

**BOLSOVER DISTRICT  
COUNCIL**

**IMPROVEMENT  
SCRUTINY COMMITTEE**

**SCRUTINY REVIEW  
OF  
CHOICE BASED LETTINGS**

**November 2012**

# Contents

Chair's Foreword

1. Introduction
2. Recommendations
3. Scope of review
4. Method of review
5. Evidence
6. Key findings
7. Conclusions

Appendix 1 – Stakeholders engaged during the review

Appendix 2 – Rural Community Lettings Plan (North East Derbyshire District Council)

# **Foreword of Councillor Hilary Gilmour Chair of the Improvement Scrutiny Committee**

On behalf of the Improvement Scrutiny Committee I am pleased to present a report on Choice Based Lettings.

The Improvement Committee is undertaking a review of Housing Services.

The Choice Based Lettings review is a priority as it was introduced to Bolsover District residents in January 2012. It has always been the intention to review the system after six months of operation and the Improvement Scrutiny Committee has welcomed the opportunity to assist in this review.

The recommendations, findings and conclusions have been based on evidence gathered during the review from a number of Housing Officers and the portfolio holder for Housing.

May I take this opportunity to thank Abby Brownsword, Democratic Services Officer for all her support and Claire Millington, Scrutiny Officer for her hard work and commitment to this review.

Finally I would like to thank the members of Improvement Scrutiny Committee for their commitment with extraordinary meetings to complete the review.

## **1. Introduction**

Choice Based Lettings is a way of allocating properties that is more transparent and alters the emphasis on the tenant to choose a property rather than to be allocated one. It is a government requirement for Local Authorities to demonstrate in their allocations policy how they will offer choice to tenants and it is believed that if people are given a choice of where they live, they will make more of a commitment to that neighborhood or district.

'Bolsover Lettings', the Choice Based Lettings scheme for Bolsover District Council was introduced on 19<sup>th</sup> January 2012 following development with Elected Members and tenants.

As well as bidding for Bolsover District Council properties, applicants can also bid on properties in Chesterfield, North East Derbyshire and Bassetlaw through a sub-regional Choice Based Lettings scheme, called LINK.

Using the information given on the application form, the applicant is awarded a number of points and these points determine which band (A – D) the applicant will be placed in. Band A contains applicants who are homeless or have an

urgent medical need. Band B includes applicants with some medical need or current tenants wishing to downsize. Band C includes existing tenants and people living within the District and Band D includes applicants living outside the District and owner occupiers.

Properties are advertised weekly on the Bolsover Lettings website and displayed in the Contact Centres. Bidding starts on a Thursday and ends at midnight on the following Tuesday. For those using bid cards, bidding ends at midday on the Tuesday.

The Committee felt that it was timely to review Choice Based Lettings to see whether the new system was working effectively and to consider how Officers, Elected Members and applicants on the housing waiting list perceived the system to be working. Housing Services were due to carry out a review after six months of implementation; however, it was incorporated into this Scrutiny Review taking place.

There are a number of challenges coming up for the Authority surrounding welfare reform which the Committee has taken into consideration as part of the review.

## **2. Recommendations**

- 2.1** That a review of all applicants on the housing waiting list who are not currently bidding on properties (non-bidders) be undertaken to identify reasons why these people are not bidding and to consider those who would benefit from the autobid system. *(Please refer to section 6.12)*
- 2.2** That a project to understand and address the issues of properties at New Bolsover be carried out which should include consideration of any grant funding available to undertake improvements to the properties resulting in the area being more attractive to prospective tenants.
- 2.3** That the Allocations Policy be amended so that properties are offered to other applicants on the housing waiting list in other bands, rather than be re-advertised should there be no bidders from the relevant band. The priority should be to reduce void times and bring in rental income to the authority.
- 2.4** That performance monitoring of the Choice Based Lettings scheme be developed to include information on successful allocations, which is already available to tenants through the Bolsover Lettings System be supplied to Elected Members on a quarterly basis.
- 2.5** That a Community Rural Lettings Plan be considered and if appropriate, developed to assist those applicants who are already living in a Parish and

want to be housed in a property in that same Parish within Bolsover District.  
(An example of this plan is attached as **Appendix 2** to the report – North East Derbyshire District Council, Community Rural Lettings Plan.)

