

OVERVIEW & SCRUTINY COMMITTEE

**Monday, 19 October 2020 at 4.00 p.m., Online 'Virtual' Meeting -
<https://towerhamlets.public-i.tv/core/portal/home>**

This meeting is open to the public to view.

Members:

Chair: Councillor James King

Vice Chair: To be appointed

Councillor Faroque Ahmed

Councillor Marc Francis

Councillor Ehtasham Haque

Councillor Denise Jones

Councillor Gabriela Salva Macallan

Councillor Leema Qureshi

Councillor Andrew Wood

Councillor Bex White

Co-opted Members:

Halima Islam

James Wilson

Deputies:

Awaiting formal confirmation

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

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SECTION ONE	WARD	PAGE NUMBER(S)
1. APOLOGIES FOR ABSENCE		
To receive any apologies for absence.		
2. APPOINTMENT OF VICE-CHAIR	All Wards	
The Committee are asked to appoint a Vice-Chair for the period up to the end of the Municipal Year.		
3. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST AND OTHER INTERESTS	All Wards	5 - 6
Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.		
Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.		
If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services		

4. REQUESTS TO SUBMIT PETITIONS

To receive any petitions (to be notified at the meeting).

5. UNRESTRICTED REPORTS 'CALLED IN'

5.1	Call-in - Amendments to the Council's housing Allocations Scheme	All Wards	7 - 152
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6.	SCRUTINY APPOINTMENTS AND TERMS OF REFERENCE	All Wards	153 - 172
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7.	PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS	All Wards	173 - 180
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To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet.

(Time allocated – 30 minutes).

8.	ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT	All Wards
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To consider any other unrestricted business that the Chair considers to be urgent.

Next Meeting of the Overview and Scrutiny Committee

Monday, 26 October 2020 at 6.30 p.m. to be held in Online 'Virtual' Meeting - <https://towerhamlets.public-i.tv/core/portal/home>

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Agenda Item 3

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting


In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Asmat Hussain, Corporate Director, Governance and Monitoring Officer,
Tel: 0207 364 4800.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

<p>Non-Executive Report of the:</p> <p>Overview and Scrutiny Committee</p> <p>19th October, 2020</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Asmat Hussain, Corporate Director for Governance</p>	<p>Classification: Unrestricted</p>
<p>Call-In: Amendments to the Council's housing Allocations Scheme</p>	

Originating Officer(s)	David Knight
Wards affected	ALL

CONSIDERATION OF THE “CALL IN”

Having met the “Call In” request criteria, the matter is referred to the OSC in order to determine the “Call In” and decide whether to refer the matter back to Cabinet for further consideration.

The following procedure is to be followed by the Committee for consideration of the “Call In”:

- i. Chair to invite a call-in member to present call-in.
- ii. Chair to invite members of the Committee to ask question.
- iii. Chair to Invite Cabinet Member to respond to the call-in.
- iv. Chair to invite members of the Committee to ask questions.
- v. Followed by a general debate.

It is open to the OSC to either resolve to take no action (which would have the effect of endorsing the original Mayoral decision/s), or to refer the matter back to the Mayor for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

RECOMMENDATION

That the Overview and Scrutiny Committee (OSC) considers:

1. The contents of the attached report, review the Mayor in Cabinet's decision (provisional, subject to Call In) arising; and
2. Decide whether to accept the decision or to refer the matter back to the Mayor with proposals and reasons.

The Mayor in Cabinet on 23rd September, 2020 considered a report on the revised Allocation Scheme that had been developed in response to the introduction of the Homelessness Reduction Act (HRA) in April 2018 which places a greater emphasis on the local authority to prevent and relieve homelessness. The current Allocation Scheme (implemented in 2016), requires updating to allow the Council to discharge its duties under the new legislation and to better reflect local priorities.

DECISION

1. To note the outcome of the consultation on the Council's proposed amendments to the Allocations Scheme and the Equality Analyses at Appendices 2 and 4 of the report.
2. To approve the proposed amendments to the Allocations Scheme as set out in paragraph 3.3 to 3.7 of the report.
3. To approve the proposal to remove existing social housing tenants under the age of 50 from Band 3 of the Common Housing Register.
4. To authorise the Corporate Director Place to develop an Intermediate Housing Register.
5. To authorise the Corporate Director Place to determine the eligibility criteria for the first three months of marketing any new Intermediate Housing projects, (fully or partially funded by the GLA), following consultation with the Mayor and Cabinet Member for Housing and Regeneration.
6. To agree that the maximum household income threshold for eligibility to join the Common Housing Register be increased to £90,000 as set out in paragraph 3.10 of the report and authorise the Corporate Director Place to increase this figure as and when the GLA amends its maximum household income threshold for eligibility to access shared ownership products.
7. To approve the miscellaneous amendments and revisions to the policy as detailed in paragraph 3.11 of the report.
8. To ratify and/or authorise all past, present and future exercises of its functions under Part 6 of the Housing Act 1996 (as permitted by Article 2 of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions) Order 1996) by, or by employees of, the RP partners from time to time to the Common Housing Register, including but not limited to the following: Arhag Housing Association, Clarion Housing, Eastend Homes, Gateway Housing Association, London & Quadrant, Metropolitan Thames Valley, Network Homes, Newlon Housing Trust, North London Muslim Housing Association, Notting Hill Genesis, One Housing, Peabody, Poplar HARCA, Providence Row HA, Southern Housing Group, Spitalfields Housing Association, Swan Housing Association, Tower Hamlets Community Housing or their successors in title or any other RPs or bodies that the Council may choose to partner with from time to time.
9. To authorise officers retrospectively to contract out the exercise of the Council's functions referred to in point 8 above.
10. To review the policy annually and offer the Overview and Scrutiny Committee a report on the implementation of the changes made one year after their implementation (expected to be one year after 1 April 2021).

The decision above has been 'Called-In' by Councillor Marc Francis (signed also by Councillors Tarik Khan, Mohammed Pappu, Shah Ameen and Shad Chowdhury).

This is in accordance with the provisions of the Overview and Scrutiny Procedure Rules of the Council's Constitution.

N.B. In accordance with the OSC Protocols and Guidance adopted by the Committee at its meeting on 4th June 2013, any Member(s) who present(s) the "Call In" is (are) not eligible to participate in the general debate.

The 'Called-In' Requisition

The Mayor's decision in Cabinet to approve the proposed changes to the CHR Allocations Scheme will cause serious detriment to homeless families going forward and over 1,000 longstanding residents currently in Band 3.

Background

Ken Loach's seminal BBC drama Cathy Come Home revealed how badly homeless families were still being treated in 1960s Britain and led to the Homeless Persons Act in 1977, which obliged local authorities to accommodate them and offer "reasonable preference" in the allocation of social housing.

The Tory-Lib Dem Coalition Government's 2011 Localism Act gave local authorities the power to discharge their legal duty to homeless families through the offer of an Assured Shorthold Tenancy in the private rented sector (PRS), rather than social housing.

Without reference to councillors, LBTH began utilising this power in 2012/13. Labour councillors exposed the random basis on which families were being chosen to be discharged into the PRS and the misleading information given to induce them to accept the AST instead of challenging it legally, and forced Mayor Lutfur Rahman to instruct council officers abandon this practice.

Disappointingly, following the Homelessness Reduction Act 2017, discharge into the PRS began to be used again by LBTH in 2018 and many homeless families are also being directed towards expensive and poor-quality private tenancies in other parts of London. Understandably, most families are rejecting these "offers" forcing LBTH to go down the formal discharge of duty route which is subject to legal challenge.

In 2010, Labour councillors introduced a new Allocation Scheme, which increased the priority awarded to overcrowded families but also established a new Band 3 for those households who were legally defined as being "adequately housed", including the adult children of existing tenants and leaseholders, families wanting to move to another part of the Borough, those stuck in expensive private tenancies.

A quota of 5 per cent of lettings was apportioned to Band 3 applicants, with the intention to increase this to 10 per cent once it had bedded in. It later became clear that the Housing Options Service was not adhering to this quota and in early-2015 Labour councillors "called-in" the Allocations Policy and forced Mayor Rahman to instruct council officers to increase the number of lettings to Band 3 applicants to make good the shortfall in preceding years.

Officers appear to have done that by including moves of older people into sheltered accommodation as Band 3 lettings, which was never the intention of this quota. The consultation authorised by the Mayor in Cabinet in 2019 proposed to scrap Band 3, removing those households from the CHR and a new policy of offering to keep homeless families on its CHR for three years if they accepted a private tenancy in another Borough.

The overwhelming response to the consultation was to retain Band 3. In response, the Mayor promised to think again about this proposal. The proposed change now removes those in Band 3 who are existing social tenants and under the age of fifty. In 2020, a legal challenge by the Public Interest Law Centre exposed Lambeth's policy of offering to keep homeless families on its own Common Housing Register for two years if they accepted a PRS tenancy in another Borough.

Lambeth conceded before the High Court reached a judgment, accepting that the families affected were very unlikely to be offered social housing within two years and apologised to the families concerned and agreed to keep all those it had misled on its waiting list.

Reasons for Call-in

We welcome the Mayor's acceptance that private tenants and those with no tenancy at all are not "adequately-housed", but believe that the 1,122 households due to be removed from the Common Housing Register include many social tenants who have a legitimate desire to move to alternative property of the same size as they are living in now, for example families at the top of tower blocks wanting a flat closer to the ground floor and others wanting to move closer to work, schools or family support networks in another part of Tower Hamlets.

If these households successfully bid for a different home, they will give up a home of the same size which can be let to a homeless or overcrowded family – creating "chain lettings". While it does have a small administrative impact on the Lettings Team, the continued inclusion of this category of applicants within Band 3 is essentially neutral in its impact on others in greater housing need.

The report to Cabinet doesn't mention PILC's successful legal challenge against Lambeth. In response to a Pre-Decision Question provides a confused and partial description of the Judicial Review. Its central point was that Lambeth had lured homeless families into accepting these offers without making it clear they were very unlikely to be rehoused before losing their "local connection" to their home Borough. Lambeth accepted this and put those families back on its Waiting List.

The only real difference with the scheme proposed for Tower Hamlets is that the local connection last for three years instead of two. However, very few of these households are likely to make a successful bid for rehousing within the three-year period, so they will be removed from our Housing Waiting List. This is not a fair way to treat families who are part of our local community.

Alternative Course of Action

1. For the reasons explained above, we call on the Mayor to revise his decision in Cabinet on 23rd September removing existing social tenant's under-50 from Band 3 and reinstate all these applicants to their former position within the Common Housing Register.
2. Given the incorrect apportionment of lettings into sheltered accommodation within the Band 3 quota, we call on the Mayor to instruct officers that the current 5 per cent quota should be retained and only General Needs lettings be counted towards it. Consideration should also be given to making good the shortfall in General Needs lettings to Band 3 applicants against the 5 per cent quota over the next two or three years.
3. For the reasons stated above, we call on the Mayor to revise his decision in Cabinet on 23rd September restricting homeless households placed outside Tower Hamlets to three years on our Common Housing Register by making this period indefinite, so that they remain LBTH's responsibility until they successfully bid for social housing or they voluntarily withdraw their housing application.
4. Additionally, the Mayor should instruct officers to commission an independent review of the practice of discharging LBTH's duty to homeless families into the PRS, including speaking to those families this has been done to, and bring that review to the Housing & Regeneration Scrutiny Sub-committee within the next six months.


It is open to the OSC to either resolve to take no action (which would have the effect of endorsing the original Mayoral decision/s), or to refer the matter back to the Mayor for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

RECOMMENDATION

That the Overview and Scrutiny Committee (OSC) considers:

1. The contents of the attached report, review the Mayor in Cabinet's decision (provisional, subject to Call In) arising; and
2. Decide whether to accept the decision or to refer the matter back to the Mayor with proposals and reasons.

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<p style="text-align: center;">Cabinet</p> <p style="text-align: center;">23 September 2020</p>	 <p style="text-align: center;">TOWER HAMLETS</p>
<p>Report of Karen Swift, Divisional Director, Housing and Regeneration</p>	<p>Classification: Unrestricted</p>
<p>Amendments to the Council's housing Allocations Scheme</p>	

Originating Officer(s)	Una Bedford, Strategy and Policy Officer, Place
Wards affected	All Wards

Executive Summary

The revised Allocation Scheme has been developed in response to the introduction of the Homelessness Reduction Act (HRA) in April 2018 which places a greater emphasis on the local authority to prevent and relieve homelessness. The current Allocation Scheme (implemented in 2016), requires updating to allow the Council to discharge its duties under the new legislation and to better reflect local priorities.

This revision of the Allocation Scheme brings new policy proposals which will encourage occupants to release the properties they no longer need, to provide greater assurance that our limited provision of properties is allocated to the most appropriate applicant and to ensure that the Council utilises the limited opportunities within the wider housing market.

As a result of these proposed amendments applicants will have additional housing options and be rehoused more quickly. These proposed changes will assist the Council in making the best use of the limited supply of housing available to meet housing needs in the Borough.

RECOMMENDATIONS

The Mayor and Cabinet are recommended to:

1. Consider the outcome of the consultation on the Council's proposed amendments to the Allocations Scheme and the Equality Analyses at Appendices 2 and 4 of this report.
2. Approve the proposed amendments to the Allocations Scheme as set out in paragraph 3.3 to 3.7 of the report.
3. Approve the proposal to remove existing social housing tenants under the age of 50 from Band 3 of the Common Housing Register.
4. Authorise the Corporate Director Place to develop an Intermediate Housing Register.

5. Authorise the Corporate Director Place to determine the eligibility criteria for the first three months of marketing any new Intermediate Housing projects, (fully or partially funded by the GLA), in consultation with the Mayor and Cabinet Member for Housing and Regeneration.
6. Agree that the maximum household income threshold for eligibility to join the Common Housing Register be increased to £90,000 as set out in paragraph 3.10 and authorise the Corporate Director Place to increase this figure as and when the GLA amends its maximum household income threshold for eligibility to access shared ownership products.
7. Approve the miscellaneous amendments and revisions to the policy as detailed in paragraph 3.11.
8. Ratify and/or authorise all past, present and future exercises of its functions under Part 6 of the Housing Act 1996 (as permitted by Article 2 of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions) Order 1996) by, or by employees of, the RP partners from time to time to the Common Housing Register, including but not limited to the following: Arhag Housing Association, Clarion Housing, Eastend Homes, Gateway Housing Association, London & Quadrant, Metropolitan Thames Valley, Network Homes, Newlon Housing Trust, North London Muslim Housing Association, Notting Hill Genesis, One Housing, Peabody, Poplar HARCA, Providence Row HA, Southern Housing Group, Spitalfields Housing Association, Swan Housing Association, Tower Hamlets Community Housing or their successors in title or any other RPs or bodies that the Council may choose to partner with from time to time.
9. Authorise officers retrospectively to contract out the exercise of the Council's functions referred to in point 8 above.

1. REASONS FOR THE DECISIONS

- 1.1 The Council's Allocations Scheme was last reviewed in 2016. The drivers which have been considered for this revision include:
 - The Homelessness Reduction Act (2017), which was enacted in 2018. This placed a legal duty on Local Authorities to ensure reasonable preference is given to applicants either threatened with homelessness or homeless before a full housing duty is owed.
 - The various Codes of Guidance on Allocations Schemes as issued by the Government. In particular, the Guidance issued in November 2018 'Improving access to social housing for victims of domestic abuse'.
 - Ensuring that the Allocation Scheme meets the current needs of our residents and key aspirations and objectives of the Council.
 - Enabling the Council to make the best use of social housing stock within the Borough and to better manage the expectations of residents.

2. ALTERNATIVE OPTIONS

- 2.1 To do nothing: this is not an option as it is a legal requirement for the

Council to have an allocation scheme in place as a way of prioritising applicants to vacancies in social housing.

- 2.2 Continue with the existing allocation scheme: this is outdated and does not reflect the Council's new duties under the Homelessness Reduction Act (2017) or emerging local priorities.

3. **DETAILS OF THE REPORT**

Allocations Scheme

- 3.1 Appendix 1 – the revised Allocations Scheme sets out how the Council allocates its social housing stock.
- 3.2 The changes proposed to the Allocations Scheme are summarised below:
- 3.3 **Applicants who have been placed in out of borough Private Rented Sector (PRS) accommodation to prevent homelessness will be allowed to remain on the housing register for a time-limited period of three years.**
- 3.3.1 This change has been made to the Allocations Scheme which will allow applicants and their households who have been able to secure suitable and affordable housing outside the Borough on the basis that they had either become homeless or were at risk of becoming homeless within 56 days, and the homelessness was prevented with assistance from the Council, to remain on the CHR for three years.
- 3.3.2 If at the end of the three years, these applicants are not rehoused, they will be taken off the CHR. Allowing three years to remain on the CHR gives these applicants an opportunity to either be offered a suitable property in Tower Hamlets, or the opportunity to join the housing register and bid for a property in their new borough.
- 3.3.3 This proposal would provide applicants the opportunity to join (before a full housing duty is owed) and/or remain on the CHR for three years and would require these applicants to actively bid for available homes.
- 3.3.4 Amending this policy will allow homeless applicants the opportunity to remain on the Common Housing Register while they are laying down roots in their new area. If their circumstances change or they are unable to settle, the applicant and their household will not have lost their connection to the Borough.
- 3.3.5 This proposed change, based on the findings in the equality analysis, is not considered to have any negative or detrimental impact on residents.
- 3.4 **Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.**

- 3.4.1 Preference will be given to existing social housing tenants living in homes on the first floor or above, with more bedrooms than they need. Changing this policy will make larger sized homes available to families that need the additional space. It will also allow officers to use their discretion to ensure the best outcome is achieved, to meet competing priorities.
 - 3.4.2 Properties of three or more bedrooms are always the most sought after and by encouraging under-occupying tenants (usually tenants whose families have grown-up), to downsize to ground floor properties, this will provide tenants who may have mobility needs or health issues but do not meet the health priority threshold to move to more manageable and suitable accommodation better suited to their housing needs.
- 3.5 **Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.**
- 3.5.1 A limited number of ground floor flats become available each year. Under the current rules, lettings officers must make their allocation decision based only on whether an applicant has higher or lower priority in their band when they match on the shortlist. This proposal will allow officers to also consider medical factors like whether an applicant can manage internal stairs and give preference accordingly.
 - 3.5.2 By allowing officers the discretion to take a balanced approach this will ensure applicants requiring ground floor flats on medical grounds (in short supply) are prioritised taking their medical and other circumstances into account.
- 3.6 **Reduce the residential condition for victims of domestic abuse (DA)**
- 3.6.1 Under the current rules, victims of domestic abuse who have not lived in Tower Hamlets for the previous three years are placed on the Housing Register in Band 2B. Many of them have needed to move to a new area for their own safety, so this proposal will waive the residential criteria meaning they could be placed in Band 2A instead. This amendment could lead to faster rehousing times for victims of domestic abuse.
 - 3.6.2 This proposal will reduce the amount of time that domestic abuse victims, who have found safety in refuges, need to have been in the Borough before being eligible for housing. Under the current rules they need to be in the refuge for six months - this proposal would cut that to three months.
 - 3.6.3 It is intended that the proposed policy amendments will ease the disruptions suffered by victims of Domestic Abuse who become homeless and ensure that they are offered suitable long-term housing more quickly, also releasing refuge properties more quickly for others that need it.

3.7 Remove existing social housing tenants under the age of 50 from Band 3 of the Common Housing register.

3.7.1 The original proposal was to limit Band 3 to the following categories of applicants:

- Singles or couples over 50 years as these applicants have a realistic chance of being housed in low demand homes designated for older people, including sheltered accommodation.
- Any applicant requiring sheltered accommodation because this type of accommodation is in low demand in the Borough.
- Any out of borough housing applicants placed there as a part of the homelessness prevention offer (if that proposed policy amendment is agreed and implemented).

Only applicants over 50 years of age or requiring sheltered accommodation would have remained in Band 3.

3.7.2 69% of those who responded to the Council's online questionnaire either strongly disagreed or disagreed with this proposal. It was apparent that respondents felt that this was not fair to those in Band 3 who reside with parents/family or friends or those privately renting a home. During the consultation process, it was clear that residents are strongly opposed to the original proposal put to residents which would have widely limited admission to Band 3 of the Common Housing Register (CHR). Applicants who are placed in Band 3 have been determined as adequately housed without a defined housing need and are therefore non-priority.) See Consultation Report at Appendix 2.

3.7.3 The original proposal put forward to residents considered the removal of certain applicants from Band 3 of the CHR and would have seen the following applicants excluded:

- existing social housing tenants, (those who have a council tenancy or a tenancy with a housing association); and
- applicants who live with family and friends; and
- those renting a property from the private rented sector.

3.7.4 The consultation has evidenced the difficulties which many residents in the Borough face in terms of being able to meet their housing costs. After considering all the feedback from the consultation exercise, officers now propose to only exclude existing social housing tenants (under the age of 50) from Band 3 of the CHR. This cohort of applicants within Band 3 are adequately housed and benefit from paying affordable or social rents as well as enjoying the security of a Council or Registered Provider Tenancy. Existing social housing tenants have been placed in Band 3 because they wish to move to another location or different shaped layout of accommodation.

- 3.7.5 This means that non-social housing tenants will remain in Band 3 – this includes those who live with family and friends (and, importantly that the adult children of social housing tenants who are adequately housed can remain on the register).
- 3.7.6 To strengthen the housing options available to all residents in the Borough, officers also propose to develop an Intermediate Housing Register and are seeking permission from the Mayor and Cabinet to commence work to create policy and operational practice to deliver this further option for the Borough's residents. Further information is provided at paragraph 3.8 of this report.
- 3.7.7 If this proposal is agreed by Cabinet, applicants from this cohort who are already placed in Band 3 will be given written notice that they will be removed from the CHR. Officers propose that a 6 month transitional period is given to those already in Band 3, allowing for any change of circumstances to be considered and for them to bid up until 1st April 2021, when they will then be removed from Band 3.
- 3.7.8 Applicants that are removed from the Housing Register who suddenly become inadequately housed, (for example, as a result of overcrowding or a medical condition of the applicant or a member of their household), can apply to go back on the CHR. These applicants will be placed in either Band 1 or Band 2 of the CHR, (as appropriate given their circumstances), and will therefore be better placed in terms of an allocation of social housing than they would have been before. Applicants placed in higher priority bands due to a change of circumstances will always have a new priority preference date with the new band, therefore any waiting time in a lower priority band will not count.
- 3.7.9 The proposal to restrict Band 3 entry on to the Common Housing Register may leave those excluded from Band 3 feeling that they are trapped in other unaffordable housing options but through the promotion of alternative housing options, and in extending and improving the range of housing options to residents in the Borough, it should help to manage residents expectations and nudge residents towards other housing options.
- 3.7.10 This proposal is closely linked to the proposal set out in 3.8 to create and develop an Intermediate Housing Register. The Intermediate Housing Register may provide a first step towards home ownership for those existing social housing tenants who have the financial means and wish to move on from social housing.

Communications

- 3.7.11 In addition, the Council will embark on a communications campaign which promotes the reality of social housing in the Borough; to manage unrealistic expectations that some residents may have of being offered a social housing tenancy if they had remained on the list, promoting the alternative housing options available to these residents.

3.7.12 The communications campaign will highlight the availability of social housing within the Borough and reiterate that any social housing lets which become available go to those in the highest housing need. The campaign will promote the housing options available to residents in the Borough, the Council's ambitions to create more council homes and the success that the Council has had in building more Affordable Homes than any other London Borough over the last five years.

3.7.13 A refresh of the information available to residents seeking housing advice via the Council's website and the Tower Hamlets Homeseekers webpage will be made to enable residents to self-serve and navigate towards other mutual exchange/swap options.

3.7.14 It is the intention of officers that there will be more targeted communications with applicants in Band 3 to encourage them to consider housing through the Intermediate Housing Register.

3.8 Creation of an Intermediate Housing Register

3.8.1 In order to meet the intense demand on Band 3 of the Common Housing Register, officers have considered the development of an Intermediate Housing Register. Intermediate Housing¹ provides a potential mechanism to release more affordable homes to our Borough's residents and an opportunity to alleviate the increasing pressures on the Borough's finite supply of social housing. Officers are seeking authority from Cabinet to develop an Intermediate Housing Register and supporting policy as an additional route for residents who are seeking affordable housing.

3.8.2 An increasing number of residents are struggling to find or maintain a place to live in Tower Hamlets. This is due to the increased costs of buying and renting in the Borough, while average incomes have simply not kept pace with these changes. Consequently, the private rented sector (PRS) has become the most realistic option for our residents, with many households unable to access home ownership or social housing.

3.8.3 The supply of social housing in the Borough is impacted by several factors, including the continuing take up of the Right to Buy. Households on low to middle incomes cannot access social housing as demand outstrips supply.

3.8.4 Over the course of the next few years, developers in the Borough are seeking to bring more new Intermediate Housing homes within the Borough, via the planning process. Since 2013/14 to the end of 2019/20 a total of 1,665 intermediate homes were completed. It is

¹Intermediate housing products are homes for sale and rent provided at a cost above social rent, but below market levels. These can include shared equity (shared ownership and equity loans), other low-cost homes for sale and intermediate rent, but not affordable rented housing.

anticipated that pipeline projects in the Borough between now and the end of 2022/23 will yield a further 1,453 new intermediate homes.

- 3.8.5 A balance needs to be struck between ensuring that we support the most vulnerable to access social housing and encourage/assist existing council tenants who have the means to move on, to access alternative housing solutions to create mobility and movement within the Council's housing stock. The Council must be sure it has the mechanisms in place to create and utilise mobility through the stock – critically through the initial entry to the Housing Register/intermediate housing products.
- 3.8.6 At present, the Council does not have a formal policy in place to register and prioritise who gets these intermediate homes for sale or rent within the Borough. As the supply of intermediate housing is set to increase over the course of the next five years, it is essential that the principles to be applied to the qualifying criteria, income eligibility and prioritisation of applicants are considered and agreed.
- 3.8.7 Officers propose to use the following prioritisation for applicants in the first three months of marketing any new Intermediate Homes with applicants who are social housing tenants given the greatest priority:
- a) Social Housing Tenants being those tenants living in accommodation owned by the Council or a Registered Provider as registered pursuant to Sections 111-115 Housing and Regeneration Act 2008 in Tower Hamlets and wholly releasing accommodation which the Council has nomination rights to.
 - b) Leaseholders in blocks being decanted in anticipation of demolition who have a right to be re-housed by the Council.
 - c) People registered on the Council's Common Housing Register or waiting list.
 - d) Other Council residents who may not release Council accommodation when they move.
 - e) Others living in Tower Hamlets in rented accommodation or living with family or friends who do not appear on the Council's Common Housing Register.
 - f) People with strong connections by family ties within the Borough.
 - g) People who have permanent employment in the Borough
- 3.8.8 After the initial three months of marketing other qualifying applicants may apply. There is no set minimum income for intermediate homes. Each scheme will however have its own valuation and costs, and applicants will be required to demonstrate that they have the financial means to afford a home in a particular scheme.
- 3.8.9 The GLA's London Plan and subsequent Annual Monitoring reports set out the financial criteria to be applied for Intermediate housing products. At present, these are set out as follows:

- For shared and home ownership products, applicants must have an annual household income which does not exceed £90,000.
- For intermediate rent products, applicant's gross household income must not exceed £60,000.

3.8.10 Other qualifying criterion/additional rules may be considered in the prioritisation of applicants during the first three months of marketing. This report seeks Cabinet authority for the Corporate Director in consultation with the Mayor and Cabinet member for Housing and Regeneration to determine the eligibility criteria

3.9. Tower Hamlets Common Housing Register

3.9.1 The Council operates with Registered Provider (RP) partners a Common Housing Register (CHR) of all prospective tenants for all vacant properties provided by the parties within Tower Hamlets. The Council has agreed with its RP partners that tenancies should be allocated in accordance with the provisions of the CHR agreement and the Tower Hamlets Common Housing Register Allocations Scheme. It is necessary for the Council to continue to formally delegate power to the RP partners to make allocation decisions which was previously agreed on 1 July 2009.

3.10 Maximum Household income threshold to join the CHR

3.10.1 The current maximum sole or joint income threshold for eligibility to join the Common Housing Register was set on 31st March 2013 to £85,000 per annum. The original policy intention as stated in paragraph 39 of the current version of the Allocation Scheme (2016) sets out that this figure would be reviewed annually and updated in accordance with the Retail Price Index.

3.10.2 The reality is that the current maximum sole or joint income threshold has not been reviewed. For parity with the GLA's income threshold for intermediate shared ownership products, fully or partially funded by the GLA, approval is sought to increase the maximum household income for eligibility to £90,000 per annum.

3.10.3 The GLA's Affordable Housing Capital Funding Guide states that the maximum sole or joint income threshold for eligibility to access GLA funded intermediate Shared Ownership products is £90,000 per annum, as set out in the GLA's London Plan (2016). The maximum household income figures for shared ownership products were last updated by the Mayor of London in August 2016. This figure can be updated every year via the London Plan Annual Monitoring Report. To date, this hasn't happened.

3.11 Miscellaneous amendments and insertions to the Allocations Scheme

Foster Carers and Special Guardianship Order

- 3.11.1 For clarity, under the section '*Who can be on my application?*', which defines who will be registered as part of an applicant's immediate family, "children who live with an applicant under a Special Guardianship Order" has been inserted into the text.
- 3.11.2 This removes any previous ambiguity in the type of extenuating circumstance, where children who are residing with the applicant, but not a member of the applicant's prescribed immediate family, are considered to live with the applicant and are therefore included in the assessment of the applicant's housing needs.
- 3.11.3 Further, the revised Allocations Scheme under the section 'Discretionary Additional Priority' provides confirmation that consideration will be given by the Council to award additional priority to those applicants who have children residing with them as a result of a Special Guardianship Order by the inclusion of the following text; 'where moving will prevent a child or adult needing to live in institutional care, if they are Tower Hamlets children subject to a special guardianship order'.
- 3.11.4 In the section concerning "Priority Target Groups" regarding Foster Carers, a new section has been inserted. This states that where a foster carer has an adult son or daughter residing with them, and where the son or daughter is willing to move to a new home of their own, officers will award additional priority to them to release space in the foster carer's home to accommodate foster children.
- 3.11.5 Each case will be considered on its merits and on an exceptional basis discretionary additional priority may be applied.
- 3.11.6 These amendments and insertions into the Allocations Scheme are not a change in current policy other than the change in 3.11.4 but have been added for clarification and to remove any ambiguity in the interpretation of the Allocations Scheme.

Tied Accommodation

- 3.11.7 The proposed amendment to the Allocation Scheme removes the section previously included which provided for employees of the Council, (or partner landlords), who are retiring from tied accommodation to be considered for rehousing. This provision related to school caretakers residing in accommodation adjacent to or within the footprint of the school, affording them additional priority with the Allocations Scheme as a target group.
- 3.11.8 The number of cases where these circumstances would be applicable to has diminished in recent years, as there are very few instances of employees with tied accommodation. Over the course of the last 5 years, we had no more than 3 cases considered.

3.11.9 Where individual cases now present, each case will be considered for additional priority via the Housing Management Panel.

Ex – Service personnel

3.11.10 In accordance with recent statutory guidance '*Improving access to social housing for member of the armed forces*' (June 2020). The section regarding the Target Priority Group of ex-services personnel has been expanded to reflect the statutory guidance to acknowledge changing family circumstances. The proposed amendment to the Allocation Scheme references that where spouses or partners have been required to leave accommodation provided by the Ministry of Defence following a breakdown in their relationship with their service spouse or partner, they will be exempt from the local connection eligibility requirement.

3.11.11 The recent statutory guidance on social housing for members of the armed forces, stresses that when determining additional preference, that a serious and long-lasting mental health condition is likely to come within the definition of a disability under the Equality Act 2010.

3.11.12 While the current Allocations Scheme allows, ex-armed forces applicants to be placed in Band 1, Group A where there is an urgent need, for rehousing because of serious injury, illness or disability, it does not explicitly allow those with a mental health condition to be prioritised. It has however always been and remains the policy that officers do consider mental health within the wider ambit of disability.

3.11.13 The Allocations Scheme now includes explicit reference to mental health. This reflects a consideration which officers currently take into account. This insertion makes it clear that serving and former members of the Armed Forces who suffer from mental ill health are given appropriate priority for social housing where they need it.

4. Consultation

4.1 The Council have consulted with key stakeholders on the proposed changes to the Allocations Scheme, including CHR partners. This consultation was open to anyone who lives, rents or owns a home in the Borough, any professional working for an organisation with an interest in the future of housing in Tower Hamlets and to members and staff working for the Council.

4.2 The consultation exercise began on 21st October and ran for just over 17 weeks until 10th February 2020. The consultation aimed to canvass the views of a wide range of community groups and stakeholders with an interest in the Borough's Allocation Scheme. There was detailed discussion with the Council's Common Housing Registered RP partners who are broadly in support of the proposals.

- 4.3 The consultation exercise consisted of an online survey to understand the view of stakeholders on the amendments proposed to the Allocations Scheme. All applicants currently on the Common Housing Register were sent a letter which signposted them to a dedicated consultation website or to an event, with a booklet available online and in person detailing the proposed changes to the Allocations Scheme.
- 4.4 There were also several events either drop in or focus group sessions to highlight the proposed changes to the Allocations Scheme. The responses have been considered carefully by senior officers and members and used to inform whether these proposals are adopted.
- 4.5 In the main, respondents indicated that they agreed with the first four proposals to amend the Allocations Scheme. The findings are summarised below:

Proposal	Strongly Agree / Agree	Neither agree nor disagree	Strongly disagree/ disagree
1. Applicants placed in out of borough PRS accommodation to prevent homelessness allowed to remain on the CHR for a maximum of 3 years	49%	17%	34%
2. Release larger sized homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.	62%	18%	20%
3. Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.	77%	10%	3%
4. Reduce the residential condition for victims of domestic abuse (DA)	56%	23%	20%
5. Applicants not in housing need who are already adequately housed (other than those over 50 years of age or requiring sheltered accommodation) should be removed from band 3 of the housing register.	21%	10%	60%

- 4.6 While there was approval for the first four proposal to amend the Allocations Scheme, the majority of residents who responded to the consultation expressed that they either disagreed or strongly disagreed with the original proposal to limit the eligibility of applicants in Band 3 of the CHR (5). Officers have listened to these concerns and have amended this proposal as outlined in the recommendations of this report.
- 4.7 A full report on the findings of the consultation exercise can be found in Appendix 2 of this report pack.

5. Indicative Timeline

- 5.1 The indicative timeline for implementation of the proposed amended Allocations Scheme is outlined below:

Action	Date
Cabinet Approval	23 rd September 2020
Launch of the revised Allocations Scheme	7 th October 2020

6. EQUALITIES IMPLICATIONS

- 6.1 An Equality Analysis has been undertaken on the original four proposals as set out in this document with a separate Equality Analysis conducted on the amended proposal to remove existing social housing tenants under the age of 50 from Band 3 of the CHR. Both Equality Analyses' did not identify any negative impacts across the nine plus one protected characteristics. The respective EA's can be found in Appendix's 3 and 4 of this document.

7. COMMENTS OF THE CHIEF FINANCE OFFICER

- 7.1 There are no financial implications directly emanating from this report which details the results of the consultation process undertaken to gauge opinions relating to the future provision of the common housing register.
- 7.2 Any changes to the process for administering the housing register could have future cost implications or benefits for the Council and such changes will be subject to future decision reports. Any future increases in cost will need to be absorbed within existing budget provision or the subject of a growth bid as part of the budget setting process.

8. COMMENTS OF LEGAL SERVICES

- 8.1 This report seeks the approval of the Mayor in Cabinet to a number of revisions to the current Allocations Scheme to reflect legislative changes and updated government guidance on local authority allocations of social housing.
- 8.2 Section 166A of the Housing Act 1996 requires the Council 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.
- 8.3 Section 166A (3) of the Housing Act 1996 specifies a number of matters that the Council's allocation scheme must contain. In particular, the scheme must secure

that reasonable preference is given to the following categories of people with urgent housing needs –

- People who are homeless
- People to whom the Council owes a homelessness duty under the Housing Act 1996
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds
- People who would suffer hardship if they were prevented from moving to a locality in Tower Hamlets.

Further the local authority must give additional preference to certain current or ex members of the armed forces and or their bereaved spouses or civil partners if those persons are in a reasonable preference category and have an urgent housing need.

- 8.4 The Localism Act 2011 introduced a number of key changes to the scheme under Part 6 of the Housing Act 1996. Amongst these changes, section 160ZA(7) now gives local housing authorities power to set qualifying criteria in relation to the classes of persons to whom they will allocate housing accommodation. The Council can rely on this power to make the amendments to the Allocations Scheme as set out in paragraph 3 of the report.
- 8.5 The Secretary of State has published statutory guidance under section 169 of the Housing Act 1996 which deals with the making of allocations schemes following the Localism Act amendments. The guidance is entitled “Allocation of accommodation: guidance for local housing authorities in England” and was published in June 2012. The Council is required to have due regard to the guidance when carrying out its functions under Part 6 of the Housing Act 1996.
- 8.6 When considering whether to adopt the proposed amendments to the scheme, the authority should consider the impacts of those criteria or requirements. This is to ensure that the persons in urgent housing need continue to receive ‘reasonable preference’ and that any policies adopted do not result in harsh and unexpected impacts. In making these amendments , the Council must consider the public sector equality duty to have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not. Two equality assessments have been carried out and are attached as Appendix 3 and 4. Members must have regard to these assessments when making their decisions.
- 8.7 Section 166A of the Housing Act 1996 requires the Council to consult registered providers of social housing and registered social landlords before making an alteration to the allocations scheme reflecting a major change in policy. The Council is also required to consult with its secure tenants under

section 105 Housing Act 1985 if they are likely to be substantially affected by a change in a practice or policy of the local authority. To this end, detailed consultation was carried out with key stakeholders over a period of 17 weeks. The methods and outcomes of the consultation exercise are set out in paragraph 4 of this report. Where the results of the consultation were not in favour of the proposed changes to the Allocation scheme, specifically in respect of Band 3, the Council has amended the proposal to take account of concerns raised.

