

Committee Cabinet	Date 6 May 2009	Classification Unrestricted	Report No:	Agenda No:
Report of: Corporate Director Development and Renewal		Title: Review of the Council's Lettings Policy		
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1. SUMMARY

- 1.1 This report sets out progress on recommendations of the report of the Scrutiny Working Group on choice based lettings agreed by Cabinet on 3.12.2008 , to review the current priority system for and the 4 Community Groups and to develop a lettings policy easier for customers to understand.
- 1.2 Proposals for a revised Lettings Policy are being developed by a sub-group of the Common Housing Register Forum with external consultancy support. The report sets out the direction of travel of the work so far and the principles on which a revised policy should be based. Examples of proposals under consideration are set out in the report and attached appendices.

2. RECOMMENDATIONS

- 2.1 The Cabinet is asked to note the contents of the report.

3. BACKGROUND

- 3.1 Section 166 of the Housing Act 1996 requires local authorities to have an allocations scheme for determining priorities for housing. Local authorities are also required to give reasonable preference to applicants in housing need and to award greater priority where there are multiple or urgent needs. Applicants entitled to reasonable preference are: homeless households; applicants in overcrowded or unsatisfactory living conditions; applicants who need to move on welfare or medical grounds including disability; applicant who need to move where hardship may occur.
- 3.2 Allocations schemes vary considerably across London. Schemes are made up of points schemes, points schemes combined with bands and band alone schemes. The number of bands used range from 4 to 9. Some have additional mechanisms within bands to determine priority, either points or bands within band. Schemes need to comply with statutory requirements and be as simple as possible to explain and administer whilst achieving their purpose of allocating limited housing supply across different demand groups and levels of housing need. This is a difficult balancing exercise and as a major policy change affecting a large number of people, extensive consultation will be required before a final report is brought to Cabinet for decision.

Tower Hamlet's Lettings Policy

- 3.3 The policy was introduced in 2002 when choice based lettings was implemented. It was amended in 2005. It consists of 4 bands or Community Groups – each containing categories of applicants grouped according to housing need and in an order of priority. The method for awarding priority within each band is different. Community Group 1 consists of: emergencies (sorted by waiting time then overcrowding); decants (sorted by waiting time, medical awards, overcrowding); under occupiers (sorted by most bedrooms released, then medical awards). Priority in Community Group 2 is by health awards, then by number of bedrooms lacking and then by waiting time. Priority in Community Group 3 is awarded to the highest level of overcrowding, regardless of the time a household has waited. Very few are rehoused from Community Group 4.
- 3.4 The scheme consists of a relatively small number of bands but in order to be workable required mechanisms within the bands to determine priorities. The Scrutiny Review found there was a significant lack of public trust and confidence in the existing scheme. There is a commonly held view that too much discretion is allowed under the existing scheme when making allocation decisions. The potential negative impact of this on community cohesion and stability is a significant concern. A strong theme in the Scrutiny report was to develop a revised scheme that was more transparent and open and that would generate greater public trust and confidence.

Use of Targets

- 3.5 The Code of Guidance on Allocation of Accommodation and choice based lettings, issued by the Department of Communities and Local Government CLG supports the use of targets, for example to ensure a balance of housing supply between existing tenants and new applicants, or promoting more sustainable or balanced communities.
- 3.6 Targets have been applied in Tower Hamlets for some years, for example, an annual target for homeless households is set. The target for lettings to social housing tenants was set at 30% of supply in 2002 and has remained so ever since. The

Scrutiny Report stated it was unclear how decisions were made about targets. Within the Common Housing Register Group there is uncertainty about the relationship between the Lettings Policy and targets and whether the use of targets detracts from choice based lettings and the transparency of the process.

4.0 Body of the Report

- 4.1 A revised lettings policy must meet customer needs for an accessible and easier to understand policy and must generate greater trust and confidence. It must support the Council's strategic housing objectives, in particular to reduce overcrowding and to support creating and maintaining sustainable communities. It must also be demonstrably non discriminatory. It must comply with the legislation by giving reasonable preference to applicants in housing need and give greater priority where urgent housing need occurs. The existing scheme has been criticised for inconsistent allocation decisions and is considered to be too open to interpretation.

