

Portfolio Holder decision record sheet

Name of decision maker:	Councillor Margaret Griffiths
Portfolio:	Housing & Regeneration
Date of Portfolio Holder decision:	21 August 2019

Title of decision: Allocations Policy amendments
Part II: N/A
Part II reason:

<p>Background to report:</p> <p>The purpose of this report is to seek approval on proposed changes to the council's approach to pre-tenancy work with a specific focus on safeguarding vulnerable adults, children and risk management.</p>
<p>Decision made and reasons:</p> <p>The overarching proposal is for the council to change its approach to allocating properties to applicants who's history, support needs or risk assessment suggests that by allocating a particular property, we could be placing vulnerable people at more risk. In order to achieve this the following recommendations have been made:</p> <p>Short term:</p> <ol style="list-style-type: none">1. Amend the housing application form to include the opportunity to ask applicants if they have a criminal record, history or support needs that would suggest potential risks to others2. Develop the housing management approach to responding to undisclosed convictions or information.3. Introduce assessments for supported housing applicants to ensure that support needs and risk factors are identified at an early stage.4. Introduce safeguarding protection plans where an allocation has an identified risk associated with it.5. Introduce PNC checks for high-risk groups (see appendix 3 for definition of high-risk groups).6. Housing panel terms of reference to be reviewed to include function to decide on high risk allocations, including ability to prevent an allocation to manage risk to safeguard community.7. Briefing session to educate members on the change in approach.8. Ensure that offers for adapted applicants are made in line with the Allocations Policy and receive one direct offer only (currently not limited).9. Increase the capital/savings/financial interest threshold to £250,000 for older applicants (60+), due to cost of purchasing a property in borough and low demand for sheltered accommodation. Applicants with funds above this threshold should be considered on a case by case basis. <p>Medium term:</p> <ol style="list-style-type: none">1. Review the allocations policy to strengthen the organisations stance to refusing allocations in specific cases where risk is deemed unmanageable.2. Introduce mandatory tenancy sustainment training to ensure that relationships with applicants are developed at an early stage and support needs and risk factors are identified.3. Information sharing protocols with all key agencies to be introduced / reviewed to allow the sharing of appropriate information.4. Reintroduce verification visits for homeseekers to ensure that we have up to date information regarding applicants and consider amendments to the application process that puts the onus on updating details upon the individual.5. Introduce a rolling programme of tenancy audits for all council properties to ensure that we have

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up to date information.

Long term:

1. CRM to ensure that information can be shared more effectively amongst systems.

A project plan has been developed to provide a framework to implement the above recommendations; this can be found in appendix 2. Responsibility for monitoring progress will be required.

It is proposed that the short-term recommendations should be implemented by the timescales included within the project plan. All medium and long-term recommendations will form the basis of the work stream review, which is due to be carried out. This will ensure that a full consultation is undertaken with applicants and tenants to understand the potential impact of these changes. Additionally the applicant's journey will be considered in full to identify other solutions that will ensure the right allocations for the right tenants to ensure tenancies can be sustained.

This report sets out the findings from a working group looking into reducing safeguarding risks as part of allocating new tenancies. The report asks the following:

- That the Portfolio Holder approve the approach and to progress with short term changes as set out in the attached Action Plan
- That this report is considered as part of the briefing for the Pre-Tenancy work stream review
- That the work stream review looks at the viability of the medium and long-term recommendations.

Reports considered: (here reference can be made to specific documents)

Officers/Councillors/Ward Councillors/Stakeholders consulted:

Monitoring Officer comments:

There are no additional comments to add to the report.

Chief Financial Officer comments:

The allocations policy changes will not have an impact on the HRA business plan.

Implications:

Long term consequences

If the project plan were to be approved, there would be long-term consequences for changing the council's approach to pre-tenancy work. More information related to individuals, their backgrounds and support needs would be collected and used to inform the allocation of properties. An enhanced relationship between tenant and landlord would be developed that would enable us to identify support needs from the onset and provide appropriate support to enable them to live independently and sustain their tenancies. It is envisaged that the

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potential for safeguarding cases to develop that could have been avoided by taking a managed approach to specific allocations would significantly reduce.

It is worth noting that this report does not commit to removing all safeguarding risks. What it is proposing is to amend our pre tenancy processes to take a more proactive approach to risk management which will in turn provide the council with a defensible stance should safeguarding situations arise.