- 2.6 That the Allocations Policy be amended so that all references to ‘bidding’ or ‘bids’ are replaced with ‘expression of interest’. Following advice from the Head of Housing, the Committee accepts that it would be better value for money to make any changes necessary when the current stock of documents is approaching re-printing to avoid considerable wasted expense and additional printing costs.
- 2.7 That the Allocations Policy be amended immediately to reflect the changes relating to ‘size criteria’ in the Welfare Reform Act 2012 which will come into force in April 2013.
- 2.8 That the Head of Housing develop a disclaimer for new tenants to declare that they are aware of the potential consequences to their benefit payments from April 2013 if they ‘under occupy’ a property.

### **3. Scope of the review**

The aims and objectives of the review were to carry out a review on the Choice Based Letting scheme, six months after implementation, to understand how the service was delivered and to consider how this scheme was perceived by tenants and elected Members.

Choice Based Lettings has also been considered by Internal Audit who made a number of recommendations for improvements which have been noted by the Committee as part of the review process.

Members carried out the review with the following key issues in mind,

- Customer satisfaction
- Comparison to the previous allocations system
- Any restrictions or issues faced by the Housing Service when delivering the Choice Based Lettings scheme.

#### **The Committee comprised the following Members,**

Cllr Hilary Gilmour (Chair)

Cllr Pauline Bowmer

Cllr Jim Clifton

Cllr Malcolm Crane

Cllr Tom Rodda

Cllr Jim Smith (Vice Chair)

Cllr Ray Brooks

Cllr Terry Cook

Cllr Ray Heffer

Cllr Rita Turner

Support to the Committee was provided by the Scrutiny Officer and the Democratic Services Officer.

## **4. Method of review**

The Committee met on six occasions to consider the scope of the review, key issues they wanted to discuss, the people they wished to interview and to carry out their investigations.

A presentation, written and verbal evidence was received from Housing Officers. Elected Members were asked to complete a questionnaire based on comments received from their constituents and their perceptions of how the new scheme was working. One member of the Committee attended a meeting of the Tenant Participation and Development Group to discuss tenant's priorities.

The Committee was asked to suggest two questions for inclusion in the Tenant Survey which is due to be circulated to all tenants towards the end of 2012. Members proposed two questions relating to Choice Based Lettings and for this reason, did not undertake any further consultation with tenants regarding Choice Based Lettings.

Members considered the Allocations Policies of the three other Authorities within the Sub-Regional Lettings Scheme, Bassetlaw District, Chesterfield Borough and North East Derbyshire District Councils and have referred to North East Derbyshire's Community Rural Lettings Plan within the report as an example of good practice.

Attached at **Appendix 1** is a list of stakeholders involved in the review.

### **Equality and Diversity**

Within the process of the review, the committee has taken into account the impact of equalities.

Members questioned whether the scheme discriminated against any person or group. Housing Needs Officers advised that the system did not discriminate, but there were occasionally problems with language barriers and these were dealt with appropriately.

Housing Needs Officers advised that there were people who were not bidding for properties and work to identify the reasons for this should be carried out.

The Equality Impact Assessment was considered as part of the review.