Waiting time and Newham House of Lords judgement

- 4.2 Newham Council's allocation scheme gives greater priority to waiting time than most. Its recent appeal to the House of Lords against a decision by the Courts, that the policy was unlawful, was allowed by the House of Lords (March 2009). The judgement stated that although a local authority must give reasonable preference to those in housing need, there is no legal requirement to do so in any particular way, for example by giving housing need priority over waiting time. In balancing housing need against waiting time, the effect of the judgement is likely to reduce the risk of legal challenge if waiting time is given greater priority as long as reasonable preference is given to those in housing need and that the scheme gives additional preference where multiple or additional urgent need factors apply.
- 4.3 Priority within bands based upon waiting time is more likely to be perceived as fair and transparent than the relatively complex priorities in the existing scheme. Separation of levels of housing need into bands is explainable and understandable. The advantage of giving priority within a band by waiting time means applicants only ever move up the priority order within the band. This is easier to understand and more acceptable to applicants. It may also make it easier to give them information about their housing chances.
- 4.4 However, the Scrutiny Report identified the potential risk, that whilst waiting time can bring greater transparency and simplicity to allocations policy, it will be less responsive to individual needs. A revised allocations scheme will need to strike a balance. But the reality is that greater priority to waiting time may mean an applicant will be rehoused e.g. on overcrowding grounds ahead of an applicant with a greater level of overcrowding who applied later. This will reverse the present policy position, but can be argued that this is fairer amongst competing cases where levels of overcrowding are high rather than seeking to make fine distinctions between levels of need and awarding priority accordingly.

Direction of Travel

- 4.5 The existing Lettings Policy contains priorities for allocating a limited housing supply that were largely set in 2002 and are now under review. Targets are used, but how they are arrived at, who decides them and accountability for these decisions is unclear. There is uncertainty within the Common Housing Register Group and the service generally about the relationship between choice based lettings and targets. This report proposes that decisions on targets for apportionment of limited housing

supply is a strategic matter central to achieving the Council's objectives as set out in the draft Housing strategy and the overcrowding reduction strategy. Amending the existing 4 Community Groups without addressing how targets are derived will not provide a complete solution.

- 4.6 It is proposed that the Lettings Policy should consist of two main elements. 1) An Allocations Scheme and 2) an Annual Lettings Plan.

Lettings Plan

- 4.7 It is proposed that an annual Lettings Plan is produced, taking into account: anticipated supply of housing; the Council's strategic housing objectives; housing need; statutory and contractual obligations; development/ decant requirements; the cost of temporary accommodation and other financial considerations; any Council landlord responsibilities and the need to make the best use of the social housing stock. Targets should also be set for all the existing quota groups. Consultation with partners and other interested groups should form part of the process. Targets and the rationale for them should be set out in a Lettings Plan that should be agreed by Cabinet and then be published.

Allocations Scheme

- 4.8 The Allocations Scheme (formerly termed the Lettings Policy) will set out the preferred priority structure for administering choice based lettings. It should clearly set out the criteria for the bands, that targets for each band are set, how they are set and why they are needed. This will help manage customer expectations, improve transparency and will support gaining confidence in the process.
- 4.9 The Allocations Scheme should be designed so that it broadly deliver the targets in the Lettings Plan through choice based lettings in the main. However, in order to achieve the targets, it may be necessary for lettings to one group to be held back over another for a limited period until targets are brought into line. This is normal practice at present but it should be more explicit through all aspects of the process by being stated in the Allocations Scheme, the published Lettings Plan and in property bulletins when appropriate. The main theme, clearly stated would be that the targets have been set by the Council, in consultation with its partners and stakeholders, in order to achieve its strategic objectives.
- 4.10 It is proposed that the existing targets for homeless, tenants and quota groups are maintained pending the conclusion of consultation and final report to Cabinet for a revised Allocations Scheme. This report should be accompanied by a Lettings Plan for approval for the remainder of 09/10 with further review in April 2010 and full Lettings plan 2010/2011. It is proposed that performance against the Lettings Plan should be reported to Cabinet on a six monthly basis but any significant movement away from targets in the Plan should be reported earlier.