The proposed changes to our pre tenancy approach included within this report is not designed to be a catch all enforcement opportunity for homeseekers or tenants that have a criminal record or a particular history of support needs. The proposals are recommended to identify applications that could create risks to vulnerable people and to allow the housing service to manage these risks accordingly.

Service delivery

There is a significant pressure to reduce the time homes are empty. These recommendations take into account the need to relet properties as quickly as possible. If agreed most of the checks can be carried out prior to offer of a property and therefore should not delay the letting process.

It is also recognised that the current staffing structure within the pre tenancy team does not have the capacity to implement and manage these recommendations while still ensuring that properties are let quickly. Therefore, consideration would need to be given to the benefits of agreeing these recommendations balanced against the available resources.

Diversity and community impact

As mentioned, these recommendations are not designed to disadvantage particular groups in their ability to access housing. Just because someone has a criminal, record does not mean they pose a threat to others. Yet where there is an identified risk to vulnerable people and to staff it is our responsibility to take appropriate action to manage these risks.

An example of this could be that some applicants, based on the information available, are not suited to being allocated a property within a supported housing scheme due to the high density of vulnerable people living in close proximity.

A full Community Impact Assessment will be carried out if HSMT agree to progress with this approach and further changes will be made in line with the outcome of this assessment.

It is recommended that elements of the housing application form are amended and this may require some system development work from Civica.

Risk:

Legal

The legal implications of asking applicants about their criminal background will need to be considered. Preliminary discussion with the councils Data Protection

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manager suggests that by completing a Data Protection Impact Assessment this could be facilitated.

Dacorum Borough Councils response to the non-disclosure of information relating to particular allocations will need to be considered. If these steps are to be effective there would need to be tangible repercussions should applicants choose to not disclose information.

A review of the current housing allocation policy would need to be undertaken to consider whether the current policy provides the opportunity to refuse housing or whether further, amendments are required. These decisions will result in appeals and therefore understanding our legal standing on this particular issue would need to be clear.

Underlying this change of approach would be a need to ensure that the processes required to implement them are GDPR compliant.

Human resources and employee interests

If the recommendations were to be approved, there would be HR implications due to an increase in work. An analysis of current capacity would need to be undertaken to determine what resources were available and, if approved in full, it is likely growth bids for additional staff resources would be required or a remodelling exercise undertaken.

Risk - maintenance of reputation

The potential risk to the reputation of the council associated with current pre tenancy work with regard to the safeguarding of vulnerable people is apparent. The recommendations provided within this report would take necessary steps to maintain our position and provide the organisation with a position that could be defended if required.

Financial

As mentioned, the recommendations included in this report must have minimal impact on the letting of properties in order to manage rental loss through the void and allocation process. The majority of checks will be carried out prior to a property being offered, in isolated cases where they do have an impact on void times this should be balanced against the potential housing management cost needed to respond to allocations that create risk or disruption to other tenants

Value for money:

Value For Money

While it is difficult to quantify, an allocation that creates a safeguarding or community safety concern requires significant council resource to respond to it. By adopting this approach value for money can be achieved by limiting the amount of resource required to manage and respond to these high risk situations.

Options considered and reasons for rejection:

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Portfolio Holder's signature:
Date:
Details of any interests declared and any dispensations given by the Standards Committee:

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Date decision record sheet received from portfolio holder: 21/08/19	
Date decision published: 21/08/19	Decision no: PH-019-19
Date of expiry of call-in period: 29/08/19	
Date any call-in received or decision implemented:	

Background

The allocation of housing in a timely and efficient manner is fundamental to providing high quality housing services to tenants. Unnecessary delays in letting properties has a direct impact on services provided to tenants and therefore the scrutiny placed on meeting 'key to key' targets is justified. However, it is at the point of allocation where individuals can be placed at risk if appropriate steps are not taken.

There have been isolated cases where the allocation of housing to particular individuals has created risk to others; this has been more prevalent in the councils supported housing stock. Where this has been the case, a significant amount of housing management resource has been required to respond to the situation and to safeguard vulnerable people. The Sustainable Tenancy Strategy sets out our intention that every tenant has the best possible start and it is important that we identify areas where there is a risk to us achieving this commitment.