- 8.8 There is adequate power for the Council to delegate its functions to RP partners as proposed in paragraph 3.9.1 of the report. The Deregulation and Contracting Out Act 1994 provides that legislation may permit a local authority to contract out certain functions. The Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions) Order 1996 is made under section 70 of the 1994 Act. It provides that a Local Authority may contract out its functions under Part 6 of the Housing Act 1996.
- 8.9 Cabinet is requested to retrospectively ratify past exercises of its functions by Registered Providers partners under the CHR. Ratification is open to the Council because: (a) the required delegation to RP partners is something that the Council had power to do at all relevant times when the CHR was in operation; and (b) there is no prejudice to applicants for housing accommodation caused by reason of the proposed ratification. The acts taken by RP partners under the CHR are ones which the Council would have had to carry out itself if the RP's had not.
- 8.10 The Council may delegate functions to officers as proposed in the report pursuant to the powers contained in sections 101 of the Local Government Act 1972 and section 14 of the Local Government Act 2000.
- 8.11 Paragraph 3.3 of the report sets out a proposal to allow those applicants currently suitably housed in the private rented sector to join or remain on the housing register for a maximum period of three years. Under the current scheme, they are removed from the register once the Council has discharged its housing duty. There is no legal requirement to keep them on the register. Applicants will retain their statutory right to challenge the Council's decision to discharge its housing duty. The findings of the equality analysis of this proposal are set out at paragraph 3.3.5 of the report. It concluded that there will not be any adverse effects on applicants.
- 8.12. The Intermediate Housing Register does not form part of the Allocations Scheme and will operate outside of it. Any lettings made under this register will not be an allocation under section 166A of the Housing Act 1996.
- 8.13 The proposals set out in this report have been drafted in accordance with the Council's statutory obligations and government guidance and reflect its priorities for managing its housing stock.

Appendices:

Appendix 1 – Revised Allocations Scheme

Appendix 2 – Consultation Report February 2020

Appendix 3 – Equality Assessment (Allocations Scheme)

Appendix 4 – Equality Assessment (Proposal to exclude existing social housing tenants (under the age of 50), from Band 3 of the Common Housing Register)



The Common Housing Register Partnership

Partner landlords



With effect



Allocations Scheme

With effect from 07 October 2020

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Tower Hamlets Common Housing Register Allocations Scheme

Introduction

1. Many people in Tower Hamlets apply for a limited supply of social housing available each year. Tower Hamlets Council and its Registered Social Landlord partners have jointly created a Common Housing Register for anyone who applies for housing and is eligible and qualifying to go on to the Register. All available housing is offered to people on the Housing Register.
2. Although the Council and its partners work to provide as many homes as possible, there are many more people on the Housing Register than there are homes available. Many who apply will have little or no chance of being offered a home. Even those who apply and do have a chance may have to wait a long time.
3. People have many important reasons for wanting to move, such as being overcrowded, not having a secure place of their own, wanting to be nearer family or friends, to work or wanting to move to another area.
4. However, some people must be rehoused because their homes are being demolished as part of plans to regenerate the Borough and to improve the quality of life for all residents. Other people live in homes that are larger than they need and therefore by moving to smaller homes their larger home can be offered to a family on the Housing Register.
5. Some people also need to be rehoused because where they live is very unsuitable. This may be because it is too small, is bad for someone with serious health or disability problems or or requires such major repairs that it is not possible for them to live there whilst the repairs are being done. Other people are threatened with homelessness and apply for help.
6. All these competing demands have to be considered and difficult decisions made about who should be offered the limited number of homes available each year. As required by law, the Council and its Common Housing Register partners have developed this Allocations Scheme in order to decide how to give priority for housing. This was after consultation with applicants on the Housing Register, Tower Hamlets residents and other stakeholder organisations and partners.
7. Not having a good home is hard to bear for many people. An important aim of the Allocations Scheme is to make it clear how decisions are made so that people who are not offered a home can understand how priority for housing is decided and have trust and confidence in how decisions are made. Some people have very little chance of being offered a home and it is important this is made clear so that they know where they stand and can consider any other options they may have.
8. How applicants are assessed, the priority they are given and how it is decided who will be offered a home is set out on the following pages. The document is in two parts.

Part I – shows how priority is decided and how homes are allocated
Part II – sets out the full Allocations Scheme in detail

Equalities statement

9. We are committed to delivering quality services to all, responding positively to the needs and expectations of all users of the service. We are committed to eliminating discrimination on any grounds including race, gender, disability, age, sexuality, religion or belief. This commitment derives from our respect for every individual. This Allocations Scheme applies equally to everyone who applies to or is on the Housing Register.

Key links

10. This Allocations Scheme has been developed by having regard to the “Allocation of Accommodation – Guidance for Local Authorities in England”, published in June 2012, and the supplementary guidance “Providing social housing for local people – Statutory guidance on social housing allocations for local authorities in England’, published in December 2013 by Department for Communities and Local Government. In developing this scheme, the Council has also had regard to the Homelessness Strategy, Tenancy Strategy and Overcrowding Reduction Strategy. These documents are available on the Council’s website.

Part 1 – Allocations Scheme Summary

How priority for housing is decided

11. The Council and its Common Housing Register partners have agreed to have three bands in the Allocations Scheme. Everyone eligible to be on the Housing Register will be put in one of three bands depending upon the information given at the time of application or following any change of circumstances. The bands are described below. Band 1 and Band 2 are the housing needs bands, where applicants attract reasonable preference; Band 3 is the housing options band where applicants have been assessed as having no housing need e.g. are not overcrowded. The norm for applicants in Band 3 will be that the Service will not initiate contact. For example, the regular reviewing of Band 1 & 2 cases (to establish any change in circumstances) will be substituted with the expectation that Band 3 households will need to inform any such changes. Enquiries on housing prospects, whilst receiving bespoke information for Bands 1 & 2, will involve Band 3 households being directed towards on-line self-help opportunities as facilitated by the wider services available from Housing Options. With regards to overcrowding, the Council will go by the bedroom standards and this will be regardless of the households existing living/sleeping arrangements (see table in para. 78. for further details).

The Three Bands

Bands	Categories in each band
Band 1 High Priority Housing Need	Group A <ul style="list-style-type: none"> • Emergencies • Medical/Disability need for ground floor or wheelchair accessible property (category A & B) • Priority decants • Under-occupiers Group B <ul style="list-style-type: none"> • Priority medical • Priority social • Decants • Priority Target Groups and armed forces personnel in urgent housing need
Band 2 Priority Housing Need	Group A <ul style="list-style-type: none"> • Overcrowded applicants • Homeless applicants Group B <ul style="list-style-type: none"> • Applicants in housing need without a local connection
Band 3 General Housing Options	<ul style="list-style-type: none"> • Households with no defined Housing Need who do not have a social housing tenancy. • Social tenants with no defined housing need, where everyone in the household is over 50 and who are able to move to a sheltered flat or a designated older persons flat

12. How the bands are made up depends upon several factors. First of all, the law says that the Allocations Scheme must give 'reasonable preference' to people who are overcrowded, homeless or need to move on medical, welfare or hardship grounds. The law also says that people can be given 'additional preference', because of serious medical, emergency or social and welfare problems.
13. Applicants who must be given reasonable preference or who have been given additional preference are, depending on their circumstances, placed in the "Housing Needs" Bands 1 or 2 where they have a greater chance of being offered a home. Many councils are choosing not to register applications from people deemed not to be in housing need. Tower Hamlets recognises that those not in housing need might still want to be given the opportunity for a social housing tenancy, however small that opportunity might be. For that reason, non-housing need households, without a social housing tenancy, will be placed in Band 3, being primarily registered for housing advice and options.
14. As part of the transition period existing Band 3 social tenants who do not meet the new policy criteria will remain on the housing register until 31st March 2021 and can continue to bid for available homes until this date. Any change in their circumstances will also be considered before they are removed from the housing register.
15. Therefore, the Council permits some homes to be made available to applicants in Band 3 in order to meet local Tower Hamlets needs. The law allows for this as long as the amount of property set aside for this purpose does not dominate the scheme.
16. This will depend upon your circumstances at the time of your application or after notifying us of any change in your circumstances after you have been put on the Housing Register. For example, you may be placed in a lower priority band, but can be considered for a higher priority band after an investigation or assessment of any circumstances that may qualify you for additional priority. Similarly, your priority may drop if any change in personal circumstances dictates this. Appendix 1 sets out how these decisions are made.

I am on the Housing Register. What happens next?

17. Applicants on the Housing Register can apply through the Choice Based Lettings system for homes that are provided by the Council and the Common Housing Register partner landlords.

What is Choice Based Lettings?

18. This is a method of letting homes by advertising them so that applicants can "bid" for them. Some homes will be let through direct offers process but most of the homes provided by the Council and the Common Housing Register partners are let through this method. This way everyone can see the homes that are available each advert cycle and decide whether they want to apply for them.
19. Under Choice Based Lettings, applicants can bid for homes advertised each advert cycle. The highest priority eligible bidder for any one home is usually offered it first and then the next and so on until the home is accepted. Letting homes in this way means that applicants are considered for homes that they express an interest in. It therefore gives choice to applicants over property location and type.

Grouped bids

20. In certain circumstances, properties that are advertised may be grouped into one single advertisement. This will include

How do you decide which band my application will be in?

advertisements for new build properties and those properties made available following regeneration schemes, where properties will be grouped by property type and size. Where there are grouped advertisements, applicants who place one bid will be considered for all properties within the group.

There are four steps to Choice Based Lettings

Step One: Available homes are advertised

Step Two: Applicants can “bid” for up to three properties each advert cycle

Step Three: A short list is drawn up in priority order for each advertised home from those who have bid for it

Step Four: A home is usually offered to the highest priority bidder first. If refused it is offered to the next priority bidder and so on until it is accepted. Sometimes multiple applicants will be asked to view a home.

How do you decide between bids?

21. Applicants on the Housing Register are in one of the three bands. Each applicant will be given a preference date. How this is decided will depend upon the band and may change if an applicant moves from one band to another. See Appendix 2 for how ‘preference dates’ are decided.
22. When more than one applicant in the same band bids for a home it will usually be offered to the applicant with the earliest preference date in the band.

Are all properties let in this way?

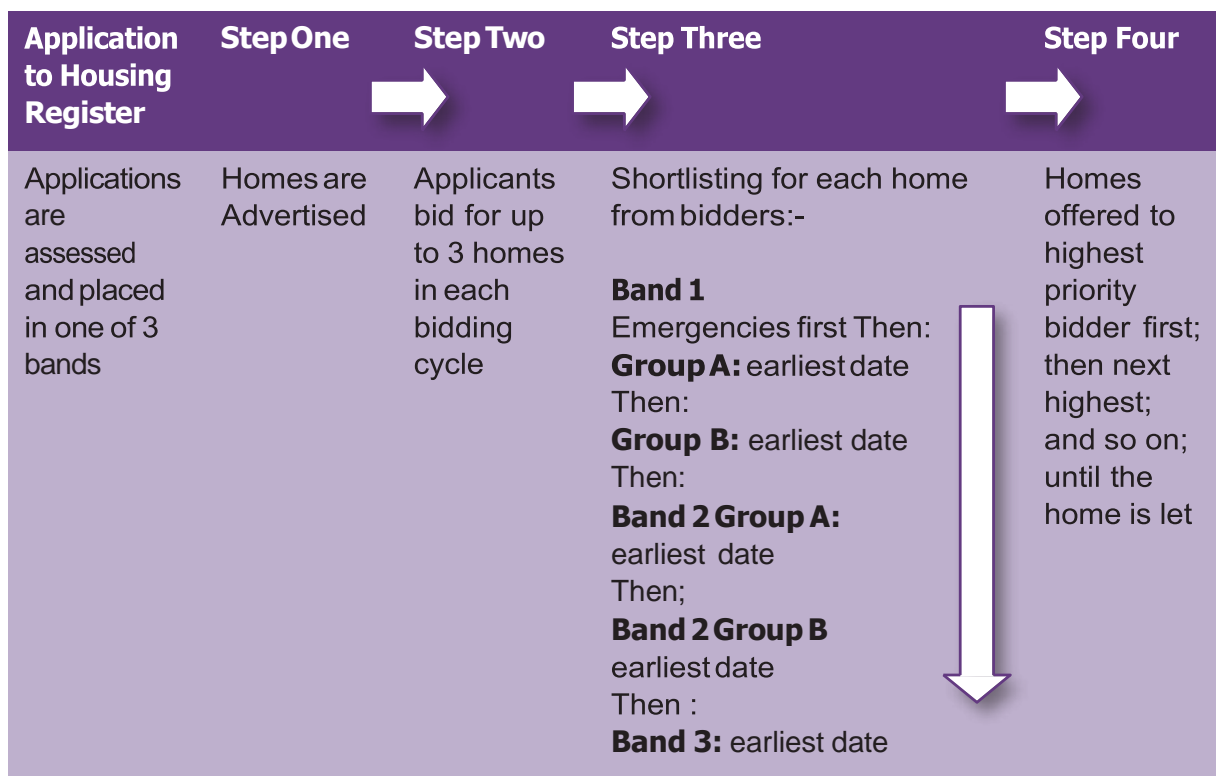
23. Not all properties are let in this way. The Council is keen to allocate some properties to its Priority Target Groups. The Priority Target Groups are identified as those groups to whom a proportion of lettings will be made each year and includes groups such as foster carers, supported housing move-on, people leaving care. In addition, some homes will be let directly (see paragraph 92 for more information); and a small number may be made available to applicants in Band 3 as part of the Lettings Plan. This

is to reflect the Council’s strategic housing need and financial priorities. They are reviewed as part of the Lettings Plan periodically. The Council monitors the lets that are made to these groups and if Choice Based Lettings has not achieved the target lets; the Council will intervene via direct lets or restricted adverts. An annual target will be set for some of the less popular properties to be used for temporary accommodation in the borough in addition to regeneration scheme properties already in use for this purpose. In addition, in order to maintain the balance of supply and demand across the various groups in housing need and to manage its financial priorities the Council has delegated authority to the Corporate Director Development and Renewal to introduce an annual quota for lettings to the homeless should this be required.

Local Lettings Plans

24. From time to time the Council and its Common Housing Register partners may adopt local lettings plans for new build homes on regeneration schemes including infill sites on housing estates. The purpose of these local lettings plans is to encourage residents to develop lasting connections with the area; to help sustain a community; to reduce overcrowding and tackle other housing needs in the local area.

Choice Based Lettings:



Part II – Allocations Scheme in detail

Making an application to the Housing Register

How do I join the Housing Register?

25. Anyone who wants to join the Housing Register has to fill in an online application form. This is to make sure that we have the information needed to decide your priority for housing and to make sure everyone is assessed in the same way.
26. If you need it, we can help you to fill in these forms. Housing Options and One Stop Shop staff, advice centres, local Housing Association offices and lots of other groups around the Borough will be happy to advise you about your application.
27. Normally, you can join the Housing Register so long as you:
 - Are not subject to immigration control and have recourse to public funds
 - Are over 18 years of age
 - Have lived in the Borough continuously for the last 3 years
 - Are not guilty of bad behaviour
 - Do not have a sole or joint income of more than £90,000 per annum
 - Are not a home-owner
 - You do not fall within any of the ineligible categories set out below in para 27.
 - Do not already have a social housing tenancy that meets your family's needs.

Local connection requirement

28. The Council has decided that applicants should normally have a local connection defined as that they have lived in the borough continuously for the last 3 years at the point of registration. You cannot claim a local connection because you have employment or relatives in the borough.

Exceptions are:-

- As per the regulatory requirement for Armed Forces personnel
- Any application in relation to a local or national mobility scheme
- Sub-Regional or Regional nominations
- Other recognized reciprocal arrangements
- Where the relevant Service Head or Lettings Manager decides it is in the Council's interest to make an exception to the local connection requirement. For example to avoid a high cost of social care when care could be provided by an out of borough relative who in order to provide the care has applied to go on the housing register. Subject to social care confirmation such cases will be placed in Band 1 Group B on either medical or management grounds.
- An older person whose economic circumstances are unlikely to change and who is applying for sheltered housing.
- Households placed in and out of the borough in temporary accommodation or housed into private sector accommodation part of the Council's homelessness prevention/relief duty.

Maintaining continuous residence in the borough

29. Applicants would normally be expected to remain resident in the borough to preserve their registration. However in exceptional circumstances it is acceptable for an applicant to move out of the borough for a short period and not lose their registration. For example

where there has been domestic violence. Each case will be considered on the merits of the individual's circumstances.

30. An applicant who has worked with the Housing Options Service to prevent or relieve their homelessness and, has moved out of the borough as a result, into the private rented sector will be permitted to remain on the Housing Register for three years in the relevant band.

Borough residents with no established local connection but in housing need

31. Where a housing applicant in housing need does not meet the 3 year continuous residence requirement their application can be accepted and will be placed in Band 2 Group B. An example would be a homeless applicant in priority need where the Council has accepted a duty to assist them but they have not been resident in the borough for 3 years continuously. The exception to this is if a homeless duty has been accepted where an applicant is fleeing Domestic Violence and have not lived in Tower Hamlets for three years. In this case they will be placed in Band 2 Group A.

32. When applicants in Band 2 Group B have lived continuously in the borough for 3 years their application will be moved to Band 2 Group A and given a new preference date. This will be the date they qualified for Band 2 Group A in line with the rules on movement between bands set out in Appendix 2.

What happens if you decide I am not eligible to be on the Housing Register?

33. There are certain people who cannot join the Housing Register. These are explained in more detail below. Every application will be considered on its own merits and we will consider all circumstances before making a final decision on eligibility for the Housing Register.

34. If a Lettings Assessment officer decides that you are not eligible for the Housing Register, we will tell you why. You can ask us to review the decision. How this is done is set out in Appendix 3. Every application is treated individually and we will take into account any exceptional or mitigating factors you ask to be considered.

Who is ineligible to join the Housing Register?

35. In consultation with the Common Housing Register partnership, the Council has determined that a number of categories of applicants will be ineligible to join the Housing Register. These are set out below:
 - Contrived or fraudulent applications
 - Applicants with a history of bad behaviour
 - Any applicant, partner or any member of their household convicted of or had legal action taken against them for violence, racial harassment, threatening behaviour, any physical or verbal abuse towards staff or residents in their location
 - Any applicant evicted for rent arrears
 - Legal action includes relevant convictions, service of injunctions, behaviour causing a landlord to serve notice of intention to seek possession, a court order, or revocation of a licence to occupy.
36. Applicants excluded under any of the above criteria will need to demonstrate a change of behaviour before being considered eligible to apply to go on the housing register.
37. It should be noted that any prior spent conviction (spent as described under Rehabilitation of Offenders Act 1974), shall be disregarded for the purposes of this section.
38. Normally applications will be reconsidered 3 years after the events in question during

which time the applicant's must demonstrate that there has been no repeat occurrence. Reviews earlier than 3 years from the events in question can be considered in exceptional circumstances.

Mental ill health

39. An applicant who suffers from a mental illness and who has either been convicted or has had legal action taken against them as defined above shall not be ineligible if the conduct in question was directly attributable to their mental illness. In these circumstances the Council will usually require medical evidence to help determine the applicant's eligibility.

People earning a high salary

40. Applicants will not be entitled to join the Housing Register where there is a sole or joint income of £90,000 per annum or more. This figure will be reviewed annually.

Homeowners

41. Homeowners or anyone with a legal interest in a property including any property outside of the UK are not entitled to join the Housing Register. An exception might be made where homeowners are unable to utilise their assets to source their own housing solution. These applicants may be granted a management or medical priority, and would include such circumstances as:
- An elderly person needs sheltered accommodation – likely this will place the application in Band 3.
 - A disabled person's home is unsuitable and it cannot be adapted – likely this will place the application in Band 1B (unless an 'Emergency').
 - There are other urgent medical reason to move – likely this will also place the application in Band 1B (unless an 'Emergency').
42. Applicants will be required to provide appropriate documentation, e.g. ownership, valuation of the property, proof of income, report from social care team, hospital, GP, occupational therapist reports regarding the suitability and viability of adaptations in their current property and any risk to health or life in order for an assessment and decision to be made by the Council's Lettings team.
43. Any tenancy awarded under such circumstances may be of a fixed term.

What happens when I make an application to go on the Housing Register?

44. When your application to go on the Housing Register is received your details will be registered on a computer. We have a duty to protect public funds and the information you give on your form will, upon appropriate request, be shared with other public agencies (such as the Department for Work and Pensions), Council departments (such as Housing Benefits and Council Tax) or any other appropriate agency, solely to detect and prevent fraud. We will share the information you give us with Registered Social Landlords and other housing authorities for the purposes of housing nominations.

Obligation to be truthful

45. Section 171 of the Housing Act 1996 makes it an offence to withhold information that we reasonably require to assess your application, or to provide false information that leads to your gaining a tenancy. We will take appropriate action (including legal action) against anyone who gains a tenancy through knowingly providing false information. This may mean you lose your home. A person guilty of an offence under this section is liable on summary conviction to a fine. Legal proceedings may begin if:
- i. any false information is given, or information withheld, on an application form to appear on the Housing Register
 - ii. any false information is given, or information withheld, in response to subsequent review letters or other update mechanisms
 - iii. any false information is given, or information withheld, by applicants during a review.

46. We will check if you, or anyone in your household, are already registered on the Housing Register. You can only be on one active application at any one time.

When someone else at your address wants to join the list

47. If you are a tenant of one of the partner landlords and someone living with you applies for separate housing, we will ask you to give an undertaking that, if you move, you will make sure no one is left in the property. Normally, until you give this written guarantee of vacant possession, you will not be able to bid for available homes and we will not actively consider your application.

Joint tenants who want to be re-housed separately

48. If you are a joint tenant you will be required to apply together or end your existing joint tenancy otherwise you will not be able to sign a new tenancy if you are made an offer through the Housing Register. You should seek legal advice before ending your joint tenancy.

Where the above situation arises because of relationship breakdown, you must show formal evidence of separation, and end the existing tenancy before you can sign a new tenancy. Any cases accepted onto the Housing Register and subsequently made any offers will be subject to this condition.

Proof required (include POR and ID table)

49. We may ask housing applicants to provide independent documentary proof of the following:
- identity;
 - relationship to and between all those named on the application
 - immigration status
 - the property you currently live in – where, the occupation status and how long

- previous property details and reasons for moving
- if you have a local connection with the Local Authority area
- salary levels, proof of income e.g. pay slips, P60
- formal evidence proving separation and relationship breakdown
- main bank account into which benefits or salary is paid
- School letters
- utility bills
- proof of benefits including proof of receipt of child benefits
- Residence order

50. For every person on the application we must normally see at least two of the following forms of proof of identity - one of which must be a photo ID, and proof of where they currently live and previously lived:

- a. full birth certificate;
- b. medical card;
- c. marriage certificate;
- d. driving licence;
- e. National Insurance card;
- f. passport.
- g. Freedom Pass

51. We will then assess what priority your application has and tell you:

- a. which Band your application is in;
- b. your preference date;
- c. the size of property you can bid for.

Who can be on my application?

52. Only those in your immediate family, or others if previously agreed, will be registered as part of your household for the purposes of the Housing Register. Immediate family means the main applicant, their spouse or partner, their children (except as below) and anyone with whom they have to live because of extenuating circumstances, this includes children who live with you under a Special Guardianship Order. If you are the main applicant, immediate family does not

include you or your partner's parents; grandparents; aunts or uncles; grandchildren; nieces or nephews; cousins; children over 18 living with a partner (whether married or not); children over 18 who have their own children; friends; lodgers; brothers or sisters.

53. If you have to live with someone that we do not usually define as immediate family because you have to provide or receive care or support you can ask us to review the decision not to include these people on your application. If there is a health need for you to live together the Council may seek advice from a health professional before deciding whether or not they should be included.
54. If there is a justifiable and genuine social need for you to live together the Housing Management Panel will make the decision. If you share custody of children with someone else, we will decide who is the main provider of care by looking at who is paid child benefit or tax credits and whom the children stay with for the most nights each week. If you are not the main care provider your children will not normally be considered as part of your household for the purposes of the Housing Register.

What happens if I owe rent?

55. It is very important that you pay your rent. If you do not then you risk losing your home. If you are having difficulties then you should speak with your landlord who will be able to provide you with advice and support. If you owe no more than four weeks of your weekly charge (that is the net amount you have to pay after any benefit has been deducted), then your housing application will not be affected. You will be asked to sign an undertaking that you will pay any arrears before you move.
56. If you owe no more than 10 weeks of your weekly charge and you have been keeping to an agreement to pay off the arrears for at least 8 weeks then your housing application will not be

affected. You will be asked to sign an undertaking that you will continue to pay the arrears if you move. If you owe more than 10 weeks of your weekly charge then you will normally not be considered for any homes you may apply for.

57. Each case will be considered on its individual merits by Common Housing Register partner landlords, the Council's homeless or lettings service. Discretion can be used by a manager to override arrears if it is considered that unreasonable hardship would otherwise occur.
58. If the Housing Management Panel makes this decision then you will be asked to make an agreement to pay your arrears and sign an undertaking that you will continue to keep to the agreement if you move.

When your application is accepted

59. You can then look at the properties advertised in each advertising cycle and apply for those you are interested in and that are suitable for your household size and any medical needs. Each applicant is permitted to place 3 bids in each advert cycle.

What happens to my application if I am homeless?

60. If you approach us with 56 days of when you are due to become homeless we have a duty to assist you under the Homelessness Reduction Act (HRA) (2017), which came into effect in April 2018. This requires us to give you housing priority. If you are already in Band 2 Group 1 or 2 your priority will remain unchanged until a full homelessness duty is accepted which will result in your preference date being changed to your homeless application date. If you are in Band 3, your application will be placed in Band 2 Group A or B and your preference date will be the date of your homelessness application.

61. If you do not have an existing housing application you will be required to make an application for priority to be awarded
62. We will work with you as part of your Personalised Housing Plan (PHP) to resolve your homelessness and all available housing options will be considered included private rented accommodation. We will expect you to accept any offer of suitable and affordable accommodation made to you. Failure to do so will result in homelessness duty being ceased.
63. If we are unable to prevent or relieve your homelessness and a homeless duty is owed to you your application will be placed in Band 2 on the Housing Register or Band 1 Group B if you are accepted as single homeless and in priority need because of your vulnerability. Your preference date will be the date you made a homeless application. Any earlier preference date will be lost if you were already registered on the Housing Register.
64. Your position in the queue will change and you will not keep the time you have previously spent in the band.
65. If it is accepted that homeless duty is owed to you and we assess that you must have ground floor or wheelchair accessible category A home based on the recommendation made by the health advisor, you will be placed in Band 1 Group A
66. You will then be able to bid for available homes that are advertised. If you have not moved in to a permanent home or private sector accommodation within the average waiting time for the size and type of accommodation that you require then your application will be placed on Autobid for all suitable and reasonable vacant homes that become available. Refer to paragraph 65 for more information on Autobid. Where appropriate and justified due to high priority of the applicants direct offers may be agreed by the Lettings Manager.
67. You will be made one offer of a suitable and reasonable home to ensure that the Council properly ceases any housing duty to you. Where necessary direct offers will be made. We cannot tell you how long this may take after the average waiting time limit is up. You will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in. You will be asked to explain why you cannot live in a particular area or in a specific type of home. You will not be asked to live in an area where you are not safe. If you are made an offer of suitable accommodation and refuse unreasonably, the Council will, in all likelihood, cease its statutory duty to you and you will be asked to leave any temporary accommodation provided by the Council. If you then secure your own accommodation and wish to be considered on the Housing Register, you must make a fresh application. You will be assessed on your new circumstances and be given a new preference date.

Choice Based Lettings: The four steps in detail

Step One – Advertising homes

How will I know about homes to be let?

68. Homes that become available to let will be advertised periodically. Currently, information is available on the Homeseekers and Council's websites, One Stop Shops, local housing and local Registered Provider offices. Policy, advertising mechanisms might change, but you will be kept informed of any such changes.
69. Where possible, the advertisement will have a photograph of the property or the block it is in and will endeavor to include information about:
 - who the landlord is;
 - the rent;
 - the sort of property it is: floor level, type and how many bedrooms;
 - the area it is in;
 - the size of household that can apply;
 - if there are special facilities for households with particular medical or other needs who will be given preference for it;
 - whether there are any special features or where certain conditions apply such as limited to applicants who qualify under a local lettings plan or priority target group.
70. To minimise rent loss landlords advertise some homes as 'potential' voids. This means that the property is available in the future but it may be withdrawn by the landlord because the property does not actually become available for letting.

Local Lettings Schemes

71. From time to time the Council and its Common Housing Register partners may adopt local lettings schemes. These schemes are designed to encourage residents to develop lasting connections with the area; to help sustain a community; to reduce overcrowding and tackle other housing needs in the local area.

How these schemes would work

72. Homes available for letting at broadly the same time will be identified as suitable for local lettings. Usually these will be new build homes. The qualifying criteria will be defined for each local lettings scheme including consideration only being given to applicants who meet the criteria set down for each scheme. The criteria may vary between schemes but will be made clear at the start.
73. The Common Housing Register Forum must agree a local lettings scheme. Homes will be advertised through the Choice Based Lettings scheme as only suitable for applicants who qualify for the scheme. Where possible bidding will be restricted to applicants who meet the criteria for the scheme. Applicants will then be short listed in the normal way and homes offered in priority order.
74. If it is not possible to let all the available properties earmarked for a local lettings scheme, the remaining properties will be let in the normal way and the policy criteria to qualify will not be applied. Properties suitable for applicants with high priority needs, for example with special needs adaptations, may be excluded from the scheme.

Step Two – Bidding for advertised homes

75. • You can place up to 3 bids per cycle (refer to paragraph 19 on grouped adverts) on homes that are suitable for your size of household as set out in the table below.
- You should not bid for homes that you are unlikely to accept if they are offered to you.

Currently, bids can be made as follows:

- On line on the Homeseekers website
 - By telephone/mobile
 - Exceptionally, by the Autobid process
76. Placing bids early in the advert cycle does not give you any advantage over other applicants who have more priority than you but place their bids later on in the advert cycle.
77. The Council will be introducing other mechanisms as technologies evolve.

Auto bidding

78. If the Council is satisfied that you are unable to register your own bid you can register your choices with us then we can bid on your behalf. These auto bids will act as if you have told us about an interest in an advertised home and you should be very sure about the choices you make before telling us about them so that the auto bidding system can bid for the type of home you are willing to accept.

79. If you are a homeless household and have exceeded the average waiting time for any household who is bidding regularly and sensibly for the type of property they can reasonably expect to be offered, the council will review your bidding history. If you are found to be either not bidding or only bidding for homes that you have no prospect of being offered, you will be given guidance on the ways you can improve your prospect of an offer.

80. If after a 6 month period your bidding practices have not changed, you will be placed on autobid for any property that in the Council views would be reasonable for you to accept having regard to the property type, location and any other social, medical or relevant factors. If necessary, a direct offer may be made.

81. This is to ensure you are rehoused as soon as possible. If you refuse an offer of reasonable and suitable accommodation made under the Autobid option your priority will be withdrawn if under the policy you are entitled to one offer only.

What size home can I apply for?

82. You can only apply for a size of home suitable for the number of people in your household. How this works is set out in the bedroom standard agreed by Tower Hamlets Common Housing Register partners in the table below.
83. Your application will be assessed according to the bedroom standard to determine if overcrowding priority applies regardless of the sleeping arrangements you might have in place for your household at your home.

Household 1 or 2 adults	Studio or 1 bedroom	1 or 2 bed space
Household with one child	2 bedrooms	3 or 4 bed spaces
Household with two children – same sex	2 bedrooms	4 bed spaces
Household with 2 children – opposite sex	3 bedrooms	4 or 5 bed spaces
Household with 3 children	3 bedrooms	5 or 6 bed spaces
Household with 4 children same sex or two of each sex	3 or 4 bedroom	5 or 6 bed spaces
Household with 4 children – 3 same sex 1 opposite sex	4 bedroom	6 or 7 bed spaces
Household with 5 children	4 bedroom	7 or 8 bed spaces
Household with 6 children – same or opposite sex	4 or 5 bedroom	8 or 9 bed spaces
Household with 6,7 or more children	5 bedrooms or more	9 or 10 or more bed spaces

Can I apply for a smaller home than I need?

84. To ensure applicants do not face undue financial hardship when they move to their new homes, they will be permitted to bid for properties that have one bedroom and one bed space less than their assessed housing need. This will enable choice to many applicants who will be affected by Welfare Reforms and other financial imperatives allowing the selection of a home that is smaller than ideal requirements as assessed under the Allocations Scheme. If and when a family successfully moves into a new home which is smaller than their assessed bedroom need, any subsequent transfer application will start with a new date for that application.
85. A single parent will be classed as needing up to two bed spaces.
86. Two siblings of the opposite sex will only be able to share a bedroom if both siblings are under 10 years old.
87. Two same sex siblings when part of the same household can share a bedroom regardless. If a sibling sharing in this way makes an individual application to live



independently and not as part of the household, they will be classed as overcrowded for the purposes of the individual's rehousing application.


88. A health advisor may recommend a size of property for you that is different to that set out above.

Step Three – Short listing


89. A short list will be drawn up from those who have bid for a home. Applicants who have bid for a home are selected by comparing the size of the home with the number of people on their application.

Short listing Priority Order

Band 1	Group A	Emergencies first: Then:  Earliest preference date: Then: 
	Group B	Earliest preference date

Then: 

Band 2	Earliest preference date
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Then: 

Band 3	Earliest preference date
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Step Four – Making offers of a home

90. Homes will be usually offered to highest priority applicant on the short list first by the allocations officer. However, preference for ground floor homes will usually be given in priority order to existing management, decant or under occupying tenants applicants recommended ground floor only accommodation on medical grounds. Preference for flats on the ground floor will be given to applicants who have a medical recommendation for homes on the ground floor only AND have been assessed as being unable to manage internal stairs.
91. If more than one applicant in the band applies for a home, it will usually be offered to the one who has waited the longest in the band, which is the applicant with the earliest preference date (see Appendix 2).
92. Where necessary, a number of applicants may be invited to view a property so that if the applicant with the highest priority does not accept the property it can be offered to another applicant without delay.
93. If a home has been advertised for a particular group in order to meet annual targets it will be offered to the applicant in that group with the earliest preference date.
94. If an offer is refused it will be offered to the next applicant on the short list and so on until the home is accepted.
95. Landlords can reject an applicant, if after a financial assessment it is established that the applicant will not be able to afford the tenancy.
96. You should not bid for homes that you would not be willing to accept if they were offered to you. To help you make an informed choice about the

properties that you bid for, the Homeseekers website will provide you with your position in the queue for that property at the time that you place the bid. This will be a snapshot, because applicants who bid after you may change your final position. However, it will give an indication of whether or not you have a reasonable chance of being short listed for that property.

Direct Offer Policy

97. The Council and its Common Housing Register partners will as far as possible let the majority of property through the Choice Based Lettings scheme. However, the Council and its partners can offer a home directly to some applicants without advertising the home through the scheme if circumstances justify it. Reasons for this can be: to meet the need of a high priority applicant; or to meet a legal obligation; to facilitate an under occupation move, or for effective management of the Council's or partners housing stock; in relation to public protection cases; as part of overcrowding reduction initiatives; or for split households.
98. Direct Offers can also be made on Sheltered Housing vacancies where the property has been advertised once and has not been let.

How will I know if I will be offered a home that I have applied for?

99. We receive a lot of bids for advertised homes. We will only ever contact the applicant who has been successful with the details of when they can view the property. Information on the position that you came for a property will be provided to you at the point of bidding so that you can make an informed choice.
100. When you view the property you will be told what repairs are to be done to it, whether any allowances are payable to help you move or decorate, and when

you would be expected to move in.

Is there any penalty if I refuse or not turn up to view it?

101. If you do not attend a viewing, this will be taken as you having refused the property unless there are very good reasons why you could not turn up AND you could not tell us beforehand. You must tell us if you are not able or not prepared to attend a viewing, giving at least 24 hours' notice.

What happens if I refuse three offers?

102. You should only bid for properties that you wish to accept the tenancy on if offered. If you refuse a home that is offered to you we will review your application. A 12-month demotion to the bottom of the Band your application is currently in will be enforced upon refusal of a third offer from the date this policy came into effect 18 October 2013. In addition, this penalty will be repeated every time you refuse a subsequent offer. The original priority date will be restored on expiry of that 12 month period.

Does one offer only rule apply to you?

103. One offer only rule applies to cases awarded emergency, homeless, priority social (management), priority target group priority. The details of this are covered below.
104. If you are offered a home as an emergency category on medical grounds and refuse the offer your priority will be withdrawn and you will be placed in Band 1 Group B as a priority medical category.
105. If your application has been awarded emergency management or is in priority social category, or a priority target group in Band 1 Group B and you refuse an offer unreasonably then your priority will be withdrawn. If you are in Band 1 Group B as a priority medical case and

you refuse an offer, your case may be reviewed and consideration given to withdrawing your priority.

106. If you are an applicant where the Council has accepted a homelessness duty then different rules apply. As an applicant that has been accepted as homeless, you will receive just one offer of accommodation, which may include an offer in the private sector. It is very important that you speak to someone in the Housing Options (Homeless) Team before you refuse an offer made to you as duty owed to you will cease.
107. You can ask us to review the decisions to withdraw any priority award. We will consider every review on its merits. However, if requesting a review justifiable and genuine reasons will have to be shown as to why the property was not suitable for you or why it was not reasonable for you to accept the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past) when making a decision about the reasonableness of any offer you refuse. (See Appendix 3 on right to a review.)