Review and re-design of the Allocations Scheme

- 4.11 The revised Allocations Scheme should incorporate the following principles, derived from the Scrutiny Report recommendations: -
- a. Ensure increased priority to overcrowded households
 - b. Reduce perceived incentives to make a part 7 application
 - c. Give greater priority to waiting time
 - d. Introduce date order within bands where appropriate
 - e. Improve the management of expectations
 - f. Reduce the level of discretion in allocation decisions
 - g. Achieve least complexity compatible with the purpose

- h. Achieve greater transparency, openness, accessibility of the scheme
 - i. Achieve greater trust and confidence in the Allocations Scheme
- 4.12 To comply with the legislation, the revised scheme must also give reasonable preference to those in housing need, cater for multiple levels of need, award additional preference where need is urgent and distinguish from applicants who do not meet any of the reasonable preference criteria from those that do.
- 4.13 The review sub – group of the Common Housing Register Forum is examining options to amend the existing 4 Community Groups in order to achieve the objectives set by the Scrutiny Working Group and Cabinet. Under consideration are: creating dual decant categories in separate bands; separating overcrowded households so that the most severe are moved to a higher band; moving priority need homeless households to a lower band; merging homeless households and overcrowded households within a band, prioritised in date order; ending the mix of applicants within a band who meet the reasonable preference criterion with those who do not.
- 4.14 The priority order for the existing scheme is set out in Appendix 1. The starting point for review of the scheme has been to design a scheme that gives greater priority to the length of waiting time wherever possible. A second determining factor has been to consider whether to combine priority need homeless and overcrowded households into a single band with priority determined by date order or to spread overcrowded households across more than one band to give priority to the most overcrowded. An option is to place households lacking 3 bedrooms or above into CG 2 with the remainder of overcrowded and priority need homeless households in a lower band with priority determined by date order. This would retain the level of housing need as the primary determinant of priority for the worst cases thus reducing the risk of legal challenges. This would also support the Council's overcrowding reduction strategy whilst putting a substantial number of other households into a single date order queue thus achieving a simpler and easier to administer scheme for a large number of households in housing need.
- 4.15 This contrasts with the present scheme where all overcrowded households are in CG3. Even the most overcrowded have lower priority in the choice based lettings bidding process as extenuating social need cases or priority homeless cases in CG2 get greater priority.
- 4.16 An important issue to resolve is the use of date order for determining priority. At present in CG3 priority is given on the basis of the applicant with the highest level of overcrowding first followed by the earliest date of registration. Different priority measures are used in CG1 & 2 date dependent upon the category although where date order is applied it is the date of being placed in the higher band.
- 4.17 Date of registration is an option and is used by some boroughs but if households have been on the register some time, but not in housing need and then acquire a housing need (e.g. birth of children and lacking bedrooms) they would get priority over households who have had a housing need for much longer, but have not been registered for so long. Although date order is likely to be seen as fairer this could be undermined by this example.
- 4.18 An alternative would be to give date order priority from the date a household became overcrowded. However there are data issues in acquiring this information for all overcrowded households on the register many of whom have been registered for many years, due to changes in IT systems and policies overtime. Under the existing scheme CG3 consists of overcrowded and non overcrowded households and it may

only be possible to identify when an applicant moved from the latter to the former by researching each individual case records. How best to retrieve this data is being pursued.

