

HOUSING ALLOCATIONS – SUSPENSION POLICY

1 PURPOSE

- 1.1 This report seeks Member approval for the implementation of a 'Suspension from the Housing Register Policy' (see Appendix 1) which will be incorporated into the Housing Services current Housing Allocations Policy and Procedures.

2 INTRODUCTION

- 2.1 The Housing Act 1996 requires local authorities to maintain a Housing Register of all housing applicants and to publish details of its rules and procedures relating to how it allocates accommodation and how it maintains this Register.
- 2.2 Eligibility criteria for inclusion on the Housing Register is defined by the Housing Act 1996 but local authorities are thereafter allowed to operate specific aspects of the Register as they see fit.
- 2.3 As part of Rochford's Best Value process the Housing Management team now wish to formalise a Suspension Policy, as one is not currently in existence.
- 2.4 Currently an informal practice of "suspension" is operated in the following circumstances.
- During interim cover arrangements whilst homeless applications are being assessed.
 - Following the offer and subsequent refusal of two offers of accommodation appropriate to the needs of the applicant.
 - Following proof that a fraudulent application has been made.

3 DETAILED CONSIDERATIONS

- 3.1 In line with Best Value and Good Practice recommendations and to ensure fair and equitable service delivery the Head of Service proposes a formal Suspension Policy is required in order to provide appropriate guidance for officers and to formalise what service standards applicants can expect.
- 3.2 This complies with the Council's commitment to improve customer care by providing customers with clearly defined standards. It will also ensure staff are equipped to carry out their duties by providing them with clear policy and procedural guidance.

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- 3.3 The Suspension Policy has been devised in line with statutory provisions, DETR guidance and with consideration to both good practice ideology and the sentiments of last year's Housing Green paper. Consultation has also taken place with front-line staff, tenants' representatives and a number of other Council Housing Departments in the region.
- 3.4 The demand for housing in the District far outweighs current availability and the use of a suspension system to help regulate the Allocation Scheme is therefore required to ensure the most appropriate use of the Council's limited stock.
- 3.5 Recent DETR research has shown a sharp increase in numbers of Local Authorities in high demand areas having adopted formal suspension policies and also confirmed that the four most commonly applied suspension criteria as being due to:
- Rent arrears
 - Fraudulent applications
 - Applicants exceeding offer limit
 - Anti-social behaviour

Discussions with other local authorities, with similar stock characteristics and consultation with both staff and tenants representatives, have led to an agreement that these categories are the most appropriate criteria for suspension from the register in a high demand area such as Rochford, and as such form the basis of the proposed Suspension Policy document.

In addition, it now seems sensible to include those prospective applicants to the Register who are under interim cover arrangements (generally, bed and breakfast accommodation) whilst their homelessness application is being assessed.

- 3.6 The proposed policy and procedure (see Appendix 2) outlines five suspension categories to be adopted. These being:
- Applicants with rent arrears with the Council or other Registered Social Landlord which are not attributable to unclaimed benefit and where there has been no attempt made to pay.
 - Applicants who have been evicted by the Council or other Registered Social Landlord for anti-social behaviour.
 - Applicants who have made a fraudulent application for housing.
 - Applicants who have refused two reasonable offers of accommodation.

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- Applicants under interim cover arrangements whilst their homeless application is being assessed.

It also states when suspensions will apply and for how long and gives details about the right of appeal for 'suspended' applicants. (See Appendices 2 and 3). It is hoped the policy will help more appropriately regulate the current allocation scheme and have an indirect influence on re-enforcing the rent payment culture of existing tenants, whilst discouraging both anti-social behaviour of current tenants and new applicants considering falsifying their applications.

- 3.7 It is also recommended that the policy be monitored and reviewed on an annual basis and in consideration of any future compliance with choice based letting schemes. It is also recommended that the Council liaise with other social housing providers in the District to consider the concept of adopting a common housing register strategy and system for sharing information regarding bad debtors and anti-social tenants.
- 3.8 Where appropriate, suspended applicants will be offered advice and assistance in securing accommodation in line with the Council's statutory duty under the provisions of the Housing Act 1996.

4 CRIME AND DISORDER IMPLICATIONS

- 4.1 It is hoped that by including a suspension category for perpetrators of anti-social behaviour the Council will send out a strong message that it will not tolerate anti-social behaviour in accordance with its longer-term crime and disorder reduction strategies.

5 ENVIRONMENTAL IMPLICATIONS

- 5.1 Nothing specific .

6 RESOURCE IMPLICATIONS

- 6.1 The cost of reprinting the Council's current Allocation Information sheet and issuing copies to all households currently on the Housing Register via the Tenants Newsletter can be contained within current HRA Budget. In-house staff training and publicity announcements to CAB and other advisory services likely to be in contact with those in housing need will also be met from existing funding.