Information about homes that have been let

108. We know it is difficult to wait for a suitable home to become available and that many applicants on the Housing Register can be under a lot of pressure. It is only natural that people will speculate about the reasons when they see someone else get a home where they may not seem to be in as urgent need as they are

109. Please remember that someone may be rehoused before you because:
- a. their application was in a higher band than yours
 - b. they had been waiting longer than you in a band
 - c. they bid for a property you did not bid for
 - d. they were eligible for a home that you were not eligible for
 - e. they were overcrowded and you are not
 - f. their household has been given priority on health grounds
 - g. they had to move because of an emergency
 - h. they have had to move because their home is being demolished, refurbished or repaired
 - i. homes meets their specialist requirement e.g. are wheelchair accessible
110. We will publish information about homes that have been let and as far as possible give information about the length of time you may have to wait. This will be provided to help applicants make informed choices when bidding.
111. We will not publish information about specific applicants and properties as that information is confidential, but the information given will show the type of home it was and the length of time a household had been waiting

Other re-housing opportunities

112. If you are already a tenant of a landlord who is a member of the Common Housing Register partnership there are other re-housing opportunities you may wish to consider.

113. These schemes will vary over time, but opportunities that may be available are:

- Move to a smaller property with a range of incentives and/or a cash incentive depending on your landlord
- Mutually exchange your tenancy with another tenant
- Participate in a chain lettings moves
- Shared ownership where you could part buy part rent a home
- Move to the private rented sector.
- Move out of the Borough if your landlord has housing elsewhere.
- Move to others parts of London through the London Mayor's Housing Moves scheme

Under occupation or downsizing

114. We award a high priority to those tenants who want to move to smaller accommodation and who are prepared to give up at least one bedroom. You could move in or outside of the Borough although there will be limited scope for a move outside of Tower Hamlets.

115. If you are a transferring under occupier, you can apply for a home one bed larger than you need and you will be given priority to move as long as you give up at least 1 bedroom. If you are on benefits and under occupy your home you may lose benefit so please check with the Benefits Team before making this decision.

116. If you live in a home with 3 bedrooms and you are assessed as needing 1 bedroom you will get priority if you apply for a home with 1 or 2 bedrooms.

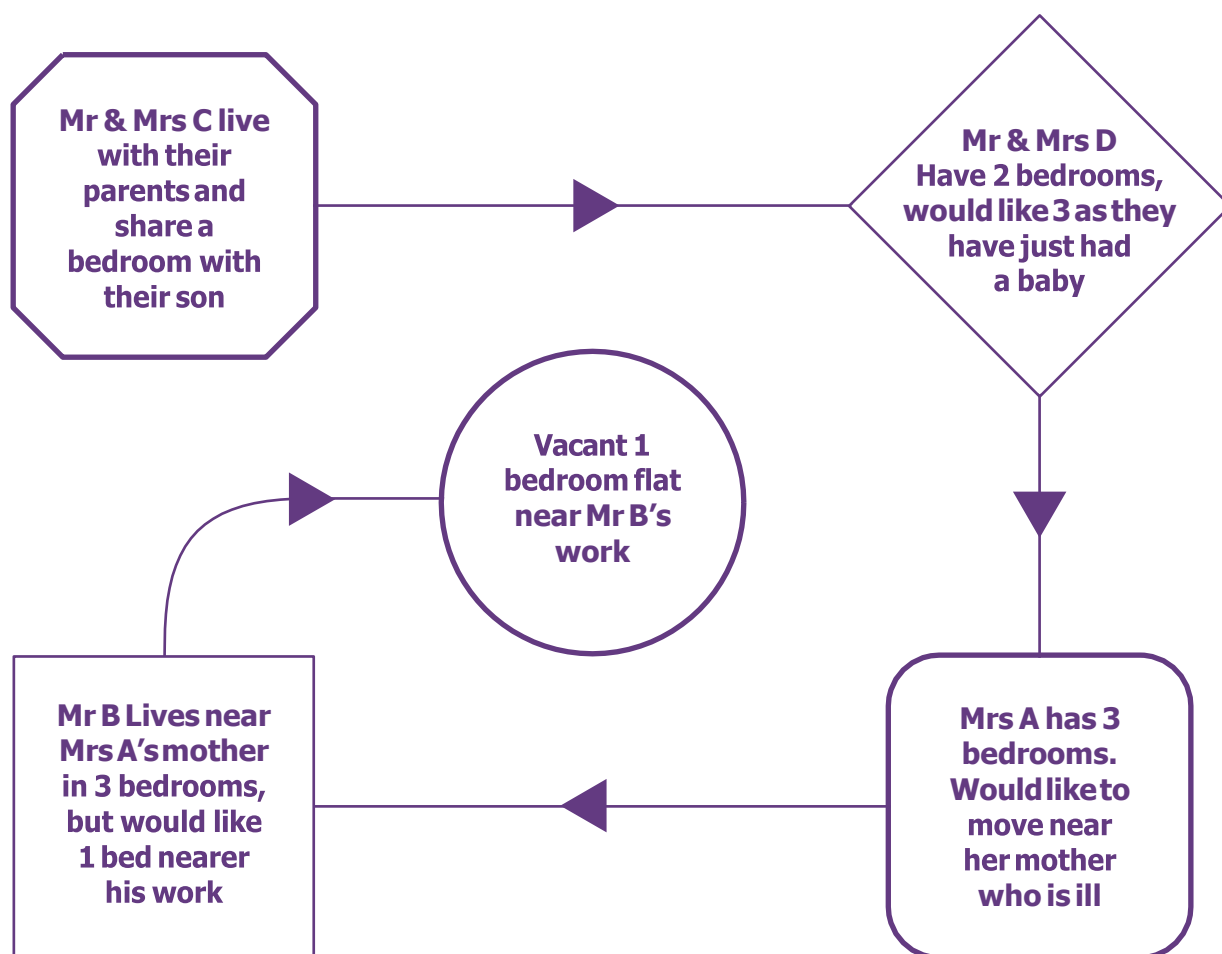
117. The greater the number of bedrooms you give up, the higher your priority to move. If you are a Council tenant and you give up at least 1 bedroom, the Council will be able to help you with a range of incentives depending on your needs e.g. help with removals, handy person service, help towards advance rent payment, payment for white goods etc. Incentives are reviewed regularly so please check with the Council what incentives are currently available. If you are not a Council tenant you should check with your own landlord what incentives, if any, are available for you.

Mutual Exchange Scheme

118. If you apply to the Housing Register for a move, when you move, it does not have to be to a vacant home. It could be a home that is currently being lived in by someone else who also wants to move.

119. A mutual exchange is when two or more tenants swap homes once they have the permission of all landlords involved. Given the shortage of available homes in this area for many tenants this is their best and quickest prospect for moving.

120. All Council and RP tenants who ask to move may be registered for the mutual exchange scheme. Your landlord will work with you to try to find a partner to swap homes with you. If you are put in touch with a partner, neither of you are under an obligation to agree, nor will it affect your housing application if you refuse to swap. You can register for home swap at www.homeswapper.co.uk or www.houseexchange.org.uk. The Council and many of the Registered Providers subscribe to these services, which means you may not need to pay to register. Details of your home will be advertised. However, your personal details, your full address, and your contact details will not be published without your express permission.
121. If you are an under occupying Council tenant who swaps homes with another Council tenant in the Borough whose home is too small for their family, we will offer you a range of incentives, which may be subject to change on a yearly basis.
122. Legally, your landlord can only say no to your request to exchange for a limited number of reasons:
- that either tenant is moving to a home that is inadequate for their needs, e.g. on health grounds, or that it would be too small;
 - that either tenant is moving to a home that is substantially too large for their requirements;
 - your landlord will usually agree to your moving to a home that has 1 bedroom more than you need, but no bigger;
 - that there is a current order for possession made by the Court in respect of any of the tenancies involved;
 - that any of the properties are adapted, sheltered, warden-controlled or other special needs unit and the tenant moving in to the property is not eligible for or does not need it;
 - that the accommodation is tied;
 - that the landlord is a charity and the proposed occupation would conflict with their aims;
 - that any of the tenants has been issued with a Notice of Seeking Possession.
123. Your landlord may say that you cannot swap tenancies straightaway if, for example, you owe rent, or there are repairs needed to the property that you have to carry out. However, once these matters have been sorted out, they should say yes.
124. Your landlord should consider your request in accordance with the allocations scheme and is obliged to tell you in writing the reasons why they are saying no to your request. Whatever the decision, you should be told within 42 days of requesting to exchange. You have a right to refer the decision to the County Court under Section 86 of the 1980 Act if you disagree with it.
- Chain Lettings**
125. Chain Lettings is a way for us to use a vacant property as part of a chain, in the same way as estate agents do in the private owner-occupying sector.
126. This is an example of how a chain could work with one vacant home used to help four families to move:



127. In order for chain lettings to work, it is necessary for us to identify useful vacant properties and withdraw them from being advertised. Discretion has been given to senior officers to decide when properties can be removed from the overall lettings scheme to make chains work so helping more people to move.

Mobility Schemes

128. Government regulation now requires the Council to give reasonable preference to 'social tenants' who want to move for employment reasons where the council is satisfied that undue hardship would be caused; and employment is for more than one year and over 16 hours per week. Applicants, including apprentices who qualify will be placed in a Priority Target Group in Band 1 Group B.

129. In addition, the Council currently participates in three separate mobility schemes. The first of these is designed to facilitate those social tenants who need to move to other parts of London for employment, educational, social reasons or if they under occupy their current accommodation. This is the Pan-London Mobility Scheme operating currently under the name "Housingmoves". Tenants of participating local authorities or housing associations who meet the criteria are able to bid for 1, 2 and 3 bedroom homes that are advertised through the Housingmoves website. This is a reciprocal mechanism, with nominations out being matched by nominations in.

130. The second is the Seaside and Country Homes Scheme that offers tenants who are 60 years or older the potential to access to properties along the southwest coast from Cornwall through to the countryside from Shropshire to Cambridgeshire, over to Norfolk and Lincolnshire in the east. This scheme does not guarantee a move although it is recognised that the highest priority is available to those giving up large sized accommodation.

To find out more information about these schemes please visit www.housingmoves.org

131. The third is the Homefinder UK, which is a national housing mobility scheme that allows tenants and homeless households of participating social landlords to move home. Participating landlords advertise their available homes on Homefinder website: homefinderuk.org

Tenants of participating social landlords can express an interest in properties by bidding as they would on traditional Choice Based Lettings systems.

Priority on health grounds

132. There are times when people need to move because of their health or a disability. Priority on health or disability grounds will only be awarded after an assessment if someone in the household has:

a severe long-term limiting illness, or
a permanent and substantial disability

AND

their health or quality of life is severely
affected by the home they live in

133. **Please Note: A priority medical award is not given on the basis of the medical condition or disability alone but upon the effect the housing circumstances are having on a long term and serious medical condition or disability.**

How is it decided if I should have additional priority on health grounds?

134. An officer in the Lettings Team will make decisions on medical applications and may ask qualified health advisers to recommend who should be given additional preference for housing on health or disability grounds. The health advisor does not make a recommendation based upon how ill you are. They will look at how your health or disability problem affects you on a day-to-day basis and how your housing affects your health or quality of life. They will assess each person with a health or disability problem and also consider the impact on your whole household. In addition, other non-medical factors affecting you or members of your family can be taken into account where appropriate.

135. In reaching a decision on whether or not to make a priority award on medical grounds, an officer from Lettings, where appropriate, will have regard to comments and information from your own doctor as well as other medical professional opinions.

136. Case examples are given on the 'Homeseekers' website www.thhs.org.uk as a guide to the kind of decisions made.

137. There are two levels of additional priority on medical grounds linked to housing circumstances that can be awarded.

Emergency Medical Award

138. This is the highest priority award and will normally be considered where the criteria for a priority medical award is met **and** one or more of the following conditions also applies:
- someone is in hospital/residential care and cannot return home because it is not suitable
 - there is a risk to life
 - there are very exceptional circumstances
139. When awarded emergency medical status, the application will be placed in Band 1 Group A. The preference date will be the date the award was made. Applicants awarded emergency priority are considered first within Band 1 Group A in preference order when bidding for the available homes.

Priority Medical Award

140. This recommendation will normally be considered if you, someone on your application or for whom you provide care, has a severe long term limiting illness or permanent and substantial disability. Health or quality of life must be severely affected by the place you live in now.
141. **Please Note: A priority medical award is not given on the basis of the medical condition or disability alone but upon the effect the housing circumstances are having on a long term and serious medical condition or disability.**
142. We will also consider if where you live now can be reasonably adapted to meet your needs. It may also be that there are combinations of serious health or disability concerns that mean that the health or quality of life of a household is being severely affected.

Examples include:

- the current home does not reasonably allow essential health treatment there e.g. renal dialysis;
 - the ability to live independently in the community is at risk without suitable accommodation;
 - someone is housebound, effectively housebound or cannot reasonably access the essential facilities in their home;
 - if there are critical concerns about someone's safety e.g. through falls due to difficulties with access.
143. Applicants who are awarded priority medical status will be placed in Band 1 Group B (unless they are already in Group A as an under occupier or decant).

Your preference date will be the date you applied for the assessment.

Other recommendations that can be made on health grounds

144. The health advisor can also make recommendations about the type of property that is most suitable and essential on health grounds. This can include access, space, location, access to a garden or ability to manage internal stairs.
145. When a property that matches these recommendations is advertised, preference for it may be given to applicants where a recommendation by health advisors has been accepted.
146. If a specific recommendation has been made by the health advisor that a specific type of home or facilities are essential you will only be considered for homes that meet this recommendation.

Some specific housing need recommendations that can be made

(a) Use of a Garden

147. The health advisor will normally make this recommendation if there is a capacity to benefit from a safe supervised outdoor play area by a child under 18 in your household with either:
- a permanent and substantial physical disability;
 - severe long term limiting illness;
 - the severest forms of learning disabilities; or
 - the severest forms of behaviour problems.
148. A garden may be recommended for an adult in the following circumstances:
- i. if they have a severe cognitive impairment that means they do not sense danger, are at risk of wandering and so need constant supervision;

- ii. if they have a severe, permanent and substantial disability or severe long term.
- iii. limiting illness and caring for children is causing concern such that their continued residence is at risk, or the stress of caring for them is exacerbating the health problems; or
- iv. if they have a sensory impairment and/or a guide dog and they live alone or only with others with disabilities.

(b) Extra space

149. The health advisor will normally only recommend that you need extra space if:
- i. you, or someone in your household, has either a permanent and substantial disability, or a severe long term limiting illness, or the severest form of learning disabilities;
 - ii. or the severest forms of behaviour problems and it is unreasonable for you to share a bedroom as it would seriously affect the sleep of those you would normally share with, to the severe detriment of their or your health;
 - iii. you are having health treatment at home that needs large machinery or a stock of health supplies to be stored e.g. you are having renal dialysis at home;
 - iv. you need a full time carer to provide support night and day;
 - v. you have a permanent and substantial disability or long term limiting illness or
 - vi. severe learning disability and need additional space for specialist equipment;
 - vii. you have a severe long-term limiting illness and sharing a bedroom will exacerbate your problems e.g. you have an immune deficiency.

(c) Ground floor or category A or B wheelchair accessible on health/ disability grounds

150. An additional recommendation that can be made is that an applicant must have a home that has been designated wheelchair accessible category. Homes that are designated Wheelchair Category A will not be advertised in the usual way, but will be offered direct to a household needing this type of home through Project 120.
151. Applicants awarded the recommendation that they must have a home on ground floor will be placed in Band 1 Group A unless no medical priority has been awarded. Apart from emergency status, Band 1 Group A is the highest possible priority in the allocations scheme. The preference date will be the date the application for an assessment was made.
152. Where an under occupier, decant, management applicant currently on the ground floor and in Band 1 Group A has bid for a ground floor property with an earlier preference date than an applicant who has been given a recommendation that they must have a ground floor property on medical grounds, discretion may be exercised to offer the property first to the applicant with the medical recommendation.

(d) Care and support

153. If you need care because of your health problems, there are different ways in which support can be provided. You could live with the person you are supporting (or who supports you). Or you each may want to have your own home, but move nearer to each other.

As you can choose to apply for advertised homes you should talk with the person you support (or who supports you) about the best solution to your support needs. You may want to consider both applying for homes in each other's areas to see who is successful first. Or it may be that one area is better for you both because it is near a particular doctor, or hospital, or other support. The health advisor will only give preference to an application where care and support are an issue if your application meets the criteria to be given preference on health grounds and there is no one currently living with you who can reasonably provide the support you need.

154. If you are awarded priority on grounds of health and specific and essential housing need recommendations are made by the health advisor, you will only be made an offer of accommodation in line with those recommendations.

Homes that may be offered first to certain groups of applicants

Designated accommodation

155. There are some homes that have been designated for specific groups of people, either because of age, disability or other defined criteria. When this type of vacancy occurs it will be advertised giving preference to those who meet the designated criteria. This will be specified in the advert and we will only let the property to a household that meets all the designated criteria.

Homes designated as wheelchair accessible category A or B

156. Homes designated as wheelchair accessible Category A will be directly allocated to applicants recommended for this type of property through the Project 120. As part of the Project 120, the council is actively working with registered housing providers to identify and secure new build wheelchair standard homes for disabled applicants.

Homes with access to gardens or play areas, on the ground floor

157. There is a large demand for homes on the ground floor, with gardens. Preference for this type of accommodation may be given first to households that the health advisors have recommended should live in this type of home. Normally, tenants currently living on the ground floor and who are under occupying, being decanted, have been given a priority social award, and those recommended ground floor only on health grounds will be considered in priority order.

Homes provided by Registered Providers (RPs) with a specialist remit

158. There are Registered Providers who provide specialist services to specific groups of people in the local community. This can be because these groups of people have been disadvantaged in the past or have special needs. When one of these landlords has an available home it will be advertised only to those who meet the designated criteria. This may be specified in the advert or used when we come to decide who should be made the offer of the home. We will only let the property to an application from a household that meets all the criteria.

159. Flats on the ground floor

160. Preference for flats on the ground floor will be given to applicants who have a recommendation

Discretionary Additional Priority

I have an urgent or unusual reason for wanting to move

161. There are times when an applicant may be considered for discretionary additional priority for unusual or urgent reasons that are not covered by the

general criteria in the Allocations Scheme. There are also times when it is in the community's interest that a household is given additional priority for housing.

162. The Housing Management Panel will make all decisions to award discretionary additional priority under this policy unless an application is considered an emergency. In these cases a senior manager will make the decision.
163. The circumstances under which a discretionary priority award may be agreed are:
 - i. Where an applicant has an exceptional need or where a combination of significant social/welfare/medical/safety or urgency factors occur that cannot be adequately dealt with within the normal rules of the Allocations Scheme.
 - ii. Where it is in the Council or a Common Housing Register partner landlord's interest to award additional priority for: effective management of the stock; for financial or legal reasons; or in order to support housing strategy objectives or priorities; or to remedy an Injustice or granting a new tenancy to applicants that do not have a statutory right to succeed.
164. The purpose of having this discretion is to respond to exceptional cases. Whilst it is not possible to define all the circumstances where discretion should be exercised, any decisions should fall within the guidance set out above for genuinely exceptional and justifiable reasons.
165. Decisions to grant discretionary additional priority should not be made in circumstances that do not reflect the broad direction of policy and priorities set by the Council and its Common Housing Register partners.

159. Some examples are given below as a guide.

- if moving will prevent a child or elder needing to live in institutional care. Including Tower Hamlets' children subject to a Special Guardianship Order.;
- if you are attending Court as a witness against someone accused of anti-social behaviour;
- if you are threatened with or are experiencing violence and it is no longer reasonable for you to live at home;
- if you are threatened with or are experiencing problems that mean it is no longer reasonable for you to live at home.

160. The list is not exhaustive and an award may not be made in every case where these circumstances apply. Each case will be individually considered based on the information and evidence available to the case.

161. The demand for homes in Tower Hamlets is so great that even with discretionary additional priority award you may have to wait a long time before you will be offered an alternative home. If you are a Council or Residential Social Landlord tenant all other options will also be considered to assist you that are set out in paragraph 93 onwards.

If I want to be considered for additional priority what should I do?

162. We will need to investigate your circumstances and gather information and evidence in order to assess your claim.
163. First, you should tell your landlord why you want to move. If you are not happy speaking with your landlord about this, you can ask for help from staff in the Lettings Team, Idea Stores, Housing Office, legal or other voluntary advice centres in the Borough.

164. In most cases, reports on behalf of tenants will be co-ordinated by their housing officer or equivalent. This will ensure staff managing the tenancy are aware of all issues affecting residents in their area.
165. If you are not a tenant, then a lettings officer will be assigned to the investigation if it is considered inappropriate for the investigation to be carried out locally.
166. You may ask someone else to make a request on your behalf. This may be a solicitor, a social worker, or other advocate. If a third party makes a request, it will usually be referred to your housing officer or lettings officer to investigate.
167. The officer managing your case will get information from all relevant sources and then submit it to the Lettings Team. It is in your interest to present all available information or evidence about the circumstances that you feel justifies you being considered for a discretionary additional priority award and therefore given greater priority for housing over other applicants on the Housing Register.
168. We will consider the reasons why you feel you cannot continue to live where you do now. We will also consider whether it is reasonable for you to live there, the support you have there and if there are actions that can reasonably be taken to help you to continue to live there. If there is no other effective solution available, giving additional priority for rehousing you may be decided upon as the most appropriate course of action.
169. We will not normally consider referrals on grounds of health or overcrowding as provision for this is already made elsewhere in this policy.
170. The officer dealing with your case will prepare a report that gives full details of the grounds for additional priority to be considered. This should include evidence from all relevant interested parties (such as the Police, Victim Support, Social Services, Schools, Anti-Social Behaviour Control Unit, health professionals etc.) This co-ordinating role is important as it ensures that local staff are aware of issues in their area.
171. We receive hundreds of requests each year to carry out assessments for priority on social grounds. The Lettings Officer will make an initial decision on whether or not your application should be referred to the Panel. You will be informed of the decision and if you disagree with it you may ask for a review of the decision as set out in Appendix 3.
- If you fear violence**
172. If you feel unable to continue to live where you are because of fear of violence then you should approach the Council's Housing Options (Homeless) Service, which has a statutory duty to carry out an assessment and consider whether the Council has a housing duty to you. This includes if you are experiencing any type of hate crime, domestic violence, racial harassment, or other harassment from any other source. They will decide if a statutory duty is owed to you.
173. We are committed to taking all legitimate action against the perpetrators of anti-social behaviour or hate crime. This could include taking legal action against perpetrators. The aim is to ensure that you have a safe place to live and where appropriate we will do all we reasonably can to secure this for you.
174. We will not give priority for housing to the perpetrators of anti-social behaviour unless there are overwhelming and justifiable reasons to do so.

175. Where a referral is made to the Homeless Service, Homeless Officers will explain to you what will happen.
176. Where appropriate your case can also be referred to the Housing Management Panel.

The Housing Management Panel

177. This is a panel of at least three officers, one of whom will be a manager. The Panel will make all decisions on requests for discretionary additional priority unless the case is considered an emergency. In these circumstances a decision can be made by a senior manager before a meeting of the Panel. Normally you will not be able to attend the Panel meeting, although in exceptional cases the Chair has discretion to agree to your attendance.
178. The officers on the Panel will make a decision based on the information and evidence they are given about your case. It is therefore important that you tell the officer who is investigating your case everything that may be relevant.
179. The Panel sits monthly. If discretionary additional priority is awarded, the Lettings Officer will write to you with the decision and any conditions of the award. If it is decided that no priority will be given, or that more information is needed before a decision can be made, then the officer investigating your case will write to you giving details.
180. We aim to inform you within five working days of the Panel meeting with details of the decision, the reasons for it and any conditions attached to it. If you do not agree with the decision you can ask for a review.

What additional priority may be awarded to my application?

181. There are two levels of additional priority that can be made to your application, a) additional priority social need award and b) emergency priority award. They are set out in detail below.

Additional priority social need award

182. This is one of the awards that can be made by the Housing Management Panel. If it is awarded the application will be placed in Band 1 Group B. Your preference date will be the date your case was first considered by the Panel.
183. The Lettings Officer managing your case will review the priority awarded to your application every three months to confirm whether the award made to you continues to be justified. If due to change of circumstances it is considered the award is no longer justified your application will revert to the status before the award was made. It is therefore very important that you continue to report anything that happens that may be relevant to your award.
184. It is important that you make an informed decision about the type of homes that will become available. The additional priority you have been given reflects a genuine and compelling reason for you to move. This will give you higher priority than most applicants in housing need on the Housing Register.
185. Offers with this award will be made on a like-for-like basis, unless there are sound reasons why this should not be the case. You will only receive one offer of suitable and reasonable accommodation. Where appropriate you may be made a direct offer.

186. If you have not moved to permanent accommodation within three months then your application will be included on lists for all suitable and reasonable vacant homes that become available. When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe.

187. If you refuse a home that is offered to you, the additional priority awarded to your application will be withdrawn. If temporary accommodation has been provided this will also be withdrawn. If you do not attend a viewing, we will assume that you have refused the property unless there are genuine reasons why you could not turn up and you could not tell us beforehand. In addition, the penalties for refusals set out in this policy document will apply.

188. If you disagree with a decision made you can ask for a review. (See Appendix 3). Whilst we will consider every review on its merits, for a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your application being given higher priority; and the reasons why you feel the offer made was not suitable or reasonable.

Emergency priority award

189. This is the highest priority award available and will only be given in exceptional circumstances. Your preference date will be the date your case was first considered by the Panel or the date of an award if a senior manager makes the decision. If awarded, the application will be placed in Band 1 Group A. Applicants awarded emergency status are considered first for any suitable homes available.

190. The Lettings Officer managing your case will review the priority awarded to your application every three months to confirm whether the award made to you continues to be justified. If due to change of circumstances it is considered the award is no longer justified your application will revert to the status before the award was made. It is therefore very important that you continue to report anything that happens that may be relevant to your award.

191. It is important that you make an informed decision about the type of homes that will become available. The additional priority you have been given reflects a genuine and compelling reason for you to move. This will give you higher priority than any applicants on the Housing Register except emergency cases agreed before you.

192. Offers with this award will be made on a like-for-like basis, unless there are sound reasons why this should not be the case. You will only receive one offer of suitable and reasonable accommodation.

193. If you have not moved in to permanent accommodation within one month then your application may be included on lists for all suitable and reasonable vacant homes that become available.

When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe. Where appropriate a direct offer may be made.

194. If you refuse a home that is offered to you the emergency priority awarded to your application will be withdrawn. If you do not attend a viewing, we will assume that you have refused the property unless there are genuine reasons why you could not turn up and you could not tell us beforehand. In addition, the penalties for refusals set out in paragraphs 96-101 of this policy document will apply.
195. If you disagree with a decision made you can ask for a review (see Appendix 3). Whilst we will consider every review on its merits, for a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your application being given higher priority; and the reasons why you feel the offer made was not suitable or reasonable.

When you need re-housing because of the condition of your home

196. When a surveyor employed by either the Council or partner landlord reports that it is not reasonable or possible for you to continue to occupy your home while repairs are being carried out, your application will be awarded an

emergency priority and placed in Band 1 Group A. The preference date will be the date the award was made.

197. Offers with this award will be made on a like-for-like basis, unless there are genuine reasons why this should not be the case.
198. If you have not accepted an offer of permanent alternative accommodation within one month of the award being agreed then your application will be included on lists for all suitable and reasonable vacant homes that become available. Where appropriate you may be made a direct offer.
199. When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe.
200. You will be made only one offer of permanent alternative suitable and reasonable accommodation with this priority. If you refuse it then temporary accommodation will be secured for you for the duration of the repair works and you will be expected to move back to your home once the repairs are completed.
201. If we are not able to secure permanent alternative suitable and reasonable accommodation for you within 3 months of the award being agreed, or if it is not safe for you to continue to live in your current home, then temporary accommodation will be secured for you for the duration of the repair works. The emergency priority award will be withdrawn and you will normally be expected to move back to your home once the repairs are completed.

What if I disagree with the Panel's decision?

202. If you disagree with any decision of the Housing Management Panel you can ask for a review (see Appendix 3).
203. Whilst we will consider every review on its merits, for a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your application being given higher priority; and the reasons why you feel the offer made was not suitable or reasonable.

How long before I am housed if I am awarded additional priority?

204. We are not able to tell you how long you can expect to wait before an offer of alternative accommodation is made to you. This is dependent on the number of suitable available homes that become available and the number of other applicants who may have greater priority than you. However applicants given emergency status are considered first for all the homes available. Applicants given discretionary emergency priority are in Band 1 Group A, the highest priority band in the Allocations Scheme.

Priority Target Groups

205. Listed below are groups of applicants that will be given additional priority because of their specific circumstances; or that it is in the community's interest to do so; or where there may be a statutory duty. Applicants in these groups will be placed in Band 1 Group B and are referred to as '*priority target groups*'.
206. Targets will be set for these groups based upon the number of applicants who qualify for these groups and an assessment of the housing needs and priorities prevailing in the Borough in order to balance the group's needs with other applicants and the housing supply available. Targets will be decided in order to plan for the anticipated number that will require housing.
207. To qualify for a priority target group, unless otherwise stated, you must be eligible for the Housing Register according to the prevailing Allocations Scheme. It is in yours and your sponsor's interests to provide sufficient information and evidence to demonstrate that you are eligible.
208. Unless otherwise stated, there will be no time limit on the choices you can make when your application is in one of these groups. When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe. If the Priority Target Group you are in is time limited, after the waiting time you will be placed on auto-bid and considered for all suitable and reasonable properties.
209. It is important that you make an informed decision about the type of homes that will become available. You will receive only one offer of suitable and reasonable accommodation with this additional priority and if it is refused then the award will be withdrawn. If your application is otherwise eligible for the Housing Register it will be removed from the priority group and re-assessed for priority.

210. If you are offered a home but do not attend a viewing, we will assume that you have refused the property unless there are genuine reasons why you could not turn up and you could not tell us beforehand.
211. You can ask us to review the decisions to withdraw any priority award as set out in Appendix 3. We will consider every application for a review on its merits. For a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your inclusion in the quota group; and the reasons why you feel the offer made was not suitable or reasonable.

Care Leavers

212. The Council's Children's Leaving Care Team will sponsor you for housing priority. If you have not moved in to permanent accommodation within 6 months then your application will be included on lists for all suitable and reasonable vacant homes that become available.
213. The Council recognises that as your Corporate Parent is has a particular responsibility to Care Leavers to ensure that accommodation allows the best opportunities for young people to ensure stable good quality accommodation that supports the development of their education, training and employment opportunities. On occasions this may mean that bidding opportunities for accommodation are extended that take account their special circumstances and the Corporate parenting responsibilities.

Health

214. The Council's Mental Health administers this scheme and sponsors single people living in supported mental health accommodation for housing priority. You will be considered for bed-sit or 1-bedroom properties only.
215. If you have not moved in to permanent accommodation within 12 months then your application will be included on lists for all suitable and reasonable vacant homes that become available.

Foster Carers

216. If the Council's Foster Care Team sponsor you for housing priority you will normally be considered for one additional bedroom to that needed by your immediate family.
217. If you have adult sons or daughters living with you who are willing to move to a new home of their own, we can award additional priority to them to release space in your home to accommodate foster children.

Living in a decant block with a Council or CHR partner landlord tenant

218. You will be placed in this group if you have been living with a Council or CHR partner landlord tenant for the previous 12 months as your only or principal home prior to a decant being declared to the property.
219. If you have not moved in to permanent accommodation within 6 months then your application will be included on lists for all suitable and reasonable vacant homes that become available. Where appropriate you may be made a direct offer.
220. We are not able to guarantee that we will be able to help you with re-housing before the tenant has to move. If you are still living with the tenant when they have to move you will be expected to make your own arrangements for housing and you may be able to continue with your Housing Register application from your new

address.

Sons and daughters of tenants of CHR partner landlords

221. Your application can be placed in this group if you have been living with your parents for the previous five years as your only or principal home, and they are tenants of the Council or a Common Housing Register partner landlord, and one of the following circumstances apply:
- i. your parents are registered on the housing register and their application has been awarded a health priority;

- ii. you need no larger than a 1 bed home and your parent/s also wish to move to a smaller property where there is a net bed gain and a 2 bed or larger property would be available to let to another household on the Housing Register. In these circumstances we will usually make direct offers to both parties simultaneously to ensure vacant possession of the existing tenancy;
- iii. your parents' household (excluding you and your immediate family and anyone else who is not their immediate family) is living in overcrowded conditions lacking two or more bedrooms.

222. We cannot guarantee that you will be offered housing before your parents move. If you are living with them when they move you will be expected to make your own arrangements. If they do not give their landlord vacant possession they may be asked to return any Cash Incentive Grant Retiring. If your parents fail to move once you do then, unless there are justifiable circumstances, your landlord will seek possession of your new home.

Host Team Referrals (Supported Housing Move-On)

223. The Council's HOST Team will determine the appropriate route out of Supported Housing in accordance with the Hostels Pathway procedure which ensures that people who are ready to move on to independent living can access suitable accommodation in the Private rented or Social Housing Sectors. The suitability of accommodation will be determined by

an assessment of the applicant's housing need regardless of tenure. Access to social housing under this scheme will be determined solely by the availability of properties, in accordance with the Hostels Pathway procedure.

224. If you are made an offer of accommodation in the private sector and you refuse that offer your priority under this scheme will be withdrawn.

Key Workers

225. There are many public sector jobs where it is hard to recruit and retain essential staff. If you are employed full or part time on a permanent contract within the Local Authority area as one of the following you will be considered for inclusion in a target group:

- ambulance staff who are paramedics;
- fully qualified nurses working in the Borough's NHS hospitals;
- fire fighters and police officers stationed in the Borough;
- teachers working in the Borough's LEA maintained schools
- social workers employed on a permanent contract by the Council

226. This scheme aims to help a small number of people in these occupations who do not currently have a social tenancy and/or do not currently live within a reasonable distance of their workplace.

227. There is a serious shortage of homes with four or more bedrooms. Therefore, if your household needs this size of accommodation you will not normally be considered for this priority.

228. There are a small number of designated 'key worker' blocks and you will be able to apply for this accommodation in line with the prevailing Allocations Scheme.

229. Some of the housing providers in the Borough offer shared homes. The Council and partner landlord will only offer you this type of home if you tell them that you would be interested in it, or if there are a number of key workers who want to share.

Ex service personnel

230. Ex service personnel including bereaved spouses or civil partners will have their applications assessed in line with this policy. Local connection criteria will not be applied. In some cases, where there is an urgent need for rehousing because of serious injury, illness or disability, applicants will be placed in Band 1, Group A. This is where a wheelchair home is required or emergency priority has been awarded because social or medical grounds apply.

Right to move

231. Government regulation now requires the Council to give reasonable preference to 'social tenants' who want to move for employment reasons where the employment is for more than one year and over 16 hours per week. Applicants, which may include apprentices, will be placed in a Priority Target Group in Band 1 Group B if the council is satisfied that undue hardship would be caused. Qualifying applicants will receive one offer only. The target for lets to applicants who qualify for an employment related move from all mobility schemes will be 1% of annual lettings.

Decants

What happens if a decision is made to refurbish, redevelop or demolish my home, and I have to move?

232. If you are a Council or partner landlord tenant and your landlord makes a decision that you have to move then we will do our best to ensure that you and

your family are re-housed to a home that you will be happy in. This process is called 'decanting'. It means that a property has to be empty for works to take place or a decision to demolish the property has been made. This usually happens only after residents have been asked for their views or when there has been an emergency leaving the property unsafe. Unless otherwise stated here, the prevailing Allocations Scheme will apply to all applicants. You will be told the date on which your home has to be empty. This is called the 'clearance date'.

233. Your landlord will usually talk to you about all the re-housing options available to you and your family. Some schemes may involve new homes being built. Others will mean you have the right to return to your old home once works are finished. You may wish to move to another part of the Borough or consider home ownership. We will try to help you make an informed decision about the best choices for your family. You will be asked to fill in a re-housing application form. If anyone in your household has special housing needs because of health or disability problems, you will be asked to fill in a housing health assessment form.

Will I be offered new homes being built?

234. Many decant schemes include new homes being built to replace those being demolished. The new homes will usually be owned by a Registered Social Landlord, not the Council. You may be offered a tenancy with the new landlord. You will be told at the beginning of a decant scheme whether or not new homes are being built. If they are, then you may be given the choice of them. We will try to develop a new home that meets your family's housing needs but we cannot promise that in every case it will be possible. If more tenants want

new homes than the numbers that are being built or more than one household wants a single plot, preference will be decided as follows:

235. Tenants with decant status where their clearance date is less than a year away; or need a 4 bed home or larger; or a home that is wheelchair accessible category A or B, will be placed in Band 1 Group A. The preference date will be the clearance date. Priority for available homes will be given in clearance date order with the tenant with the earliest date being considered first and so on. Where tenants have bid for a home and have the same clearance date, any tenants with a medical award or are overcrowded will be given preference. If this does not resolve the issue, the tenant with the earliest tenancy date will be given preference.
236. Tenants with decant status in Band 1 Group A who have not received or accepted an offer within six months of their clearance date will have their case reviewed by a senior officer and where appropriate, their priority may be amended.
237. Tenants with decant status where their clearance date is more than a year away will be placed in Band 1 Group B. Their preference date will be the clearance date. Priority for available homes will be given in preference date order as above.

What happens if I have an "option to return"?

238. Some regeneration schemes mean that your current home will be refurbished. Sometimes your home will be demolished. In either case you may be given an option to return to the new properties built on the site of your demolished block or to your old home once works to it have been completed. You will be given a written promise of the

option to return. Your landlord will find a temporary home for you to live in until you can return permanently. Wherever possible the temporary home will be suitable for your family's housing needs. However, if we cannot find a property that meets all your housing needs you may have to move to a home that is like-for-like with the home you are leaving. You may be in a temporary home for some time, maybe years if a new home is being built. If you change your mind and want to stay in the temporary home permanently, wherever it is reasonable for you to do so we will agree.

Do I have to move to new homes built to replace my demolished home?

239. Wherever possible you will be given the choice of where you want to move. However, you will be given a date by which you have to make a final decision about whether or not you want to move to new homes being built. This is to ensure that a home will be available for you and choices about that home (such as layout, colours, fittings or adaptations) can be made whilst it is being built.
240. If you do not want to move to new homes being built then your application will be put in Band 1 Group A or B as set out above. You can then apply for any vacant properties that are advertised. Your preference date will be the clearance date your landlord has decided is necessary to have the properties empty. Preference will then be decided as set out above.

