

Appendix 3: Summary of Proposed Changes to the Allocations Policy

The table below provides a summary of the proposed changes to the Policy:

Current Policy Detail	Revision	Rationale	Impact
<p>Applicants who are not eligible to join the Housing Register:</p> <p>The following are not eligible persons to join the Housing Register:</p> <ul style="list-style-type: none"> • Persons from abroad who are subject to immigration control, who are not included by Regulations; people who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996. (Note this requirement does not apply to tenants of a Registered Provider who hold an existing Secure, Assured or Starter tenancy). • People who are not deemed to be habitually resident in the Common Travel Area (CTA). 	<p>Most persons from abroad, who are not subject to immigration control (including British Citizens) must also be habitually resident in the Common Travel Area (CTA) and/or have the right to reside in the CTA in order to be eligible to join the Scheme. This is known as the 'habitual residence test'.</p> <p>The key relevant regulations that apply to eligibility are:</p> <ul style="list-style-type: none"> • Regulations 3 and 4 Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294, and • All subsequent amendments including 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861), plus • The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2020 (SI 2020/667) implemented from the 24 August 2020. <p>The above list is not exhaustive, and any changes to the regulations and/or legislation regarding eligibility and</p>	<p><u>Eligibility Rules</u> – Government have made amendments to the eligibility rules under Part 6 of the Housing Act with regards to immigration control and who is eligible. These amendments include:</p> <ul style="list-style-type: none"> ➤ A person granted leave by virtue of the ARAP scheme for locally employed staff in Afghanistan. ➤ A person with leave to enter or remain in the UK who left Afghanistan in connection with the collapse of the Afghan government in August 2021. ➤ A person in the UK who left the Ukraine in connection with the Russian invasion. ➤ A person in the UK who has limited leave to remain in accommodation with the Ukraine immigration rules. ➤ A person who was residing in Sudan before 15th April 2023 and left in connection with the violence. <p>A person who was residing in Israel, the West Bank, The Gaza Strip, East Jerusalem the Golan Heights or Lebanon immediately before 7th</p>	<p>There should have little impact as HOST are currently providing additional preference to those impacted by the conflict even through it is not currently detailed within the current Allocations Policy.</p>

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	<p>qualification for the purpose of housing allocations will apply.</p>	<p>October 2023 and left in connection with the Hamas terrorist attack.</p> <p>These amendments aim to provide support and housing eligibility to those affected by significant conflicts and crises.</p>	
<p>Applicants who have made a homelessness application and are owed a Duty (prevention, relief or main housing) on the basis of domestic abuse are already afforded reasonable preference under the categories. Bands 1, 2, or 3.</p> <p>Applicants who are entitled to Reasonable Preference within the meaning of Part 7 of the Housing Act 1996. This group comprises all households who are homeless under the definition of homelessness contained in sections 175 -177 of the Housing Act 1996 Part 7 whether or not they were assessed as a result of a formal homelessness application.</p>	<p>Insertion of <i>Domestic Abuse</i> section, explaining rationale, legislation changes.</p> <p>To insert section under Band 1, Emergency medical, disability or welfare to include those applicants or household members of an applicant who are recovering from the impact of domestic abuse and as a result have medical and welfare needs. Whether or not assessed formally by a homelessness application.</p> <p>Applicants who receive an award of this criteria must provide the following in relation to their application:</p> <ul style="list-style-type: none"> • That sanctuary measures have already been explored, and the risk remains or are not appropriate to explore due to the level of identified risk. • MARAC detail and risk level where appropriate • DASH Assessment at time of application 	<p>Improving access to social housing for victims of domestic abuse guidance from MHCLG states the following: Section 166A(3)(d) provides that local authorities must frame their allocation scheme to ensure that reasonable preference is given to people who need to move on medical and welfare grounds, including grounds relating to a disability.</p> <p>Those who are recovering from the impact of Domestic Abuse are likely to have medical and welfare needs, including physical and mental health issues, which may be complex and long lasting. Children who are victims of abuse may be affected. Authorities are also reminded that a serious and long-lasting mental health condition is likely to come within the definition of a disability under the Equality Act 2010.</p>	<p>Applicants who have made a homelessness application and are owed a Duty (prevention, relief or main housing) on the basis of domestic abuse are already afforded reasonable preference under the categories. Bands 1, 2, or 3.</p> <p>Applicants who are entitled to Reasonable Preference within the meaning of Part 7 of the Housing Act 1996. This group comprises all households who are homeless under the definition of homelessness contained in sections 175 - 177 of the Housing Act 1996 Part 7 whether they were assessed because of a formal homelessness application.</p>