To understand how these situations have developed the Pre-Tenancy Team Leader set up a task group including managers and officers from temporary accommodation, pre tenancy, supported housing, tenancy and leasehold, tenancy sustainment and wider representatives from across the organisation, including the council's community safety manager and safeguarding lead.

There is an acknowledgement that a wider review of pre tenancy is required, however the focus of this group and subsequent report has been placed on the safeguarding and risk management elements of the pre tenancy process.

Key areas for improvement

Information:

Key to the groups discussion centred on information and data we hold on homeseekers and transfer applicants. Three key themes emerged:

1. Are we collecting the right information to effectively manage risk?
2. Are we using the information to influence allocations?
3. Is information gathered during the housing application stage being shared effectively amongst the wider service to manage risk?

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The housing application form asks homeseekers and transfer applicants the following question under the heading "You and those to be housed with you":

Have you or any of your household been served with an anti-social behaviour order or an acceptable behaviour contract?

The specific nature of this question does not provide enough opportunity to identify applicants who may present as a risk within our accommodation. Additionally it relies upon the applicants answering the question, as there is no link with other systems that will identify applicants who may fall within the criteria but have not answered the question.

Considering the above there are opportunities for applicants who may have a criminal background, or who's history would require further investigation that could present a risk to others, to access housing without appropriate checks being undertaken. There is an opportunity to gather more relevant information at the application stage that could build a more comprehensive view on potential risks that is currently not being taken.

A significant amount of information is gathered when an individual applies for housing both from the applicant themselves, and in many cases, from a range of external agencies. This information can include risk assessments, support plans, Police PNC checks and medical assessments. While this information is used to determine an applicant's level of housing need or to identify potential support opportunities, it is not necessarily used to influence which properties an individual can bid on, even when that information suggests there may be risks to vulnerable people. In specific cases where there is an identified risk, this information needs to directly influence an individual's opportunity to access housing. If the risk is deemed to be, manageable this information should be used to identify housing options that do not create further risks to vulnerable people.

In order to effectively manage situations where there is potential risk to vulnerable people, which includes the risk to staff providing services to the individual, there is a need to share information amongst teams more effectively. This issue is clearly not solely attributed to pre tenancy work and the allocation of properties and can be applied to most departments within housing; it is also not helped by a number of systems that act in isolation. A prime example of this occurs when a member of the supported housing team adds an alert to a tenant on Genesis and this is not cascaded throughout the service.

However, a change in culture across the housing service is required to ensure that teams are not acting in isolation particularly when supporting vulnerable people. A responsibility placed on Dacorum Borough Council through the Care Act 2014 is to promote wellbeing of vulnerable people, which includes safeguarding the prevention of abuse. Working across teams to share relevant information is key to fulfilling this responsibility.

Housing allocations policy:

The housing allocation policy explains the councils approach to eligibility and qualification in relation to Anti-social behaviour (Appendix 1, p.5, section 2.6). It is clear that should applicants have been subject to certain forms of enforcement they will be excluded from the housing register for varying lengths of time. This provides the council with an effective tool to manage situations that may present a risk by refusing certain individuals access to the housing register.

It could be argued however that this does not go far enough in preventing individuals who clearly present a risk from accessing housing. The legality and applicability of a wider scope of restrictions should be considered if Dacorum Borough Council are committed to safeguarding vulnerable people.

Supported Housing:

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There are factors, which can increase a person's vulnerability to abuse or exploitation. These can be personal characteristics such as poor mental health, age, disability or a history of abuse. Furthermore, there are social or structural factors such as isolation, lack of access to information and support, or type of housing, which can increase vulnerability. When considering our approach to pre tenancy, of particular focus, should be the allocation of properties within the council has supported housing stock, where a substantial number of tenants are deemed vulnerable.

The relatively low demand for supported housing means that the eligibility age for the service is reduced from 60 to 50 when a property is not let following an advert cycle. While this goes some way to ensuring that rental loss through void periods are reduced, it further provides the opportunity for a diverse mix of tenants with complex support needs living in a building with a very communal aspect to them. In many cases, this does not create a management problem. However, there are occasions where this approach has resulted in disruption to schemes, significant housing management issues and, in isolated cases, a real safeguarding risk to vulnerable adults.