What happens if I do not apply for a new home before the clearance date?

241. Whilst we will try to help you find a new home that meets all of your choices it may not be possible. It is important that you make an informed decision about the type of homes that will become available.

242. If you haven't been able to identify a home you want then it may be necessary to serve a legal notice. This is a legal document that allows your landlord to ask a Court to instruct you to leave your home. You will not be homeless if this happens, as we will have to assure the Court that we have suitable alternative accommodation available for you to move in to. This may be like-for-like the property you are leaving.

243. Serving a legal notice is always a last resort when you have not accepted any of the other housing options available to you. We have to do this to ensure that a decant scheme can proceed so protecting the interest and rights of other residents.

If my home is being decanted how many homes can I apply for?

244. Until you accept an offer of re-housing you can continue to apply for any homes that interest you up until six months before the decant scheme's clearance date.

245. If you have not moved by this date, then you will be made an offer of the next property that we consider reasonable to meet the minimum housing needs of your family. If you do not accept it then we may ask a Court to instruct you to move as described above.

246. If you are successful for an advertised vacancy and it is suitable and reasonable your landlord will expect you to move to it. If you do not and a legal notice has been served (as described above) either the property will be held for you or you will be made an offer of the next property that we consider reasonable to meet the minimum needs of your family. If you still do not move then your landlord may ask a Court to make you move.

What size home can I apply for?

247. You can apply for the size of home that meets the needs of your household, as described above in paragraphs 78-83.

248. However, if you currently live in a home that is larger than that standard you can apply for a home that has one bedroom larger than the standard to a maximum of the same size as your current home up to a 3 bed property. If you choose to apply for a larger home than the standard then it must be a flat or maisonette on the same floor level as you are now living. For example, if you live in a 3 bedroom flat on the 4th floor and you need a 1 bedroom home you can apply for a 1 bedroom property on any floor level or a 2 bedroom flat or maisonette on the 4th floor or above.

249. There is a shortage of homes with 4 or more bedrooms so you will only be considered for this size home if you need it.

250. If you choose to move to new homes being built you will only be considered for the size of home that meets the needs of your household as set out in paragraphs 78-83.

251. If you are a Council tenant and you agree to move to a smaller home you will be entitled to the incentives that are available as set out in paragraph 98.

252. If, during the course of the decant, a separate re-housing application is received from your address that has been awarded additional priority because of the decant (e.g. if your son or daughter wish to be re-housed independently) you will only be able to apply for a home the size of your own assessed need.

Will I get help with the cost of moving?

253. If you have been living in the property for at least 12 months before a decant is agreed then a 'Home Loss' payment will be made. The Government, not your landlord, decides the amount, which is reviewed annually. For joint tenancies only one payment is made. You will be told if there is any change in this amount following the annual review.
254. Your landlord will also pay reasonable removal expenses. This is for things such as the cost of hiring a removal van; disconnection and reconnection of services such as gas, electricity and your telephone; hiring a plumber to connect your washing machine and an electrician or engineer to move your cooker. You should always use properly qualified people and must ensure that a properly registered fitter carries out any works to your gas supply.
255. There is a maximum amount that will be paid. When your landlord visits to talk to you about the decant, they will tell you how much you can claim. You will be asked to provide receipts that show that you have paid for the service. In some cases, your landlord may be able to give you some of the money before you move if you would otherwise have difficulty paying for services at the time of moving.
256. If you owe your landlord money, such as rent arrears, they may deduct it from any Home Loss or expense payments you claim. If the money you owe is more than you can claim, you will be expected to make an agreement to pay the outstanding amount back.

What happens to other people who won't be moving with me? Will they get help finding a home?

257. Anyone who is not your immediate family, as defined above, will have to register separately for housing unless your landlord agrees otherwise. There is provision to house them through a priority target group in Band 1 Group B. To qualify for this group the person must be able to prove that they were living with you in the property as their only or principal home continuously for at least 12 months before the decant scheme was agreed.
258. They must also be eligible to be on the Housing Register. Their application will be placed in Band 1 Group B. Their preference date will be the date the decant was agreed. They can then apply for advertised vacancies.
259. If they refuse a home that is offered to them their priority will be withdrawn. If they do not attend a viewing, we will assume that they have refused the property unless there are genuine and substantial reasons why they could not turn up and could not tell us beforehand.
260. They can ask us to review a decision to withdraw any priority award (see Appendix 3).
261. We will try to ensure that they have at least one offer before you have to move, but we cannot promise that this will happen. If they are still living with you when you are moving they will be expected to leave the property when you do and make their own arrangements for housing.
262. You have to give your landlord vacant possession of your home as described above. If you do not give vacant possession your Home Loss payment may be withheld and your new home may not be available to you.

263. Anyone who does not qualify for this additional preference may apply for housing in the usual way but will be expected to leave the property when you do and make his or her own arrangements for housing.

I own a home that is included in a decant scheme. Will I be re-housed?

264. Unless there are exceptional circumstances, we will not consider you for housing priority if you are a homeowner. We may be able to help you find shared ownership or other low cost home ownership opportunities, but once your landlord has negotiated to buy back your home, you will be expected to make your own arrangements for housing.

265. On the exceptional occasions that it is agreed a homeowner is to be considered for housing priority, they will be included on lists for all reasonable vacant properties that become available.

266. If you are offered a property that your landlord thinks is reasonable and then refuse to move to it, the property will be held whilst your landlord asks a Court to instruct you to move.

267. If you do not apply for a property then you will be made an offer of the next available property that your landlord considers reasonable to meet the minimum needs of your family and this will be held whilst your landlord asks a Court to instruct you to move.

268. If you have not moved within one month of the completion date of your property being bought back then you will be made an offer of the next property that your landlord considers reasonable to meet the minimum housing needs of your family. If you do not accept it then your landlord may ask a Court to instruct you to move, as described above.

Appendix 1 – How decisions are made to place you in a Band

Band 1 Group A

Emergencies

269. The decision to award an emergency priority can be made by a senior manager or the Housing Management Panel based on the individual circumstances of the household. It will usually consist of a combination of exceptional social/welfare/safety/medical and urgency factors affecting an applicant or their household that cannot be adequately dealt with within the normal rules of the Allocations Scheme (see paragraphs 133 and 189).

Decants

270. The decision to decant a block can only be made by councilors (for Council properties) and Management Boards (for partner landlord properties) (see paragraphs 231-267). This decision must also be ratified by Tower Hamlets Common Housing Register Forum.

Ground Floor Priority/Category A or B Wheelchair Home

271. The decision to award priority for ground floor on medical or disability grounds is made by a Lettings Officer following a medical assessment and recommendation by a health advisor (see paragraphs 145-147).

Under occupiers or downsizing

272. If you are an existing social housing tenant applying for a home with at least 1 bedroom less than you currently have (see paragraphs 109-112 and 116). If you are a tenant of a landlord who is not a partner in the Common Housing Register then a reciprocal agreement will be required.

Band 1 Group B

Priority Medical Award

273. This award is made by a Lettings Officer following a health assessment and recommendation by a Health Advisor (see paragraphs 135-138).

Priority Social Award

274. The decision to make this award is made by a Panel including a senior officer in circumstances as set out in this policy (see paragraphs 182-188).

Priority Target Groups

275. The decision to make this award is made by a Lettings Officer if evidence is provided to verify that an applicant meets the criteria for the relevant target group (see paragraphs 205-230 for details of the groups).

Priority Target Group – Single homeless in priority need due to vulnerability

276. A Homeless Officer from the Council's Housing Options Service makes this decision following a homeless assessment (see paragraphs 59-63).

Band 2 Group A

Homeless applicants with children and in priority need

277. A Homeless Officer from the Council's Housing Options Service makes the decision on homeless applications whether the Council accepts a Homelessness Reduction Act application and a full statutory duty following investigation and an assessment (see paragraphs 59- 63).

Overcrowded applicants

278. This will be based upon an assessment and verification of your circumstances as stated on your housing application. A Lettings Officer will make this decision. (Note: Single applicants lacking a room of their own will be included in this category. This includes applicants who have been found to be homeless but following assessment are not in priority need). The assessment will be based on the Council's bedroom standard policy.

Band 2 Group B

279. Resident households without an established local connection but are in housing need.

Band 3

Applicants who are not in housing need eg overcrowded and do not have social tenancy

280. This will be based upon an assessment and verification of your circumstances as stated on your housing application. A Lettings Officer will make this decision. This will include applicants who are tenants of Common Housing Register partner landlords who are not overcrowded but wish to move to the same size property and are eligible for sheltered or designated older persons home.

Appendix 2 – Preference Dates

281. Each applicant will be given a preference date on the Housing Register. In some bands this will be their original date of application. For others it will be a date of notification of their

change of circumstances especially where higher priority has been given. How the preference date is decided for each category in each band is set out below.

Band 1 Preference Dates

Group A	Sorted by emergencies first then earliest preference date as defined below
Emergencies	Date of Award
Ground Floor Medical/Disability/Wheelchair Accessible Category A or B	Date of application for medical assessment
Priority Decants (less than a year to clearance date – or as a decant require 4 bed or larger – or as a decant require wheelchair accessible category A or B)	Earliest clearance date
Under Occupiers	Greatest number of bedrooms released first then date order of application

Group B	Sorted by earliest preference date as defined below
Priority Medical	Date of application for assessment
Priority Social	Date of award by Housing management panel
Decants (More than a year to clearance date)	Earliest clearance date
Priority Target Groups	Date of application for the target group
Priority Target Group single homeless assessed as in priority need due to vulnerability where the Council has accepted a full statutory duty	Date of application as homeless

Band 2 Preference Dates

Group A	
Overcrowded applicants on the Housing Register on the date this Allocations scheme is implemented	Original date of application (defined as the date the application was received)
New applicants who are overcrowded	Date of application (defined as the date the application was received)
Applicants who are not overcrowded at the time of application who have since become overcrowded	Date of notification of change of circumstances
Applicants moving from Band 1 to Band 2	Earliest preference date in Band 1 or 2 (if they were previously in Band 2)
Homeless applicants with children where the Council has accepted a full statutory duty	Date of application as homeless
Applicants moving from Band 2 Group B	Date when 3 years continuous residence is satisfied
Single non priority homeless	Date of application as homeless
Applicants owed a homelessness prevention or relief duty	Existing preference date or date of homeless application.
Group B	
Applicants without an established local connection but in housing need, including homeless applicants owed a prevention or relief duty or full housing duty.	Date of housing or homeless application Will be moved to Band 2 Group A with a new preference date on completion of 3 years continuous residence in the borough following a review

Band 3 Preference Dates

Applicants who are not overcrowded and do not have a social housing tenancy.	Date of application
Applicants moving to Band 3 from Bands 1 or 2 due to change of circumstances	Earliest date of application

Appendix 2 continued:

What if my circumstances change?

282. If your circumstances change, for example you change address or your family composition changes, or you apply for additional priority on medical or social grounds you may be moved to another band and be given a new preference date. The following rules apply should this happen.

Rule 1:

283. When moving up a band, i.e. to a higher priority band, a new preference date based upon the change of circumstances will be given.
284. The reason for this rule is that an applicant will not overtake applicants that were already in the high priority band before them.

Rule 2:

285. If an applicant moves from Band 1 to Band 2 – they will retain the earliest preference date they were in Band 1 or 2 (if they were previously in Band 2).
286. Applicants in Bands 1 & 2 fall within the categories where the law states they must be given 'reasonable preference' on the Housing Register. The reason for this rule is that if an applicant was in this category in Band 1, it is considered fairest that they do not lose time spent waiting in a reasonable preference category if they move to Band 2 where they will also be in this category. The preference date will be the earliest date the applicant was in reasonable preference category.

Rule 3:

287. If an applicant moves from either Band 1 or 2 to Band 3 – they will retain their earliest date of application.
288. The reason for this is that if, due to a change of circumstances, an applicant moves to a lower priority band they do not lose time already spent on the Housing Register in a higher band.

Appendix 3 – Right of review

What if you make a decision about my application that I do not agree with?

289. You can ask for a review on any decision that is made about your application. You should do this within 28 days of the decision being notified to you. If you ask us to review a decision to exclude you from the Housing Register, a more senior officer who did not make the original decision will carry out a review.
290. If you ask us to review a decision on the suitability or reasonableness of an offer of accommodation that you have refused so that the priority awarded to your application is withdrawn, a more senior officer who did not make the original decision will carry out a review.
291. If you disagree with the Council's decision following a recommendation by a health advisor, a review will be carried out by another health advisor who has not been involved in the first assessment of your application for priority on health grounds. The Council will make a final decision based upon the recommendation of the second health advisor.


Further enquiries may be made at any stage of this process if appropriate.

292. If you ask us to review a decision about the priority awarded to your application by the Housing Management Panel, the Panel will first review any additional information or evidence that is presented. If you still disagree with the Panel's decision, a more senior officer than the chair of the Panel will carry out the review, which will be our final decision. The senior officer will be

someone who has not had any previous involvement in the matter.

293. For reviews of any other decision made regarding your application, an officer who was not involved in the original decision, but not necessarily someone more senior to the officer, who made the first decision, will carry out a review.
294. If you wish to request a review of a decision it should normally be in writing. This is to make sure that we have a record of what you have told us.
295. In exceptional circumstances we will agree to you making the request in person. We will aim to tell you the result of a review within 56 days from the date of your request unless it is necessary to request further information. If more time is needed we will let you know. Normally, the decision is made more quickly than this. We will also tell you how we have made our decision.

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Consultation Report	 TOWER HAMLETS
Date: 5th March 2020	Classification: [Internal Use Only]
Proposed changes to the Common Housing Register Partnership's Allocations Scheme	

Originating Officer(s)	Una Bedford (Strategy and Policy Officer – Place)
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1. Background

- 1.1** This report sets out key findings following a period of consultation and engagement with residents and other key stakeholders on proposed changes to the Common Housing Register Allocations Scheme.
- 1.2** The consultation exercise began on 21st October 2019 and ran for just over 17 weeks until 10th February 2020. The consultation aimed to canvass the views of a wide range of community groups and stakeholders with an interest in the Borough's Allocation Scheme.
- 1.3** This report sets out:
- How residents and organisations were invited to respond to the consultation; and
 - The level of satisfaction with each policy proposal, a summary of the main issues raised by respondents and how the Council has taken them into account

2. Overview of the Consultation

- 2.1** The Council has been consulting with stakeholders on proposals within this report intended to revise and amend the current Common Housing Register Partnership's Allocations Scheme. The Allocations Scheme is an existing policy which covers eligibility for, and the letting of social housing (Council and Housing Association housing)
- 2.2** The Council have consulted with key stakeholders on the proposed changes to the Allocations Scheme. This consultation was open to anyone who lives, rents or owns a home in the Borough, any professional working for an organisation with an interest in the future of housing in Tower Hamlets and to members and staff working for the Council. It also included all the Registered Provider partners signed up to the Tower Hamlets Common Housing register.
- 2.3** The consultation exercise consisted of an online survey to understand the view of stakeholders on the amendments proposed to the Allocations Scheme. All applicants currently on the Common Housing Register were sent a letter which signposted them to a dedicated consultation website or to an event, with a booklet available online and in person detailing the proposed changes to the Allocations Scheme. There were also several events either drop in or focus group sessions to highlight the proposed changes to the Allocations Scheme. Feedback from those events have been

captured by adding the paper surveys completed on-line and findings in this report for each of the proposed changes which reflects the comments received from residents. The responses have been considered carefully by senior officers and members and consequently used to inform whether these proposals are adopted to this revision of the Allocations Scheme.

- 2.4** This report focuses on the responses given by those who completed the online survey. The views and opinions expressed in this report are those of the residents and stakeholders responding to our consultation and do not necessarily represent the views, priorities and policies of the Council.

3. Proposal 1 – Homelessness

- 3.1** People who are homeless, or who are at risk of becoming homeless, are sometimes able to secure private housing outside Tower Hamlets to resolve their homelessness. This is necessary to make best use of all suitable available housing across London.
- 3.2** Currently, a person rehoused outside the borough would be removed from the housing register because they would no longer meet the need to have lived in Tower Hamlets for three years before being eligible for a property.
- 3.3** Applicants who are homeless and owed a duty are prioritised for housing and that will apply to applicants owed a prevention and relief duty under the new homeless legislation.
- 3.4** In addition, this proposal would change the rules so that if someone was able to secure suitable and affordable housing outside the borough because they had either become homeless or were at risk of becoming homeless, and homelessness was prevented with assistance from the council, they would not be penalised by being taken off the register.
- 3.5** Then, instead, they would be allowed to remain on or join the register for three years only, if not rehoused will be taken off the housing register. This would provide the time for them either to be offered a suitable property back in Tower Hamlets, or to have lived in their new borough for long enough to be eligible to join the housing register and bid for a property there.
- 3.6** Also, under consideration was whether applicants rehoused into suitable size private sector accommodation because homelessness was prevented should be given some priority during the three-year period even if they are adequately housed.

Q1:

Homeless applicants or those at risk of homelessness rehoused outside of the borough should remain or be able to join the housing register for a maximum period of three years?

- **Strongly Agree**
- **Agree**
- **Neither agree nor disagree**
- **Disagree**
- **Strongly disagree**

Opinion	Number of respondents	%
Strongly Agree	438	23.13%
Agree	486	25.66%
Neither agree nor disagree	327	17.27%
Disagree	196	10.35%
Strongly disagree	447	23.60%

A total of 1894 of all survey respondents chose to answer this question, while 76 chose not to.

- 49% of respondents either agreed or strongly agreed with the proposal to allow homeless applicants or those at risk of homelessness rehoused outside of the borough to remain or be able to join the housing register for a maximum period of three years.
- 17% of respondents neither agreed nor disagreed with this proposal.
- 34% of respondents either strongly disagreed or disagreed with this proposal.

3.7 Comments from respondents

"It is not always right to make someone leave the housing list if they have been placed out of Tower Hamlets against their own will. This is a fair chance for them to remain on the list. Though, it is unlikely for them to be housed within 3 years, so again, this provides a sense of false hope".

"Homeless applicants are already in a very vulnerable state. Allowing them to stay on housing register for 3 years may not be enough time for them to achieve secure tenancy. Therefore, this period should be extended to give them a realistic chance of obtaining secure tenancy".

"I believe the council that is currently housing them should be the first council to offer them accommodation".

"I feel that if you are genuinely homeless than relocating anywhere is a better prospect than living on the streets. Hence this proposal is valid".

"It is pointless them staying on the register for three years. As they are most likely not going to be allocated anything within that time"

"How about also doing a list cleansing exercise on current list, do a mass mail out if anyone does not respond suspend their application until you hear from them. Chances are you won't because lot of people have left the borough".

3.8 Findings

3.8.1 It is evident from the comments provided by respondents that the majority, (49%), agree that homeless applicants, or those at risk of homelessness who are placed out of the Borough into settled accommodation, should be given the option to return to the Borough; by allowing them to remain on the Common Housing Register for up to three years after they have been placed in out of borough accommodation.

3.8.2 However, several respondents commented that by allowing these applicants to remain on the CHR, the Council were only offering false hope which would never be met.

4. Proposal 2 – Freeing up larger homes

- 4.1 Under the current rules, if a council or housing association tenant is living in a home on the first floor or above, they are not given priority for a move to a ground floor home unless there are health reasons for doing so.
- 4.2 This proposal will give preference to social housing tenants living in homes, on the first floor or above, with more bedrooms than they need. Changing this policy will make larger-sized homes available to families that need the additional space, while helping those tenants currently affected by the ‘bedroom tax’ who want to downsize.

Q2:

To what extent do you agree with this statement? Council or housing association tenants giving up larger homes should be considered for ground floor homes to free up much need family sized properties

- Strongly Agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Opinion	Number of respondents	%
Strongly Agree	522	27.52%
Agree	658	34.69%
Neither agree nor disagree	345	18.19%
Disagree	140	7.38%
Strongly disagree	232	12.23%

1897 respondents chose to answer this question, while 73 respondents chose not to.

- 62% of respondents either strongly agreed or agreed with the proposal that social housing tenants who give up larger family sized homes should be considered for ground floor homes.
- 19% of respondents neither agreed nor disagreed with the proposal
- 20% either strongly disagreed or disagreed with this proposal.

4.3 Comments

“I think that people that have more bedrooms than they need should be encouraged, (maybe rewarded), to move as we are so 'overcrowded' and some families really need those homes more than they do, when they use their bedrooms 'for storage' is really frustrating when me and my daughter are sharing a room”.

“I believe it depends on the health conditions and if someone has small children's or with disability”.

“This should help free up large homes”.

“A home is more than a building, some people have lived in their homes for decades, if not multiple decades, and as such this needs to be taken into consideration. Yes, freeing up space is important but for some this could cause other issues, particularly for those with mental health issues.”

“People who are on social housing shouldn't be under-occupying anyway regardless of whether they are on first floor or ground floor. The bedroom tax doesn't make a difference. I think if you are under-occupying you should be given another property”,

“I think there are too many big homes occupied by less people leaving us with big families in over- crowded homes which affects our children's sleep and education”.

4.4 Findings

4.41 While the majority of survey respondents (62%) agreed with the proposal to consider giving preference to Council or housing association tenants who give up a larger home in return for ground floor homes to free up much need family sized properties, there is concern for the distress and displacement that this may have on residents who have lived in their family home for many years.

4.42 This would be a voluntary choice on the part of tenants who wish to down-size and this would need to be communicated to tenants.

4.43 Consideration should be made by partners, if they don't already, to provide some form of financial incentive to boost a down-sizing initiative – potentially offering a fixed allowance per bedroom which the tenant is relinquishing with a possibility of assistance through a one-off payment towards removal costs and/or a decoration/ minor repairs.

5. Proposal 3 – Ground floor flats offered to applicants who cannot manage internal stairs

5.1 A limited number of ground floor flats become available each year. Under the current rules, lettings officers must make their allocation decision based only on whether an applicant has higher or lower priority in their band when they match on the shortlist. This proposal would allow officers to also consider medical factors like whether an applicant can manage internal stairs and give preference accordingly.

5.2 Changing this policy could mean faster rehousing times for those applicants who cannot manage internal stairs.

Q3:

To what extent do you agree with this statement? Applicants who can't manage internal stairs should be given preference for ground floor flats.

- Strongly Agree
- Agree
- Neutral
- Disagree

Opinion	Number of respondents	%
Strongly Agree	706	37.14%
Agree	775	40.77%
Neutral	198	10.42%
Disagree	58	3.05%

1901 respondents answered this question, while 69 respondents chose to skip this question

- Almost 78% of respondents who commented either strongly agreed or agreed with the proposal to give applicants who cannot manage internal stairs preference for ground floor flats.
- Just over 10% of those who answered the question held no opinion either way on this proposal.
- Only 3% of respondents disagreed with the proposal.

5.3 Comments

"I agree applicants with medical and mobility conditions should be considered for ground floor housing".

"Normal people won't understand these struggles. But they know how hard it is. And in the case where a ground floor flat cannot be available then adjustments will need to be made to the house/flat they are currently living in. And TH will need to help fund this. That would mean more funding needed for mental and physical health organisations not less. Because they are on the rise and are very common. So major funding increase is needed not cuts. But that is another subject for another discussion".

"I think this is unfair. Just as much as disabled people struggle with stairs, so do single mothers with pushchairs, children and shopping. Everyone should get equal options".

5.4 Findings

5.4.1 Almost 78% of respondents agreed with the Council's proposals to give preference to applicants who cannot manage internal stairs for ground floors flats. Several respondents commented that this would be unfair to parents who have to negotiate stairs with children, pushchairs, and shopping.

5.4.2 Most applicants understood that the intention behind this proposal is to free social housing stock up, particularly those larger sized family homes which no longer meet the housing needs of the tenant or where the tenant may now be under-occupying the property. Having the ability to offer applicants who have a need for more suitable ground-floor based properties could incentivise those on the CHR to downsize – freeing up family-sized accommodation and allowing the Council and its CHR Partners to make the best use of the social housing stock as well as meet the medical needs of those applicants.

6. Proposal 4 – Victims of domestic abuse

6.1 Under the current rules, victims of domestic abuse who have not lived in Tower Hamlets for the previous three years are placed on the housing register in band 2B. Many of them have needed to move to a new area for their own safety, so this proposal will waive the residential criteria meaning they could be placed in band 2A instead. This proposal could lead to faster rehousing times for victims of domestic abuse.

6.2 This proposal would also reduce the amount of time that domestic abuse victims who have found safety in refuges need to have been in the borough before being eligible for housing. Under the current rules, they need to be in the refuge for six months. This proposal would cut that to three. This would free up much-needed places in refuges to help other victims of domestic abuse.

Q4:
To what extent do you agree with this statement? The residential criteria should be relaxed for victims of domestic abuse as outlined under this proposal.

- **Strongly agree**
- **Agree**
- **Neutral**
- **Disagree**
- **Strongly disagree**

Opinion	Number of respondents	%
Strongly Agree	391	20.69%
Agree	675	35.71%
Neutral	437	23.12%
Disagree	167	8.84%
Strongly disagree	220	11.64%

1890 respondents chose to answer this question while 80 respondents chose not to.

- Just over 56% of respondents agreed with the proposal to relax the residency criteria for victims of domestic abuse.
- 23% held no opinion
- Over 20% of respondents either strongly disagreed or disagreed with this proposal

6.3 Comments

“It should be proven that the individual is a domestic abuse victim as this new regulation may encourage false accusations just to improve chances of rehousing”

“There are some people who use this as a means to secure a property through social housing. It’s unfair when they take their spouse back into the home. Will something be done to have the abuser away from the property? There should be a penalty for the couple reuniting in the home which has been offered due to safety concerns”.

“I do agree that criteria should be relaxed for domestic abuse victims. I’m sure that TH is thorough in its research into viable abuse victims, however comprehensive evidence of abuse should be found and not just here say- with no proof, to get rehoused quicker. As this puts other people in real need at a disadvantage”.

“Absolutely! I know for a fact they’re suffering in silence and staying put in the place of abuse, due to not having anywhere to go and live. This will definitely give them that step closer to a safer life and a life of freedom and abuse free”.

“Safety is paramount but again circumstances to be reviewed how far are they from domestic abuse family friends associates etc”.

6.4 Findings

6.4.1 Only 20% of respondents either disagreed or strongly disagreed with the proposal to relax the residency criteria for victims of domestic abuse. 56% of those who responded agreed or strongly agreed with this proposal.

7 Proposal 5 – The future of Band 3

7.1 Band 3 contains 40% of all households on the housing register. We estimate that 35 per cent of housing officers’ time is spent administering the Band 3 list. The majority of applicants in this band have little or no prospect of ever receiving an offer of accommodation unless they qualify for sheltered or older persons’ housing.

7.2 This proposal would make the housing register more realistic and remove the risk of many of those in Band 3 being given false hope. It would achieve this by removing existing Band 3 applicants who are already adequately accommodated. In future, only the following applicants would be accepted onto band 3:

- Single applicants or couples over 50 years of age would be accepted and only considered for older person homes that become available – a type of property traditionally in low demand.
- Any applicant requiring sheltered accommodation – another type of property traditionally in low demand.

7.3 Applicants removed from Band 3 of the housing register as a result of this proposal would have to explore other housing options including:

- Securing suitable private sector accommodation – whether through renting, shared ownership, intermediate housing or buying a home
- Council and housing association tenants could consider a mutual exchange (a direct like for like swap with another tenant).
- Housing Moves* – a pan London scheme for council and housing association tenants allowing for cross-borough moves.
- Homefinder* – a similar scheme that is nationwide, not just London based. This scheme is also available for people in temporary accommodation.

**Housing Moves and Homefinder are likely to consider applications on a similar basis to those considered here in Tower Hamlets. If an applicant’s priority was assessed as low here, it is likely that would also be the case elsewhere.*

Q5:

To what extent do you agree with this statement? Applicants not in housing need who are already adequately housed (other than those over 50 years of age or requiring sheltered accommodation) should be removed from band 3 of the housing register.

- **Strongly agree**
- **Agree**
- **Neutral**
- **Disagree**
- **Agree**

1932 respondents answered this question while 38 skipped this question

Opinion	Number of respondents	%
Strongly Agree	193	9.99%
Agree	218	11.28%
Neutral	197	10.20%
Disagree	222	11.49%
Strongly disagree	1102	57.04%

- Almost 69% of residents strongly disagreed or disagreed with this proposal.
- 21% of those who chose to respond to this question either strongly agreed or agreed with this proposal, only 10% held no opinion either in favour or against.

7.4 Comments

"If time is being wasting through administration of applicants in band 3 that do not need housing, they should definitely be off as this valuable time could be used for people that are in need of housing".

"Tower Hamlets is a very expensive area to rent house. So those who will be removed from band 3 application, will council allow them to re-apply if their circumstance change even if they live in other council or city rather than Tower Hamlets by renting cheaper house? Tower Hamlets Council should consider this".

"Applicants who are adequately housed by private renting doesn't mean that they don't need permanent house/flat. Everybody has a right to demand council house. This people can't float here and there forever".

"I don't think it's fair to just remove current people on band 3, when our application has already been approved. If anything, the new proposal could be applied to new applicants. To just take people of band 3 when they've been waiting for a long time and not help them, is just unfair".

"I think it's appalling that that is even an option. Not everyone would like to remain living with parents until they are 50 years old. Some people work extremely hard in and for the borough like me but cannot afford the cost of buying or shared ownership yet. To think I have been bidding religiously for nearly 7years to be told there's a possibility I will be removed of the housing because I'm adequately housed is disgusting. It is extremely unfair to people like me who are not yet in the financial position to buy a property and renting privately is extremely expensive. I do hope this does NOT happen".

"There is no point in Band 3 existing if expectations will never be met".

“Social housing is for people who require help with housing. It’s not for people who are already adequately housed. What’s the need for them to be on the housing register, when they have a house? Doesn’t make sense, that’s not the purpose of social housing.”

“Many people can’t afford housing privately. Those already on the list have been waiting for some time. It is wrong to remove them rather put them on a different band. Future applicants can be considered based on earnings”.

7.6 Findings

- 7.6.1** In the main, respondents strongly disagreed or disagreed with this proposal (69%). This indicates that among respondents there is considerable strength of feeling against the proposal to limit Band 3 of the Housing Register.
- 7.6.2** Many of the comments provided by those who disagreed with the proposal indicate that applicants placed within this Band feel that at some point, they will be offered a social home. Limiting applicants within Band 3 would take away this hope. Realistically, the waiting time for applicants is historically high and from the actual number of social housing lets which have become available over the course of the last three years, relatively few of these lets are given to Band 3 applicants.
- 7.6.3** If this proposal remains in place, the alternative housing options that are available to those considered non-priority need and adequately housed needs to be publicised with residents encouraged to actively participate in seeking alternative solutions to their housing needs.

Appendix 1: Equalities Data from respondents

1. Tenure

The Council received 1,970 responses to the online survey. The largest tenure group of respondents (46%) represented in this survey were applicants currently on the Common Housing Register. (44%) were existing social housing tenants (both council and housing association tenants), 8% of respondents were borough residents neither on the Common Housing Register or resident in social housing. Finally, 2% of respondents did not belong to any of the previously cited groups.

1. Gender

In terms of gender, the highest number of respondents who chose to provide equalities data identified as female (56%), while 38% of respondents identified as male, 6% of respondents preferred not to disclose this information.

2. Disability

17% of respondents disclosed that their day to day activities were limited by a health problem or disability which has lasted or is expected to last at least twelve months, including problems related to age.

3. Ethnicity

The largest ethnic group represented among respondents identified as Asian/Asian British: Bangladeshi (58%), followed by 11% of respondents who identified as White British. A total of 17% of respondents preferred not to disclose this information. Respondents who identified as White Other (3%) were the next prominently represented ethnic group. The representation of all other prescribed ethnic groups ranged between less than 1% and below 3%.

4. Religion or belief

21% of respondents preferred not to say or to self-describe with a religion or belief. A total of 6% of respondents identified as having no religion or belief. The highest represented religion or faith which respondents identified with was Muslim (62%), followed by those respondents who identified as Christian (9%). All other religions or beliefs were identified by less than 2% of respondents.

5. Sexual orientation

6% of respondents identified as heterosexual, 20% of respondents preferred not to say or self-describe while 2% of respondents identified as bisexual. Gay men and women represented a little over 1% of respondent.

Equality Analysis (EA)

Section 1 – General Information (Aims and Objectives)

Tower Hamlets Common Housing Register Partnership Allocation Scheme Review 2019/20

Financial Year

2019/20

See
Appendix A
Current decision
rating



Proposal to exclude existing social housing tenants (under the age of 50) from Band 3 of the Common Housing Register

Following a review of the Council's Housing Allocations Scheme and a subsequent public consultation exercise, the Council have listened to the views and concerns expressed by residents and have amended one of the key proposals which it had originally put forward to residents.

The current review of the Allocations Scheme has been carried out in accordance with the Localism Act (2011). The Allocation Scheme provides details of how the Council allocates its stock of social housing. The Localism Act gave local authorities new powers to shape the way in which they approach allocations, manage their waiting lists and make use of tenancies.

Although local authorities are still required to operate and publish an Allocations Scheme, the scheme itself no longer needs to be open to all applicants. The Act still requires local authorities to grant priority to households meeting the existing reasonable preference criteria; but in addition to this, they have been given greater flexibilities and discretion to shape their approach to allocations. The Council also chooses to give additional assistance to other groups based on local priorities

The Allocation Scheme was last reviewed in 2016 and the primary drivers for this current review have been:

1. **Recent legislation.** The Homelessness Reduction Act (2017), which was enacted in 2018, placed a legal duty on the Local Authorities to ensure reasonable preference is given to applicants either threatened with homelessness or homeless before a full housing duty is owed.
2. To take into consideration the various Codes of Guidance on Allocations Schemes as issued by the Government. ¹
3. To ensure the Allocation Scheme **meets the current needs of our residents and key aspirations and objectives of the Council.**
4. To enable the council to **make the best use of social housing stock** within the borough.
5. To better manage the expectations of residents

The original proposal which the Council put forward suggested that applicants in Band 3 of the Common Housing Register be limited. **Band 3 of the Common Housing Register is a non-priority housing options band where applicants have been assessed as being adequately housed without having a defined housing need.**

¹<https://www.gov.uk/government/publications/allocation-of-accommodation-guidance-for-local-housing-authorities-in-england> published June 2012

<https://www.gov.uk/government/publications/allocation-of-accommodation-guidance-for-local-housing-authorities-in-england> published December 2013

<https://www.gov.uk/government/publications/right-to-move-statutory-guidance-on-social-housing-allocations-for-local-housing-authorities-in-england> published March 2015

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/753667/Improving_access_to_social_housing_for_victims_of_domestic_abuse.pdf published November 2018

The original amendment proposed that entry to Band 3 would have been limited to the following applicants:

- Singles or couples over 50 years as these applicants have a realistic chance of being housed in low demand homes designated for older people, including sheltered accommodation.
- Any applicant requiring sheltered accommodation because this type of accommodation is in low demand in the Borough.
- Any out of borough housing applicants placed there as a part of the homelessness prevention offer (if that proposed policy amendment is agreed and implemented)

This would have meant that existing social housing tenants (those who have a council tenancy or a tenancy with a housing association), those applicants who live with family and friends and those renting a property from the private rented sector would have been excluded/removed from the Common Housing Register.

The Council has listened to the views of residents - 69% of those who responded to our online questionnaire (see the Consultation Report) either strongly disagreed or disagreed with this proposal. It was apparent that respondents felt that this was not fair to those in Band 3 who reside with parents/family or friends or those privately renting a home.

After considering all the feedback from the consultation exercise, **the Council now proposes to only exclude existing social housing tenants (under the age of 50) from Band 3** of the Common Housing Register.

Demand information captured from the CHR on 1st April 2020 shows that there were **8,440** applicants placed in Band 3. The revised proposal to exclude existing social housing tenants under the age of 50 from Band 3 will effectively remove **1,453** applicants from the CHR using this data.

*It is important to note that there are a significant number of Band 3 applicants **who have never placed a bid for a property**, without bidding, an applicant in Band 3 can never hope to move on from their existing property.*

*Of the 1,453 existing social housing applicants under the age of 50 on the CHR, **331 applicants have never placed a bid on a property**. This equates to 23% of all existing social housing tenants under the age of 50 on Band 3 (This Information was extracted from the CHR on 18th May 2020). This means that of those existing social housing tenants in Band 3 under the age of 50, only 1,122 applicants have actively bid for a property at any time since they joined the CHR.*

The table below captures data on the tenures currently occupied by applicants in Band 3 with effect from 18th May 2020.

Tenure	
Social housing tenancy (Transfer applications)	2,760 (33%)
Living with friends and family	3,094 (37%)
Renting privately	2,034 (24%)
Others (lodges, hostels or tied accommodation)	563 (6%)

Of the 33% of existing social housing tenants presently on Band 3 of the CHR, **17.2%** are under the age of 50. The reason behind the Council's decision to retain existing social housing tenants over the age of 50 has been drawn from lettings information collated over the course of the last 4 years which illustrates that while allocations of properties to applicants within Band 3 rarely happen, the majority of lets that are made, have been to applicants aged 50+.

Lettings to Band 3 applicants make up a small percentage of the overall churn in the Borough's social housing stock. Data from the last financial year, (April 2019 to March 2020), reveals that during this

period from a total of 1,862 social housing lets were made from which **93 properties (5% of all social housing lets) have been let to Band 3 applicants.**

Similarly, data from the financial year 2018/19 demonstrated that a total of 1,329 social housing homes were let to Band 3 applicants; **only 5.9% of these lets (79 units) went to applicants in Band 3. From these units, 50 were designated as accommodation for applicants over 50 or as sheltered accommodation.** Again in 2017/18, 1,680 social housing homes were let, and a total of 90 units went to Band 3 applicants (5.3%). This not only confirms that the majority of available lets go to applicants in Band 1 and 2 with priority housing need but also from the few lets which become available to applicants in Band 3 applicants, the majority of lets are predominately going to those residents aged 50+.