- 4.19 As homeless households have for some years been allocated the highest proportion of available supply, the changes discussed above will reduce the amount of supply to homeless although may also have an effect on reducing demand in the first place. Proposals are being evaluated in order to anticipate their impact on homeless demand and temporary accommodation and how this is likely to change over time once the policy has been implemented. This can be taken into account when final policy decisions are made and will help identify the need for any transitional arrangements.
- 4.20 The review is considering how best to achieve planned objectives and resolve some of the above issues within a 4 or 5 band structure. Extending the number of bands is in line with DCLG Guidance that suggests this may be a better option than having less bands but more complexity within them.
- 4.21 A revised 4 and 5 band scheme are under consideration and how they would work in practice is being modelled and evaluated (see appendices 2 & 3). This will include an equalities impact assessment. This work is being taken forward by a sub – group of the Common Housing Register Forum. Agreed proposals will be taken to wide consultation with the public, with partners, voluntary sector agencies and other Council services with the support of the Council's Participation and Engagement Team. The consultation and a timetable are being developed for returning to Cabinet with final proposals for decision. Other policy issues under consideration are set out below.

Community Group 3

- 4.22 Community Group 3 consists of 15,000 applicants or 67% of the register. Approximately 7,500 are overcrowded households and therefore fall within the reasonable preference criteria. The remaining 7,500 households do not meet any of the reasonable preference criteria and therefore are not in housing need. CLG guidance is clear that a band should not contain both categories. These groups must be separated in a revised scheme, especially if date order is to be used to give priority. Without doing this, applicants with no housing need could be offered housing before overcrowded households simply because they had been on the register for longer. A revised scheme is likely to re-locate applicants with no reasonable preference in Community Group 4 or the lowest band in a revised 5 band scheme. This would reduce unrealistic expectations and may reduce some of the high volumes of bidding.

Direct Offer Policy

- 4.23 Direct offers are lettings made outside the choice based lettings process. Under the existing scheme the policy allows for direct offers to be made to homeless households who have not bid for or accepted a permanent home after 12 months from acceptance in order to conclude the Council's statutory duty. But the majority of properties are let through choice based lettings. This is in contrast to other councils, for example, Newham Council which lets a third of its property by direct offers as a policy. Many boroughs let a significant proportion of property by direct offer.

- 4.24 The review is unlikely to recommend a radical departure from the present position of the majority of property let through choice based lettings. But it is proposed to examine the case for a direct offer policy to be available that may benefit some applicants and the Council. For example, as part of a local lettings plan aimed at reducing overcrowding; to facilitate a “ knock through “; to rehouse some vulnerable customers; for public protection cases; to ensure the Council has met a legal obligation; to resolve emergency cases quickly and to facilitate under occupation moves.

Quotas

- 4.25 The existing scheme has quotas in Community Group 2 to give priority to certain groups. For example, applicants leaving supported housing; key workers; rough sleeper initiative schemes; sons & daughters of existing tenants. About 145 mainly bed-sit or 1bed properties are let annually through the quotas. The Lettings Policy contains targets from 2002 for some quota groups but not all. There is wide variation across the groups. For example in 08/09, key workers received 43 properties (30% of total quota lets); the sons & daughters quota received 8 properties (6% of all total quota lets).
- 4.26 It is proposed that an annual target is set for each group in line with the Council's objectives and be set out in the Lettings Plan

Sons & Daughters quota

- 4.27 The existing sons & daughters quota was designed to assist transfer for urgent medical cases, severe disrepair or for severely overcrowded households. Only 8 applicants were rehoused in 08/09. One reason for this may be that the level of overcrowding to qualify is set very high.
- 4.28 To qualify under the existing scheme, the parents household must lack three bedrooms (excluding the adult son or daughter applicant) i.e. lacking at least 4 bedrooms. It is proposed consideration is given to reduce this requirement, subject to assessment of the likely demand and an equalities impact assessment before taking the proposals to wider consultation. It is proposed that consideration be given to an additional criteria be added where rehousing an adult child of a tenant would support the provision of foster carer placements.

Under Occupation Policy

- 4.29 1,300 tenants have registered for an under occupation transfer but only 80 were rehoused in 08/09. There may be potential to increase this number amongst households who are unable to move because at present they feel they need space in the family home for adult children. It is proposed to consider a policy to be able to offer a smaller property to parents and a bed-sit / 1bed to adult children to release a much needed larger property. This is an example where a direct offer policy would be needed as simultaneous offers would need to be made.