## 5. Evidence

The following evidence was considered as part of the review:

- Choice Based Letting PowerPoint presentation
- Extracts from the Allocations Policy –
  - Table of eligibility for different types of properties
  - Appendix A – Points Awarded
  - Appendix B – Medical Points
  - Appendix C – Social and Financial Needs Points
- Relet Standard document
- Voids Inspection form Bolsover District Council Housing Application Form
- Information and Guidance on accessing and using Bolsover Lettings
- Members responses to the Choice Based Lettings questionnaire (15)
- National Housing Federation Briefing - Welfare Reform Act 2012 – Size Criteria
- National Housing Federation leaflet – What you need to know about changes to housing benefit.
- Report and recommendations from the Internal Audit Consortium’s Internal Audit Report on Choice Based Lettings, dated 1<sup>st</sup> October 2012.
- Verbal evidence received from all stakeholders listed in *appendix 1*
- North East Derbyshire District Council – Allocations Policy (Community Rural Lettings Plan) attached as *appendix 2*.

## 6. Key findings

### Areas of good practice

**6.1** Mutual exchanges can still take place, this is currently dealt with under a separate policy however it is anticipated that mutual exchange properties will be advertised on Bolsover Lettings from January 2013.

**6.2** An annual review of applicants is carried out which includes a short form requesting confirmation that the applicant wishes to remain on the waiting list and

notes any change in circumstances. If any changes are made, a new application form is completed however the application date remains the date of first application for bidding purposes.

**6.3** Points are awarded based on the information given on the application form. Several checks are made to ensure the information is correct. References from existing or previous landlords are requested; however this often caused a delay in the applicant moving in to the property, which in turn reflects in the void figures. The Improvement Scrutiny Committee was advised that a declaration of truth had been developed which the applicant signed to confirm that the information given on the application form was correct. If the information provided by the applicant was later found to be false or inaccurate, possession proceedings could be issued against the tenant depending on the nature of the inaccuracy.

**6.4** Properties are apportioned into the different bands to ensure best use of the stock, e.g. three bedroom properties are not usually included in Band B as this group is pre-dominantly made up of applicants wishing to downsize or with high medical need where three bedroom properties would not often be appropriate. During team meetings, Housing Officers can raise issues to management, for example, where more properties are required for a particular band, depending on the case load at the time.

**6.5** Members heard that as at August 2012, the relet figures were slightly worse than under the previous system. Advertising the properties as soon as possible and accepting tenants with a signed declaration of truth whilst waiting for the reference from the applicant's current landlord would assist in improving the relet figures. Properties would also be advertised before the existing tenant had vacated in order to reduce void time.

**6.6** When landlord references are returned the landlords are contacted by telephone to verify the information and to ensure that they are not trying to off-load problematic tenants.

**6.7** When visiting applicants to check the information on the application form, Housing Needs Officers discuss the costs of moving house including, rent and removals, in order to ensure that the applicant understands all costs involved.

**6.8** Housing Needs Officers were of the opinion that the new service was working well and tenants appreciated receiving more information, more choice and appreciated that the process was open for them to see.

**6.9** When the Housing Officers escorted a successful applicant to view a property, any required works were recorded and passed to the voids team to be carried out as soon as possible.

**6.10** There were some concerns about tenants and residents understanding the new scheme and the Committee were pleased to note that during Customer Services Week the Housing Needs Manager presented some Choice Based Lettings sessions to applicants and prospective tenants at the Contact Centres, explaining the various ways to submit a bid.

### **Areas for Improvement**

**6.11** Automatic bids or 'auto bids' were set up for vulnerable people who are unable to submit a bid themselves. Applicants have expressed concerns to Elected Members that they feel disadvantaged by not having access to a computer in order to bid on properties. The Housing Team advised that they were promoting the use of autobids where applicants could express a preference for a particular area or property. Members of the Committee were of the opinion that the use of auto bids could be increased with further promotion and some work to identify the reasons why some applicants on the waiting list were not bidding, e.g. contacting people by telephone or by a visit which would need to be done sensitively.

**6.12** There are still some concerns that computer access is an issue for some of the applicants on the waiting list and not everyone can get to a Contact Centre to view the properties available. These concerns have been raised through Members and some work to identify those applicants who would benefit from using auto-bids would help to alleviate some of these problems and concerns.