Further information on the Common Housing Register from the last complete financial year (2019/20), breaks down the ages of those applicants who were granted a social housing tenancy for 91 of the 93 social housing units let to Band 3 applicants.

Age Groups	Number of lets per age group
26 to 40	20
41 to 50	10
51 to 60	25
Over 60	36
Total	91 (out of a total of 93 Lets to all ages in Band 3)

Around 2/3's of all lets in Band 3 go to existing social housing tenants aged 50+.

The demand from Band 3 applicants in terms of the number of bedrooms they require, as of 1st April 2020, is detailed in the table below. This shows that the highest bedroom need among applicants on Band 3 is for a one-bedroom property (68% of all applicants)

Bed need	No of applicants in Band 3
1 Bed	5,708
2 Bed	1,768
3 Bed	885
4+ Beds	90
Total	8,451

The reality is that the existing social housing applicants under the age of 50 who are removed from Band 3 under this proposal, remain unlikely to ever secure an offer of a further social housing tenancy. These applicants are adequately housed and have some degree of settled accommodation. **As evidenced, 23% of existing social housing tenants have not bid for any properties since joining Band 3 of the CHR.**

The reasoning behind this level of bidding inactivity among this cohort within Band 3 is difficult to quantify. It may be that applicants do not understand that they must actively bid on the limited properties which become available or may join the Common Housing Register in the hope that the longer they remain on the list, the more likely that they will be contacted or ranked higher in the bidding process.

As demand for social housing increases, all local authorities need to be prudent in ensuring that those in the greatest need continue to receive priority on the CHR. From a service point of view, our priority is to help those in the genuine housing need, and not those who are already adequately housed and not in priority need – their housing need has been met by the Council. With the constraints on the Council's resources, existing social housing tenants under the age of 50 who wish to transfer to another social housing property should be encouraged to actively seek alternative accommodation using existing mutual exchange/swap schemes.

This proposed realignment of the CHR will more accurately reflect housing need in the Borough. From the few lets which occur within this Band at present, the majority go to those residents aged 50+ who may wish to downsize or seek sheltered accommodation. Retaining the access to Band 3 of the CHR to existing social housing tenants aged 50+ ensures movement within the housing stock, allowing officers to make the best use of the limited supply available by freeing up larger sized homes which are much needed by other residents in the Borough.

The Localism Act 2011 amended section 159 of the Housing Act 1996 so that transfer applications from existing tenants in social housing no longer have to be assessed on the same basis as applications from households applying on the Common Housing Register, unless the authority is satisfied that the household applying for a transfer should be given reasonable preference in accordance with section 166A (3)². In which case, these existing social housing tenants would be prioritised in either Band 1 or 2 of the Common Housing Register, depending on their circumstance.

The statutory guidance does not cover how authorities should set up and administer applications for transfers from households that do not fall into a reasonable preference category.

For those existing social housing tenants under the age of 50 which this proposal is seeking to exclude from Band 3, there are several alternative housing options available to them (see list at Appendix C of this document) and in the further promotion of these options, it will help to manage residents' expectations.

The Council also needs to utilise the supply of Intermediate Housing³ available within the Borough. Officers are currently seeking approval from Cabinet to develop an Intermediate Housing Register. Intermediate Housing provides a potential mechanism to release more affordable homes to our Borough's residents and an opportunity to alleviate the increasing pressures on the Borough's finite supply of social housing. Officers therefore are seeking permission from the Cabinet to develop an Intermediate Housing Register and supporting policy as an additional route for residents who are seeking affordable housing.

Over the course of the next few years, the Council intends to develop more Intermediate Housing homes within the Borough. Since 2013/14 to the end of 2019/20 a total of 1,665 intermediate homes were completed. It is anticipated that pipeline projects in the Borough between now and the end of 2022/23 will yield a further 1,453 new intermediate homes.

As a result of these proposed amendments, applicants will have additional housing options and be rehoused more quickly. These proposed changes will assist the Council in making the best use of the limited supply of housing available within the Borough to meet the housing needs of its residents.

Under the Equality Act 2010, the Council must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by

² This section of the Act states that each local housing authority must have an Allocations Scheme which sets out its priorities, the scheme must be framed to ensure that reasonable preference is given to:

- a) people who are homeless (within the meaning of Part 7);
 - b) people who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3);
 - c) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
 - d) people who need to move on medical or welfare grounds (including any grounds relating to a disability);
- and**
- e) people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

³ Intermediate housing products are homes for sale and rent provided at a cost above social rent, but below market levels. These can include shared equity (shared ownership and equity loans), other low-cost homes for sale and intermediate rent, but not affordable rented housing

- or under the Act;
- Advance equality of opportunity between those with a protected characteristic and those without;
- Promote good relations between those with a protected characteristic and those without.

The 'protected characteristics' referred to are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; gender, sexual orientation. It also covers marriage and civil partnerships. The intention of this equalities assessment is to give consideration of the proposed change to Band 3 of the Common Housing Register under the Council's Allocations Scheme regarding each protected characteristic to ensure that any discrimination or adverse impact is mitigated. In addition, the Council also considers the socio-economic impact on the community.

This equalities impact assessment looks at the impact of the above proposed changes on the protected groups and suggests appropriate mitigation actions where necessary.

Conclusion - To be completed at the end of the Equality Analysis process

Following extensive consultation with residents and key stakeholders the original proposal to remove certain Band 3 applicants from the Common Housing Register was amended to now only exclude social tenants under 50 years of age. They will be encouraged to consider all the alternative housing options available to them to move. Those that do not currently hold a social tenancy under 50 years of age will remain in Band 3.

Based on the EA, as there is only a neutral impact across all the protected characteristics, it is thought that the revised proposal will not have a disproportionate impact on existing social housing tenants under the age of 50. Therefore, it has been agreed to proceed with the amended proposal.

Name: Rafiqul Hoque
(signed off by)

Date signed off: 15 June 2020
(approved)

Service area:
Housing and Regeneration

Team name:
Housing Options

Service manager: Rafiqul Hoque

Name and role of the officer completing the EA: Una Bedford, Strategy and Policy Officer (Place)

Section 2 – Evidence (Consideration of Data and Information)

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

The initial proposal to exclude applicants from Band 3 of the CHR would have removed existing social housing tenants under the age of 50, applicants who live with family and friends and those renting a property from the private rented sector.

On review of the comments made by respondents who completed the online questionnaire/consultation survey, it became clear that there is considerable concern that applicants who living with family and friends and renting in the private sector would be excluded from joining the CHR.

Anecdotal evidence from respondents in these groups highlighted common themes – housing

affordability and the frustration that many young adults have that they are unable to move out of their parental home and to remain in their local area where they have existing family ties. There is also concern that they may lose their local connections if they move out of the Borough.

Rents in the private sector are high and are disproportionate to income levels to many private tenants in the Borough, the ability to remain on the CHR for private tenants who are adequately housed and not in priority need is critical for residents and allows them hope that they will one day be able to bid successfully for a social housing property.

While it is clear from the data available on Band 3 lets that applicants within this cohort rarely are made an offer of a social housing tenancy, to remove those applicants who are living with family and friends or renting in the private sector in the Borough would take away any hope.

The Council remains committed to increasing the supply of council homes and its programme of building. Although progress is being made, the level of demand for social housing will never be met as it far outstrips supply. Where possible, the Council aim to utilise other housing options for residents which include various transfer and mutual exchange schemes by encouraging existing social housing tenants under the age of 50 who are adequately housed and without priority need. These possibilities will be promoted and encouraged actively by the Council's Housing Options Team.

Similarly, the proposed creation of an Intermediate Housing Register of interest for an affordable housing schemes in the Borough, may provide a first step towards home ownership for those existing social housing tenants who have the financial mean and wish to move on from social housing. It will also help those who are living with parents or relatives or those who rent privately into affordable rent and again towards staircasing towards their owning their own home, freeing up the housing possibilities for residents in the Borough.

For staff, the proposal to limit Band 3 of the CHR will require minimum training to ensure that those who assess eligibility to join the CHR are aware both of this change and other housing options available to those who will be excluded under this proposal. IT systems and the Council's Home seekers webpage will need to be updated and expanded to allow those seeking housing advice to 'self-serve' and pursue new housing options.

Section 3 – Assessing the Impacts on the 9 Groups

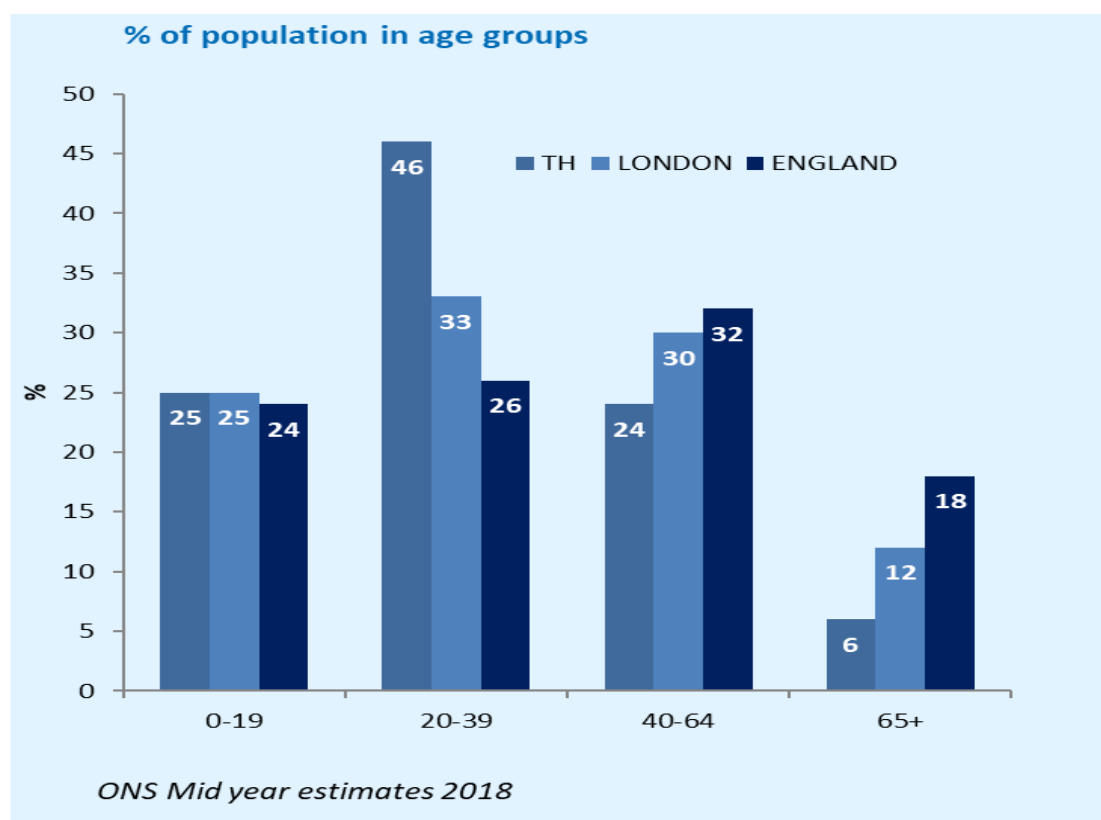
1) Age

Tower Hamlets has a similar proportion of young people aged 0-19 to England and London. One in four (25%) of the Borough's residents are in this age group. The largest age group is the 20-39-year olds. Approximately 46% of the population are aged 20-39. This is higher than London (33%) and England (26%).

England has an older population when compared to Tower Hamlets and London. Only 6% of the Borough's population are aged 65+ compared to 12% in London and 18% in England.

Tower Hamlets has a relatively young population compared with the rest of the country. Our median age in 2017 was 31.0 years which was the 4th youngest median age out of all local authorities in the UK. The median age was 35.1 in London (4.1 years older), 39.8 in England (8.8 years older) and 40.1 in the UK (9.1 years older).

The figure below shows the difference between the age profiles in Tower Hamlets compared to the rest of London and compared to England. aged 20-39, the highest proportion in the UK, and well above the London average (34 per cent).



The Borough's relatively young age profile reflects the fact that over the past ten years, the borough's working age population has increased much more quickly than the child population or older age groups. In addition, nearly eight in ten (77 per cent) residents who have lived in the borough for less than 5 years are aged between 18 and 34, and 88 per cent of our economic migrants in 2017/18 were aged 18 to 34.

While the Borough's population is projected to age slightly in the coming years, it is expected to retain its distinctive young population.

From Band 3 lettings data, the 5% quota of lets to Band 3 applicants as per the Allocations Scheme usually goes to applicants aged over 50 or those requiring older person's accommodation. These

applicants may be suitable for older person's accommodation for which there is low demand in the Borough. This is one element of social housing provision which is undersubscribed to in the Borough and delivered by registered providers (housing associations).

This proposal will have a neutral impact on applicants who will be removed from Band 3 of the CHR as their prospects of re-housing remain unchanged. This new limitation on Band 3 will ensure that scarce social housing resources go to those with the greatest need.

This change in would mean that a total of 1,453 applicants will be removed from Band 3 of the CHR. It is proposed that with effect from date that this proposed change goes live, the Common Housing Register will no longer accept applicants under the age of 50 who are adequately housed.

It is thought that this will not have a disproportionate impact on existing social housing tenants under the age of 50. Existing social housing tenants will be notified in advance by the Council that they will be excluded from the CHR and will have an opportunity to advise the Council of any change in their circumstances that could impact on their housing needs. If their circumstances have changed and they are no longer adequately housed or fall into one of the categories to be considered in priority housing need they may be eligible to remain on either Bands 1 or 2 of the CHR depending on their circumstances.

Even where these applicants are removed from the CHR, if their circumstances change later, applicants can reapply to join the CHR and their eligibility will be assessed of the basis of their circumstances at the point that they reapply.

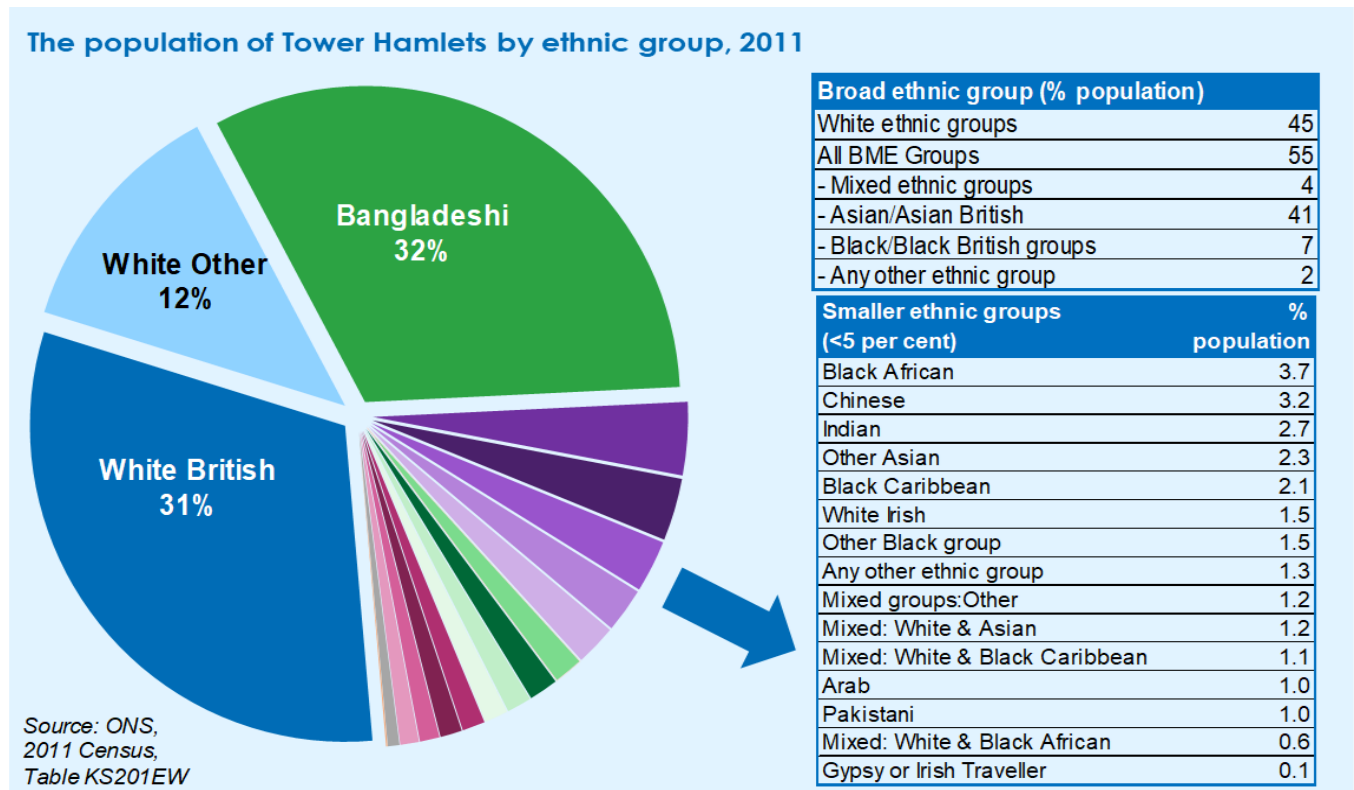
Applicants who are excluded from Band 3 of the CHR will be directed to alternative housing options as described in Appendix C of this document. In addition, there is a proposal to develop a new Intermediate Housing Register of interest which will provide residents priority for the initial three months of any new scheme being marketed. This gives residents with the opportunity to acquire an affordable home which they may purchase over the course of time. It will be an improved offer to those applicants who have the financial means to move towards home ownership.

From the date that Common Housing Register no longer accepts new adequately housed existing social housing tenants under the age of 50, it is proposed that those who are on the Band 3 of the CHR before this date, will be given a 'transitional period' of 6 months before being removed from the CHR.

All applicants who will be removed at the end of the transitional period will be contacted in advance of this change, in writing by the Housing Options Service. These applicants will be given the opportunity to advise officers if their circumstances have changed – which may mean that these applicants can move into either Band 1 or 2 of the CHR if they meet the eligibility criterion prescribed within the Council's Allocations Scheme. In the interim, during the transitional period, applicants excluded under this proposal can continue to bid for homes through the Council and its partner's choice-based lettings scheme, but as historical lettings data has shown, they would be extremely unlikely to successfully bid for a further social housing tenancy.

2) Race

More than two-thirds (69%) of the Borough's population belong to a minority ethnic group. Tower Hamlets is ranked as the 16th most ethnically diverse local authority in England out of 325 local authorities.



The Borough's two largest ethnic groups are the White British and the Bangladeshi populations, each accounting for one third of the population. Tower Hamlets has the largest Bangladeshi population in the country.

The third largest group is the White Other population, who account for 12% of the borough's population. This group is diverse and includes residents from a mix of ethnic backgrounds, Europeans, Australians and Americans.

A significant proportion of the borough's population are Somali. The 2011 Census identified 2,925 Somali-born residents, 1.2% of the population. The overall size of the Somali population in the borough, including subsequent and second generations, is considerably larger, between 6,000 and 9,000 or 2-3% of the population.

Equalities data from 1st April 2020, in the table below, demonstrates the ethnicity of all applicants on Band 3 of the CHR.

Ethnicity – All ages	Total	Percentage
Asian	4,398	52%
Black	963	11%
Dual	213	3%
Other	469	6%
Declined	277	3%
White	2,131	25%
Total	8,451	

Regardless of race or ethnicity, historic lettings data over recent years shows that few existing social housing applicants under the age of 50 are successful in securing a further social housing tenancy. This proposed change will have a neutral impact on applicants without priority who are adequately housed as their prospects of re-housing remain unchanged.

This change would mean that currently a total of 1,453 applicants will be removed from Band 3 of the CHR. It is proposed that with effect from 1st April 2021, the Common Housing Register will no longer accept applicants under the age of 50 who are adequately housed.

These applicants will be directed to alternative housing options as described in Appendix C of this document. In addition, a new Intermediate Housing Register of interest has been proposed which will give residents priority for the initial three months of any new affordable housing scheme being marketed. This provides residents with the opportunity to acquire an affordable home which they may purchase over time. This will be an improved offer to those applicants who have the financial means to move towards home ownership.

From the date that Common Housing Register no longer accepts new adequately housed existing social housing tenants under the age of 50, it is proposed that those who are on the Band 3 of the CHR before this date, will be given a 'transitional period' of 6 months before being removed from the CHR.

Applicants who will be removed at the end of the transitional period will be contacted in advance and in writing by the Housing Options Service and informed of this change. These applicants will be given the opportunity to advise officers if their circumstances have changed – which may mean that these applicants can move into either Band 1 or 2 of the CHR if they meet the eligibility criterion prescribed within the Council's Allocations Scheme. While these applicants can continue to bid for homes through the Council and its partner's choice-based lettings scheme, they will, as demonstrate, be extremely unlikely to successfully bid for a further social housing property.

3) Gender

Tower Hamlets has around 14,000 more male residents than female residents. This is the 5th highest ratio of males to females in the country and is higher than the ratio in both London and UK where there are more females than males.

The Borough has 52.2% male residents and 47.8% female residents (ONS mid-year estimates 2018).

Analysis of Band 3 of the CHR (as of 1st April 2020), shows that there are 56% of female applicants compared to 43% male applicants hoping to be rehoused.

This proposal will have a neutral impact on applicants who are existing social housing tenants under the age of 50, regardless of their gender, who will be removed from Band 3 of the CHR as their prospects of re-housing remain unchanged. This change will ensure that scarce social housing resources go to those with the greatest need. This is neutral impact on applicants without priority who are adequately housed as their prospects of re-housing remain unchanged.

These applicants will be directed to alternative housing options as described in Appendix C of this document. In addition, a new Intermediate Housing Register of interest has been proposed which will give residents priority for the initial three months of any new scheme being marketed. This provides residents with the opportunity to acquire an affordable home which they may purchase over the course of time. This will be an improved offer to those applicants who have the financial means to move towards home ownership.

From the date that Common Housing Register no longer accepts new adequately housed existing social housing tenants under the age of 50, it is proposed that those who are on the Band 3 of the CHR before this date, will be given a 'transitional period' of 6 months before being removed from the CHR.

During this transitional period, applicants who will be removed will be contacted in writing and in advance by the Housing Options Service and informed of this change. These applicants will be given the

opportunity to advise officers if their circumstances have changed – which may mean that these applicants can move into either Band 1 or 2 of the CHR if they meet the eligibility criterion prescribed within the Council's Allocations Scheme. While these applicants can continue to bid for homes through the Council and its partner's choice-based lettings scheme for the duration of the transitional period, they are unlikely to successfully bid for a further social housing property.

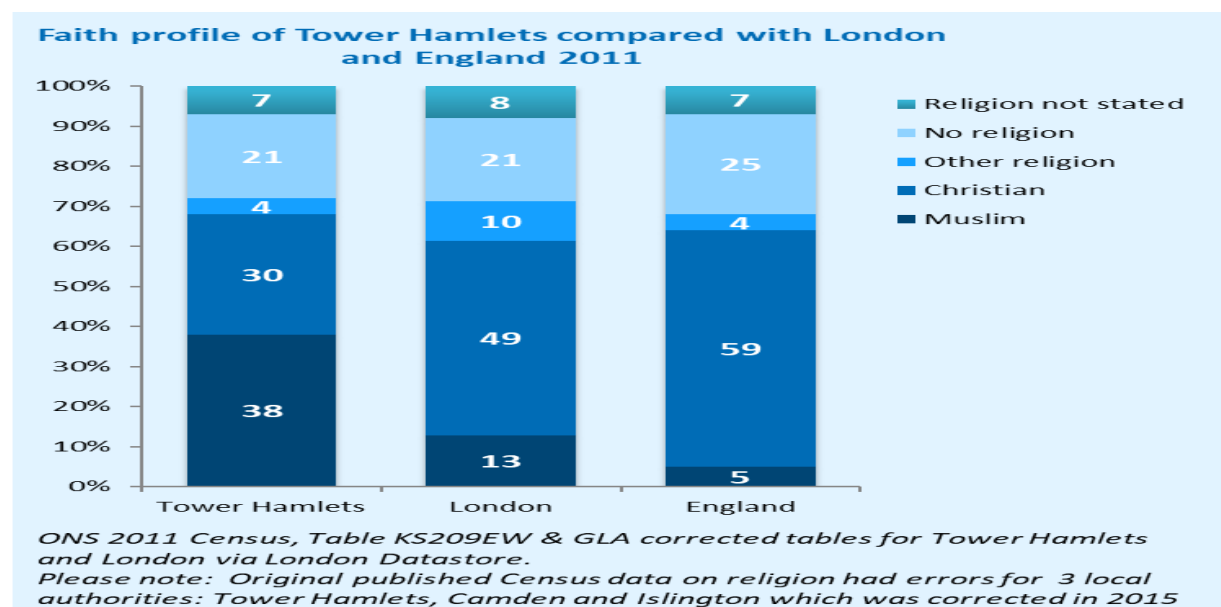
4) Gender Reassignment (Gender Identity): No information is held on gender reassignment.

There are no gender reassignment specific criteria within the current or proposed amendments to the Allocations Scheme. The Allocation Scheme makes no distinction between applicants who are the same sex as they were assigned at birth, and those who are or have transitioned.

Applicants can choose whether to disclose this information as part of the Council's equalities monitoring process. As of 1st April 2020, there are a total of two applicants who have answered that their gender identity is not the same as at birth. One applicant each from Transfer and SHR lists.

5) Religion and belief

Tower Hamlets has the highest number of Muslim residents in the country. Around 38% of the residents are Muslim, compared with 5% in England and 13% in London. Conversely, the borough has the lowest number of Christian residents with 30%, compared with 59% in England and 49% in London.



Information held on the religion or faith groups which Band 3 applicants currently identify with is shown in the table below (as of 1st April 2020). **This information is limited as the disclosure of this information is entirely voluntary on the part of the applicant.**

Religion – all ages	Count	Percentage
BUDDHIST	2	0.2%
CHRISTIAN	86	1.01%
HINDU	2	0.02%
JEWISH	6	0.07%
MUSLIM	477	5.6%
NO RELIGION	10	0.11%
OTHER	2	0.02%
REFUSED	89	1.05%
No Data	7,777	92%
Total	8,451	

Irrespective of religion or faith, this proposal can be considered to have a neutral impact on those CHR who would be excluded from Band 3.

These applicants will be directed to alternative housing options as described in Appendix C of this document. While there is the proposal to develop an Intermediate Housing Register of interest for applicants who are looking to move towards home ownership via Affordable/Intermediate Housing products, the Council recognises that there will be Muslim applicants who will be excluded from Band 3 of the CHR and will be unable to pursue this alternative housing option.

Applicants cannot use a Shariah mortgage to finance the purchase of a home through shared ownership or right to buy schemes. This is because Islamic home finance depends on the bank buying the home on the mortgager's behalf.

The charging of interest is forbidden under Islamic law, no lending or borrowing money. However, Help to Buy Schemes can be used by providers of home purchase plans and there are several banks and financial institutes which offer home purchase plans which are sharia compliant. The bank or institution purchase the property on behalf of the customer then lease or rent the property back to them, so the customer pays the mortgage back as rent, once the final instalment is paid, the property belongs to the customer.

Applicants who cannot apply for a conventional mortgage will be directed towards 'Help to Buy' products (through the Greater London Authorities webpage).

From the date that Common Housing Register no longer accepts new adequately housed existing social housing tenants under the age of 50, it is proposed that those who are on the Band 3 of the CHR before this date, will be given a 'transitional period' of 6 months before being removed from the CHR.

Applicants who will be removed at the end of the transitional period will be contacted in writing and in advance by the Housing Options Service and informed of this change. These applicants will be given the opportunity to advise officers if their circumstances have changed – which may mean that these applicants can move into either Band 1 or 2 of the CHR if they meet the eligibility criterion prescribed within the Council's Allocations Scheme. During the transitional period, these applicants can continue to bid for homes through the Council and its partner's choice-based lettings scheme, although they are extremely unlikely to successfully bid for a further social housing tenancy.

6) Sexual orientation

The information which is available on this protected characteristic is limited. Local authority level sexual identify experimental estimates published for 2013-15 estimate that 4.3% of the Tower Hamlets population identified as lesbian, gay or bisexual.

There is a deficit in the data held on the sexual orientation of residents within the Borough and residents are often reluctant to disclose this information. Applicants can choose if they wish to disclose this information.

Sexual Orientation - all ages	Count
BISEXUAL	6
GAY	2
HETEROSEXUAL	304
LESBIAN	1
REFUSED	210
No Data	7,928
Total	8,451

The Office for National Statistics are proposing to include a question on sexual orientation in 2021. Experimental estimates published by ONS for 2017, show that nationally 2% of the UK population aged 16 and over identify as LGB, regionally, people in London (2.6%) are more likely to identify as LGB.

Any issues brought to our attention will be dealt with sensitively on a case by case basis. We recognise that this is an elective process on the part of the tenant and the Council respects the confidence given to our officers when a tenant discloses this information to use.

It is not thought that this proposed amendment to Band 3 of the CHR will not have disproportionate or negative impact on existing social housing tenants under the age of 50 who identify with this protected characteristic.

The reality is that the existing social housing applicants under the age of 50 who are removed from Band 3 under this proposal, irrespective of any protected characteristic that they identify with, remain unlikely to ever secure an offer of a further social housing tenancy. These applicants are adequately housed and have some degree of settled accommodation. Limiting applicants in Band 3 will help to manage demand, ensuring that those in the greatest need continue to receive priority with the Housing Register more accurately reflecting housing need in the Borough.

Applicants who are removed from Band 3 will be directed to alternative housing options as described in Appendix C of this document. In addition, a new Intermediate Housing Register of interest has been proposed which will give residents priority for the initial three months of any new scheme being marketed. This will provide residents with the opportunity to acquire an affordable home which they may purchase over time. This will be an improved offer to those applicants who have the financial means to move towards home ownership.

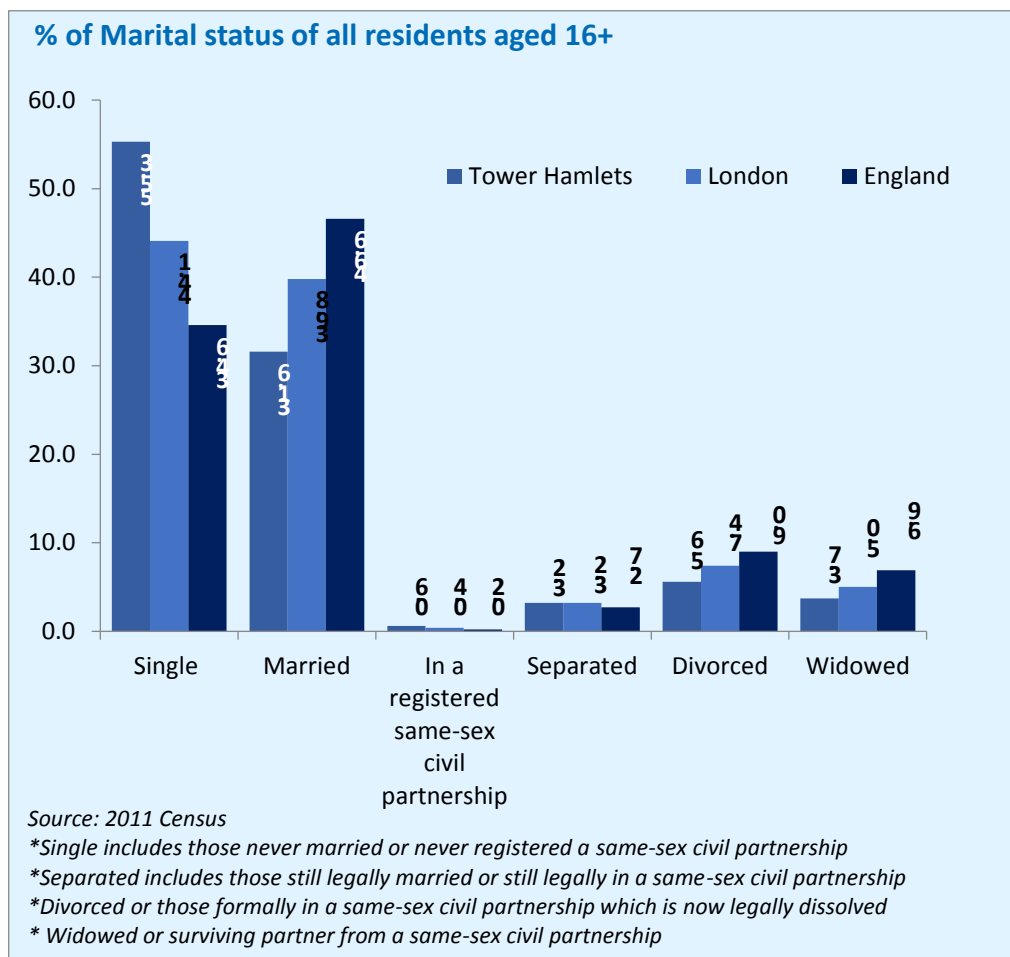
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Applicants who will be removed at the end of this period will be contacted in writing and in advance by the Housing Options Service and informed of this change. These applicants will be given the opportunity to advise officers if their circumstances have changed – which may mean that these applicants can move into either Band 1 or 2 of the CHR if they meet the eligibility criterion prescribed within the Council's Allocations Scheme. During the transitional period, these applicants can continue to bid for homes through the Council and its partner's choice-based lettings scheme, but they will be unlikely to succeed in getting a transfer to another social housing property.

7) Marriage and Civil Partnerships

The most recent data held on the marital status of residents in the Brough is from the 2011 Census. Tower Hamlets has significantly higher proportion of residents who are single compared to London and England. In 2011, 55.3% of residents were single, compared to 44.1% in London and 34.6% in England.

Nationally 46.6% of those aged 16 and over are married, compared to 39.8% in London and 31.6% in Tower Hamlets.



The Council does not regularly collect data on the marital status of council tenants, only at the point of entry on to the Housing Register and where a tenant signs up to a council tenancy agreement. This information can become unreliable and invalid over time.

It is not thought that this proposed amendment to Band 3 of the CHR will not have disproportionate or negative impact on existing social housing tenants under the age of 50 who identify with this protected characteristic.

Applicants who are excluded from the CHR will be directed to alternative housing options as described in Appendix C of this document. In addition, a new Intermediate Housing Register of interest has been proposed which will give residents priority for the initial three months of any new scheme being marketed. This provides residents with the opportunity to acquire an affordable home which they may purchase over the time. This will be an improved offer to those applicants who have the financial means to move towards home ownership.

From the date that Common Housing Register no longer accepts new adequately housed existing social housing tenants under the age of 50, it is proposed that those who are on the Band 3 of the CHR before this date, will be given a 'transitional period' of 6 months before being removed from the CHR.

Applicants who will be removed at the end of the transitional period will be contacted in writing and in advance by the Housing Options Service and informed of this change. These applicants will be given the opportunity to advise officers if their circumstances have changed – which may mean that these applicants can move into either Band 1 or 2 of the CHR if they meet the eligibility criterion prescribed within the Council's Allocations Scheme. During the transitional period, these applicants can continue to bid for homes through the Council and its partner's choice-based lettings scheme, they will as demonstrated be extremely unlikely transfer to another social housing property.

The reality is that the existing social housing applicants under the age of 50 who are removed from Band 3 under this proposal, irrespective of any protected characteristic that they identify with, remain unlikely to ever secure an offer of a further social housing tenancy. These applicants are adequately housed and have some degree of settled accommodation. Limiting applicants in Band 3 will help to manage demand, ensuring that those in the greatest need continue to receive priority with the Housing Register more accurately reflecting housing need in the Borough.

8) Disability

The housing needs survey carried as part of the 2014 Strategic Housing Market Assessment (SHMA) estimated there are:

- 20,293 households that contain at least one household member with a disability or limiting long term illness;
- 1.7% of households said that they have a support need;
- 10.5% of households said that their home had been adapted to meet the needs of a household member with a disability.

The proposal to exclude existing social housing tenants over the age of 50 will not affect applicants who are disabled and have a medical or priority need for alternative suitable accommodation or a ground floor or wheelchair accessible property. Applicants who are eligible are routed into Band 1 (Group A) of the CHR. This is the highest priority award and will normally be considered where the criteria for a priority medical award is met and one or more of the following conditions also applies:

- someone is in hospital and cannot return home because it is not suitable
- there is a risk to life
- there are very exceptional circumstances

Alternatively, some applicants who are considered to have a priority medical need, normally where the applicant or someone in their household has a severe long-term limiting illness or permanent and substantial disability will be placed in Group B of Band 1 of the CHR.

The Band and group which applicants are placed in is dependent on the information given at the time of their application or following any changes in an applicant or their household's circumstances.

Prior to the proposal to limit existing social housing tenants (under the age of 50) who are adequately housed from Band 3 of the Common Housing Register, all affected applicants will be notified of the change to this banding and given an opportunity to inform the Council if there has been a change in their circumstances which requires that the applicant be considered for a move into either Band 1 or 2 on the CHR.

The Council continues to recognise that there are times when people need to move because of their health or a disability. Existing social housing tenants under the age of 50 will be notified in advance by the Council that they will be excluded from the CHR and will have an opportunity to advise the Council of any change in their circumstances that could impact on their housing needs. If their circumstances have changed and they are no longer adequately housed and fall into one of the categories to be considered in priority housing need they may be eligible to remain on either Bands 1 or 2 of the CHR depending on their circumstances.

Even where these applicants are removed from the CHR, if their circumstances change at a later date, applicants can reapply to join the CHR and their eligibility will be assessed on the basis of their circumstances at the point that they reapply. Applicants will be able to reapply to join the Common Housing Register and their application to join will be considered in accordance with the eligibility criteria set out in the Council's Allocation Scheme.

9) Pregnancy and maternity

The only data which the Council collects for this protected characteristic is due dates for pregnancy, usually collected at the point of entry to the Common Housing Register and again at the point when a tenant signs up for a Council Tenancy. This data is used to ascertain the size of the Property/the number of bedrooms a tenant requires under the 'bedroom standard'. The circumstances of the applicants and existing social housing tenants will always be considered when prioritising and allocating social housing and they will be expected to ensure that their information and circumstances are updated as and when they change.

