

## Appendix A: Summary of Proposed Amendments and Reasons for these Amendments

Proposed Amendment	Reasons for Amendment
<p><b>1:</b> Awarding priority to applicants to whom we have accepted a section 75 homeless duty.</p>	<p>Under the Code of Guidance priority can be given to certain additional preference groups, of which homelessness is one. As a result of the pandemic, and the acceptance of everyone as priority need, there has been a huge increase in homeless applications and the number of applicants in temporary accommodation.</p> <p>In addition to this, it has recently been announced that the Welsh Government will be introducing revised homeless legislation with regard to priority need and intentional homelessness. This means in effect that the 'Everyone In' approach will continue, suggesting that the increased service demand experienced since March 2020 will continue.</p> <p>As a result, it is proposed to introduce a new Band 2 category which will give priority to those applicants who are owed a Section 75 (S75) homeless duty. These are cases where we have not been able to prevent or relieve the homelessness and they are deemed to be priority need.</p> <p>It is hoped that this will increase move on from temporary accommodation (TA) and enable the TA that has been used from the Housing Revenue Account (HRA) and Registered Social Landlord (RSL) stock to be let as permanent and secure accommodation. This will also help to ensure that stays in bed and breakfast will be reduced to a minimum.</p> <p>It should be noted that if those applicants owed the S75 duty are deemed to be "not ready to move" they will remain in Band 5.</p>
<p><b>2:</b> Reduce the priority on the waiting list of those applicants who fall into Band 2 under S75 homeless duty, if they refuse a homeless final offer.</p>	<p>If an applicant, who has been placed in Band 2 under S75 homeless duty, refuses a reasonable offer they will be demoted to Band 3 (subject to an assessment of housing need) with a new effective date.</p> <p>This has been brought in to make homeless applicants aware that there are consequences to their decisions and to ensure fairness to other applicants on the waiting list.</p>
<p><b>3:</b> When a first offer is refused unreasonably, the application effective date is amended to the date the offer was refused.</p>	<p>Due to the high number of refusals we are experiencing when allocating (over 1200 in 20/21), there needs to be a repercussion to refusing a reasonable offer. Therefore, it is proposed that whilst the applicant will still be entitled to two reasonable offers, the effective date of the application will be amended to the date the first offer was unreasonably refused.</p> <p>This should also help to ensure a cleaner waiting list and reduce allocation times.</p>
<p><b>4:</b> Simplifying how applicants are assessed for accessible housing.</p>	<p>Currently when allocating, a property is matched to an applicant based on the level of accessibility needs. Within the current policy there are five accessibility levels:</p> <ul style="list-style-type: none"> <li>• Wheelchair accessible</li> <li>• Partially wheelchair accessible</li> <li>• Level access</li> <li>• Minimal steps</li> <li>• None of the above</li> </ul>

	<p>The review has highlighted that the five accessibility levels have led to confusion and inconsistency when verifying applications and when allocating properties.</p> <p>The proposal is to reduce it to three levels which keeps it simple and straightforward both for the allocating officers and for the surveyors when assessing the property. The proposed three levels are:</p> <ul style="list-style-type: none"> <li>• Wheelchair accessible</li> <li>• Ground floor</li> <li>• None of the above</li> </ul> <p>Additional questions will be asked on the application form to ascertain the level of accessibility needed.</p>
<p><b>5:</b> Awarding priority to applicants who are currently overcrowding one-bedroom social housing.</p>	<p>From a demand perspective, one-bed accommodation is required more than any other property size, with approximately two thirds of applicants on the Common Housing Register requiring this size accommodation. Coupled with this is the limited amount of one-bed social accommodation in Powys.</p> <p>In order to free up more one-bed accommodation, it is proposed to introduce a new Band 2 category which will give priority to social housing tenants in Powys currently living in one-bed accommodation that are overcrowded.</p>
<p><b>6:</b> Awarding priority to applicants currently under-occupying their social housing tenancies by two or more bedrooms.</p>	<p>Preference is currently given to Powys social housing tenants who wish to downsize to smaller sized accommodation, primarily to mitigate the impact of the Spare Room Subsidy ('Bedroom Tax') requirements on the affordability of their current home. The majority of these cases have now been addressed and a consequence of this is that allocations are being made to those who, although they want to downsize, can still afford to remain in their current property and these applicants are being allocated properties over those who are in higher "housing need" i.e: Band 3.</p> <p>Due to the limited stock of larger properties (four-bed+) in Powys, priority still needs to be awarded to those looking to downsize from this size of accommodation, hence it is proposed that applicants in this size property who are under-occupying by two or more bedrooms, will still be placed in Band 2.</p> <p>In recognition of the ongoing commitment to mitigate the impact of the Spare Room Subsidy on social housing tenants, Priority Band 2 status will still be awarded to those tenants who have fallen into rent arrears as a direct result.</p>
<p><b>7:</b> Give all households the opportunity to apply for one bedroom extra than they need subject to an affordability assessment.</p>	<p>This would help to alleviate the difficulty of letting two bed flats and help to house the high proportion of single persons currently on the waiting list.</p> <p>The current policy could be classed as discriminatory to those who are in receipt of benefits through no fault of their own and who would be able to afford a larger property than needed.</p> <p>Powys County Council Tenancy Support Officers (TSO's), and their equivalent, are now in place who complete a financial assessment on each applicant at the offer stage – this is a much more robust system for assessing affordability.</p> <p>Only those who request the extra bedroom would be considered for it.</p> <p>The final decision will lie with the partner landlord and if they are not satisfied with regard to affordability, the offer will be withdrawn. This will not count as a reasonable offer.</p>