Bidding Policy

- 4.30 Under existing scheme applicants can bid for any size of property regardless of their bedsize needs and as often as they wish. During 2008 the lowest number of bids in a week was 15,000, the highest 50,000, an average over the year of 500 bids per property advertised. This is a very high rate of bidding by London authority standards.

- 4.31 The Scrutiny Report considered restricting bidding to 2 bids per applicant per cycle. A policy change to restrict bidding to applicant's bedsize (or one below their needs) attracts wide support. It is therefore proposed that a change is introduced to restrict bidding to the applicants bedsize only, or in defined circumstances, one bedroom less. However opinions differ widely on restricting the number of bids, at present unlimited. The Common Housing Register Forum partners are concerned that some high priority applicants make many successful bids, receive offers and regularly refuse them. This impacts on void rates, is administratively costly and undermines the process. This "scatter gun approach" and a high refusal rate may suggest some applicants place little value on their bids which may be encouraged by the existing policy.
- 4.32 Alternatively the issue may be less the number of bids, but the seriousness of the bids. Improved feedback and personalised information about position on the register might result in more targeted and valued bids by applicants. Many applicants are bidding with no hope of success with 22,000 on the register and annual supply of approximately 2,000 properties. An effective answer may be a combination of a revised scheme that clearly separates those with hope of rehousing from those with very little, better quality customer feedback and measures to encourage more "valued" bidding. The review will explore options to reform bidding policy, including whether to recommend a limit on the number of bids to perhaps 2 or 3 in line with common practice in most London boroughs but will consider carefully the outcome of an equalities impact assessment before taking firm proposals to wider consultation.

Medical Assessments

- 4.33 Medical Assessments are carried out by qualified medical personnel provided by Now Medical since 2004 when the service provided by the PCT qualified nursing staff came to an end. The effect of this change was to have decisions made by GP's rather than qualified nurses although the PCT continued to provide a resource for an independent 2nd stage appeal. This change achieved significant reduction in costs. However, the Scrutiny Working Group noted considerable dissatisfaction with the process and recommended (R9) a review be undertaken to address concerns of accuracy and quality and to give consideration to best practice with a view to improving the transparency of the process; extending the time for appeals; researching other potential providers; sampling the work undertaken by Now Medical and considering introducing self assessments.
- 4.34 A search for alternative providers has proved unsuccessful although a comparison with other boroughs indicates that the process in Tower Hamlets has some strengths. In that it has an initial decision stage followed by a two stage appeal process with the 2nd stage appeal carried out independently by the PCT. Compared with other boroughs, on the face of it the system has robust checks and balances but it nevertheless does not command the support and confidence of some applicants and members. The review has therefore concentrated upon examining the process itself and identified areas for improvement in response to the concerns identified by the Scrutiny Working Group.
- 4.35 It is proposed to extend the time from 3 to 4 weeks for notification of intent to appeal. As at present, within this time period all that is required is that an applicant notifies of intent to appeal. They can subsequently submit full details of their reasons for appeal with supporting evidence and there is no set limit of time for them to do this. There are no proposals to change this but a review of correspondence and

information given to applicants is being undertaken to ensure this is made clear to applicants.