It is thought that this will not have a disproportionate impact on this protected characteristic. Existing social housing tenants will be notified in advance by the Council that they will be excluded from the CHR and will have an opportunity to advise the Council of any change in their circumstances that could impact on their housing needs. If their circumstances have changed and they are no longer adequately housed or fall into one of the categories to be considered in priority housing need they may be eligible to remain on either Bands 1 or 2 of the CHR depending on their circumstances.

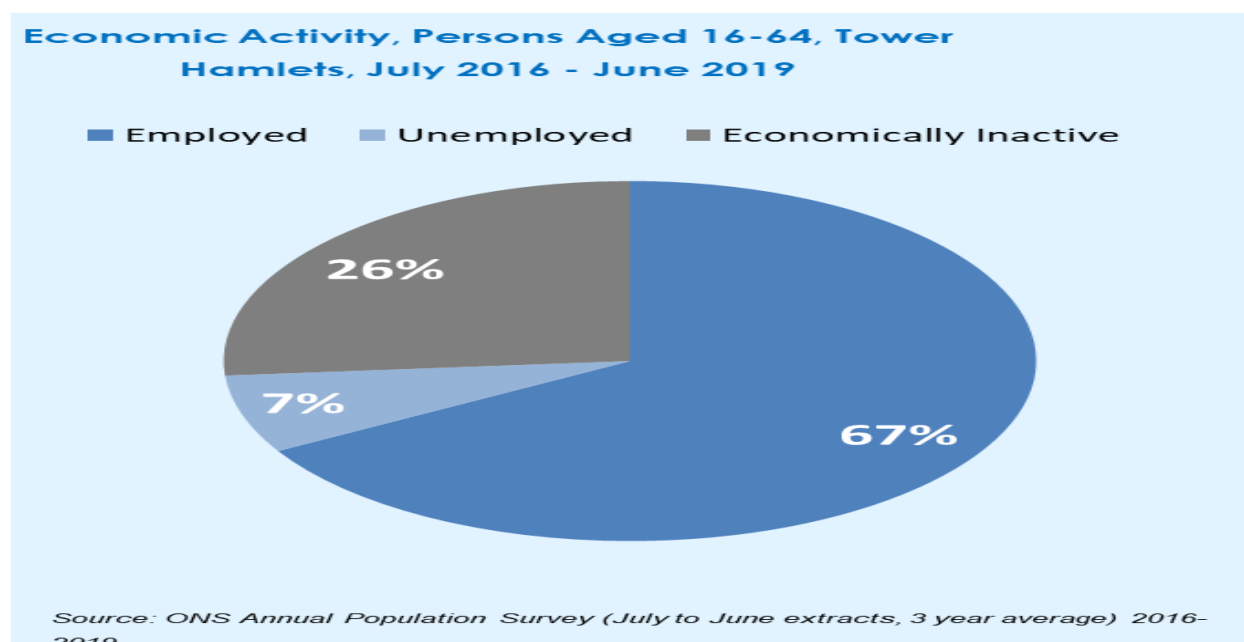
Even where these applicants are removed from the CHR, if their circumstances change at a later date, applicants can reapply to join the CHR and their eligibility will be assessed on the basis of their circumstances at the point that they reapply.

10) Socio-economic

During 2016-19, around two thirds of Tower Hamlets working age population were in employment- 67% that is around 7% below the employment rate in London and 8% below the employment rate in Great Britain.

One third of the working age population were not in employment, this comprised of:

- Unemployed and actively seeking work (7%); and
- Economically inactive (26%) (this includes residents who are caring for family, or too sick to work, residents in full time education and those who would like to work)



The proposal to remove existing social housing tenants under the age of 50 from the CHR is thought not to have a negative or disproportionate effect on the socio-economic status of existing social housing tenants under the age of 50 in Band 3 of the CHR.

Existing social housing tenants already pay a 'social rent' either to a council or a housing association, this means that their rents are lower than rents for similar properties in the private sector. It will not financially disadvantage those social housing tenants who retain their tenancy.

The current COVID-19/Coronavirus pandemic is likely to compound the pre-existing economic pressures households face particularly as people are made redundant, furloughed or see a reduction in their working hours, and this may create further pressures on the demand for social housing as residents may face difficulty in paying their monthly rent or meeting mortgage payments. The Council, its partner Tower Hamlets Homes and Common Housing Register Registered Provider partners will work with our existing social housing tenants to ensure that their tenancies are sustained and that they are able to maximise income opportunities to negate any arrears of rent. There is greater security of tenure for social housing tenants than for those tenants who rent privately or who for residents who own their own home.

This proposed change to Band 3 will ensure that scarce social housing resources go to those with the greatest need, which is likely to become increasingly critical in the aftermath of the pandemic

Existing social housing applicants under the age of 50 will be directed to alternative housing options as described in Appendix C of this document. In addition, a new Intermediate Housing Register of interest has been proposed which will afford all residents' priority for the initial three months of any new affordable housing scheme in the Borough being marketed. This provides Borough residents with an opportunity to acquire an affordable home which they may purchase over time. This will be an improved offer to those applicants who have the financial means to move towards home ownership.

From the date that Common Housing Register no longer accepts new adequately housed existing social housing tenants under the age of 50, it is proposed that those who are on the Band 3 of the CHR before this date, will be given a 'transitional period' of 6 months before being removed from the CHR.

Applicants who will be removed at the end of the transitional period will be contacted in writing and in advance by the Housing Options Service and informed of this change. These applicants will be given the opportunity to advise officers if their circumstances have changed – which may mean that these applicants can move into either Band 1 or 2 of the CHR if they meet the eligibility criterion prescribed within the Council's Allocations Scheme. During the transitional period, these applicants can continue to bid for homes through the Council and its partner's choice-based lettings scheme, although they will be extremely unlikely to successfully bid for a further social housing property.

Even where these applicants are removed from the CHR, if their circumstances change at a later date, applicants can reapply to join the CHR and their eligibility will be assessed on the basis of their circumstances at the point where they reapply.

Target Groups	Impact – Positive or Adverse	Reason(s)
	What impact will the proposal have on specific groups of service users or staff?	
Race	Neutral	The proposal to remove existing social housing tenants under the age of 50 will have a neutral impact on this cohort of applicants, regardless of any protected characteristics which these applicants identify with. Data over recent years demonstrates that barely any applicants within this segment of the Band 3 will ever realistically be offered a further social housing tenancy, on the basis that these applicants have been assessed as adequately housed with no priority housing need as their prospects of being rehoused remain unchanged. This change will ensure that scarce social housing resources go to those with the greatest need.
Disability	Neutral	The proposal to exclude existing social housing tenants over the age of 50 will not affect applicants who are disabled and have a medical or priority need for alternative suitable accommodation, or a ground floor or wheelchair accessible property. Applicants who are eligible are routed into Band 1 (Group A) of the CHR. This is the highest priority award and will normally be considered where the criteria for a priority medical award is met and one or more other eligibility conditions are met.
Gender	Neutral	This proposal will have a neutral impact on applicants who will be removed from Band 3 of the CHR as their prospects of re-housing remain unchanged. This change will ensure that scarce social housing resources go to those with the greatest need. This is neutral impact on applicants without priority who are adequately housed as their prospects of re-housing remain unchanged.
Gender Reassignment	Neutral	The Allocation Scheme makes no distinction between applicants who are the same sex as they were assigned at birth, and those who are or have transitioned. Existing social housing applicants under the age of 50 who are considered adequately housed without any priority housing need, have no realistic chance of being offered a further social housing tenancy.
Sexual Orientation	Neutral	It is thought that this proposed amendment to Band 3 of the CHR will not have disproportionate or negative impact on existing social housing tenants under the age of 50 who identify with this protected characteristic. The reality is that the existing social housing applicants under the age of 50 who are removed from Band 3 under this proposal, irrespective of any protected characteristic that they identify with, remain unlikely to ever secure an offer of a further social housing tenancy. These applicants are adequately housed and have some degree of settled accommodation. Limiting applicants in Band 3 will help to manage demand, ensuring that those in the greatest need continue to receive priority with the Housing Register more accurately reflecting housing need in the Borough.
Religion or Belief	Neutral	Irrespective of religion or faith, this proposal can be considered to have a neutral impact on those CHR who would be excluded from Band 3. These applicants will be directed to alternative housing options as described in Appendix C of this document. While there is the proposal to develop an Intermediate Housing Register of interest for applicants who are looking to move towards home ownership via Affordable/Intermediate Housing products, the Council recognises that there will be Muslim applicants who will be excluded from Band 3 of the CHR and will be unable to pursue this alternative housing option. Applicants who cannot apply for a conventional mortgage will be directed towards 'Help to Buy' products (through the Greater London Authorities webpage).

Age	Neutral	<p>While the decision to remove existing social housing tenants under the age of 50 from Band 3 of the CHR may initially appear on face value to discriminate against residents under the age of 50 by allowing those applicants who are over 50 to remain within Band 3, historical evidence from lets made to Band 3 show that very few new social housing tenancies are granted to those in Band 3. The majority of lets to applicants in Band 3 are made to applicants over the age of 50, and typically the units let to this cohort are properties designated as accommodation for applicants over 50 or as sheltered accommodation. These are usually one-bedroom units.</p> <p>Existing social housing tenants under the age of 50 in Band 3 are already designated adequately housed and are not in the reasonable preference ambit of the Allocations Scheme – their housing needs are met.</p>
Marriage and Civil Partnerships	Neutral	<p>It is not thought that this proposed amendment to Band 3 of the CHR will not have disproportionate or negative impact on existing social housing tenants under the age of 50 who identify with this protected characteristic.</p> <p>Applicants who are excluded from the CHR will be directed to alternative housing options as described in Appendix C of this document. In addition, a new Intermediate Housing Register of interest has been proposed which will give residents priority for the initial three months of any new scheme being marketed. This provides residents with the opportunity to acquire an affordable home which they may purchase over the time. This will be an improved offer to those applicants who have the financial means to move towards home ownership</p>
Pregnancy and Maternity	Neutral	<p>It is thought that this proposed change will not have a disproportionate impact on this protected characteristic. Existing social housing tenants will be notified in advance by the Council that they will be excluded from the CHR and will have an opportunity to advise the Council of any change in their circumstances that could impact on their housing needs. If their circumstances have changed and they are no longer adequately housed or fall into one of the categories to be considered in priority housing need they may be eligible to remain on either Bands 1 or 2 of the CHR depending on their circumstances.</p>
Socio-economic	Neutral	<p>The proposal to remove existing social housing tenants under the age of 50 from the CHR is thought not to have a negative or disproportionate effect on the socio-economic status of residents in Band 3 of the CHR. Existing social housing tenants already pay a 'social rent' either to a council or a housing association, this means that their rents are lower than rents for similar properties in the private sector. It will not financially disadvantage those social housing tenants who retain their tenancy.</p> <p>This change will ensure that scarce social housing resources go to those with the greatest need. This is neutral impact on applicants without priority who are adequately housed as their prospects of re-housing remain unchanged.</p>

Section 4 – Mitigating Impacts and Alternative Options

From the analysis and interpretation of evidence in section 2 and 3 - Is there any evidence or view that suggests that different equality or other protected groups (inc' staff) could be adversely and/or disproportionately impacted by the proposal?

Yes? **No? X**

If yes, please detail below how evidence influenced and formed the proposal? For example, why parts of the proposal were added / removed? N/A

(Please note – a key part of the EA process is to show that we have made reasonable and informed attempts to mitigate any negative impacts. An EA is a service improvement tool and as such you may wish to consider a number of alternative options or mitigation in terms of the proposal.)

Where you believe the proposal discriminates but not unlawfully, you must set out below your objective justification for continuing with the proposal, without mitigating action.

N/A

Section 5 – Quality Assurance and Monitoring

Have monitoring systems been put in place to check the implementation of the proposal and recommendations?

Yes? X No?

How will the monitoring systems further assess the impact on the equality target groups?

The monitoring of these proposals and their impact on the supply of social housing in the Borough will be used to inform future revisions of the Council's Allocations scheme. This information will be used to inform future operational practice to mitigate any unintended disproportionate consequences arising from the proposed changes to the Council's Allocation Scheme.

Does the policy/function comply with equalities legislation?
(Please consider the **OTH objectives** and **Public Sector Equality Duty** criteria)

Yes? X No?

If there are gaps in information or areas for further improvement, please list them below:

There is a deficit in the data that the Council holds on the following protected characteristics:

- Sexual Orientation
- Gender Reassignment
- Marriage and Civil Partnerships
- Pregnancy and Maternity

How will the results of this Equality Analysis feed into the performance planning process?

While staff endeavour to capture as much data as possible on applicants' protracted characteristics, which is recorded on the Council's IT systems, it is an elected process where applicants may choose not to provide or refuse. Some of the information held is variable e.g. pregnancy, which means applicants must update the service for their application to be reviewed, which will be done as part of any change of circumstances process.

An effective communication campaign will be launched to ensure tenants consider all the alternative housing options available to them. There will be a transitional period of 6 months before existing social

tenants less than 50 years of age are removed from Band 3. Those affected will be informed and offered the opportunity to report any change of circumstances which will have to be processed. This will be closely monitored and diversity information updated as necessary

Staff including those employed by our partner RPs will be briefed on the policy changes, any changes needed on IT systems and application processes.

Regular performance statistics on demand and lets will be produced including diversity information and monitored by senior management to ensure any gaps or adverse impact can be addressed.





Section 6 - Action Plan

As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
Review our mutual exchange arrangements with the Borough's registered providers who operate in the Borough.	Ensure that barriers to tenants exchanging are minimised.	Determine which exchange schemes registered providers are signed up to.	Sue Hammick	
RP partners to consider setting aside a budget for tenants who transfer or swap to meet some of the costs associated with moving home and/or provide financial assistance towards redecorating the property to settle tenants.	Individual Housing Providers to consider. For discussion at Common Housing Register Forum.	To be raised at CHR Forum 7 th July 2020.	Rafiqul Hoque	
Prior to the implementation of this proposal, an exercise should be completed to identify all applicants seeking a transfer or exchange to ensure that they are approached and targeted at events such as the Swap days, again to be promoted amongst providers and THH.	Work with RPs and THH homes to target those applicants who want transfer to another social housing property for attendance at future Swap Day events facilitated by the Council and its partners.	Provide a Homeswappers open day for residents affected by policy change by end of March 2021.	Sue Hammick/Julius Adeyemi	
Develop and improve information on alternative housing options around mutual exchange/swap schemes.	Amend and update the Council's Home seekers website, Homeseekers website and Ask Mo.	Changes to websites agreed by CHR partners by end of August 2020.	Sue Hammick	
Agree a transitional period of 6 months to allow affected applicants to remain on the CHR while an IHR is developed and to report any change of circumstances.	To be included in report to Cabinet.	All affected applicants written to by October 2020. Any change of circumstances reviewed and completed by March 2021.	Rafiqul Hoque	
Contact all existing social housing tenants to inform them that the Council will be removing them from Band 3 of the CHR.	Publicity campaign – email, letter to all residents, with the option to review an applicant's circumstances.	All affected residents to be contacted by end October 2020.	John Harkin	

Appendix A

(Sample) Equality Assessment Criteria

Decision	Action	Risk
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.	Suspend – Further Work Required	Red 
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy.	Further (specialist) advice should be taken	Red Amber 
As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.	Proceed pending agreement of mitigating action	Amber 
As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.	Proceed with implementation	Green: 

Appendix B

List of Registered Provider Partners to the Common Housing Register and current social housing stock available within the London Borough of Tower Hamlets as of 3rd March 2020

	Total Stock
Arhag Housing Association (joined 01/07/2018). Stock level as of 20 Nov 2018)	901
LBTH - Council - (stock figure 27 June 2019)	11,476
Gateway	1,728
HARCA (stock figure 08 July 2019)	5,972
Spitalfields -	850
SWAN (stock figure 08 July 2019)	1,615
THCH	2,003
Southern (stock figure 27 June 2019)	1,382
One Housing	2,752
Clarion Housing Group (comprised of merged Old Ford, Circle 33 and Affinity Sutton stock) (stock figure 16 July 2018)	3,965
Providence Row HA	102
Eastend Homes (stock figure 25 January 2018)	2,248
Metropolitan Housing Trust	121
London & Quadrant	1,541
Network Homes (formerly Network Stadium)	122
Peabody (stock figure 01 July 2019)	2,139
Notting Hill Genesis (stock figure 27 June 2019)	1,290
Newlon Housing Trust (stock figure 03 July 2019)	737
North London Muslim Housing Association (stock figure 08 July 2019)	39
NON-PARTNER RSL'S (Stock figure as of May 2018). EB Feb 2018: Awaiting updated stock figures.	1,999
All	42,982

Appendix 3

Alternative housing options for applicants excluded under the current proposal

Housing Option	Type of Applicant	Offer
Affordable Housing via Intermediate Housing Register	Available to all residents who are working with income below £60,000 for intermediate rent and below £90,000 for shared ownership products who meet the prescribed qualifying criterion, looking to stay in the borough as renters or who are looking to secure their first steps towards home ownership.	Officers are currently seeking approval from members to develop an Intermediate Housing Register for applicants who may or may not be eligible to join the Housing Register but who may have the financial means and meet the eligibility criterion to access any intermediate housing products as soon as they become available for marketing. Regardless of whether the proposal to exclude existing social housing tenants under the age of 50 from Band 3 is agreed, there is a need to encourage and promote this offer to residents in the Borough who have the financial capability to move into intermediate housing.
Mutual Exchange https://www.homeswapper.co.uk/ https://www.houseexchange.org.uk/	Social Housing (council and register provider tenants)	This provides a more realistic prospect of moving as opposed to being on the register and bidding for homes. This applies to applicants in all bands on the CHR. The Mutual Exchange sites used (House Exchange and Homeswapper) are national websites which Tower Hamlets council tenants can access free of charge.
Housing Moves https://www.housingmoves.org/	Social Housing (council and register provider tenants)	This is a Pan-London Mobility Scheme for social housing tenants (council and registered provider tenants) to move outside their borough to a different London borough. Run by the GLA, the majority of London Boroughs and registered providers participate in this scheme. The following applicants are prioritised within this scheme: Households who have more bedrooms than they need; or Applicants who need to move closer to employment or high education; or Applicants who are overcrowded in their home or need to move due to caring responsibilities.
Homefinder https://homefinderuk.org	Social Housing (council and register provider tenants) and homeless applicants	This is a national housing mobility scheme that helps tenants and homeless households, who want or need to move, to find a home that better matches their household size and personal and financial circumstances.
Seaside and Country Homes https://www.london.gov.uk/what-we-do/housing-and-land/council-and-social-housing/seaside-and-country-homes	Council or registered provider tenants where one tenant where at least one member of the household is age 55 or above	Helps households to move from London each year to bungalows or flats in desirable seaside and countryside locations. The scheme is open to people living in council or register provider homes in London where at least one member of the household is age 55 or above; they must be either the partner, joint tenant or registered carer of the lead

		applicant. Second applicants aged under 55 are not able to become joint tenants of, or have succession rights to, Seaside and Country Homes properties.
Accommodation in the Private Rent Sector	Available to all residents	The Tower Hamlets Homeseekers website will be expanded to include information on renting in the private sector - information on finding reputable landlords, a checklist on what to consider before committing to a tenancy, information on the Tenants Fee's Act, the right to rent, Local Housing Allowance rates and how to claim universal credit/housing benefit.

Equality Analysis (EA)

Financial Year
2020/21

See
Appendix A
Current decision
rating



Section 1 – General Information (Aims and Objectives)

Tower Hamlets Common Housing Register Partnership Allocation Scheme Review 2019/20

This review of the Housing Allocations Scheme has been carried out in accordance with the Localism Act (2011). The Allocation Scheme provides details of how the Council allocates its social housing stock. The Localism Act gave local authorities new powers to shape the way in which they approach allocations, manage their waiting lists and make use of tenancies.

Although local authorities are still required to operate and publish an Allocations Scheme, local authorities are not required to keep this open to all applicants. The Act still requires local authorities to grant priority to households meeting the existing reasonable preference criteria; but in addition to this, they have been given greater flexibilities and discretion to shape their approach to allocations. The Council also chooses to give additional assistance to other groups based on local priorities.

The Allocation Scheme was last reviewed in 2016 and the primary drivers for this review are:

1. **Recent legislation.** The Homelessness Reduction Act (2017), which was enacted in 2018, placed a legal duty on the Local Authorities to ensure reasonable preference is given to applicants either threatened with homelessness or homeless before a full housing duty is owed.
2. To take account of the various Codes of Guidance on Allocations Schemes as issued by the Government.¹
3. To ensure the Allocation Scheme **meets the current needs of our residents and key aspirations and objectives of the Council.**
4. To enable the council to **make the best use of social housing stock** within the borough.
5. To better manage the expectations of residents

A total of 19 registered providers operating within the Borough subscribe to the Allocations Scheme. Their details can be found in Appendix B of this document.

This revision of the Allocation Scheme brings new policy proposals which will encourage people to release the properties they no longer need, to provide greater assurance that our limited provision of properties is allocated to the most appropriate applicant and to ensure that the Council utilises the limited opportunities within the wider housing market.

As a result of these proposed amendments applicants will have additional housing options and be rehoused more quickly. These proposed changes will assist the Council in making the best use of the limited supply of housing available to meet housing needs in the Borough.

¹<https://www.gov.uk/government/publications/allocation-of-accommodation-guidance-for-local-housing-authorities-in-england> published June 2012

<https://www.gov.uk/government/publications/allocation-of-accommodation-guidance-for-local-housing-authorities-in-england> published December 2013

<https://www.gov.uk/government/publications/right-to-move-statutory-guidance-on-social-housing-allocations-for-local-housing-authorities-in-england> published March 2015

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/753667/Improving_access_to_social_housing_for_victims_of_domestic_abuse.pdf published November 2018

There are four proposed changes to the Council's Allocations Scheme, and these are set out below:

Proposal 1: Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period.

People who are homeless, or who are at risk of becoming homeless, are sometimes able to secure private housing outside Tower Hamlets to resolve their homelessness. This is necessary to make best use of all suitable available housing across London.

Currently, a person rehoused outside the Borough would be removed from the Common Housing register because they would no longer meet the criteria; to have lived in Tower Hamlets for three years before being eligible for a property.

Applicants who are homeless and owed a duty are prioritised for housing and this applies to applicants owed a prevention and relief duty under the new homeless legislation.

This proposal would change the rules so that if someone was able to secure suitable and affordable housing outside the Borough because they had either become homeless or were at risk of becoming homeless, and homelessness was prevented with assistance from the Council, they would not be penalised by being removed from the Common Housing Register.

Under this proposal, these applicants will be allowed to remain on or join the register for three years only, if the end of the three-years, these applicants are not rehoused, they will be taken off the Common Housing Register. Allowing three-years to remain on the Common Housing Register gives these applicants an opportunity to either be offered a suitable property back in Tower Hamlets, or to have acquired eligibility, having lived in their new borough for long enough, to join the housing register and bid for a property in their new borough.

This proposal would provide applicants the opportunity to join (before a full housing duty is owed) and/or remain on the Common Housing Register for three years and would require these applicants to actively bid for available homes. It is intended that this will have:

- A positive impact on homeless applicants who will currently be removed or barred from the housing register because they no longer live in Tower Hamlets.
- A reduction in the number of vulnerable people being housed in expensive private sector accommodation in Tower Hamlets and experiencing rent arrears.
- Applicants will have more choice with PRS housing as a solution compared to emergency temporary accommodation placements by the Council.
- Future MHCLG funding is likely to be linked to the number of preventions the council achieves.

Before an out of borough placement is made, consideration is given as to whether the property is suitable for the applicant (and their household), considering any special needs and affordability before an offer is made. The Council adheres to the principles and guidance in the Homelessness Code of Guidance for Local Authorities

Proposal 2: Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.

Under the current rules, if a council tenant or housing association tenant is living above the first floor, they will not be given priority for a move to a property on the ground floor unless there are health reasons for doing so.

This proposal will give priority to existing social housing tenants living in homes on the first floor or above, with more bedrooms than they need. Changing this policy will make larger sized homes available to families that need the additional space, while helping those working-age social tenants who are currently affected by the 'bedroom tax' to downsize. It will also allow officers to use their discretion to ensure the best outcome is achieved, to meet competing priorities.

Average waiting time in years						
	Studio	1 Bed	2 Bed	3 Bed	4 Bed	5+ Beds
Band 1	2	3	3	5	6	6
Band 2	3	4	5	9	13	12
Band 3	10	6	7	no lets	no lets	no lets

Current demand on the Common Housing Register (3rd March 2020) shows that across all protected groups, there is a continued and greater demand for 2 or more-bedroom properties:

Proposal 3: Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.

A limited number of ground floor flats become available each year. Under the current rules, lettings officers must make their allocation decision based only on whether an applicant has higher or lower priority in their band when they match on the shortlist. This proposal would allow officers to also consider medical factors like whether an applicant can manage internal stairs and give preference accordingly.

By allowing officers the discretion to take a balanced approach this will ensure clients requiring ground floor flats on medical grounds (in short supply) are prioritised taking their medical and other circumstances into account.

Proposal 4: Reduce the residential condition for victims of domestic abuse (DA)

Under the current rules, victims of domestic abuse who have not lived in Tower Hamlets for the previous three years are placed on the Housing Register in band 2B. Many of them have needed to move to a new area for their own safety, so this proposal will waive the residential criteria meaning they could be placed in Band 2A instead. This proposal could lead to faster rehousing times for victims of domestic abuse.

This proposal will reduce the amount of time that domestic abuse victims who have found safety in refuges need to have been in the Borough before being eligible for housing, under the current rules they need to be in the refuge for six months, this proposal would cut that to three months .

It is intended that the proposed policy amendments will ease the disruptions suffered by victims of Domestic Abuse who become homeless and ensure that they are offered suitable long-term housing more quickly, also releasing refuge properties more quickly for others that need it.

Local authorities can consider the need to provide for other appropriate exceptions from their residency requirements, in order to take account of special circumstances, including providing protection to people who need to move away from another area to escape violence or harm. The Statutory Code of Guidance on Allocations (2012) provides for this.

Paragraphs 19 and 20 ensure that those who need to move between local authority districts in order to escape domestic abuse are not disadvantaged by a residency or local connection test. It is also important that victims of domestic abuse who are provided with temporary protection in a refuge, or other form of temporary accommodation, are given appropriate priority under a local authority's allocation scheme, to enable them to move into more suitable settled accommodation, releasing valuable refuge spaces for others.

In November 2018, the Government issued new statutory guidance for local authorities to improve access to social housing for victims of domestic abuse. The new guidance intends to ensure that victims of domestic abuse can move into social housing from a refuge or other form of temporary accommodation. The guidance strongly encourages local authorities to exempt from their residency requirements those who are currently living in a refuge or other form of temporary accommodation having escaped from domestic violence in another local authority area, and sets out how local

authorities can give appropriate priority for social housing to those who are currently living in a refuge or other form of temporary accommodation, by applying the homelessness or medical and welfare reasonable preference requirements .

Households at risk of domestic abuse often must leave their homes and the area where they have lived. This proposal adds to the Council's commitment to supporting victims of domestic abuse. It recognises that there is a clear need for victims of abuse and their children to be able to travel to different areas in order for them to be safe from the perpetrator, and as a local housing authority, the Council acknowledges that it should extend the same level of support to those from other areas as they do to their own residents.

Equalities duties on the Council

Under the Equality Act 2010, the Council must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between those with a protected characteristic and those without;
- Promote good relations between those with a protected characteristic and those without.

The 'protected characteristics' referred to are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; gender, sexual orientation. It also covers marriage and civil partnership. The intention of this equality's assessment is to give consideration of the proposed changes to the Allocations Scheme regarding each protected characteristic to ensure that any discrimination or adverse impact is mitigated. In addition, the Council also considers the socio-economic impact on the community.

This equalities impact assessment looks at the impact of the above proposed changes on the protected groups and will suggest appropriate mitigation actions where necessary.

Conclusion - To be completed at the end of the Equality Analysis process

Based on the findings detailed below of this equality analysis, these proposed changes to the Allocations Scheme are not considered to have a negative or detrimental impact on residents (in this context, existing social housing tenants or applicants waiting for an allocation of social housing on the Common Housing Register).

For future applicants it is anticipated that these changes will enable the Council to make the best use of the Borough's social housing stock providing a greater level of security and reassurance to our residents that the Council are managing the limited supply of social housing within the statutory provisions set out by the Government.

Name: Rafiqul Hoque

Date signed off: 15th June 2020

Service area: Place

Team name: Housing Options

Service manager: Rafiqul Hoque, Head of Housing Options

Name and role of the officer completing the EA: Una Bedford, Strategy & Policy Officer (Place)

Section 2 – Evidence (Consideration of Data and Information)

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

Equalities data has been extracted from the Council's Borough profiling data. This is extracted from a variety of sources including the Office of National Statistics, the GLA Datastore and Census 2011. In addition, data has been taken from the Council's Housing Options Service regarding lettings in the Borough.

It is important to note that there are some information gaps in the data available to the Council. This is because the decision to disclose equalities information is down to individual and personal choice and residents may be reluctant to share this information.

Certain types of information which the Council holds can vary and change over the course of an applicant's time on the CHR. One example is pregnancy, which is reliant on the applicant updating the service for their application to be reviewed, which will be done as part of any change of circumstances process.

An effective communication campaign will be launched to ensure tenants consider all the alternative housing options available to them and they will have the opportunity to report any change of circumstances which will have to be processed. This will be closely monitored, and diversity information will be updated as necessary.

Staff including those employed by our partner RPs will be briefed on the policy changes, any changes needed on IT systems and application processes.

Regular performance statistics on demand and lets will be produced including diversity information and monitored by senior management to ensure any gaps or adverse impact can be addressed.

Section 3 – Assessing the Impacts on the 9 Groups

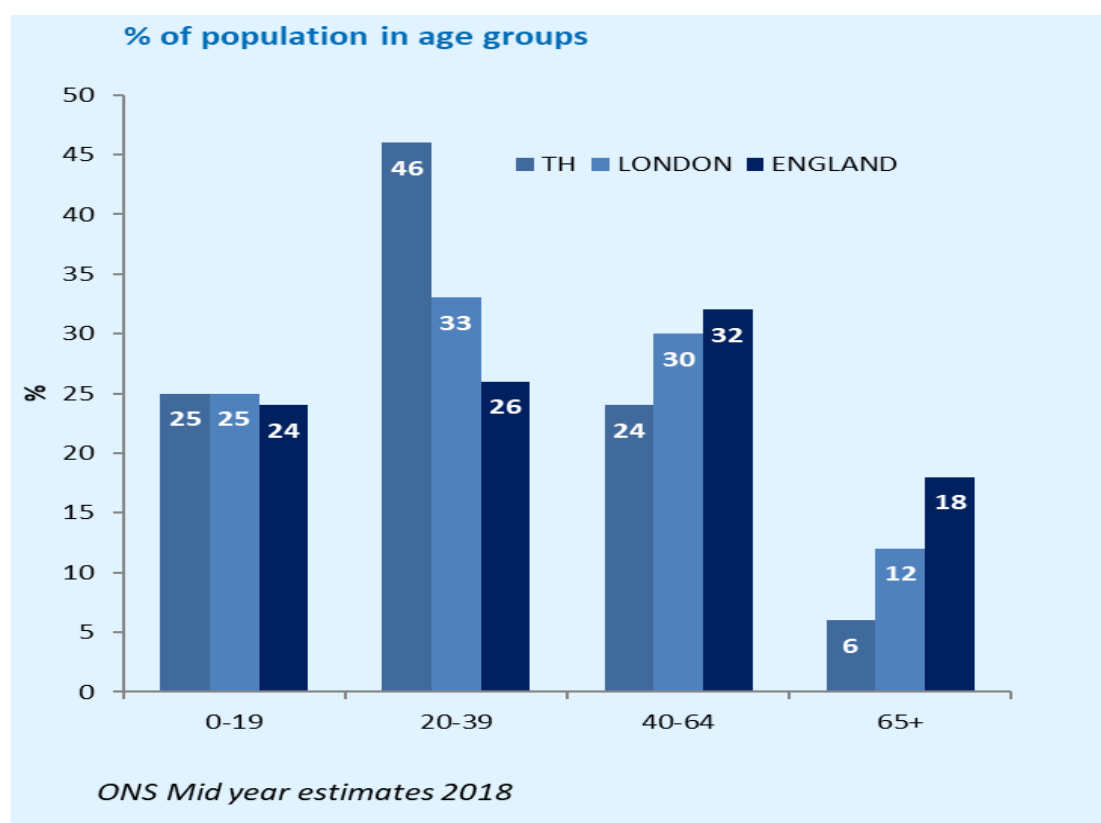
1) Age

Tower Hamlets has a similar proportion of young people aged 0-19 to England and London. One in four (25%) of the Borough's residents are in this age group. The largest age group is the 20-39-year olds. Approximately 46% of the population are aged 20-39. This is higher than London (33%) and England (26%).

England has an older population when compared to Tower Hamlets and London. Only 6% of the Borough's population are aged 65+ compared to 12% in London and 18% in England.

Tower Hamlets has a relatively young population compared with the rest of the country. Our median age in 2017 was 31.0 years which was the 4th youngest median age out of all local authorities in the UK.¹ The median age was 35.1 in London (4.1 years older), 39.8 in England (8.8 years older) and 40.1 in the UK (9.1 years older).

The figure below shows the difference between the age profiles in Tower Hamlets compared to the rest of London and compared to England. aged 20-39, the highest proportion in the UK, and well above the London average (34 per cent).



The Borough's relatively young age profile reflects the fact that over the past ten years, the borough's working age population has increased much more quickly than the child population or older age groups. In addition, nearly eight in ten (77 per cent) residents who have lived in the borough for less than 5 years are aged between 18 and 34, and 88 per cent of our economic migrants in 2017/18 were aged 18 to 34.

While the Borough's population is projected to age slightly in the coming years, it is expected to retain its distinctive young population.

Proposal 1: Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.

This will have a positive impact on all applicants who are threatened with homelessness or who present as homeless.

While people of all ages could be at risk of homelessness, the Council's homeless demand data shows that at local level, working age households with children in the younger age range are at an increased risk of homelessness. Applicants aged between 26-40 represent 53.4% on the Council's temporary rehousing list as at September 2019.

Under the Council's current policy, applicants cannot join the Common Housing Register (CHR) unless they have been a local resident for at least three years and/or are in housing need.

The Council proposes to allow those who have been placed out of the borough into the PRS under its duty to prevent homelessness to remain on the housing register for three years.

This change in policy will benefit homeless applicants of all ages who are placed in the PRS. At present, homeless applicants placed in out of borough PRS accommodation would be removed from the Housing Register because they no longer live in the Borough. Amending this policy will allow homeless applicants the opportunity to remain on the Common Housing Register while they are laying down roots in their new area. If their circumstances change or they are unable to settle, the applicant and their household will not have lost their connection to the Borough.

The Council would prefer to provide accommodation in the Borough wherever possible, but this is not always achievable due to the realities of the housing market and demand for accommodation. Placing homeless applicants and their households into PRS accommodation offers alternative, good quality accommodation at affordable rents as opposed to prolonged periods currently spent in emergency nightly charged placements.

The lack of affordable housing and impact of the ongoing welfare reforms mean that some households will need to move out of the Borough and/or out of London. This is more likely to affect larger families and those not in settled employment.

Proposal 2: Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.

The current Allocation Scheme gives preference for ground floor homes to management transfers, decants and under-occupying social tenants on a 'like for like' basis, or on medical grounds if an applicant cannot manage above the ground floor. The table below illustrates the number of council tenants as at 3rd March 2020 who are under-occupying their property by the number of bedrooms above their housing need.

Bedroom	
-1	992
-2	231
-3	32
-4	7
-5	1
Grand Total	1263

Source: Housing Data Management System Report (3rd March 2020)

From this data on under-occupation, there are a total of 1263 applicants. Of these applicants, 534 (42%) are 60 or older and 315 (25%) are between 50 and 59 years old.

The Council proposes to amend the policy to allow under-occupying social housing tenants on the first floor or above, who have no medical needs, to be considered for moves to ground floor homes. This will release much needed larger size home – critically 2, 3- and 4-bedroom properties and help under-

occupying working-age tenants in receipt of housing benefits who are affected by the bedroom tax with their housing costs and potentially facilitate more chain-lettings. Both working age and pension age existing social housing tenants who chose to downsize may benefit from having lower/reduced utility bills as a result of moving to a smaller home.

Proposal 3: Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.

There are only a limited number of ground floor flats which become available to let each year, with three bedrooms and larger size properties particularly scarce. Last year, (2018–2019), out of the 202 ground floor flats that were let, only one was a three-bedroom property and only two were four-bedroom units.

A possible scenario when shortlisting for four-bedroom ground floor flat that becomes available to let is explained below.

*Applicant 1 needs a four-bedroom ground floor flat on medical grounds but **can manage internal stairs within a property***

*Applicant 2 also needs a four-bedroom ground floor flat on medical grounds **but cannot manage internal stairs***

Under the current policy, applicant 2 has less priority in Band 1 than applicant 1 and is lower down on the shortlist. Under the current Allocation Scheme, applicant 2 would not be shortlisted for the property, even though applicant 2 cannot manage the stairs.

In the proposed policy, an officer would be able to bypass applicant 2 and offer to applicant 1 if the applicant or a member of their households has a condition which makes the property unsuitable.

As at 3rd March 202, there are 231 applicants on the common housing register requiring ground floor only accommodation on medical grounds. 148 of these applicants requiring ground floor only accommodation are aged 60 or older.

It is not possible to identify how many of these applicants need a property without internal stairs; this would only be identified by officers prior to making an offer of a property through the recommendations of medical advisors.

Proposal 4: Reduce the residential condition for victims of domestic abuse (DA)

The present Allocation Scheme allows victims of domestic abuse to be accepted on to the CHR through the homeless route, but they are placed in band 2B if they do not meet the three-year residency criteria.

The Council propose to remove the three-year residency criterion for victims of domestic abuse who have been accepted as homeless. This will place applicants in the same category as other homeless applicants 2A.