<p><b>8:</b> Widening the group of applicants that will be considered for 'Housing First'</p>	<p>Housing First is a recovery orientated approach to ending homelessness that centres on quickly moving people experiencing homelessness into independent and permanent housing and then providing additional support and services as needed. Welsh Government has made available additional funding to support a range of projects based on Housing First approaches and Powys County Council is one of the first local authorities in Wales to award priority to Housing First cases within its allocation policy.</p> <p>Whilst Housing First has been a qualifying criterion for Band 1 cases for a number of years, only a very small number of applicants have actually, been awarded Housing First status. On review, it was felt the wording was too prescriptive and after consultation with Welsh Government and our Housing Association partners the criteria has been revised to include a wider range of individuals who have complex and challenging housing needs.</p> <p>It is pertinent to note that there will still be a requirement before Housing First status is awarded that there is a package of intensive and guaranteed support in place, agreed and funded by all relevant agencies, with a commitment to provide the package for as long as it is needed by the applicant. Also due to the complex nature of Housing First cases they will be decided by a multi-agency panel consisting of professionals who work in the following areas: Housing, Health and Social Care, Mental Health, Substance Misuse, and the Police</p>
<p><b>9:</b> Strengthening 'Housing First for Youth' (16–25-year-olds) considerations.</p>	<p>There will still be a requirement for Housing First for Youth applicants to be assessed using the same criteria as that used for other Housing First applicants. However, it is proposed to strengthen the requirement to give due regard to the causes and conditions of youth homelessness due to them being distinct from adults, and that the housing and support provision will be youth focused.</p>
<p><b>10:</b> Removal of volunteering as a reason for a local connection.</p>	<p>It is proposed that volunteering be removed for the criteria used to determine an applicant's local connection. This is because, as identified in the review, it is difficult for officers to define and verify if stated volunteering meets the relevant criteria. In addition, a review revealed that out of 3,000 applicants on the Common Housing Register only a total of 45 applicants selected this as a local connection qualification.</p>
<p><b>11:</b> Widening the group of applicants that will be considered for additional priority due to loss of tied accommodation.</p>	<p>It is proposed to widen the group of applicants who are awarded Band 1 status to also include Homes in Powys partner employees to whom a contractual duty is owed or who are occupying specific accommodation as part of their conditions of employment and who are leaving employment other than for disciplinary reasons and need to be considered for re-housing.</p>
<p><b>12:</b> Re-designating older person accommodation as accessible homes</p>	<p>The review identified the need to clarify that, where appropriate, allocations should be accessibility based rather than aged based. Therefore, it is proposed that older persons' (over 60s) accommodation be re-designated as Accessible Homes and applicants under 60 may be allocated such accommodation if appropriate. In all allocations, consideration will still be given to the makeup of that community.</p>
<p><b>13:</b> Expanding the group of applicants who can be considered for an additional bedroom above their housing need, to include full-time working applicants who are in receipt of the housing element of Universal Credit</p>	<p>Under the current policy, all applicants, regardless of which Priority Band their application falls in, and who are in receipt of housing benefit (partial or full) or the housing element of Universal Credit (UC), will only be eligible for properties in line with the Department of Work and Pensions' (DWP) property size criteria. This is because social security for housing costs, paid either as part of Universal Credit or Housing Benefit, is reduced if people have more bedrooms than social security rules say they need. Applicants who are working, not receiving social security housing support and can show that they can afford a larger property will have the option to apply for one bedroom above what the DWP criteria says they need.</p>