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	<ul style="list-style-type: none"> • IDVA contact details. • Agreed rehousing areas of choice in line with risk assessments and safety consideration. 	<p>This aligns with the statutory guidance Improving access to social housing for victims of domestic abuse.</p> <p>The Secretary of State strongly encourages all LAs 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.</p> <p>This would be in line with the advice in the updated 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 residents¹.</p>	
<p>BAND 4: Applicants not assessed as being owed Reasonable Preference but who meet the Trafford Positive Community Criteria (working/volunteering in the</p>	<p>Removal of Band 4 from Trafford's Priority Bands.</p> <p>Applicants who have been assessed as not being owed Reasonable Preference but who meet the Trafford Positive Community Criteria.</p>	<p>This award is given to those seen as contributing to the Trafford Community, but do not have a housing need in line with the reasonable preference categories.</p>	<p>2844 applicants would be removed from the housing register.</p> <p>Applicants are entitled to request a review of their housing register</p>

¹ [Homelessness code of guidance for local authorities - Chapter 21: Domestic abuse - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities-chapter-21-domestic-abuse)

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<p>borough or have a local connection).</p>		<p>The rehousing of applicants in this category has been on the basis that the applicants worked, alongside other criteria set by registered providers, including age related minimums and maximums for properties. This was for problematic schemes with an aim to benefit the wider community.</p> <p>As at the end of 2020/21 0.22% of applicants in Band 4 were rehoused, 2021/22, 0.19%, 2022/23 0.04% and 2023/24 0.05%.</p> <p>Within the last 4 years, 25 applicants were rehoused in Band 5.</p> <p>These applicants have little to no chance of being rehoused via Trafford Home Choice, and therefore to best manage rehousing expectations in the Borough, should be removed.</p> <p>The socio-economic climate in 2017/2018 was different to that of 2023/24 and therefore the policy should reflect the housing need in the Borough and assist in managing residents rehousing prospects and expectations.</p>	<p>application decision and therefore the reviewing officer may receive a considerable number of review requests.</p> <p>Band 4 was at its highest number of applicants in 2022/23 and was a total of 3967 applications. Locata was implemented in 2020, and these applicants were assessed by staff.</p> <p>3,967 applications from Band 4 equates to 1,322 hours of work over a 3-year period. This is approximately 440 hours of work required per year which is 26% of an officer's total yearly hours worked. This is a considerable amount of an Officers time spent considering that 22 applicants were housed in this Band as of 2022/23. <i>N.B An average case with all information can take a minimum of 20 minutes to assess. Some cases can take significantly longer. This calculation will not</i></p>

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			<p><i>account for those applicants assessed and removed in these years.</i></p> <p>This should reduce the workload of applicants by at least 26%, as no additional administration work would be required where applicants do not meet the criteria and would be issued with a decision.</p>
<p>BAND 5: Applicants owed Reasonable preference but who have been awarded reduced preference, no recognisable Housing Need, or no priority.</p>	<p>Removal of Band 5 from Trafford Priority Bands. These criteria have become the reasons for disqualification from the Housing Register</p> <p>Where an applicant has no:</p> <ul style="list-style-type: none"> • No recognisable housing need • No Local connection and does not meet Trafford Positive community Criteria. • There are current or former rent arrears owed to a social or private sector landlord, and Trafford Council is not satisfied by the actions being taken by the applicant to resolve the arrears. • Cases of current or former unacceptable, or anti-social, behaviour where Trafford Council 	<p>Minimal applicants (less than 3) who were awarded Band 5 have been housed. The Allocation of Accommodation Guidance issued by DLUHC advises it is not considered a viable solution to place applicants into a Band where there is little chance, they will be housed.</p> <p>This allows for applicants to make positive changes to their behaviour or where there are rent arrears to take steps to improve their situation. Where there is still a housing need, and the applicant improves their circumstances HOST can still revisit an application. Exceptional circumstances will continue to apply and be heard at the HOST Panel.</p>	<p>1535 applicants would be removed from the housing register.</p> <p>Applicants are entitled to request a review of their housing register application decision and therefore the reviewing officer may receive a considerable number of review requests.</p> <p>This will reduce the number of hours spent by HOST Officers and HOST Business Support Officers who carry out the administration of the housing register.</p>

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	<p>is not satisfied this behaviour has been fully addressed.</p> <ul style="list-style-type: none"> • Applicants with access to a certain level of financial resources. • An applicant who has refused any offer of accommodation that they have bid for or been offered under a direct offer. <p>Persons under this criterion will not be entitled to join or remain on the housing register and their application will be removed.</p>	<p>Reward of obtaining social housing following unacceptable behaviour.</p> <p>As at the end of 2020/21 0.02% of applicants in Band 5 were rehoused and none were rehoused as at the end of 2021/22, 2022/23 and 2023/24.</p> <p>Within the last 4 years, 1 applicant was rehoused in Band 5.</p> <p>These applicants have little to no chance of being rehoused via Trafford Home Choice, and therefore to best manage rehousing expectations in the Borough, should be removed.</p> <p>This will strengthen the Council's rationale when referencing the housing allocations policy in any banding decisions and final review decisions.</p>	<p>Band 5 at had its highest number of applicants in 2022/23, was a total of 1467 applications. Locata was implemented in 2020, and these applicants were assessed by staff.</p> <p>1467 applications from Band 5 equates to 489 hours of work over a 3-year period. This is approximately 163 hours of work required per year which is 10% of an officer's total yearly hours worked. This is a considerable amount of an Officers time spent considering that 1 applicant was housed in this Band as of 2022/23.</p> <p><i>N.B An average case with all information can take a minimum of 20 minutes to assess. Some cases can take significantly longer. This calculation will not account for those applicants assessed and removed in these years.</i></p> <p>This should reduce the workload of applicants by</p>