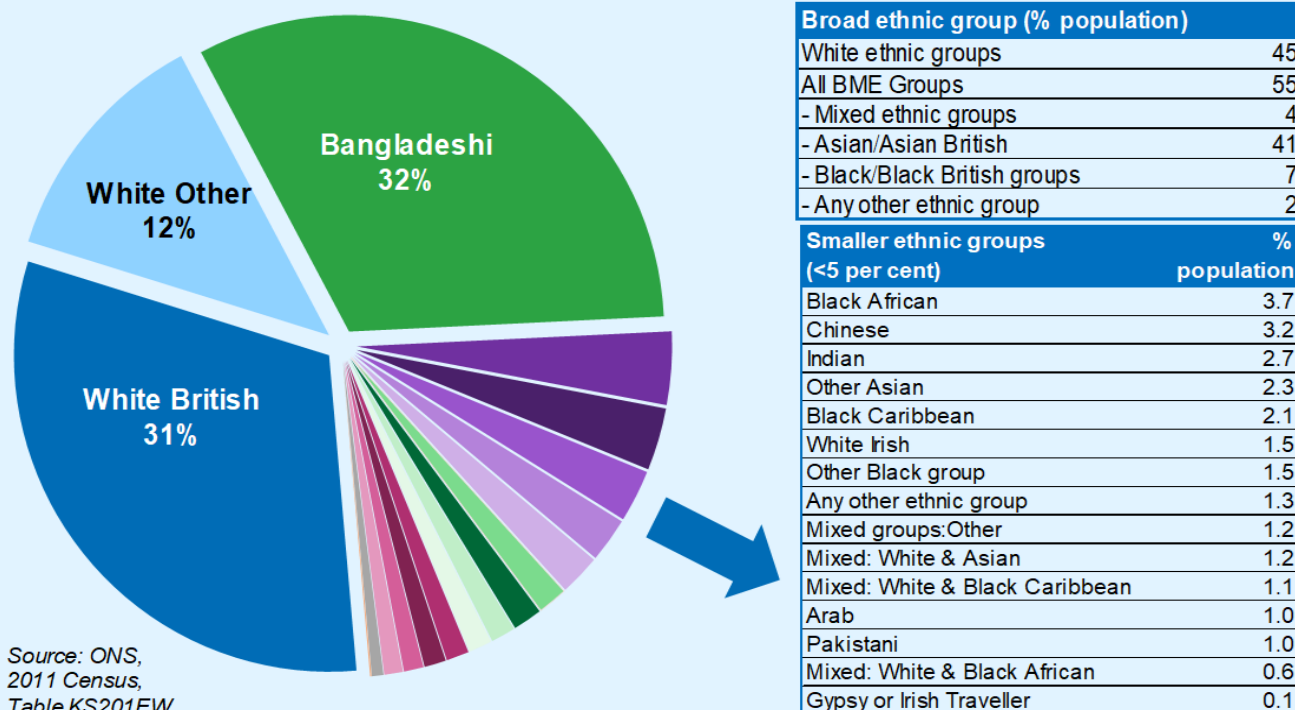
The Council also proposes to prioritise applicants in refuges as part of the quota for applicants moving on from supported accommodation (through Band 1B), reducing the minimum residence criterion from six months to three months in the Borough. This will have a positive impact on age groups because this would free-up vacancies in refuges for other victims of domestic abuse, providing longer term settled accommodation to victims and their families who move on to a secure or assured social housing tenancy.

Officers will be given authority to prioritise applicants recommended a flat by health advisors on medical grounds.

2) Race

More than two-thirds (69%) of the Borough's population belong to a minority ethnic group. Tower Hamlets is ranked as the 16th most ethnically diverse local authority in England out of 325 local authorities.

The population of Tower Hamlets by ethnic group, 2011



The Borough's two largest ethnic groups are the White British and the Bangladeshi populations, each accounting for one third of the population. Tower Hamlets has the largest Bangladeshi population in the country.

The third largest group is the White Other population, who account for 12% of the borough's population. This group is diverse and includes residents from a mix of ethnic backgrounds, Europeans, Australians and Americans.

A significant proportion of the borough's population are Somali. The 2011 Census identified 2,925 Somali-born residents, 1.2% of the population. The overall size of the Somali population in the borough, including subsequent and second generations, is considerably larger, between 6,000 and 9,000 or 2-3% of the population.

Proposal 1: Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.

This will have a positive impact on all applicants who are threatened with homelessness or who present as homeless irrespective of an applicant's ethnicity who have been placed by the Council into out of Borough PRS accommodation. Applicants will have some reassurance that they can remain on our Common Housing Register while establishing new roots in the Borough where they have been placed. At the end of the three years, these applicants will have had ample opportunity to either be offered a suitable property back in Tower Hamlets, or to have acquired eligibility, having lived in their new borough for long enough, to join the housing register and bid for a property in their new borough.

Proposal 2: Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.

This proposal will have positive aspect on all families irrespective of which protected group they identify with. There is a higher proportion of BME households registered on the Common Housing Register. They are generally accepted as being more likely to be in overcrowded situations and to have larger households.

Properties of three or more bedrooms are always the most sought after and by encouraging under-occupying tenants (usually tenants who's families have grown-up) to downsize to ground floor properties will provide tenants who may have mobility needs or health issues to move to more manageable and suitable accommodation better suited to their housing needs.

Proposal 3: Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.

This proposal will have a positive impact on residents regardless of any protected characteristic which they identify with. This proposal will benefit tenants irrespective of their ethnic identity who have been recommended a flat by health advisors on medical ground.

Proposal 4: Reduce the residential condition for victims of domestic abuse (DA)

Domestic Abuse can affect anyone regardless of any protected characteristic although there is evidence that it is reported far more commonly among women and children. The proposed reduction in the residential condition from six months to three months for victims of domestic abuse will benefit all applicants on the Common Housing Register.

3) Gender

Tower Hamlets has around 14,000 more male residents than female residents. This is the 5th highest ratio of males to females in the country and is higher than the ratio in both London and UK where there are more females than males.

The Borough has 52.2% male residents and 47.8% female residents (ONS mid-year estimates 2018).

Proposal 1: Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.

Irrespective of gender, it is thought that this proposal will have a positive impact on all applicants who have been placed by the Council in out of Borough private rented sector accommodation.

This proposed change to the Allocations Scheme will apply to those applicants and their households and who have been placed out of the borough into PRS accommodation where they had either become homeless or were at risk of becoming homeless, and the homelessness was prevented with assistance from the Council. This provides applicants accommodated under those circumstances into the PRS security for three years as they will not be removed from the Common Housing Register during this time

Allowing three-years to remain on the Common Housing Register gives these applicants an opportunity to either be offered a suitable property back in Tower Hamlets, or to have acquired eligibility, having lived in their new borough for long enough, to join the housing register and bid for a property in their new borough.

Proposal 2: Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.

This proposal will benefit all existing social housing tenants regardless of their gender and will have a positive effect. By rehousing social housing tenants who are under-occupying their homes to homes on the ground floor, it is hoped that this will incentivise tenants to look to down-size their homes – potentially providing more movement of larger-sized family homes with the Borough's social housing stock enabling the Council to allocate more larger-sized homes to families in housing need on the Common Housing Register

Proposal 3: Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.

This proposal will benefit tenants irrespective of their gender who have been recommended a flat by health advisors on medical grounds. This proposal makes no distinction between applicants of either sex, the Allocations Scheme only considers gender in terms of the make-up of an applicant's household in terms of bedroom allocation, and the general monitoring of applicants.

Proposal 4: Reduce the residential condition for victims of domestic abuse (DA)

The Council does recognise that while domestic abuse is not restricted to a specific gender, race, religion or class, the vast majority of reported victims of domestic abuse are women and children, and women are also considerably more likely to experience repeated and severe forms of violence, and sexual abuse. Women may experience domestic abuse regardless of ethnicity, religion, class, age, sexuality, disability or lifestyle.

This proposal will have a positive effect on all victims of domestic abuse regardless of their gender. The Council will seek to ensure that its services and those of its partners, are able to meet individuals' needs with a consistent approach in line with good practice and relevant legislation.

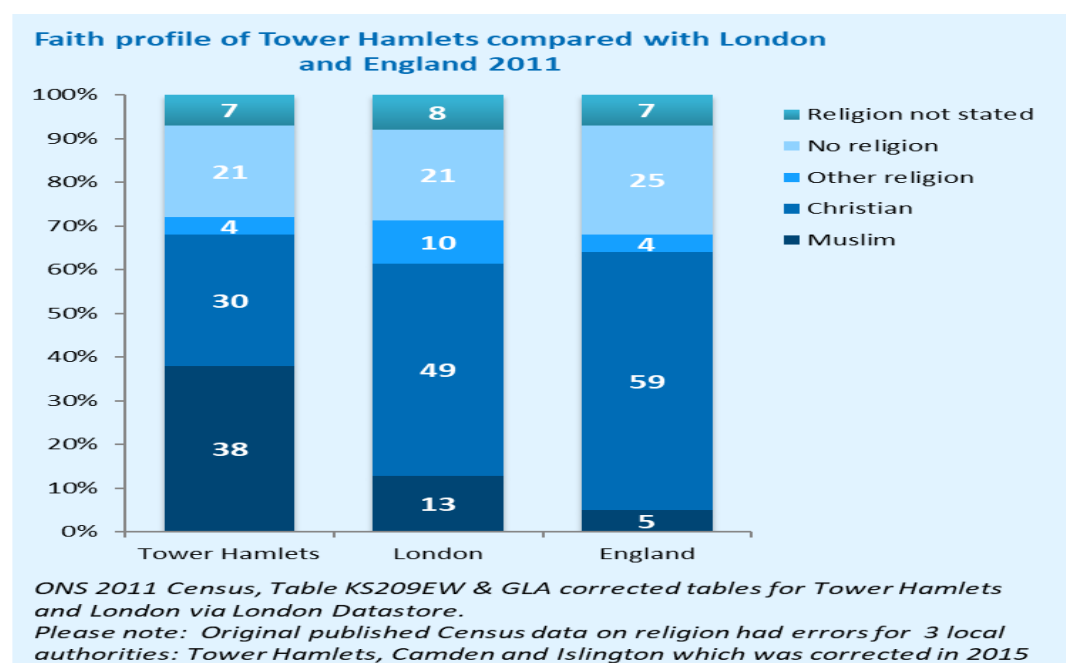
4) Gender Reassignment (Gender Identity): No information is held on gender reassignment.

There are no gender reassignment specific criteria within the current or proposed amendments to the Allocations Scheme. The Allocation Scheme makes no distinction between applicants who are the same sex as they were assigned at birth, and those who are or have transitioned.

The information currently held on both existing social housing tenants and applicants on the Common Housing Register is insufficient due to a deficit on the data held on those who identify with this protected characteristic. The Council recognises that residents can be reluctant to disclose this information and that this is an elective process on their part. The Council will respect the confidence given to our officers when an applicant chooses to disclose this information to us.

5) Religion and belief

Tower Hamlets has the highest number of Muslim residents in the country. Around 38% of the residents are Muslim, compared with 5% in England and 13% in London. Conversely, the borough has the lowest number of Christian residents with 30%, compared with 59% in England and 49% in London.



Proposal 1: Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.

This proposed change is not anticipated to have any implications or disproportionate impact on any religious groups or faith. This proposal will benefit all applicants who have been placed by the Council in out of borough PRS accommodation because they had either become homeless or were at risk of becoming homeless, and homelessness was prevented with assistance from the Council.

It will provide some reassurance that they can remain on our Common Housing Register while establishing new roots in the borough where they have been placed.

Proposal 2: Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.

Regardless of an applicant's religion or faith, it is thought that this proposal will have a positive impact on all social tenants and applicants on the Common Housing Register – through the allocation of ground floor flats to those residents who are under-occupying larger family sized homes. This will free up much needed stock and residents are allocated homes based on their housing needs and circumstances and not based on a particular characteristic.

Proposal 3: Officers to be given authority to prioritise applicants recommended a flat by health advisors on medical grounds.

This proposal will have a positive effective on all applicants who have a medical need or condition and is irrespective of any other protected characteristic which an applicant and their household might identify with.

Proposal 4: Reduce the residential condition for victims of domestic abuse (DA)

Domestic Abuse can affect anyone regardless of any protected characteristic although there is evidence that it is reported far more commonly among women and children. The proposed reduction in the residential condition for victims of domestic abuse will benefit all applicants irrespective of any protected characteristics that they may identify with on the Common Housing Register who are housed in refuge accommodation and will expedite their move into settled accommodation while freeing up much sought after refuge space.

6) Sexual orientation

The information which is available on this protected characteristic is limited. Local authority level sexual identify experimental estimates published for 2013-15 estimate that 4.3% of the Tower Hamlets population identified as lesbian, gay or bisexual.

There is a deficit in the data held on the sexual orientation of residents within the Borough and residents are often reluctant to disclose this information.

The Office for National Statistics are proposing to include a question on sexual orientation in 2021. Experimental estimates published by ONS for 2017, show that nationally 2% of the UK population aged 16 and over identify as LGB, regionally, people in London (2.6%) are more likely to identify as LGB.

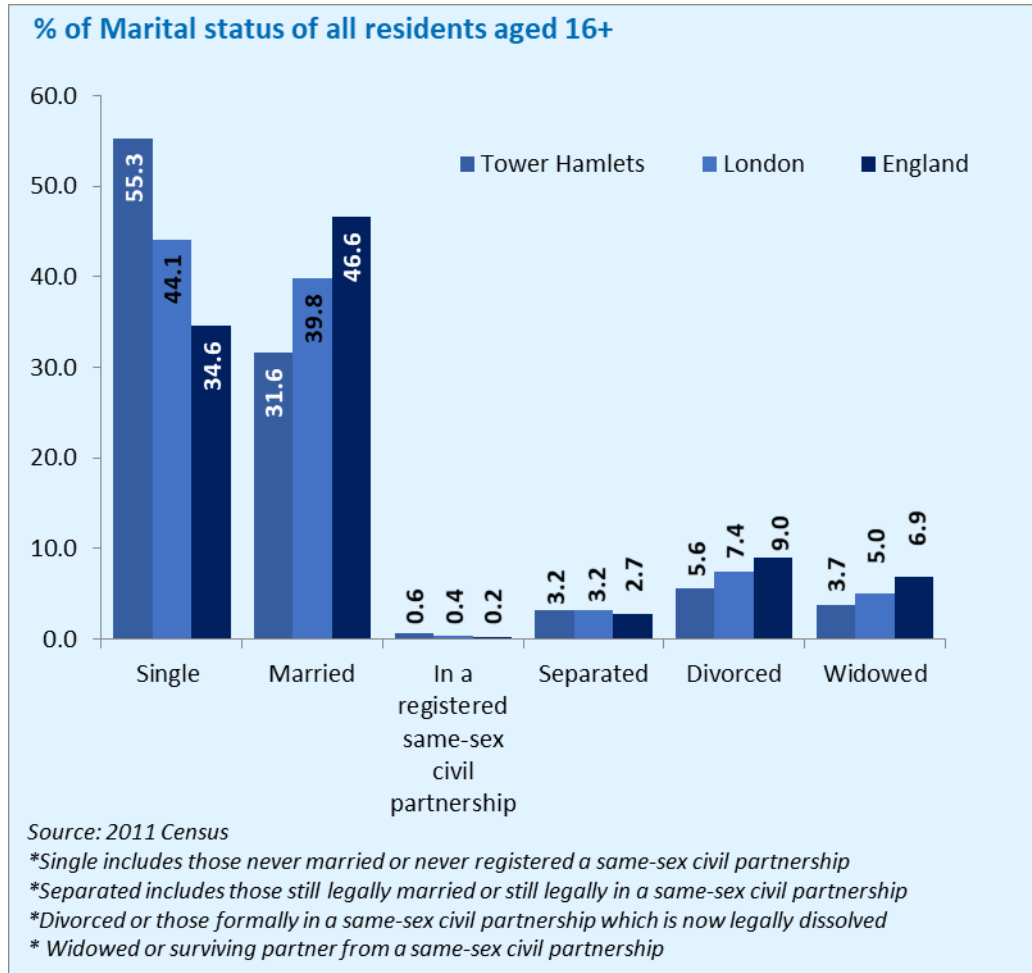
Any issues brought to our attention will be dealt with sensitively on a case by case basis. We recognise that this is an elective process on the part of the tenant and the Council respects the confidence given to our officers when a tenant discloses this information to use.

It is not thought that any of the proposed changes to the Allocations scheme will have disproportionate or negative impact on existing social housing tenants or on applicants applying to join the Common Housing Register. The proposed changes will enable the Council to focus its resources within the social housing stock and applicants will prioritised according to housing need and on the circumstances of individuals and households accordingly

7) Marital Status

The most recent data held on the marital status of residents in the Brough is from the 2011 Census. Tower Hamlets has significantly higher proportion of residents who are single compared to London and England. In 2011, 55.3% of residents were single, compared to 44.1% in London and 34.6% in England.

Nationally 46.6% of those aged 16 and over are married, compared to 39.8% in London and 31.6% in Tower Hamlets.



The Council does not regularly collect data on the marital status of existing social housing tenants, only at the point of entry on to the Housing Register and where a tenant signs up to a council tenancy agreement. This information can become unreliable and invalid over time.

The marital status of existing social housing tenants and applicants on the Common Housing Register does not impact on an applicant or their household's eligibility to join.

8) Disability

The housing needs survey carried as part of the 2014 Strategic Housing Market Assessment (SHMA) estimated there are:

- 20,293 households that contain at least one household member with a disability or limiting long term illness;
- 1.7% of households said that they have a support need;
- 10.5% of households said that their home had been adapted to meet the needs of a household member with a disability.

Proposal 1: Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.

This proposed change is not anticipated to have any implications or a disproportionate impact on any applicants or existing social housing tenants who identify as disabled. This proposal will benefit all applicants who have been placed by the Council in out of borough PRS accommodation because they had either become homeless or were at risk of becoming homeless, and homelessness was prevented with assistance from the Council.

It will provide some reassurance that they can remain on our Common Housing Register while establishing new roots in the Borough where they have been placed.

Proposal 2: Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.

This proposal will benefit all existing social housing tenants regardless of any protected characteristic that they may identify with however those existing social housing tenants who identify as having a physical disability and who are currently under-occupying a property in excess of their current housing needs will be incentivised to move into ground floor homes which will better suit their mobility needs; having a positive impact on their health and well-being. By rehousing social housing tenants who are under-occupying their homes to homes on the ground floor, it is hoped that this will incentivise tenants to look to down-size their homes – potentially providing more movement of larger-sized family homes with the Borough's social housing stock.

Proposal 3: Officers to be given authority to prioritise applicants recommended a ground flat by health advisors on medical grounds.

This proposal will have a positive effect on applicants who have a medical need to be housed in a flat and ensure that those who have mobility issues or a medical condition that requires a specific type of accommodation are allocated a home suitable to their housing needs irrespective of any other protected characteristic that they identify with.

Proposal 4: Reduce the residential condition for victims of domestic abuse (DA)

This will benefit all applicants on the Common Housing Register regardless of any protected characteristics which they may identify with as the reduction in the residential criteria for victims of domestic abuse from six to three months will expedite the move from refuge to settled accommodation for all applicants who are in fear of or victims of domestic abuse

9) Pregnancy and maternity

The only data which the Council collects for this protected characteristic is due dates for pregnancy, usually collected at the point of entry to the Common Housing Register and again at the point when a tenant signs up for a Council Tenancy. This data is used to ascertain the size of the Property/the number of bedrooms a tenant requires under the 'bedroom standard'. The circumstances of the applicants and existing social housing tenants will always be considered when prioritising and allocating social housing and they will be expected to ensure that their information and circumstances are updated as and when they change.

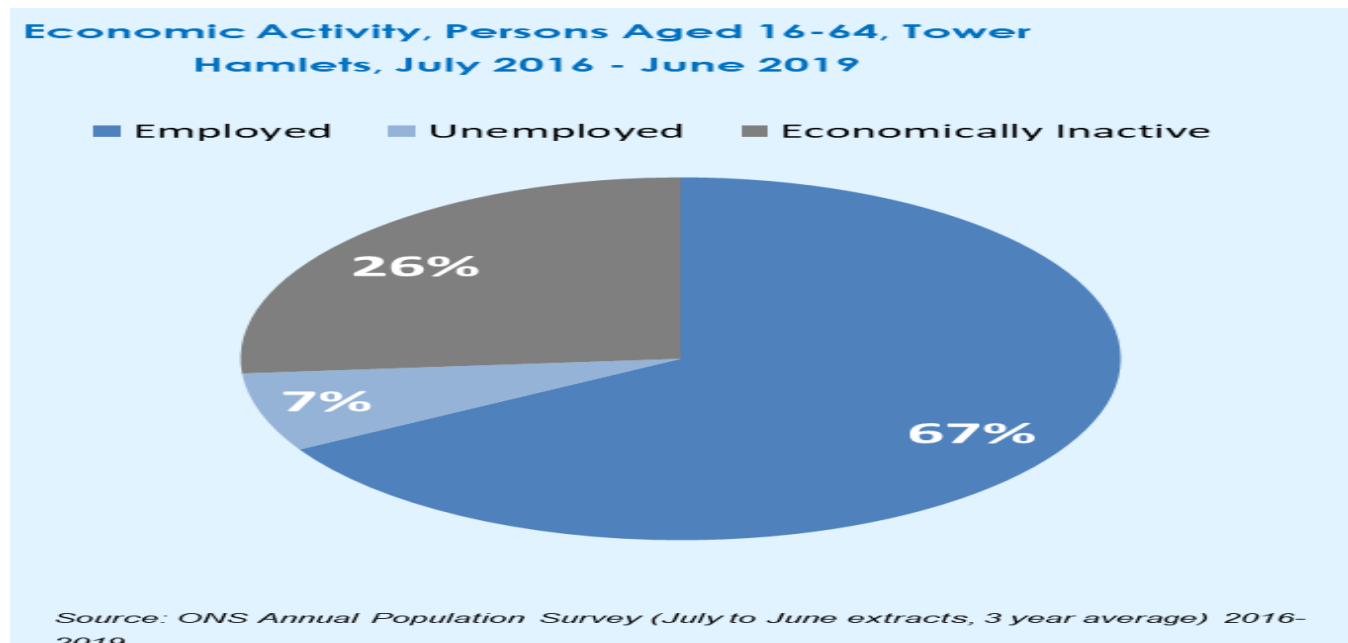
10) Socio-economic

During 2016-19, around two thirds of Tower Hamlets working age population were in employment- 67% that is around 7% below the employment rate in London and 8% below the employment rate in Great Britain.

One third of the working age population were not in employment, this comprised of:

- Unemployed and actively seeking work (7%); and

- Economically inactive (26%) (this includes residents who are caring for family, or too sick to work, residents in full time education and those who would like to work)



Proposal 1: Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.

This proposal will allow applicants regardless of any protected characteristics that they may identify with the security of knowing that they can remain on the Common Housing Register for three years while they settle into their new local area. This will provide reassurance to those placed in out of borough accommodation and help to assuage any anxiety or concern that if for whatever reason the applicant cannot settle in the Borough, there is the potential for the applicant to remain on the Common Housing Register for three years.

Proposal 2: Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.

Working age social housing tenants who receive housing benefit and who are under-occupying their home can be subject to the spare room subsidy (bedroom tax). Dependent on the number of bedrooms which a tenant has 'spare' (above their housing needs) tenants, the eligible rent will be reduced by either 14% for one spare bedroom or 25% for two or more spare bedrooms. While there are certain instances where a social housing tenant will be exempt from this restriction to their housing benefit, tenants are expected to make-up the short fall between their entitlement to housing benefit and their rental liability where the spare room subsidy has been placed.

Existing working age social housing tenants who are under-occupying larger family sized homes may be encouraged to downsize to a ground floor home in order to mitigate the financial impact of the spare room subsidy and may find that aside from paying a smaller rental liability than before, their gas, electric and other utility bills may reduce. Similarly, while pension age social housing tenants are not affected by the spare bedroom subsidy, highlighting both the financial benefits of reduced utility bills and the health and well-being aspects of moving to a ground floor flat may encourage residents who are over-accommodated to relinquish a much needed family-sized home.

Proposal 3: Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.

Under the current Allocations Scheme (2016) lettings officers must make their allocation decision based only on whether an applicant has higher or lower priority in their band when they match on the shortlist.

This proposal would allow officers to also consider medical factors like whether an applicant can manage internal stairs and give preference accordingly.

By allowing officers the discretion to take a balanced approach this will ensure clients requiring ground floor properties on medical grounds (in short supply) are prioritised taking their medical and other circumstances into account.

Proposal 4: Reduce the residential condition for victims of domestic abuse (DA)

Reducing the residential condition from six months to three months for victims of domestic abuse will enable the Council to provide a more settled option more expediently as the next move from refuge accommodation to social housing. This will minimise the additional disruptive and distressing moves for individuals and families fleeing abusive situations.

The Government strongly encourages all local authorities to exempt from their residency requirements those who are living in a refuge or other form of safe temporary accommodation in their district having escaped domestic abuse in another local authority area. This is in line with the advice in the statutory Homelessness Code of Guidance which recognises that victims of abuse and their children may need to travel to different areas in order for them to be safe from the perpetrator, and advises local authorities to extend the same level of support to those from other areas as they do to their own residents.

Those who are recovering from the impact of domestic violence and abuse are likely to have medical and welfare needs, including physical and mental health issues, which may be complex and long-lasting. This is the case not only for those who have suffered abuse directly, but other household members indirectly affected, particularly children.

Reducing the residential condition from six months to three months may also reduce the incentive for victims of abuse to seek homelessness assistance and thereby reduce the pressure on the Council's homelessness service provided by the Housing Options Team. It may also free up the spaces available within the Borough's refuge provision.

Target Groups	Impact – Positive or Adverse	Reason(s)
Race	Positive	<p><u>Proposal 1:</u> Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.</p> <p><i>This proposal will benefit homeless applicants of all ethnic backgrounds who are placed in PRS accommodation. It has no disproportionate impact and may even afford reluctant applicants some reassurance that they may be able to come back to the borough within three years provided they meet the qualifying criterion.</i></p>
	Positive	<p><u>Proposal 2:</u> Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.</p> <p><i>There is a deficit in the supply of larger/family size homes in the Borough. This will benefit applicants who are overcrowded and in real need of larger accommodation as this may increase the number of larger size properties. This has no disproportionate impact on any of the ethnic groups.</i></p>
	Positive	<p><u>Proposal 3:</u> Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.</p> <p><i>This will have no disproportionate impact on residents of any ethnicity. It will free-up accommodation and reduce the time wasted in making unsuitable offers to residents who are for example, while may be suitable for a ground floor flat, would not have the mobility to use internal stairs in the flat.</i></p>
	Positive	<p><u>Proposal 4:</u> Reduce the residential condition for victims of domestic abuse (DA)</p> <p><i>This proposal will benefit applicants of all age groups who are fleeing domestic abuse. Reducing the six-months residency criterion to three months for applicants who have been accepted as homeless on this ground will provide victims and their families with the security needed to rebuild their lives.</i></p> <p><i>The intention to prioritise applicants in refuges under the ‘move on’ quota after three months instead of the current six months. In doing so this proposal aims to free-up much needed refuge accommodation for other victims of domestic abuse, regardless of their ethnicity.</i></p>

Disability	Positive	<p>Proposal 1: Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.</p> <p><i>This proposal will benefit homeless applicants who are placed in PRS accommodation. A suitability assessment is carried out for all homeless applicants and would consider the applicant's disability, and this may give the applicant better living conditions rather than placing them in temporary accommodation. It has no disproportionate impact and may even afford reluctant applicants some reassurance that they may be able to come back to the borough within three years provided they meet the qualifying criterion.</i></p>
	Positive	<p>Proposal 2: Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.</p> <p><i>This will have no disproportionate impact on residents and may give an applicant the opportunity to be moved to a ground floor flat which may be more beneficial depending on their disability.</i></p>
	Positive	<p>Proposal 3: Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.</p> <p><i>This will have no disproportionate impact on residents. It will free-up accommodation and reduce the time wasted in making unsuitable offers to residents who are for example, while may be suitable for a ground floor flat, would not have the mobility to use internal stairs in the flat. This also reduced the risk of harm to residents or members of their households who have mobility issues.</i></p>
	Positive	<p>Proposal 4: Reduce the residential condition for victims of domestic abuse (DA)</p> <p><i>This proposal will benefit applicants who are fleeing domestic abuse. A suitability assessment would be undertaken, particularly if the applicant or a member of their immediate household has a disability. Reducing the six-month residency criterion to two months for applicants who have been accepted as homeless on this ground will provide victims and their families with the security needed to rebuild their lives.</i></p> <p><i>The intention to prioritise applicants in refuges under the 'move on' quota after three months instead of the current six months will free-up much needed refuge accommodation for other victims of domestic abuse.</i></p>

Gender	Positive	<p><u>Proposal 1:</u> Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.</p> <p><i>This proposal will benefit homeless applicants regardless of their gender who are placed in PRS accommodation. It has no disproportionate impact and may even afford reluctant applicants some reassurance that they may be able to come back to the borough within three years provided they meet the qualifying criterion.</i></p>
	Positive	<p><u>Proposal 2:</u> Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.</p> <p><i>There is a deficit in the supply of larger/family size homes in the borough and a number of tenants who are under-occupying these homes. This will benefit applicants on the housing register who may be overcrowded and in real need of larger accommodation. It has no disproportionate impact on applicants and not based on gender.</i></p>
	Positive	<p><u>Proposal 3:</u> Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.</p> <p><i>This will have no disproportionate impact on residents. It will free-up accommodation and reduce the time wasted in making unsuitable offers to residents who are for example, while may be suitable for a ground floor flat, would not have the mobility to use internal stairs in the flat. This also reduces the risk of harm to residents or members of their households who have mobility issues, across all genders.</i></p>
	Positive	<p><u>Proposal 4:</u> Reduce the residential condition for victims of domestic abuse (DA)</p> <p><i>This proposal will benefit applicants of irrespective of their gender who are fleeing domestic abuse. Reducing the six-month residency criterion to three months for applicants who have been accepted as homeless on this ground will provide victims and their families with the security needed to rebuild their lives.</i></p> <p><i>The intention to prioritise applicants in refuges under the 'move on' quota after three months instead of the current six months will free-up much needed refuge accommodation for other victims of domestic abuse, regardless of their gender.</i></p>

Gender Reassignment	Positive	<p><u>Proposal 1:</u> Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.</p> <p><i>This proposal will benefit homeless applicants regardless of their gender who are placed in PRS accommodation. It has no disproportionate impact and may even afford reluctant applicants some reassurance that they may be able to come back to the borough within three years provided they meet the qualifying criterion.</i></p>
	Positive	<p><u>Proposal 2:</u> Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.</p> <p><i>There is a deficit in the supply of larger/family size homes in the borough and a number of tenants who are under-occupying these homes. This will benefit applicants on the housing register who may be overcrowded and in real need of larger accommodation. It has no disproportionate impact on applicants and not based on gender reassignment unless this creates an issue with overcrowding.</i></p>
	Positive	<p><u>Proposal 3:</u> Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.</p> <p><i>This will have no disproportionate impact on residents. It will free-up accommodation and reduce the time wasted in making unsuitable offers to residents who are for example, while may be suitable for a ground floor flat, would not have the mobility to use internal stairs in the flat. This also reduces the risk of harm to residents or members of their households who have mobility issues and gender is not a determining factor.</i></p>
	Positive	<p><u>Proposal 4:</u> Reduce the residential condition for victims of domestic abuse (DA)</p> <p><i>This proposal will benefit applicants of irrespective of gender or reassignment who are fleeing domestic abuse. Removing residency criterion for applicants who have been accepted as homeless on this ground will provide victims and their families with the security needed to rebuild their lives.</i></p> <p><i>The intention to prioritise applicants in refuges under the 'move on' quota after three months instead of the current six months will free-up much needed refuge accommodation for other victims of domestic abuse. If they elect for gender reassignment they would be placed in appropriate accommodation.</i></p>

Sexual Orientation	Positive	<p><u>Proposal 1:</u> Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.</p> <p><i>This proposal will benefit homeless applicants regardless of their sexual orientation who are placed in PRS accommodation. It has no disproportionate impact and may even afford reluctant applicants some reassurance that they may be able to come back to the borough within three years provided they meet the qualifying criterion.</i></p>
	Positive	<p><u>Proposal 2:</u> Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.</p> <p><i>There is a deficit in the supply of larger/family size homes in the borough and a number of tenants who are under-occupying these homes. This will benefit applicants on the housing register who may be overcrowded and in real need of larger accommodation. It has no disproportionate impact on applicants and will have been brought forward to improve supply of accommodation to those in genuine housing need for larger sized homes.</i></p>
	Positive	<p><u>Proposal 3:</u> Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.</p> <p><i>This will have no disproportionate impact on residents. It will free-up accommodation and reduce the time wasted in making unsuitable offers to residents who are for example, while may be suitable for a ground floor flat, would not have the mobility to use internal stairs in the flat. This also reduces the risk of harm to residents or members of their households who have mobility issues and gender is not a determining factor.</i></p>
	Positive	<p><u>Proposal 4:</u> Reduce the residential condition for victims of domestic abuse (DA)</p> <p><i>This proposal will benefit applicants of irrespective of sexual orientation who are fleeing domestic abuse. Removing residency criterion for applicants who have been accepted as homeless on this ground will provide victims and their families with the security needed to rebuild their lives.</i></p> <p><i>The intention to prioritise applicants in refuges under the 'move on' quota after three months instead of the current six months will free-up much needed refuge accommodation for other victims of domestic abuse. If they elect for gender reassignment they would be placed in appropriate accommodation.</i></p>

Religion or Belief	Positive	<p><u>Proposal 1:</u> Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.</p> <p><i>This proposal will benefit homeless applicants regardless of their gender who are placed in PRS accommodation. It has no disproportionate impact and may even afford reluctant applicants some reassurance that they may be able to come back to the borough within three years provided they meet the qualifying criterion.</i></p>
	Positive	<p><u>Proposal 2:</u> Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.</p> <p><i>There is a deficit in the supply of larger/family size homes in the borough and a number of tenants who are under-occupying these homes. This will benefit applicants on the housing register who may be overcrowded and in real need of larger accommodation. It has no disproportionate impact on applicants and the prioritising of applicants to move to ground floor flats will be based on the housing needs and circumstances of the tenant and not based on their religion or faith.</i></p>
	Positive	<p><u>Proposal 3:</u> Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.</p> <p><i>This will have no disproportionate impact on residents. It will free-up accommodation and reduce the time wasted in making unsuitable offers to residents who are for example, while may be suitable for a ground floor flat, would not have the mobility to use internal stairs in the flat. This also reduces the risk of harm to residents or members of their households who have mobility issues and religion or belief is not a determining factor.</i></p>
	Positive	<p><u>Proposal 4:</u> Reduce the residential condition for victims of domestic abuse (DA)</p> <p><i>This proposal will benefit applicants of irrespective of their religion or belief who are fleeing domestic abuse. Removing residency criterion for applicants who have been accepted as homeless on this ground will provide victims and their families with the security needed to rebuild their lives.</i></p> <p><i>The intention to prioritise applicants in refuges under the 'move on' quota after three months instead of the current six months will free-up much needed refuge accommodation for other victims of domestic abuse.</i></p>

Age	Positive	<p><u>Proposal 1:</u> Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.</p> <p><i>This proposal will benefit homeless applicants of all ages who are placed in PRS accommodation. It has no disproportionate impact and may even afford reluctant applicants some reassurance that if they come back to the Borough within three years provided, they meet the qualifying criterion.</i></p>
	Positive	<p><u>Proposal 2:</u> Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.</p> <p><i>There is a deficit in the supply of larger/family size homes in the Borough and a number of tenants who are under-occupying these homes. This will benefit applicants on the housing register of working age who may be overcrowded and in real need of larger accommodation. Working age tenants in receipt of housing benefit who may be under-occupying their home may be subject to the spare room subsidy and losing a percentage of their eligible rent. These residents may be financially impacted and having to find the short fall between their entitlement to housing benefit and their rental liability. While pension age residents are not subject to the spare room subsidy, they may benefit from moving to smaller ground floor accommodation to maintain their independence. They may find that their utility bills are reduced because of downsizing.</i></p>
	Positive	<p><u>Proposal 3:</u> Officers to be given authority to prioritise applicants recommended a flat by health advisors on medical grounds.</p> <p><i>This will have no disproportionate impact on residents. It will free-up accommodation and reduce the time wasted in making unsuitable offers to residents who are for example, while may be suitable for a ground floor flat, would not have the mobility to use internal stairs in the flat. This also reduces the risk of harm to residents or members of their households who have mobility issues, across all age ranges.</i></p>
	Positive	<p><u>Proposal 4:</u> Reduce the residential condition for victims of domestic abuse (DA)</p> <p><i>This proposal will benefit applicants of all age groups who are fleeing domestic abuse. Removing the three-year residency criterion for applicants who have been accepted as homeless on this ground will provide victims and their families with the security needed to rebuild their lives.</i></p> <p><i>The intention to prioritise applicants in refuges under the 'move on' quota after three months instead of the current six months will free-up much needed refuge accommodation for other victims of domestic abuse, regardless of their age.</i></p>

Marriage and Civil Partnerships.	Positive	<p><u>Proposal 1:</u> Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.</p> <p><i>This proposal will benefit homeless applicants regardless of their marital status who are placed in PRS accommodation. It has no disproportionate impact and may even afford reluctant applicants some reassurance that they can come back to the borough within three years provided they meet the qualifying criterion.</i></p>
	Positive	<p><u>Proposal 2:</u> Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.</p> <p><i>There is a deficit in the supply of larger/family size homes in the borough and a number of tenants who are under-occupying these homes. This proposal will benefit applicants with a larger household who may be overcrowded and in real need of larger accommodation and marital status will have no disproportionate impact on applicants.</i></p>
	Positive	<p><u>Proposal 3:</u> Officers to be given authority to prioritise applicants recommended a flat by health advisors on medical grounds.</p> <p><i>This will have no disproportionate impact on residents. It will free-up accommodation and reduce the time wasted in making unsuitable offers to residents who are for example, while may be suitable for a ground floor flat, would not have the mobility to use internal stairs in the flat. This also reduces the risk of harm to residents or members of their households who have mobility issues.</i></p>
	Positive	<p><u>Proposal 4:</u> Reduce the residential condition for victims of domestic abuse (DA)</p> <p><i>This proposal will only benefit applicants of who are fleeing domestic abuse. Removing the three-year residency criterion for applicants who have been accepted as homeless on this ground will provide victims and their families with the security needed to rebuild their lives.</i></p> <p><i>The marital status of the applicant is not relevant in the circumstances of an applicant fleeing domestic abuse.</i></p>

Pregnancy and Maternity	Positive	<p><u>Proposal 1:</u> Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.</p> <p><i>This proposal will benefit homeless applicants and particularly households where the applicant or their partner is pregnant as they may be able to source more suitable accommodation rather than temporary accommodation and allow the mother and child an opportunity to build their lives in a more secure environment. An affordability assessment is done for all applicants so if the applicant cannot afford PRS they will not be offered this an option so will have no disproportionate impact. However, if the applicant is pregnant and cannot afford PRS she will still be considered as a family and will not remain in B&B for longer than 6 weeks.</i></p>
	Positive	<p><u>Proposal 2:</u> Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.</p> <p><i>There is a deficit in the supply of larger/family size homes in the borough and a number of tenants who are under-occupying these homes. This proposal will benefit applicants with a larger household who may be overcrowded and in real need of larger accommodation and pregnancy will have no disproportionate impact on applicants.</i></p>
	Positive	<p><u>Proposal 3:</u> Officers to be given authority to prioritise applicants recommended a flat by health advisors on medical grounds.</p> <p><i>This will have no disproportionate impact on residents. It will free-up accommodation and reduce the time wasted in making unsuitable offers to residents who are for example, while may be suitable for a ground floor flat, would not have the mobility to use internal stairs in the flat. This will include a single applicant who may be pregnant.</i></p>
	Positive	<p><u>Proposal 4:</u> Reduce the residential condition for victims of domestic abuse (DA)</p> <p><i>This proposal will only benefit applicants of who are fleeing domestic abuse. Removing the three-year residency criterion for applicants who have been accepted as homeless on this ground will provide victims who may be pregnant and their families (if they have more children) with the security needed to rebuild their lives.</i></p> <p><i>The intention to prioritise applicants in refuges under the 'move on' quota after three months instead of the current six months will free-up much needed refuge accommodation for other victims of domestic abuse.</i></p>

Other Socio-economic	Positive	<p><u>Proposal 1:</u> Out of Borough Private Rented Sector (PRS) offer to prevent homelessness and allow applicants to remain on the housing register for a time-limited period of three years.</p> <p><i>This proposal will benefit homeless applicants regardless of their gender who are placed in PRS accommodation. It has no disproportionate impact and may even afford reluctant applicants some reassurance that they may be able to come back to the borough within three years provided they meet the qualifying criterion.</i></p>
	Positive	<p><u>Proposal 2:</u> Release larger size homes by rehousing under-occupying social tenants on the 1st floor and above to ground floor homes.</p> <p><i>There is a deficit in the supply of larger/family size homes in the borough and a number of tenants who are under-occupying these homes. This will benefit applicants on the housing register who may be overcrowded and in real need of larger accommodation.</i></p> <p><i>Working age tenants in receipt of housing benefit who may be under-occupying their home may be subject to the spare room subsidy and losing a percentage of their eligible rent. These residents may be financially impacted and having to find the short fall between their entitlement to housing benefit and their rental liability. While pension age residents are not subject to the spare room subsidy, they may benefit from moving to smaller ground floor accommodation to maintain their independence. They may find that their utility bills are reduced because of downsizing.</i></p>
	Positive	<p><u>Proposal 3:</u> Officers to be given authority to prioritise applicants recommended a ground floor flat by health advisors on medical grounds.</p> <p><i>This will have no disproportionate impact on residents. It will free-up accommodation and reduce the time wasted in making unsuitable offers to residents who are for example, while may be suitable for a ground floor flat, would not have the mobility to use internal stairs in the flat. This also reduces the risk of harm to residents or members of their households who have mobility issues and gender is not a determining factor.</i></p>
	Positive	<p><u>Proposal 4:</u> Reduce the residential condition for victims of domestic abuse (DA)</p> <p><i>This proposal will benefit applicants of irrespective of gender or reassignment who are fleeing domestic abuse. Removing residency criterion for applicants who have been accepted as homeless on this ground will provide victims and their families with the security needed to rebuild their lives.</i></p> <p><i>The intention to prioritise applicants in refuges under the 'move on' quota after three months instead of the current six months will free-up much needed refuge accommodation for other victims of domestic abuse. If they elect for gender reassignment they would be placed in appropriate accommodation.</i></p>

Section 4 – Mitigating Impacts and Alternative Options

From the analysis and interpretation of evidence in section 2 and 3 - Is there any evidence or view that suggests that different equality or other protected groups (inc' staff) could be adversely and/or disproportionately impacted by the proposal?

