

The Independent Tenants' Scrutiny (ITS) Group
Harrogate Borough Council

**A report of a scrutiny review into the process of
allocating tenancies to housing applicants.**

September 2019

1. Introduction

The purpose of this report is to set out the background for the scrutiny review and to make recommendations for improving the processes associated with the allocation of tenancies to applicants from the Council's housing waiting list.

2. Background to Scrutiny

- 2.1 Although the regulation of economic standards is still subject to robust external regulation, the regulation of consumer standards is the responsibility of housing providers themselves, in conjunction with their tenants. The regulator will only intervene in the case of 'serious detriment' to service users.
- 2.2 The formation of tenant panels has been a common method that has been used in the regulation of consumer standards. This has also been developed into a 'tenant-led self-regulation' process, which has become more widely known as tenant scrutiny.

3. The Harrogate context:

- 3.1 The role of the Scrutiny Group is to examine service areas in detail in order to identify improvements and to make recommendations to the Council.
- 3.2 The Scrutiny group has carried out a number of reviews of housing services, namely voids, planned improvements, anti-social behaviour and responsive repairs, and has made a number of positive and constructive recommendations to the Council for improving services – many of which have been accepted and implemented.
- 3.3 This review – of the allocations service – has been carried out for the following reasons:

The main trigger for the review was the monthly 'refusals report' which is presented to the Neighbourhood Services and Housing Needs Panel. Panel members have raised concerns about the reasons given for the refusals of offers of accommodation, leading to questions on whether applicants for Council housing have realistic expectations of the property which is being offered, and whether they are provided with adequate information when an offer is made. Members of the Panel therefore recommended that a detailed scrutiny review be undertaken in order to consider the following issues:

- a) The processes involved in the allocation of Council tenancies (as opposed to policy issues, which are to be reviewed later in 2019).
- b) The information that is available for applicants at the start of the application process.
- c) The suitability of the content and format of the application form.

- d) The opinions and levels of satisfaction amongst tenants who have recently accepted Council tenancies.

In carrying out the review, the scrutiny group considered the following issues:

- The importance of this service to applicants and new tenants of the Council.
- The need for the allocations service to be customer-focused.
- The need for transparency in the way tenancies are allocated.
- The impending review of Council policy on allocations.

3.4 A group of five members was recruited from the all-panel tenant group in order to undertake this scrutiny review. The group was provided with officer support from the Tenant Involvement Officer, and also independent support from David Wardle from Learning4Housing in carrying out the review.

4. Allocations and Lettings

4.1 Legal context:

It is clearly important that the Council meets its legal duties and obligations in the delivery of the allocations service. The main piece of legislation in relation to this issue is Part VI Housing Act 1996, as amended by the Homelessness Act 2002, and the Localism Act 2011. These pieces of legislation mainly relate to the policies that are adopted by local authorities in terms of apportioning priority to various categories of persons who may be in housing need. This review does not address these issues. Instead the Scrutiny Group have considered the processes used by the Council when applicants are selected for a vacant property. It is understood that the Council will be carrying out a separate review of the allocations policy later this year, and that the views of tenants will be sought on this.

It is a core function of a local housing authority to ensure that tenancies are allocated to applicants in accordance with relevant legislation. Local authorities are required to have an allocation scheme which meets the requirements of this legislation. The Localism Act 2011 gave local authorities considerable discretion on the management of their housing waiting lists. This included discretion on which applicants should be allowed to register, including those with no connection with the locality.

4.2 Regulatory Context:

All social housing providers are required to adhere to the standards that are set and regulated by the Regulator for Social Housing. Local housing authorities are required to adhere to the four consumer standards, namely:

- a) The Home Standard (relating to repairs services and the condition of properties)
- b) The Neighbourhood and Community Standard (relating to estate management matters)
- c) The Tenancy Standard (relating to the allocation and letting of tenancies)
- d) The Tenant Involvement and Empowerment Standard (relating to customer service and the involvement of tenants in service improvement)

The Regulator for Social Housing will only intervene in the case of non-compliance if there is an instance or a risk of 'serious detriment'. Housing providers are therefore expected to work in conjunction with their tenants in co-regulation of these standards. Scrutiny is one example of this approach.

As this review is particularly relevant for the Tenancy Standard, it is for the Council to be satisfied that the requirements of this standard are being met. The Council is also responsible for considering the recommendations of the scrutiny group and making appropriate responses.

The Tenancy Standard is attached as Appendix A to this report

5. The Scope of the Review

5.1 The Scrutiny Group initially met on February 7, 2019 in order to determine the scope of the review and to develop an outline plan. An initial scoping exercise was carried out which identified the following as the main focus of the review:

- The information about a property and its locality which is made available to people when first completing the application form as well as when an officer first contacts an applicant and when a formal offer is made;
- How to manage people's expectations regarding the nature of stock available /what people might realistically be offered; and
- A further review of the application form

The meeting was attended by the Allocations Team Leader and the Neighbourhood Team Leader, who answered a series of questions from the group on the various elements of the allocations process.