7 LEGAL IMPLICATIONS

- 7.1 The Suspension Policy complies with all relevant legislation.

8 PARISH IMPLICATIONS

8. Nothing specific.

9 RECOMMENDATION

It is proposed that the Sub-Committee **RECOMMENDS**

- (1) That the attached Suspension Policy be adopted.
- (2) That the Suspension Policy be reviewed after 12 months operation.

Steve Clarkson

Head of Revenue and Housing Management

Background Papers:

Code of Guidance on Parts VI & VII of the Housing Act 1996 - DETR
Housing Research Summary – LA Policy & Practice on Allocations, Transfers
& Homelessness DETR (NO 139,2000)

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POLICY DOCUMENT: Suspension from the Housing Register

Doc Ref: HS/Susp.Policy
Issued by: Housing Management
Contact Officer: Steve Clarkson

Issue No: 1
Committee Approval Date:

1. POLICY STATEMENT

1.1 The Council has a statutory duty to hold and maintain a Housing Register and to publicise details on how it allocates accommodation and how it manages the Housing Register. As part of the Council's overall Housing Allocations strategy a policy document and procedural guides have been created to provide a mechanism for suspending certain defined categories of applicants from the Housing Register. The aims of the Suspension Policy are:

- To set out clear service delivery standards for both staff and customers
- Promote the most effective and equitable allocation of the available social housing stock
- Discourage false statement, anti-social behaviour and unreasonable refusal of accommodation and to encourage a general culture of rent payment.

2. STATUTORY REQUIREMENTS

2.1 To comply with the duties imposed by the Housing Act 1996 (Parts VI and VII).

3 POLICY DETAILS

3.1 Applicants will be suspended from the Housing Register if any of the following conditions apply:

- (a) **RENT ARREARS** – the applicant has rent arrears with the Council or other Registered Social Landlord which are not attributable to unclaimed benefit and there is no attempt being made to pay.
- (b) **ANTI-SOCIAL BEHAVIOUR** – the applicant has been evicted by the Council or other Registered Social Landlord for anti-social behaviour.
- (c) **FRAUDULENT CLAIMS** – the applicant has made a fraudulent application for housing.

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- (d) **REFUSAL OF SUITABLE ACCOMMODATION** – the applicant has refused two reasonable offers of accommodation.
- (e) **INTERIM COVER** – the applicant is the subject of interim cover arrangements whilst their homeless application is being assessed.
- 3.2 Applicants will be suspended from the Housing Register for a period of one year in the case of (a), (b), (c) and (d) above and until their homeless application is determined in (e).
- 3.3 Applicants suspended from the Housing Register will be given a formal right to appeal against the decision to suspend them from the register but must do so within 28 days of the decision in writing to the Head of Service.
- 4. POLICY REVIEW**
- 4.1 The Council will monitor the number of applicants suspended from the register and the policy will be reviewed annually in-line with the Council's Best Value criteria.

APPENDIX 2

POLICY DOCUMENT: Suspension from the Housing Register	
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Doc Ref: HS/Susp.Procedure	Issue No: 1
Issued by: Housing Management	Date: June 2001
Contact Officer: Steve Clarkson	

1. OBJECTIVE

- 1.1 To provide clear and comprehensive instructions for making suspensions from the Housing Register.

2. REFERENCE DOCUMENTS

- 2.1 Housing Allocations Policy and Procedures
- 2.2 Housing Act 1996
- 2.3 Suspension from the Housing Register Policy (HS/Susp.Policy)

3. TYPICAL DOCUMENTS

- 3.1 Standard letter notifying applicant that they have been suspended from the Housing Register confirming reasons for suspension, duration of suspension and right of appeal.

4. RESPONSIBLE OFFICER

- 4.1 Allocations Officer – original decision to suspend.
- 4.2 Housing Manager – to consider appeal applications.

5. PROCEDURE

- 5.1 On receipt of an application for housing, or following receipt of information concerning a current housing applicant already on the Housing Register (including confirmation of refusal of two suitable offers) the Allocation Officer will make reasonable investigations into the validity of the housing application. If any of the criteria for suspension (as outlined in the 'Suspension from the Housing Register Policy' HS/Susp.Policy) are discovered the applicant will be suspended from the Housing Register for the duration stated in the policy.
- 5.2 Reasonable investigation will include checking for details of any previous anti-social behaviour or rent arrears with the applicants former landlord(s).

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- 5.3 The Allocation Officer will send standard letter to the suspended applicant and suspend the applicant from the Housing Register for one year or until their homeless application has been determined.
- 5.4 On receipt of an appeal the Housing Manager will notify the applicant in writing of his/her decision on the appeal within seven days unless additional information is required. If additional information is required the applicant will be given 14 days to provide the information requested.