Yes? **No? X**

Section 5 – Quality Assurance and Monitoring

Have monitoring systems been put in place to check the implementation of the proposal and recommendations?

Yes? x No?

How will the monitoring systems further assess the impact on the equality target groups?

The monitoring of these proposals and their impact on the supply of social housing in the Borough will be used to inform future revisions of the Council's Allocations scheme. This information will be used to inform future operational practice to mitigate any unintended disproportionate consequences arising from the proposed changes to the Council's Allocation Scheme.

Does the policy/function comply with equalities legislation?
(Please consider the **OTH objectives** and **Public Sector Equality Duty** criteria)

Yes? X No?

If there are gaps in information or areas for further improvement, please list them below:

There are data gaps in the data concerning the following protected characteristics:

- Sexual Orientation
- Gender Reassignment
- Marriage and Civil Partnerships
- Pregnancy and Maternity

How will the results of this Equality Analysis feed into the performance planning process?

Equalities data has been extracted from the Council's Borough profiling – data from a variety of sources including the Office of National Statistics, the GLA Datastore and Census 2011. In addition, data has been taken from the Council's Housing Options Service regarding demand and lettings in the Borough

It is important to remember that there are some information gaps in the information that is available to the Council. This is because the decision to disclose this information is down to individual and personal choice and residents may be reluctant to share this information.

The information held is variable e.g. pregnancy, which means applicants have to update the service for their application to be reviewed, which will be done as part of any change of circumstances process.

Section 6 - Action Plan - N/A the proposed changes to the Allocations Scheme will not necessitate mitigating action.





*As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.*

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Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
Example				
1. Better collection of feedback, consultation and data sources	1. Create and use feedback forms. Consult other providers and experts	1. Forms ready for January 2010 Start consultations Jan 2010	1.NR & PB	
2. Non-discriminatory behaviour	2. Regular awareness at staff meetings. Train staff in specialist courses	2. Raise awareness at one staff meeting a month. At least 2 specialist courses to be run per year for staff.	2. NR	

Appendix A

(Sample) Equality Assessment Criteria

Decision	Action	Risk
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.	Suspend – Further Work Required	Red 
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy.	Further (specialist) advice should be taken	Red Amber 
As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.	Proceed pending agreement of mitigating action	Amber 
As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.	Proceed with implementation	Green: 

Appendix B

List of Registered Provider Partners to the Common Housing Register and current social housing stock available within the London Borough of Tower Hamlets as of 3rd March 2020.

	Total Stock
Arhag Housing Association (joined 01/07/2018). Stock level as of 20 Nov 2018)	901
LBTH - Council - (stock figure 27 June 2019)	11,476
Gateway	1,728
HARCA (stock figure 08 July 2019)	5,972
Spitalfields -	850
SWAN (stock figure 08 July 2019)	1,615
THCH	2,003
Southern (stock figure 27 June 2019)	1,382
One Housing	2,752
Clarion Housing Group (comprised of merged Old Ford, Circle 33 and Affinity Sutton stock) (stock figure 16 July 2018)	3,965
Providence Row HA	102
Eastend Homes (stock figure 25 January 2018)	2,248
Metropolitan Housing Trust	121
London & Quadrant	1,541
Network Homes (formerly Network Stadium)	122
Peabody (stock figure 01 July 2019)	2,139
Notting Hill Genesis (stock figure 27 June 2019)	1,290
Newlon Housing Trust (stock figure 03 July 2019)	737
North London Muslim Housing Association (stock figure 08 July 2019)	39
NON-PARTNER RSL'S (Stock figure as of May 2018). EB Feb 2018: Awaiting updated stock figures.	1,999
All	42,982

<p>Non-Executive Report of the:</p> <p>Overview and Scrutiny Committee</p> <p>19th October, 2020</p>	 <p>TOWER HAMLETS</p>
<p>Report of Asmat Hussain; Corporate Director, Governance</p>	<p>Classification: Unrestricted</p>
<p>Scrutiny Arrangements - Appointment of Scrutiny Lead Members and Approval of Sub-Committees for 2020 - 21</p>	

Originating Officer(s)	David Knight, Senior Committee Manager Afazul Hoque, Head of Strategy and Policy, Resources and Governance
Wards affected	All Wards

Summary

This report requests that the Overview and Scrutiny Committee (OSC):

- Agrees the appointment of Scrutiny Lead Members;
- To agree the establishment for the current municipal year the following Sub-Committees together with their terms of reference:
 - Children and Education Scrutiny Sub-Committee;
 - Housing and Regeneration Scrutiny Sub-Committee; and
 - Health and Adults Scrutiny Sub-Committee.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Approve Scrutiny Leads with specific portfolios and if so to appoint Members to the posts as set out in **Section 3** of this report;
2. Note the co-option requirements for education in accordance with legislation, as set out at **Paragraphs 3.3 to 3.10** of this report;
3. Approve the appointment of two independent co-opted representatives onto the main Committee as detailed in the report to replace any earlier co-options.
4. Approve the Sub-Committees as set out in **Paragraph 3.11** of this report;
5. Appoint Members for the above Sub-Committees;
6. Agree to respective terms of reference as set out in **Appendix 2** to this report for the main Committee and the three Sub-Committee's; and
7. Approve the Sub-Committees Chairs as set out in **Appendix 3** of this report;

1. REASONS FOR THE DECISIONS

- 1.1 The Overview and Scrutiny Committee is required, at its first meeting of the municipal year, to confirm its arrangements for Lead Scrutiny Members and Sub-Committees.

2. ALTERNATIVE OPTIONS

- 2.1 The Committee could determine different arrangements for carrying out the Scrutiny of the Council's executive decision-making functions providing that all statutory requirements were met.

3. DETAILS OF REPORT

- 3.1 At its first meeting of the municipal year, the OSC are asked to approve its arrangements for Lead Scrutiny Members and Sub-Committees.

Scrutiny Lead Members and Portfolios

- 3.2 In accordance with the Council's decision of May 2019, when Special Responsibility Allowances were approved for the Scrutiny Lead positions. It is suggested that for the 2020/21 Municipal Year, the OSC consider the appointment of Lead Scrutiny Members for those agreed portfolios as set out below:

1. Scrutiny Lead for Health & Adults;
2. Scrutiny Lead for Children & Education;
3. Scrutiny Lead for Housing & Regeneration;
4. Scrutiny Lead for Resources & Finance; and
5. Scrutiny Lead for Community Safety & Environment.

Co-option of Representatives to Scrutiny

- 3.3 Section 9FA (4) of the Local Government Act 2000 provides that an overview and scrutiny committee of a local Council may include persons who are not members of the Council. This provision empowers, rather than obliges (excepting the requirement at 3.4 below), local authorities to have co-opted members on their overview and scrutiny committees and sub-committees.
- 3.4 However Schedule A1 to the Local Government Act 2000 also has effect in relation to the Council's executive arrangements. Paragraph 7 of Schedule A1 makes provision for overview and scrutiny sub-committees to have church representatives as follows:
- 3.4.1 The Council must have a Church of England co-opted member on an overview and scrutiny sub-committee if that sub-committee's functions relate wholly or partly to education functions, and if the Council maintains one or

more Church of England Schools (which is the case in Tower Hamlets). The Church of England representative must be nominated by the Diocesan Board of Education for any Church of England diocese which falls wholly or partly in Tower Hamlets.

- 3.4.2 Similarly, the Council must have a Roman Catholic representative on that overview and scrutiny sub-committee if the sub-committee's functions relate wholly or partly to education functions and if the Council maintains one or more Roman Catholic schools (which is the case in Tower Hamlets). The Roman Catholic representative must be a nominated by the bishop of any Roman Catholic diocese which falls wholly or partly in Tower Hamlets
- 3.6 Paragraph 8 of Schedule A1 to the Local Government Act 2000 sets out the power for the Secretary of State to make regulations requiring local authorities to have representatives of parent governors at maintained schools included on their overview and scrutiny committees. The Secretary of State has made the Parent Governor Representatives (England) Regulations 2001. Regulation 3 provides that a local education Council shall appoint at least two, but not more than five, parent governor representatives to any overview and scrutiny sub-committee that has functions which relate wholly or partly to any education functions which are the responsibility of the Council's executive. The Regulations specify the process for electing representatives.
- 3.9 The Overview and Scrutiny Committee is requested therefore to agree the co-option of nominated representatives in respect of education matters to Children's Services Scrutiny Sub Committee as set out in the table below. These co-optees will also be able to participate (and vote) in any education matter considered by the Overview and Scrutiny Committee (such as a relevant call-in).

Role	Co-Optee
Church of England Diocese representative	Dr Phillip Rice
Roman Catholic Diocese representative	Joanna Hannan
Parent Governor representative	Fatiha Kassouri
Parent Governor representative	Neil Cunningham
Parent Governor representative	Ahmed Hussain
Muslim Community Representative (non-voting)	Khoyrul Shaheed

- 3.10 The Overview and Scrutiny Committee is also asked to agree that it should have to appointed independent non-voting co-opted representatives on the main Committee as detailed in the table below.

Role	Co-Optee
Independent Co-opted Representatives	Mr James Wilson
Independent Co-opted Representatives	Ms Halima Islam

Scrutiny Sub-Committee arrangements

- 3.11 In accordance with the OSC processes as agreed by the Committee at its meeting on 23rd April 2019, to allow the most effective oversight of the Council's actions within the available resources it is proposed to approve for the current Municipal Year three Scrutiny Sub-Committees covering the following areas:

- Education and Children's Services Scrutiny Sub-Committee;
- Health and Adults Scrutiny Sub-Committee; and
- Housing and Regeneration Scrutiny Sub-Committee.

- 3.12 The Terms of Reference for the three sub-committees are set out in **Appendix 2** to the report alongside those for the main Committee.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendix

- **Appendix 1** - Appointment to Scrutiny Sub-Committees
- **Appendix 2** - Terms of Reference
- **Appendix 3** - Portfolio's
- **Appendix 4** - Calendar of meeting 2020/21

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- State NONE if none.

Officer contact details for documents:

- N/A

Scrutiny Sub-Committee Allocations - September 2020

Housing & Regeneration Scrutiny Sub-Committee

- Cllr Amina Ali
- Cllr Dipa Das
- Cllr Ehtasham Haque
- Cllr Helal Uddin
- Cllr Marc Francis
- Cllr Andrew Wood

Health & Adults Scrutiny Sub-Committee

- Cllr Denise Jones
- Cllr Gabriela Salva Macallan
- Cllr Mohammed Pappu
- Cllr Shad Chowdhury
- Cllr Shah Ameen
- Cllr Andrew Wood

Children and Education Scrutiny Sub-Committee

- Cllr Bex White
- Cllr Gabriela Salva Macallan
- Cllr Helal Uddin
- Cllr Kyrsten Perry
- Cllr Mohammed Pappu
- Cllr Victoria Obaze
- Cllr Andrew Wood

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Overview and Scrutiny Committee

<p>Summary Description: The Council will appoint an Overview and Scrutiny Committee to discharge the functions:</p> <ol style="list-style-type: none"> 1. to review or scrutinise decisions made in connection with the discharge of Executive functions; 2. to make reports or recommendations to the Council or Cabinet with respect to the discharge of Executive functions; 3. to review or scrutinise decisions made in connection with the discharge of non-executive functions; and 4. to make reports or recommendations to the Council or to Cabinet on matters affecting the Council's area or its citizens. 5. Grants scrutiny will be the responsibility of the OSC committee, under the remit of the Scrutiny Lead for Resources. <p>The aim is to make the decision-making process more transparent, accountable and inclusive, and improve services for people by being responsive to their needs.</p>	
<p>Membership: 9 non-executive councillors – including the chair and leads from Scrutiny Sub Committees.</p> <p>Two non-voting co-optees may also be appointed.</p>	
Functions	Delegation of Functions
1. To discharge the functions conferred by sections 9F to 9FI of the Local Government Act 2000; or any functions which may be conferred on it by virtue of regulations under section 244(2ZE) of the National Health Service Act 2006 (local authority scrutiny of health matters) in accordance with the arrangements specified for the discharge of the Overview and Scrutiny function and the establishment of an Overview and Scrutiny Committee contained within Sections 9 and 30 of the Constitution	None
2. Reviewing and/or scrutinising decisions made, or actions taken in connection with the discharge of the Council's functions	None
3. Advising the Mayor or Cabinet of key issues/questions arising in relation to reports due to be considered by the Mayor or Cabinet	None
4. Making reports and/or recommendations to the Council and/or Mayor or Cabinet in connection with the discharge of its functions	None
5. Delivering (3) by organising an annual work programme, drawing on the knowledge and priorities of the Council, registered providers and other stakeholders, that will identify relevant topics or issues that can be properly scrutinised	None
6. Holding service providers to account, where recent	None

performance fails to meet the recognised standard, by looking at relevant evidence and make recommendations for service improvements	
7. Considering strategic matters affecting the area or its inhabitants, including where these matters have been brought to the attention of the sub-committee by tenant and resident associations, or members of the general public	None
8. In accordance with the Council's Petition Scheme: (a) To require a Chief Officer to give evidence to the Committee on a matter that is the subject of a petition including 1,000 or more valid signatures (the Committee will also invite the relevant Executive Member to the meeting); and (b) To undertake a review if a petition organiser feels the authority's response to their petition was inadequate	None
9. On behalf of the Council to establish and make appointments to any joint overview and scrutiny committee	None
Quorum: Three members of the Committee	
Additional Information: Is contained in: <ul style="list-style-type: none"> • Constitution Part A Section 9 (Overview and Scrutiny) • Constitution Part B Section 30 (Overview and Scrutiny Rules) 	

Children and Education Scrutiny Sub-Committee

Summary Description: The Children and Education Scrutiny Sub-Committee has been established to scrutinise the provision, planning and management of children and young people's services – including children's social care; safeguarding children; children in care; SEN and education inclusion, troubled families and the Youth Offending Service (YOS) education, learning and schools; youth services; early years; education capital estate and youth & play services.	
Membership: 6 non-executive councillors – the chair and five councillors; and 6 co-opted members (consisting of: - a Church of England and a Roman Catholic representative; 3 Parent Governor representatives under paragraph 7 of Schedule A1 to the Local Government Act 2000; and a Muslim faith representative).	
Functions	Delegation of Functions
1. Reviewing and/or scrutinising decisions made, or actions taken in connection with the discharge of the Council's children social care and education functions;	None
2. Advising the Mayor or Cabinet of key issues/questions arising in relation to children and education reports due to be considered by the Mayor or Cabinet;	None
3. Making reports and/or recommendations to the Council and/or Mayor or Cabinet in connection with the discharge of children and education functions;	None
4. Delivering (3) by organising an annual work programme, drawing on the knowledge and priorities of the Council, registered providers and other stakeholders, that will identify relevant topics or issues that can be properly scrutinised;	None
5. Holding service providers to account, where recent performance fails to meet the recognised standard, by looking at relevant evidence and make recommendations for service improvements;	None
6. Considering children and education matters affecting the area or its inhabitants, including where these matters have been brought to the attention of the sub-committee by tenant and resident associations, or members of the general public; and	None
7. The sub-committee will report annually to the Overview and Scrutiny Committee on its work.	None
Quorum: Three voting Members	
Additional Information: Is contained in: <ul style="list-style-type: none"> • Constitution Part A Section 9 (Overview and Scrutiny) • Constitution Part B Section 30 (Overview and Scrutiny Procedure Rules) • Constitution Part D Section 53 (Children and Education Scrutiny Sub-Committee Procedure Rules) 	

Health and Adults Scrutiny Sub-Committee

Summary Description: The Health and Adults Scrutiny Sub-Committee has been established to undertake the Council's responsibilities in respect of Scrutinising local health services and adult social care, covering services provided by the Council as well as those provided by the Council's partners.	
Membership: 6 non-executive councillors – the chair and five councillors. Two non-voting co-Optees may also be appointed.	
Functions	Delegation of Functions
1. Reviewing and/or scrutinising decisions made, or actions taken in connection with the discharge of the Council's health and adult social care functions	None
2. Advising the Mayor or Cabinet of key issues/questions arising in relation to health and adult social care reports due to be considered by the Mayor or Cabinet	None
3. Making reports and/or recommendations to the Council and/or Mayor or Cabinet in connection with the discharge of health and adult social care functions	None
4. Delivering (3) by organising an annual work programme, drawing on the knowledge and priorities of the Council, registered providers and other stakeholders, that will identify relevant topics or issues that can be properly scrutinised	None
5. Holding service providers to account, where recent performance fails to meet the recognised standard, by looking at relevant evidence and make recommendations for service improvements	None
6. Considering health and adult social care matters affecting the area or its inhabitants, including where these matters have been brought to the attention of the sub-committee by tenant and resident associations, or members of the general public	None
7. The sub-committee will report annually to the Overview and Scrutiny Committee on its work	None
8. To discharge the Council's Scrutiny functions under the National Health Service Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013. Including to: <ul style="list-style-type: none"> • Review and scrutinise matters relating to the health service within the Council's area and make reports and recommendations in accordance with any regulations made thereunder; • Respond to consultation exercises undertaken by an NHS body; and • Question appropriate officers of local NHS bodies in relation to the policies adopted and the provision of services. 	None
Quorum: Three voting Members	
Additional Information: Is contained in:	

- Constitution Part A Section 9 (Overview and Scrutiny)
- Constitution Part B Section 30 (Overview and Scrutiny Procedure Rules)
- Constitution Part D Section 53 (Health and Adults Sub-Committee Procedure Rules)

Housing and Regeneration Scrutiny Sub-Committee

Summary Description: The Housing and Regeneration Scrutiny Sub-Committee will undertake overview and scrutiny pertaining to housing management and planning matters, as well as regeneration strategy and sustainability, including economic development, regeneration and inequality; and employment strategy and initiatives and skills development.	
Membership: 6 non-executive councillors – the chair and five councillors Two non-voting co-Optees may also be appointed.	
Functions	Delegation of Functions
1. Reviewing and/or scrutinising decisions made, or actions taken in connection with the discharge of the Council's housing and regeneration functions;	None
2. Advising the Mayor or Cabinet of key issues/questions arising in relation to housing and regeneration reports due to be considered by the Mayor or Cabinet;	None
3. Making reports and/or recommendations to the Council and/or Mayor or Cabinet in connection with the discharge of housing and regeneration functions;	None
4. Delivering (3) by organising an annual work programme, drawing on the knowledge and priorities of the Council, registered providers and other stakeholders, that will identify relevant topics or issues that can be properly scrutinised;	None
5. Holding service providers to account, where recent performance fails to meet the recognised standard, by looking at relevant evidence and make recommendations for service improvements;	None
6. Considering housing and regeneration matters affecting the area or its inhabitants, including where these matters have been brought to the attention of the sub-committee by tenant and resident associations, or members of the general public; and	None
7. The sub-committee will report annually to the Overview and Scrutiny Committee on its work.	None
Quorum: Three voting Members	
Additional Information: Is contained in: <ul style="list-style-type: none"> • Constitution Part A Section 9 (Overview and Scrutiny) • Constitution Part B Section 30 (Overview and Scrutiny Procedure Rules) • Constitution Part D Section 53 (Housing and Regeneration Scrutiny Sub-Committee Procedure Rules) 	

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Proposed Scrutiny Leads Portfolio



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CALENDAR OF SCRUTINY MEETINGS FOR THE 2020/21 MUNICIPAL YEAR

Committee Calendar 2020/21

Committee	MEETING DAY/TIME/	OCT 20	NOV 20	DEC 20	JAN 21	FEB 21	MAR 21	APR 21	MAY 21	No. of Mtgs
Overview & Scrutiny Committee (Monthly)	6.30 pm Mondays	26	23	14**	11(B), 25	1 (RB)	1, 22	26*		9
Children and Education Scrutiny Sub Committee (5 a year)	6.30pm Monday			15**		9		6		4 ^a
Health and Adults Scrutiny Sub Committee (5 a year)	6.30pm Tuesday			1		8		29*		4 ^a
Housing and Regeneration Scrutiny Sub Committee (every 2 months)	6.30pm Tuesday		3			10		15*		4 ^a

Note – Dates and times of meetings may need to change, please check the website for details throughout the year.

KEY TO SYMBOLS

** - Clashes with, or is the day before or day after a religious holiday

* - Takes place during Ramadan Meeting time will be 5.30pm wherever the normal starting time would be listed later in the evening

- Meeting starting time earlier than the normal scheduled time

^ - Provisional date

■ - Mandatory Ethics & Probity training

B - Budget meeting

(RB) - Reserve budget meeting

a – One further round of Scrutiny Sub-Committee meetings may be scheduled after deferral in September (this may also result in changes to dates of existing, planned meetings)

CALENDAR OF SCRUTINY MEETINGS FOR THE 2020/21 MUNICIPAL YEAR

NOTES:

1. **OTHERS**

- a. Freedom of the Borough Panel – will meet only as required.
- b. Times of meetings will be no later than 6.30pm except where it has been agreed otherwise, this is indicated in the calendar grid.

2. **RELIGIOUS HOLIDAYS:**

- **DIWALI** – 14 November 2020
- **CHANUKAH** – 11-18 December 2020
- **PASSOVER 2020** – 28 March 2021 – 3 April 2020
- **EASTER 2020**: - Good Friday 2 April 2021, Easter Monday 5 April 2021
- **RAMADAN** – 13 April 2021 – 12 May 2021 (subject to confirmation), EID AL FITR – 12 May 2021 (subject to confirmation).

3. **BANK HOLIDAYS:**

- **DECEMBER 2020** - 28
- **JANUARY/NEW YEAR 2021** – 1
- **APRIL 2021** – 2, 5
- **MAY 2020** – 3, 31

4. **POLITICAL GROUPS:**

- Conservative Party Conference – Sun 4- Wed 7 October 2020
- Labour Party Conference – 19 September – 23 September 2020

CALENDAR OF SCRUTINY MEETINGS FOR THE 2020/21 MUNICIPAL YEAR

5. **SCHOOL HOLIDAYS:**

- **2020**
 - Autumn Half Term – 26 October – 30 October
 - Christmas Holidays – 21 December 2019 – 01 January 2020
- **2021**
 - Half Term – 15 February – 19 February
 - Easter Break – 29 March – 9 April
 - Half Term – 31 May – 4 June
 - Summer Holidays – 20 July – 4 September - tbc

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Item 6.1 Safeguarding Adults Board Annual Report 2019-20	
Questions	Response
<p>Safeguarding Adults Reviews 2019-20 page 16</p> <p>Some of these cases are quite old i.e. one individual died in 2014, only two of seven more recent from 2018</p> <p>Question 1 - will we get more timely reports from safeguarding reviews in future especially on COVID related deaths at home and in care homes?</p>	<p>The Board acknowledges that some of the Safeguarding Adult Reviews we have published have taken a significant amount of time to conclude and we know from London and national reviews that this is an issue experienced by other local authorities. We aim to complete reviews within 6 months which is generally accepted as best practice. However, there are some factors not fully in our control that can prolong timescales for example establishing contact with the family, the circumstances of the independent review authors, delays in partners providing information or new information which comes to light requiring additional investigation. We recognise the importance of conducting reviews not only efficiently but also in a way that adds value. We therefore conducted two thematic reviews and published them last year and are aiming to utilise different methodologies to carry out more rapid reviews. Learning from cases is identified and shared in a dynamic way (not solely at the conclusion of a Safeguarding Adult Review) and often cases will have been through other processes to identify learning and improvement. The action plans and learning from each Safeguarding Adult Review is reported to the Safeguarding Adults Board on a regular basis.</p> <p>Safeguarding concerns are screened by the Local Authority when received and decisions are made regarding whether or not cases require a full safeguarding enquiry (known as a Section 42 enquiry). Such enquiries would consider all presenting concerns inclusive of any issues relating to Covid. Safeguarding Adult Reviews are only carried out in certain circumstances and at the current time we have none which relate to Covid.</p>

Item 6.2 (Appendix 1) to Children's Safeguarding Board Report	
Questions	Response
<p>Page 3 "I am overseeing the collection and the use of information and data through my chairing of the Quality Assurance and Performance Group."</p> <p>Question 1 Will Councillors be shown detailed data from children's service as well? as one of the key lessons from failing OFSTED is that we had data problems.</p>	<p>Yes, Councillors will be shown detailed data from Children's Services – a report on Children's Social Care is being prepared for Cabinet in the new year and this will include the most up to date data set.</p>
<p>Map of TH page 4</p> <p>Question 2 What does this map on p4 represent, what is the source? most deprivation maps show high levels of deprivation in for example the Samuda Estate. This does not.</p>	<p>The map is taken from page 36 of the published "Deprivation in Tower Hamlets: Analysis of the 2015 Indices of Deprivation Data" and represents the Crime Domain Lower Super Output Areas. https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Incomd_poverty_and_Welfare/Indices_of_Deprivation_High_Resolution.pdf</p>
Item 6.3 Cubitt Town Schools	
Questions	Response
<p>Question 1 - When will new staffing structures be agreed and managed?</p>	<p>If, following the statutory notice, a decision is made for the schools to amalgamate the governing body will begin managing the process for establishing the new staffing structure. Should it be necessary to consider a reduction in staff numbers, this will be undertaken in accordance with the Council's School Organisational Changes Procedures, which are included as an appendix to the cabinet report.</p>

Item 6.4 Proposal to close Shapla primary school				
Questions		Response		
Question 1 - What support will be in place for transition for those with SEN?		The Council is very mindful of the support necessary for SEN children. The Special Educational Needs Co-ordinator (SENCO) at Shapla School is compiling information about children with Education Health and Care Plans and other SEN needs. This will be discussed with neighbouring SENCOs. If a statutory notice to close Shapla is issued the SENCO will then arrange 1 to 1 Review meetings for all children with EHCPs, so that appropriate placements can be identified and transition plans drawn up.		
Question 2 - What support will be in place for those with siblings into one school?		When making arrangements for the Shapla children to transfer to other nearby schools the Council will endeavour to ensure that siblings remain together, and there is facility for this under each schools' admission criteria.		
Question 3 - Is amalgamation with another school an option? To avoid disruption to families?		Regretfully, there is not really the option to amalgamate/federate Shapla with a nearby school as this would not achieve the necessary reduction in the number of surplus school places for the area.		
Question 4 - Will the local schools all be able to accommodate those from Shapla without being oversubscribed?		<p>Yes, there are enough places available at neighbouring schools, to enable a reasonable degree of choice.</p> <p>During the Summer Term 2021 the Council's Pupil Services Team will work with the Shapla School to allocate places for the children at nearby schools for September 2021, using a parental preference system and applying the existing school admission criteria.</p> <p>If parents are interested in moving their children before July 2021, they can do so under the Tower Hamlets 'In-Year Admission' procedure.</p>		
Question 5 - What was number of consultation responses compared to other school closure/amalgamation consultation response numbers?			Schools	Written responses
				Informal meetings (Face to face / virtual)
		Amalgamation	Redlands and Smithy	62
			St Anne's and Guardian Angels	79
			Cubit Town Inf/Jun	0

Appendix B

				staff 4 in total
	Closure	St Matthias	44	Attended by parents and staff 72 in total
		Shapla	15	12 Headteachers 15 Parents 5 Staff
Question 6 - Will the following be available at the next stage of this process in March?				
- Deficit recovery plan	If, following responses to the statutory notice, the recommendation is for Shapla to close the next cabinet report will provide details of the School's budget position and how this will be managed through to closure.			
- Details of how pupils are moving to other schools	The March cabinet report will provide an update on the number of pupils remaining at Shapla as well as information on the alternative schools available nearby. It will also explain the arrangements in place for these pupils to change schools, should the decision be made for Shapla to close.			
- Details of how staff movement/redundancy/TUPE	<p>If the recommendation is for Shapla to close a separate consultation will then be undertaken with staff, in accordance with the School's Organisational Change Policy (See Appendix 4).</p> <p>Staff will be supported with training and other opportunities to help them to be redeployed to other vacancies in Tower Hamlets and voluntary redundancy options will be available. A formal Organisational Business Case will be developed in January/February and will be available for consultation from March 10th.</p> <p>The impact of TUPE provisions may also need to be considered depending upon the final recommendation.</p>			
- Details of future of building	A review on the future use of the building is being undertaken, in advance of the possibility for the School to close. If it is decided that the site is no longer required for educational purposes, approval will be sought (from the			

	Department for Education) for the site's change of use or disposal. Any proceeds from the disposal of school land must be reinvested for the purpose of improving the schools estate, so this would benefit pupils at other schools in the borough.
Item 6.5 Covid 19 Volunteer Hub - Grant Variation for Capacity Building and Infrastructure Grant Programme	
Questions	Response
Question 1 - How will the impact of the Volunteer Centre Tower Hamlets be assessed and how will it be presented?	<p>The Council will monitor VCTH's progress in delivering agreed outcomes, KPIs and targets for the Hub contained in the revised funding agreement (and contract, for the Council volunteering part of the hub). KPIs will include:</p> <ul style="list-style-type: none"> - Number of new volunteer registrations with the Hub - VCS organisations supported to advertise their volunteering roles through the Hub - Number of residents of Tower Hamlets match to volunteering roles with the Council. <p>The Council will receive quarterly monitoring returns and have regular monitoring meetings. It will report to the Council's Grant Determination (Cabinet) Sub Committee at six monthly intervals on the Programme's progress in achieving the outcomes in relation to VCS volunteering. The volunteer hub also regularly reports to the Local Outbreak Control Plan Silver Group and Safe Individuals Bronze group.</p>
6.6 Approval of Procurement of Electric Vehicle Charge Points	
Questions	Response
Question1 - how many street level parking permits has LBTH issued (of all types not just residents)? what % of those vehicles will have access to a street level charger at the end of 2021?	<ul style="list-style-type: none"> • Residents – 23864 • Business – 605 • Contractors – 165 • Public Service - 856 <p>Total: 25,490</p>

	<p>By the end of 2021, we anticipate that there will be a total of 224 street level electric vehicle charging points in Tower Hamlets that will be able to charge electric and hybrid electric vehicles.</p> <p>Therefore around 0.9% of those vehicles will have access to a street level charger at the end of 2021.</p>
Question 2 - how many new LED streetlights & therefore new lamp posts have been installed on TH streets in the current programme?	<ul style="list-style-type: none"> • 9,028 LED currently installed • 3,884 columns
Question 3 - what were the reserves at the end of March in the Parking Control reserve, and can this money be spent on new EV chargers?	<p>Reserve at end of year was £3.2m.</p> <p>Yes, this money can be used for new EV chargers.</p>
Question 4 - what happens to the income from those new chargers i.e. the profit from charging vehicles to use the chargers?	<p>The Council uses grant funding to install electric vehicle charging infrastructure on it's public highway network. One of the conditions attached to the grant funding is that the EV charging infrastructure must be supplied via suppliers appointed by the funding authority secured via a procurement they have carried out that has ensured the best value for money Pay-As-You-Go rates to the end user. The charges are levied by the operator of the charging infrastructure who receive the payments by users to cover the ongoing administrative and maintenance costs. The Council does not receive any of this income.</p>
Question 5 - how many LBTH owned / leased vehicles road licensed vehicles are electric only?	<p>We currently have two fully electric vehicles and two Plug In Hybrids which can be operated in fully electric mode, with plans to be developed to increase this over next 3 years.</p>

6.7 Extension of housing repairs and maintenance contract	
Questions	Response
<p>If Mears is not part of the procurement, could this have an impact on their performance during this consultation period and until new contracts are in place?</p> <p>If so, how will this be managed as this will not be value for money?</p>	<p>This is not a consultation period. This is an extension period, following on from Mears existing 10-year contract, with the same terms and conditions as currently, thereby offering consistent value for money.</p> <p>The extension is requested, to allow continuity of service delivery until the new contracts can be procured and implemented.</p> <p>Any alternative service delivery options we may use would likewise have been through relevant procurement processes and demonstrated their VFM.</p> <p>Whilst often performance can deteriorate towards the end of any contract (particularly where the incumbent is not successful in winning the ongoing contract), that is not specific to the extension, but rather something we would have to closely monitor and manage anyhow.</p> <p>Mears will most likely wish to tender for some or all of the new contracts, therefore it remains in their best interests to perform well.</p>
<p>What was the process for THH informing LBTH of the need to extend this contract and was it conducted in a timely manner?</p>	<p>THH Repairs Team and Procurement Team have been in regular and ongoing dialogue with LBTH counterparts, both prior to the pandemic and since.</p> <p>Pre-pandemic joint working had already led to Cabinet agreeing to commence procurement of a new repairs contract in 4 separate lots. The necessity for the extension became apparent during the summer months due to market conditions. This was raised with the Council.</p> <p>Government guidance has been followed and market conditions monitored, which have helped to shape the timeline.</p>

	We believe the delay, and therefore resulting extension period, have been minimised as much as possible.
When will procurement work starts for a new contract beginning in November 21	<p>Procurement is already well underway for all four replacement contracts, which will be implemented between July and November 2021.</p> <p>A significant amount of preparatory work has already been completed and the first stage (SQ stage) of the procurement process for the first contract (gas) is being published to the market this week.</p>
If Mears is not part of the procurement, could this have an impact on their performance during this consultation period and until new contracts are in place?	As Q1 above.
If so, how will this be managed as this will not be value for money?	As Q1 above.