- 4.36 Where an applicant is successful at appeal stage, their preference date for entry to CG2 had been the date of appeal. This has now been amended to the date of the application to bring them into line with all applicants who are successful at the initial decision stage.
- 4.37 At present a Lettings Officer can decide in some cases whether a medical assessment is required where it is apparent that the application is most unlikely to succeed. This can be difficult for applicants to accept, as a medically qualified person does not make the decision. Ending this practice is under consideration so that all decisions made on an application for medical assessment are made by a qualified medical person.
- 4.38 An analysis of appeal decisions at 1st and 2nd stage for 3 years shows that a higher percentage of appeals were granted at 2nd stage appeal than at 1st stage. A full sample of cases will be examined in detail to determine the reasons for this and to identify action if appropriate.
- 4.39 The quality of decision letters to applicants requires improvement. Samples indicate a lack of sufficient information in support of the decision for the applicant to be able to understand the decision or feel that their application has been given careful consideration. The review is examining how best to provide a fuller response for applicants, in particular to ensure the medical comments given fully address the relationship between the housing conditions and medical factors.
- 4.40 It should be noted that Now Medical advisers are in effect applying the Council's policy on medical assessments but in an advisory capacity only. The decision is one taken by the Council and decision letters to applicants should demonstrate that the Council's decision has taken into account all the available evidence and the reasons for the decision rather than simply repeating the Now Medical advisor's comments.
- 4.41 A customer survey is being planned to test customer experiences of the process and to identify where from the customer perspective improvements can be achieved.
- 4.42 The Scrutiny Working Group identified a concern that not all applicants for medical assessments are visited and the difficulty members have in explaining this to their constituents. Where there is a mobility issue, all applicants are visited by an occupational therapist who can make the appropriate decision for medical priority as required. The review will examine the criteria for home visits to consider whether there is a case for extending them although there will be a cost implication.

Foster Carers

- 4.43 The existing Lettings Policy provides for Foster Carer households sponsored by Social Services to be considered for one extra bedroom as one of the quotas in Community Group 2. There is no fixed limit on the number of cases annually under this quota although applicants are expected to follow the choice based lettings process and are therefore in competition with other high priority cases.
- 4.44 The Corporate Parenting Group made representations to the Scrutiny Working Group to consider developing the Lettings Policy to give additional priority in order to expand the pool of foster carers. The Scrutiny Working Group considered that in the context of high levels of demand on housing supply and the potential that foster caring duty

might cease at some point, it was inappropriate to take this course of action. Working with RSL partners and developers to secure funding to assist foster carers to secure shared ownership was considered an appropriate alternative. However, where an adult child of a foster carer household was willing to move, thus freeing a space for a foster carer placement, assistance could be provided as the supply of 1bed or bedsit accommodation is greater than that of family units. It is proposed therefore that the criteria to qualify under the existing sons & daughter's quota is extended to include adult children of foster carer households.

5 COMMENTS OF THE CHIEF FINANCIAL OFFICER

This report asks Members to note the progress made to date in reviewing the Lettings Policy following the report of the Scrutiny Working Group on choice based lettings. The resource implications of progressing the review are officer time and associated costs. Any recommendations to amend existing lettings policies and procedures will be presented to Cabinet for decision and any financial implications considered at the time.

6 CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 6.1. Cabinet is asked to note the report, which provides details of a review of the Council's Lettings Policy, including consultation with partners and stakeholders. Proposals for amendments to the Lettings Policy will need to be brought back in a further report to Cabinet.
- 6.2. The Council is required by section 167 of the Housing Act 1996 to have a scheme for determining priorities and the procedures to be followed in allocating housing accommodation. The Council is required to allocate housing in accordance with the allocation scheme. The Lettings Policy serves the function of an allocation scheme in Tower Hamlets.
- 6.3. It is proposed that in future the Lettings Policy should consist of two parts: an allocations scheme; and an annual lettings plan. The allocations scheme part of the Lettings Policy fulfils the statutory obligation identified above. It is proposed that the annual lettings plan will set targets having regard to strategic objectives in respect of housing in the borough. Whilst the ultimate form of the annual lettings plan remains to be seen, there is no reason why this should not be prepared consistent with good administration having regard to the Council's housing functions and strategic objectives.
- 6.4. It is proposed that the allocations scheme will be amended in line with nine principles identified in paragraph 4.11 of the report. There is no fundamental obstacle to revision in line with these principles, but care will have to be taken to examine the lawfulness of any proposed changes. For example, one of the principles is concerned with giving increased priority to overcrowded households. The Act makes clear that in the formulation of its allocations scheme, the Council is obliged to ensure that reasonable preference is given to nominated classes of people, which include those suffering from insanitary or overcrowded accommodation. The Council may give additional preference to such people. Accordingly, amendments to effect increased priority for overcrowded households may well be lawful. However, final determination of the lawfulness of any proposed amendments will have to be assessed by reference to the actual terms of the amendments. Ultimately, care will need to be taken that any amendments proposed to Cabinet result in an allocations scheme that is lawful and compliant with Part 6 of the Housing Act 1996.