**6.13** The Committee discussed at length problems with hard to let and unpopular properties, in particular properties at New Bolsover. There had been a lack of demand for properties in New Bolsover and it was suggested that reasons for this may include the appearance of the area, the houses were unattractive and they were not well situated with few local amenities. The Housing Team has been limited as to what it can do in the area due to it being a conservation area.

**6.14** Attempts have been made for external funding to make work more affordable as the conservation order means that it is more difficult and more expensive to improve the properties. Members concluded that a separate project addressing the issues on New Bolsover should be undertaken outside of this scrutiny review.

**6.15** Once a property had been advertised without successfully being allocated it was advertised wider to include applicants in other bands which made the property available to a greater number of applicants. Eventually, Band D applicants and sub-regional applicants would be able to bid on these properties. As reducing the number of voids and turn around times for properties as well as bringing in rental income to the Authority were priorities, the Committee recommends that people from all bands are encouraged to bid in the first place

with priority going to an applicant in the suggested band. This may result in the need for more publicity about bidding for properties in other bands.

**6.16** The reasons for successful allocations including the length of time on the waiting list or number of points the successful applicant held are published after each property has been let and are listed in the 'Recent Lets' section of the Bolsover Lettings website to assist applicants waiting for a property to understand the process of the Choice Based Lettings System. Members expressed concerns that they did not have access to this information and often received queries from constituents as to why their bid had not been successful. The information only being available electronically also proves difficult for those who do not have access to a computer. It was suggested that some information could be made available in Homing-In or In-Touch publications or could be included within the weekly information on properties that is sent to those applicants who pay to receive information by post.

**6.17** The development of performance measures and performance indicators was also raised in the Internal Audit Consortium report.

**6.18** Members considered the points awarded (Appendix A of the Allocations Policy) and noted that no points are awarded to an applicant who wished to remain in the village of birth but were not currently a tenant themselves, (e.g. a person living at home with parents who wished to live on their own). Points were awarded to an applicant currently who wished to be rehoused within the Bolsover District Council area when currently living outside the district, when the village of birth was within the district and also to an applicant who wished to be rehoused in the village of birth when living outside that village. Although Members of the Committee were advised by the Head of Housing that the Authority could not have a policy that gave someone locally an ultimate priority over any other applicant, Members wished to include this as a recommendation for consideration. The Allocations Policies of the Sub-Regional (LINK) authorities were considered and the example of North East Derbyshire District Council's Community Rural Lettings Plan was considered as best practice. A copy of this policy is attached as Appendix 2 to the report. Neither Chesterfield Borough nor Bassetlaw District Councils had a process to deal with rural properties but that was down to the nature of those particular areas where they did not experience the same problems. Bassetlaw did make reference to the policy of North East Derbyshire stating that it was not appropriate for Bassetlaw District Council.

**6.19** From the questionnaire completed by elected Members, it became apparent that the word 'bid' causes confusion to both applicants and Members. Comments received during the evidence gathering included, it gives the wrong impression, people consider that money is involved and some applicants perceive that this means they must bid against another applicant for a given property which discourages them. It was suggested that an expression of interest may be a more appropriate term to use.

**6.20** Research confirmed that all other Local Authorities and Social Housing Providers considered for this purpose use the term 'bid' in their Choice Based Lettings Scheme. There is a statement on Bolsover Lettings website,

*'Don't worry about the word 'bid', this does not involve money it just means you are telling us that you are interested in a particular property and want to be considered for it.'*

Consideration should be given to publishing this statement in guidance and with the property adverts in order to lessen some of the concerns.

**6.21** The Welfare Reform Act will see the introduction of new size criteria (also known as bedroom tax) for housing benefit claims in the social rented sector. The criteria will mean that any working-age household deemed to be under-occupying their home will lose part of their housing benefit from April 2013. The size criteria will restrict housing benefit to allow for one bedroom for each person or couple living as part of the household, with the following exceptions:

- Children under 16 of same gender expected to share
- Children under 10 expected to share regardless of gender
- Disabled tenant or partner who needs non resident overnight carer will be allowed an extra room.