5.2 A further meeting was held on March 25, 2019, which was again attended by the Allocations Team Leader and an Allocations Officer, who explained in detail the processes that were used when a vacant Council property was allocated to an applicant from the waiting list. The officers provided some very useful information concerning the process and answered several questions from the group.

5.3 The group confirmed which parts of the service should be included within the scope of the review. Following initial enquiries and discussions with relevant officers, it was decided that the review should focus on the following:

- a) Reviewing the material and information which is provided to people who intend to apply to go on the housing waiting list (ie information which explains the process and procedures which will be followed as well as information about the areas on the list of location choices);

- b) Managing expectations for potential and actual applicants regarding the nature of our stock and the type and availability of accommodation;
- c) Reviewing the material and information which is provided to people with the offer of a home;
- d) Reviewing the application form;
- e) Considering whether there is a need to review and redefine the areas applicants are asked to select on the application form.

6. Sources of Evidence

The group met together on several occasions in order to plan the review, to obtain and consider evidence, and to develop recommendations for improving the service. Minutes of these meetings can be found at Appendix B to this report.

The scrutiny function is dependent upon the use of objective evidence in order to support conclusions and recommendations. The panel obtained evidence from a range of sources in order to provide a balanced and comprehensive picture of the situation.

- 6.1 The group requested the attendance of allocations officers at three meetings, which provided very clear and robust information on the processes used when allocating tenancies to applicants.
- 6.2 The group examined examples of good practice from other housing providers.
- 6.3 The application form that is currently used by the Council was a source of evidence that was used in order to suggest improvements.
- 6.4 In order to ascertain the views of service users on the allocation process, the group decided to carry out a survey of all tenants who had accepted an offer of accommodation within the previous 12 months. Research revealed that there were around 300 such tenants. A survey questionnaire was designed by the group for this purpose. A copy of this questionnaire and the covering letter can be found at Appendix C to this report.
- 6.5 Following the completion of the survey of new tenants, two focus group meetings were held in order to gain more in-depth information on the experiences of applicants before and after the offer of accommodation. A summary of these focus group meetings can be found at Appendix D to this report. These groups comprised people who had indicated in the survey that they would be willing to attend such a meeting. A total of 12 tenants attended the meetings.
- 6.6 Following these focus group meetings, a further meeting was held with the Allocations Team Leader – who had been provided with a summary of the issues raised and had been able to give written responses prior to the meeting. The Allocations Team Leader was able to

provide verbal responses to questions from the group on the issues that were raised. The details of this meeting can be seen in the minutes of the meeting held on August 8, 2019.

7. Key Issues and Questions Arising Findings from Evidence

Following the gathering of evidence and discussion with the group, the following points and questions were raised, together with some suggestions for improvement:

7.1 Provision of information for people applying to go on the waiting list:

Following consideration of some good practice examples, and of the views of tenants, the group believed that there was scope for improving the standard of information that was provided to applicants at the time they were completing their application form. The group felt that there should be more detailed information available in relation to the areas where Council properties were situated. This could include information on local services and amenities, such as doctors' surgeries, schools, bus services, libraries, etc. The possibility of an information booklet or an online facility was considered, which could be made available for new applicants. This could include:

- A map showing all the main areas of choice.
- A link to a profile of each village/local area, including a guide to local services for particular areas – to include information on transport, schools, doctors, library, community centre, shops and other local facilities.
- A summary of the Council's housing stock and approximate turnover in each area.
- A simple 'flow-chart' or something similar identifying the main stages of the process for joining the housing waiting list; response times; frequency of review, etc.

7.2 Review of the application form:

The group examined the current housing application form and made some suggestions for making the form more user-friendly. The suggestions for amendment are as follows.

The following list is based on the specific questions that are posed in the application form.

- Q4 Ethnicity – is this range necessary? Does the Equalities and Human Rights Commission recommend a minimum number of categories which we could adopt?
- Q8 Other languages – to be asked at the beginning of the form rather than at this point
- Q11 Children – to replace the word 'children' with 'children under the age of 18' (if this is the correct age category we apply)
- Q12 Address history – unless there is a legal requirement for it to be 5 years we would ask that we request information for the last 3 years. To replace the words 'Property One' with 'Current Property' and then 'Property Two' with 'Previous Property'
- Q13 Arrears – to replace with 'Are you currently in rent arrears? Yes, No, Not applicable'
- Q19 Non-UK citizens – to replace 'details' with 'their name and relationship to you'
- Q21 Local connection – to replace the wording with 'Our policy is that you must have a local connection to the area to join the list. The criteria is explained at ...'