- 6.5. Section 167 of the Housing Act 1996 specifies minimum mandatory consultation required before making an alteration to an allocation scheme reflecting a major change of policy. The Council is also required to consider statutory guidance when exercising its functions under the Act. The Code of Guidance issued by the Secretary of State recommends consultation with social services departments, health authorities, supporting people teams, connexions partnerships, relevant voluntary sector organisations and other recognised referral bodies. The guidance recommends a minimum consultation period of 12 weeks.

7 ONE TOWER HAMLETS CONSIDERATIONS

There are many severely overcrowded households on the Housing Register which will correlate with poverty levels in many instances. Overcrowding is known to have a detrimental effect on family life, generating family conflict and breakdown, ill – health, poor school performance and anti social behaviour. The direction taken by the review of the Council's Lettings Policy is to develop a revised Allocations Scheme and annual Lettings Plan that will support the Council's strategic objectives and its overcrowding reduction strategy. Reducing overcrowding will have an impact on reducing poverty levels and therefore inequalities in the borough.

The Scrutiny Working Group that examined the choice based lettings process identified a lack of confidence and trust in the existing Lettings Policy, Competition for scarce social housing resources is fierce in the borough and perceptions of lack of fairness or one group benefiting over another undermines community stability. Developing and maintaining sustainable communities was another issue raised by the Working Group and in this respect the review of the Lettings Policy will include examination of the existing sons & daughters quota and the development of local lettings plans.

Both the existing policy and proposals being developed will be subject to equalities impact assessment before any firm proposals will be taken forward for wider consultation. Should the testing and modelling aspect of any proposals and equalities impact assessments identify any potential differential impacts then the proposals will be modified accordingly to ensure they are non discriminatory.

A consultation strategy is being developed that will actively engage communities by providing opportunities for consultation , participation and involvement in the development of an important area of policy that impacts upon many sections of the community before final decision by Cabinet.

8 SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

None

9 RISK MANAGEMENT IMPLICATIONS

This proposed Lettings Plan and Allocations Scheme must be framed within the relevant provisions of the Housing Act 1996, or it may be subject to challenge, it should also follow the Code of Guidance on Allocation of Accommodation and choice Based Lettings issued by CLG. Work with RSL partners and consultation with residents will therefore need to balance these requirements with local policy aspirations. In particular the desire to give greater priority to waiting time, because this is more transparent and less complex will need to be balanced against the need

to ensure that reasonable preference is given to those in housing need and that additional preference is given where there are multiple or urgent needs.

10 EFFICIENCY STATEMENT

An aim of the review of Lettings Policy is to achieve a simpler, easier to administer policy that is perceived to be fairer by housing applicants, with a simplified bidding process that is more fit for purpose. This should reduce the amount of administrative time and office time spent on explaining the existing policy to customers and therefore have the potential to achieve greater efficiency.

11 APPENDICES

Appendix 1 - Banding Structure of Existing Lettings Policy
Appendix 2 - Revised 4 band scheme under consideration
Appendix 3 - Proposed 5 band scheme under consideration

12 BACKGROUND PAPERS

Local Government Act, 1972 Section 100D (As amended)
List of "Background Papers" used in the preparation of this Report

Tower Hamlets Lettings Policy
1996 Housing Act
2002 Housing Act (Homelessness)
DCLG Allocation of Accommodation : Choice Based Lettings - Code of Guidance for Local Authorities
Contact Officer : Jim Elliott (Lettings Project Leader)
jim.elliott@towerhamlets.gov.uk 07984 938 851