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			at least 10%, as no additional administration work would be required where applicants do not meet the criteria and would be issued with a decision.
<p>BAND 1: Urgent Need Band and owed Reasonable Preference: Emergency medical, disability or welfare</p> <p>BAND 2: Need to move and owed Reasonable Preference: Medical grounds.</p>	<p>To separate, rationale, guidance, and reasoning within the policy under Band 1: Medical, Disability or Welfare (emergency need to move) and Band 2: Medical Grounds (non-emergency but severe need to move).</p> <p>To introduce secondary guidance on assessing applications under Medical, Social & Welfare Criteria to fully explore awards given under these criteria.</p>	<p>To ensure that the policy fully notes the indicators of criteria in reasonable preference categories (c) & (d) to form part of the decision-making process.</p> <p>This will strengthen the Council's rationale when referencing the housing allocations policy in any banding decisions and final review decisions.</p>	<p>There should be minor impact in relation to the strengthening of this criteria. The Policy will be clearer in terms of medical grounds and ensure staff are equipped to determine the appropriate Band.</p>
<p>BAND 1: Urgent Need Band and owed Reasonable Preference: Care Leavers.</p>	<p>Strengthened the rationale within the policy for Care Leavers (including move on by young people aged 16-21 years), to ensure that the evidence aligns with the need for move on.</p> <p>The criteria for an award should contain evidence of the following:</p> <ul style="list-style-type: none"> • The Pathway Plan • Risk Assessment • Confirmation of Support Package 	<p>Following detailed work with Children's Services, HOST and Housing Strategy & Growth it has highlighted the uncertainty surrounding interpretation of the housing allocations policy.</p> <p>To reduce confusion around the criteria and to strengthen the policy goals, it therefore would seem reasonable to revise the evidence list required to best provide HOST</p>	<p>There should be minor impact in relation to the strengthening of this criteria. Evidence requested forms part of the ongoing responsibilities of the Leaving Care Team, and as such should be in place already with consent to share to HOST.</p>

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	<ul style="list-style-type: none"> • Proof of housing options explored to meet the needs of the Care Experienced person prior to the requirement of the housing register. <p>Confirm within the policy that under the care leaver status, only one offer of accommodation will be made under this criterion.</p> <p>Explicitly clarify that this status will only apply to Trafford Care Leavers only.</p>	<p>with up-to-date information available to make decisions in relation to Care Leavers.</p> <p>The policy already states the requirement of local connection and in line with the joint working protocol the views of Trafford Leaving Care Team. However, there has been an increase in out of borough applications under the care leaver status. Further, the housing allocations policy requires the Care Experienced applicant to be ready for move on, with the necessary independent living skills and with specific reasoning for social housing, rather than alternative provisions made available by Children's Services. Therefore, the amendments will provide clarification and strengthen the award criteria, with no room for interpretation.</p>	
<p>Additional preference is currently awarded to applicants who come under 'Armed Forces'.</p> <p>In order to award members of the Armed Forces (including spouses etc.) additional</p>	<p>Insert additional preference for households.</p> <p>Amend additional preference only to be awarded to those who have an 'urgent housing need' (reasonable preference).</p>	<p>Complies with section 166A(3) of the Housing Act 1996 and the subsequent amendments of the Armed Forces².</p> <p>Currently an armed forces household can have no housing</p>	<p>There should be minor impact in relation to the strengthening of this criteria.</p>

² [Improving access to social housing for members of the Armed Forces - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

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<p>preference, applicants will be awarded a Band higher than they would be awarded based on their housing need, e.g. where an applicant has been awarded Band 4 they will be awarded Band 3 as their final Band.</p>		<p>need and an award of Band 4, but additional priority gives Band 3.</p>	
<p>All reviews will be dealt with by a Senior Officer of Trafford Council within 28 days of the request. All decisions following reviews will be notified to the applicant in writing giving the reasons for the decision.</p>	<p>Extend decision deadline of 28 days to 8 weeks.</p>	<p>Social Allocations guidance entitles the local authority to decide on the duration of the deadline and recommends from 28 days to 8 weeks. Given the increase in reviews, extending the deadline from 8 weeks will allow staff more time to investigate and respond to the review in a timely manner.</p>	<p>Reduce the number of Trafford Home Choice reviews that require the deadline extending. Provides more time for additional submissions and general decision making.</p>