Any household deemed to have more bedrooms than they require, as defined by the criteria, will lose a proportion of their housing benefit. This cut will be initially set at 14% for one extra bedroom and 25% for two or more extra bedrooms.

Members considered the impact on tenants of Bolsover District Council and agreed that it is appropriate that the Allocations Policy be changed immediately to ensure that as many families and couples as possible can be protected from reductions to housing benefits by being placed in suitable accommodation according to the size criteria in the Welfare Reform Act 2012.

Members also discussed the situation where a new tenant may insist on a property where they will have more bedrooms than they require in April 2013 when the new Act comes into force and the Head of Housing suggested that a disclaimer be developed for tenants to declare that they are aware of the potential consequences on their benefit payments if they 'under occupy'.

## **7. Conclusions**

Choice Based Lettings is complex with the potential for many issues to arise. Members realise that not everyone would be satisfied whatever system was in place.

The new Choice Based Lettings scheme has received a number of positive comments from Members with most saying that it has worked better than they expected it to, there aren't the problems that were perceived to be and most importantly, it benefits local people.

The Committee was pleased to note that Housing Officers are positive about the new system and are dedicated to providing a more efficient service to applicants and tenants.

The Committee has made eight recommendations to improve the process and service received by applicants.

## Appendix 1

### Stakeholders

Cllr Keith Bowman	Portfolio Holder for Housing
Peter Campbell	Head of Housing
Di Bonsor	Housing Needs Manager
Pam Coogan	Housing Innovation Officer
Angela Smith	Housing Needs Officer
Rob Farnsworth	Housing Needs Officer
Amanda Baddams	Housing Assistant (Choice Based Lettings)
Tenant Participation & Development Group	

15 elected members completed a questionnaire on Choice Based Lettings anonymously.

## Appendix 2

### North East Derbyshire District Council

#### Rural Community Lettings Plan

**The previous Rural Lettings Plan has been reviewed, and replaced with the Rural Community Lettings Plan.**

#### Background

The previous Rural Lettings Scheme was reviewed to ensure that it met government guidelines, was fair to residents, was easy for applicants to understand, and staff to administer. The review looked at the demand for properties in our rural villages, the availability of homes and the cost of homes to see whether villages needed to be included in the scheme. This review showed that only the villages listed below needed to be included in the new Rural Community Lettings Plan.

The council and Rykneld Homes are working with Parish Councils and other partners to develop a better understanding of the housing needs within the district's rural villages, to facilitate new affordable housing developments, and make best use of existing housing stock. This will help to ensure that our rural communities are sustainable in the long term.

All property types in the following villages are covered by this Rural Community Lettings Plan;

<b>Village</b>	<b>Parish</b>
Ashover	Ashover
Kelstedge	Ashover
Littlemoor	Ashover

Properties located in the settlements previously included in the Rural Lettings Scheme and not covered by this plan, will now be allocated using the approach set out within the Allocation Policy, which is based on banding and waiting time. Applicants should indicate if they wish to select a particular settlement as their 'local connection'. This will enable them to claim additional waiting time for bids made to properties within the area they have selected.

## **Aims & Objectives of the Rural Community Lettings Plan**

This Rural Community Lettings Plan (Rural CLP) has been prepared to help local people who have a strong connection to the villages identified by this plan to access housing within these areas.

The objectives of the Rural Community Lettings Plan are:

- to create and maintain sustainable communities;
- to ensure that the needs of local communities are reflected within the allocation and lettings policy; and
- to give people a better chance of living in areas to which they have a local connection to, where cost and supply of affordable homes are a particular problem.

## **Plan Operation**

### **The Rural Community Lettings Plan and Choice-Based Lettings**

The Rural Community Lettings Plan is a local lettings plan; an agreement between the council and local tenants and residents, which prioritises lettings of all dwelling types in the agreed area to certain households.

