.

4.2 Handling applications

The Commission was concerned about local authorities' handling of homeless applications. The Commission felt that authorities should:

- ensure all applicants are initially assessed on the day of application;
- complete investigations and reach decisions in 30 days;
- provide clear procedural guidelines for staff and standard forms;
- ensure workloads for interviewing officers were manageable with around 30-40 live cases per officer;

- establish clear policies on discretionary areas;
- ensure effective liaison with other agencies;
- monitor the effectiveness or otherwise of housing advice services;
- improve monitoring of all aspects of homelessness work.

The Audit Commission noted that local housing authorities have a statutory duty to provide advice and assistance to homeless people for whom they do not have a long term housing duty. This can help to prevent homelessness and may assist in obtaining rehousing in another area or tenure. The amount of advice work undertaken by local authorities, and an evaluation of its effectiveness, varied widely. Those authorities that did monitor the success of advice, reported the following results:

Home retained	28%
New home found	14%
Other housing found	9%
Outcome unknown	42%
No solution found	8%

In just over half of the cases, the availability of housing aid and advice led to a solution. A survey of Housing Debtline, a telephone debt counselling agency, found that 50% of clients felt it had helped them to keep their home.

It appears that the provision of housing aid and advice could be a cost effective way of reducing homelessness. This was recognised by the **Housing Act 1997 Part 7**, which introduced a mandatory requirement on councils in England and Wales to provide advice and information about homelessness and its prevention free of charge.

4.3 The use of temporary accommodation

Many local authorities use temporary accommodation to place homeless applicants, prior to them being rehoused into other accommodation and thence from the waiting list.

Activity

Can you list the types of temporary accommodation a local authority might use for homeless people?

Time allocation 5 minutes

There is a wide range of temporary accommodation that could be used for housing homeless families and the list which we produced included:

- hostels;
- bed and breakfast hotels;
- special projects;
- private leased houses;
- council houses used as temporary accommodation; and
- mobile homes and caravans.

The Audit Commission accepted that the use of temporary accommodation may be inevitable, but they did not support the idea that applicants should always spend some time in temporary housing, to test out whether they were really homeless.

The Audit Commission recommended that the use of temporary accommodation should be minimised. In particular, the elimination of the use of bed and breakfast hotels should be given the highest priority.

Alternatives to B&B hotels that might be considered include:

- Homeless at home initiatives, where applicants can stay with a friend or relative until permanent accommodation can be found,
- Private leasing of properties to house the homeless (although there are government limitations on the use of such methods).
- Local authority hostels, or short life housing pending redevelopment.
- Permanent local authority stock used as temporary accommodation.
- Mobile homes, subject to stringent suitability tests.
- Use of empty properties owned by other public sector landlords, such as the Ministry of Defence.

If B&B hotels must be used, it is recommended that they should conform to Health and Safety standards, provide reasonable standards of accommodation, be well managed, not excessively priced and be in, or very near to, the authority's own area.

5. Improving Services to the Homeless

So far in this section we have looked at the legal procedures surrounding homelessness, the extent of homelessness in Britain and the views of the Audit Commission on how the administration of homeless services could be improved.

Homelessness is now a very important issue for all local authorities. The Housing Act 1996 and Code of Guidance set out how local authorities should comply with their statutory obligations. However, every local authority has some discretion its interpretation of the legislative requirements. The better authorities will:

- have clear guidelines and policies;
- give adequate information to applicants;
- justify all their decisions; and
- provide high quality advice and assistance, including high quality temporary accommodation.

However there will also be local authorities that do not meet these standards. You should take a critical look at the homeless service provided by your local authority.

Does it comply with the Code of Guidance?

What is the quality of the service? How is it monitored?

What is the quality of the temporary housing provided?

5.1 The role of the housing associations

Activity

So far we have been concentrating on the role of local authorities in relation to homelessness. However, as we have seen throughout this course, the increasing emphasis of the Government is to see local authorities as enablers and not providers. In this context what role do you think housing associations should have in the area of homelessness?

Time allocation 5 minutes

We asked an Assistant Director of a medium sized housing association to tell us how he saw the role of his association in relation to homelessness:

“We work very closely with all the local authorities in the area and we see that we have an important role to play in dealing with the homeless. A large part of our new building programme is targeted at homeless households including families and young single people. We are also plan to build a homeless families hostel to provide

temporary housing for 13 families before they are found permanent accommodation by the local authority. We also work very closely with the council on nominations. In most cases local authorities require us to accept 100% nominations for the first letting of a new scheme and 50% of relets. In our allocations policy, we give a very high priority to homeless applicants.