- Q30 Medical factors – to replace wording with ‘Does your current accommodation aggravate a serious illness or disability from which you or anyone wishing to be housed with you is suffering?’
- Q31 Persons to support application – to add ‘GP’ to the list of examples
- Q40 Current accommodation type – the group felt that some people would not be clear about their existing tenancy status and felt some additional wording at the beginning of this question would be useful – ‘If you are unsure about your existing type of tenancy please contact us’
- Q40 Current accommodation type – ‘hospital and no other accommodation’ to be replaced with ‘hospital and unable to return to other accommodation’

7.3 The number of areas that applicants were required to select on the application form.

At present, applicants are required to select a minimum of four areas on their application form, one of which must be Harrogate, Ripon or Knaresborough. A number of respondents to the survey and to the focus groups raised this as an issue of concern.

Whilst the group recognises that these areas are where the majority of Council properties are located, in some cases, applicants have very specific desires for living in a particular area. In such cases, the group thought that it was counter-productive to insist that applicants choose an area where they would have no interest or intention of living. The Allocation Team Leader confirmed that in some cases, offers were being made to applicants when officers were aware that a refusal would be very likely. The group believes this to be inefficient in terms of the allocation process and also does not present a customer-focused service for the Council’s housing applicants. The group would like the Council to reconsider this requirement in order to address these concerns.

7.4 The offer process: Time given for people to decide whether to accept or decline an offer, and to be able to view the property prior to deciding.

The group was informed that the usual process for making an offer is by a telephone call to an applicant. It was also confirmed that a refusal at this stage is counted as a refusal of one of the two offers of accommodation. Some respondents to the survey and attendees to the focus groups said that they felt under pressure to make a quick decision, without being able to view the property. It is noted that this process is actually contrary to the current policy, which states that all offers will be in writing and that applicants will have two days in which to decide. The group believes that in order for the service to be genuinely ‘customer-focused’, there should be adequate time for applicants to consider the offer and to view the property both inside and outside before deciding on whether to accept. In addition, if an applicant declines at the ‘telephone stage’, ie before agreeing to view the property, this should not be counted as one of their refusals of an offer.

7.5 Summary:

Having considered the above evidence, the group is of the opinion that although the Council is delivering a generally good standard service for housing applicants, there is room for improvement in the areas that have been examined in this review. The group would therefore like to make the following recommendations to the Council.

8. Recommendations:

Following the review of the service, the gathering of evidence, and the consideration of good practice, the panel recommends that careful consideration is given to:

- a) Providing information to applicants on the localities covered by the local authority, and also in relation to the available housing stock in these areas as well as the amenities to be found there. HBC Allocations staff should have greater personal knowledge of their properties or at least a full description on line, but there should also be provision for those people who do not use the internet.
- b) The recommendations for amending the application form should be adopted. The group recognises that a review of the allocations policy is imminent, which may also impact on the application form design.
- c) That the current practice for applicants to select a minimum of four areas should cease and be replaced with a requirement to choose at least two areas, which could be anywhere in the Borough. The discussions held with the Allocations Team Leader confirmed the group's belief that properties were being offered to applicants in areas where they did not want to live. This builds predictable failure into the system, which is clearly inefficient, and does not provide a customer-focused service.
- d) That a new procedure for offering tenancies be adopted, which is genuinely customer-focused and meets the needs of the Council's applicants. There appeared to be some discrepancies with the current policy, which was a cause for concern within the group.

The new procedure to have the following elements:

- when a property becomes vacant and an offer is made by telephone if at that point the customer says they do not wish to be considered that should not count as a refusal.
- when viewing the property, a customer should have 48 hours (including weekends) to decide whether to accept the offer. Only after viewing and not accepting a property should this be treated as a refusal.

The panel is of the opinion that if the above recommendations were to be implemented, there would be significant improvements in terms of providing a value for money, tenant-focused and efficient allocations service for Council tenants in Harrogate. The panel requests that consideration is given to these recommendations and looks forward to the response of the Council.

9. Additional points outside the scope of the review.

During the focus group meetings, some issues were raised by tenants which although being outside the scope of the review, were felt as being important to raise in this report.

These issues mainly related to the condition of properties when they were being offered. Clearly this could be an issue around the expectations of applicants, and perhaps this needs to be set out in clear terms. However, there were examples that were cited about properties being offered in poor condition. This sometimes related to the decorative condition, and there appeared to be some inconsistency regarding the allocation of vouchers for redecoration. Of greater concern to the group were complaints that the property was in a dirty condition. There are concerns that the current void standard in relation to these issues is not being kept. The Group requests that this matter is addressed urgently together with a review of what constitutes the 'acceptable standard of property' as defined in the process of liaison between Property Services and Allocations Team staff.

10. Acknowledgments:

The group would like to acknowledge the assistance provided by officers in the undertaking of this review and would like to thank all those who gave their support. In particular, the group would like to thank Kim Richardson, the Allocations Team Leader, and David Allford, the Tenant Involvement Officer, whose assistance and co-operation in the review was greatly appreciated.

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APPENDICES:

A: Tenancy Standard

B. Minutes of Scrutiny Group Meetings

C: Survey Questionnaire

D: Summary of Focus Group meetings