	<p>Following the advice of the Council's Tenancy Support Officers it is recommended to allow those who are in receipt of the housing element of UC and working full-time hours (35 hours) to also be entitled to apply for one bedroom above what the DWP criteria says they need. This would still be subject to a Financial Well-being Assessment.</p>
<p><b>14:</b> Strengthening applicant's responsibility to re-pay previous tenancy related debt as part of determining that they are 'Ready-to-Move'.</p>	<p>The review highlighted that clarity was needed within the policy on when an applicant would be deemed to be "ready-to-move" with regards to rent arrears. It is therefore proposed that if an applicant has arrears that are the equivalent of two months+ of rent then they may be deemed as not ready to move and placed in Band 5 (the lowest priority band). If the arrears are less than this amount, consideration must be given to the adherence of any repayment plan and/or the regularity of repayments.</p> <p>The review also identified that a wider view should be taken regarding tenancy related debt and therefore it is proposed that 'Ready to Move' will also consider arrears relating to rechargeable repairs and 'Spend to Save' Loans (monies lent to households to help them secure a private rented sector tenancy e.g. payment of a tenancy deposit).</p>
<p><b>15:</b> Clarifying how amendment to tenancy requests will be dealt with.</p>	<p>In order to deal effectively with amendment to tenancy requests, i.e. adding or removing someone to or from the tenancy, a paragraph has been inserted to allow for these requests to be dealt with under the Common Allocations Scheme policy. Such requests will only be considered where current legislation does not allow for an assignment or succession to the tenancy and will be dealt with in accordance with current and appropriate guidance, which will follow the legislation of the Renting Homes Act (Wales) 2016 when it is implemented.</p>
<p><b>16:</b> Clarification of special conditions applied by partner landlords when allocating their empty homes.</p>	<p>Whilst a Common Allocations Scheme has been agreed amongst each partner, due to varying priorities, each landlord has certain special conditions they may wish to impose when allocating their own properties. As a result, a table (contained as an appendix in the policy) will be put together to clarify what those nuances are and which landlord they apply to.</p>
<p><b>17:</b> Clarification of when a household may qualify for a house.</p>	<p>Lack of stock in certain areas means houses are the only available option for certain households – there is an increase in children returning home rather than moving away and there may be older children who are still dependent due to disability. The policy should therefore be amended to allow the allocation of a house in these circumstances.</p>
<p><b>18:</b> Removal of the example for when an offer may be withdrawn: "The property is required in an emergency".</p>	<p>Unable to qualify what may count as an "emergency" so proposal to remove this as an example to avoid confusion.</p>
<p><b>19:</b> Clarification over when the effective date may be amended.</p>	<p>The effective date of an application may be changed in the following circumstances:</p> <ul style="list-style-type: none"> <li>• When an applicant is demoted to a lower band. Examples include former tenant arrears coming to light and an assessment that the applicant is not ready to move, homeless applicant in Band 2 refusing a suitable offer, refusal of suitable first offer.</li> <li>• When an applicant is promoted to a higher band. Examples include an applicant clearing their arrears and an assessment that the applicant is ready to move, move to Band 1 following panel meeting.</li> <li>• When there has been a significant delay in the applicant providing all necessary information needed to correctly verify the application.</li> </ul>

	<p>The effective date will be amended to the date the Council were first made aware of the change in circumstances unless the decision was subject to a panel decision e.g. Band 1.</p>
<p><b>20:</b> Reducing the renewal period for Common Housing Register applications from 12 months to 6 Months.</p>	<p>It is proposed that renewals are carried out on a 6 monthly basis instead of every 12 months. This will help to ensure applicants' contact details are kept up to date and those that have been rehoused or no longer wish to apply for housing are removed from the waiting list keeping it "clean" and helping to ensure allocations are made as efficiently as possible.</p>