In partnership with another housing association we have launched a leasing scheme. We lease empty houses in the private sector and use them as temporary accommodation for homeless people before they get permanent housing.

We also work with other vulnerable groups who are often homeless such as young people leaving care, people with learning difficulties and people with mental health problems. As a small association we can only make a contribution to meeting the needs of the homeless, but nonetheless we feel our contribution is a valuable one."

Did you also identify similar themes in response to the activity? It is true that the Housing Corporation wants housing associations to play a more prominent role in tackling homelessness and targets a large part of its funding, particularly in areas of high demand, into schemes to alleviate homelessness.

Self Test 4

1. *What are the four hurdles that a homeless applicant has to jump to be accepted as homeless by a local authority?*

2. *What legislation sets out the local authority's obligations to the homeless?*

3. *What was the name of the Audit Commission's report into the way in which local authorities carried out their homeless obligations?*

4. *When was the Code of Guidance to the homeless legislation last revised?*

5. *What are the main alternatives to B&B as temporary accommodation?*

Now turn to the Answers at the end of this Block.

Summary

1. In the first part of this section we looked at the statutory obligations of local authorities in the area of homelessness and discussed in detail the four hurdles that an applicant has to clear, before a local authority has to accept an obligation to rehouse.
 - Homeless?
 - Eligible?
 - Priority need?
 - Intentionality?
 - Local connection?
2. We then looked at the extent of homelessness today and the reasons why people were becoming homeless, noting that the main reason was friends and relatives no longer being willing to accommodate them.
3. The final section looked at the advice of the Audit Commission and about good practice in homelessness. We considered the increasingly important role which housing associations play in meeting the needs of the homeless.

Answers

Self Test 1

1. The local authority will provide advice on relation to disrepair and adaptations for a disabled person. They may also be able to provide grants to cover the costs of this work.
2. Solving a household's housing needs may create other needs or problems. Using our case studies, solving Jane's housing need by giving her an unfurnished flat created problems with debt.
3. The definition of housing need may vary between different types of housing organisation because of the different statutory obligations of the organisations.
4. Three Rivers Housing Association uses the following factors to establish housing need; the existing housing conditions of the applicant, the applicant's ability to cope with their present housing conditions, the length of time applicant has had to contend with bad housing conditions, the availability of alternative solutions.

Self Test 2

1. The four main types of allocations systems used by housing organisations are merit schemes, points systems, group schemes and date order schemes.
2. The Housing Act 1985 Section 106 and the Housing (Scotland) Act 1987 Section 21 requires that local authorities publish their rule for selection of tenants.
3. The points system awards more points to factors that are considered to be more severe.
4. The Race Relations Act of 1976 makes it illegal to discriminate on the basis of race in the provision of services.
5. Up to 2% of local authority homes can be made available through the HOMES scheme.

Self Test 3

1. The three main stages of the allocations process are registration, assessment of need and matching people to property.
2. Housing organisations may set a minimum age for registration, exclude particular groups – single people, for example, require a local connection through residence or employment or set income limits.
3. Providing information about the quality and quantity of available housing prevents unrealistic expectations.

Self Test 4

1. The four hurdles that a homeless applicant has to jump are:
 - Do they have a local connection?
 - Are they intentionally homeless?
 - Are they in priority need?
 - Are they eligible for assistance?
2. The Housing Acts of 1985 and 1996 set out the obligations of the local authority in relation to homeless people.
3. The Audit Commissions report into the way in which local authorities carry out their obligations to the homeless is called Housing the Homeless.
4. The Code of Guidance to the homeless legislation was last updated in 1996.
5. The main alternatives to bed and breakfast accommodation are:
 - Homeless at home initiatives, where applicants can stay with a friend or relative until permanent accommodation can be found,
 - Private leasing of properties to house the homeless (although there are government limitations on the use of such methods).
 - Local authority hostels, or short life housing pending redevelopment.
 - Permanent local authority stock used as temporary accommodation.
 - Mobile homes, subject to stringent suitability tests.
 - Use of empty properties owned by other public sector landlords, such as the MOD.