The process of determining the allocation of homes has the following stages:

### **Stages 1 to 4 relate to the CBL process of marketing and bidding**

#### **Stage 1: Advertising**

On availability, each property will be advertised via the CBL system. The normal bid cycle of one week will be applied, unless otherwise agreed.

#### **Stage 2: Labelling**

Within the advert the property will be labelled “rural community lettings plan criteria applies” as the key criteria, with a brief explanation of eligibility & procedures. Any additional home or applicant criteria and preference will then be detailed.

#### **Stage 3: Bidding**

Applicants who are on the housing register can bid for the house in the normal ways. To be considered for lets under the Rural CLP, applicants will have to complete a Rural Allocation Form which details residency/local connection. This form can be found on Rykneld Homes’ website ([www.rykneld.org.uk](http://www.rykneld.org.uk)), or by contacting the Choice Move Team on 01246 217650.

#### **Stage 4: Short listing**

Following the end of the advert cycle, a short-list will be generated, which will list applicants based on allocated banding and waiting time.

**The following stages, 5 to 7, relate to sorting the bids and determining the offer/nomination**

**Stage 5: Defining the eligibility criteria for local connection**

Applicants must have a strong local connection to be considered under this scheme. In line with the Local Plan Rural Exception Sites Policy this is defined as follows.

1. The applicant lives in the parish and has lived there for at least 5 out of the previous 10 years, and is in housing need. For example, the applicant is living in overcrowded or otherwise unsatisfactory conditions, or is forming a new household.
2. The applicant is related to a resident of the parish. This must be a close family member, i.e. father, mother, child, son, daughter, who has lived there for 5 out of the last 10 years.
3. The applicant, although not living in the parish, has lived there previously for a continuous period of more than 10 out of the past 20 years.
4. The applicant has an essential need to live in the parish to either give or receive long term care to or from someone who has been resident in the parish for more than 5 out of the previous 10 years. They must, however, be the main provider of the support and must support such a claim by producing documentation such as carers' allowance. The applicant must be the named person either giving or receiving care.
5. The applicant has an essential need to live close to their work in the parish. This is intended to mean the need to live close to one's work for management reasons. It would not be justified where a person can carry out his or her work whilst living in an existing property in a nearby settlement. Confirmation of full-time employment must be given by the employer and provided by the applicant to support their application.

For full details of the above criteria, see page 16 of Affordable Housing SPD.

**Stage 6: Determining the allocation:**

A shortlist is produced in accordance with the allocations policy. If, following the initial sorts above there is more than one applicable applicant(s) with rural local connection, applicants will be placed in order based on their waiting time, with the applicant with the longest waiting time being offered the property (as per section 9 of the general policy).

If no applicant meets the Rural CLP criteria, the property will be let in accordance with the usual district wide allocations and letting policy.

### **Allocation of adapted properties in the Rural CLP area**

When properties are advertised, any installed adaptations will be listed on the advert. Where a property has been adapted, applicants with a local connection, as set out in the Rural CLP criteria (stage 5), will be shortlisted based on whether they need that adaptation. If none of the applicants with a local connection require the adaptation, it will be opened up to applicants without a local connection and who have bid for the property. If there is no suitable applicant requiring the adaptation, the property will be then offered under the Rural CLP criteria and the adaptation removed if appropriate.

### **Allocation of properties in a Rural Exception Site**

Rural Exception Sites have a specific allocations scheme agreed under planning conditions. Properties in these schemes will continue to be allocated in accordance with these conditions. This is set out in the council's Affordable Housing Supplementary Planning document.

### **Mechanism for reviewing the Rural Community Lettings Plan**

The Rural Communities Lettings Plan will be reviewed every 2 years, based on the first letting cycle in October of each year. Using a matrix, agreed by Strategic Liaison and Monitoring Group, the review will use statistics to assess and review the settlements covered by the plan.