

## **Public Consultation Outcome Report**

### Background

Section 166a of the Housing Act 1996 requires local housing authorities to have a policy in place for allocating housing. The Allocation Policy must set out the Council's policies relating to the allocation of social housing and the procedures and processes used by officers to implement those policies.

Spelthorne Borough Council's latest Housing Allocation Policy was last published in Spring 2018 and is due to be updated to reflect wider policy and law changes. In response to increasing demand for social housing and the existing levels of homelessness, amendments to the allocations policy are needed to ensure that it reflects current priorities, and to ensure that applicants with most acute need are prioritised. There are currently over 3,400 households on the housing register with less than 200 lets being made per annum. It is therefore likely that many of those on Spelthorne Borough Council's housing register will never move into social housing.

When changes are needed to a Housing Allocations policy, the Housing Act 1996 Section 166A (13) requires:

- (a) a copy of the draft scheme, or proposed alteration, to be sent to every private registered provider of social housing and registered social landlord with which the council has nomination arrangements, and
- (b) afford those persons a reasonable opportunity to comment on the proposals.

Furthermore, the Housing Act 1996 Section 168 (3) requires that when an authority makes an alteration to their scheme reflecting a major change of policy, they shall within a reasonable period of time, take such steps as they consider reasonable to bring the effect of the alteration to the attention of those likely to be affected by it.

Additionally, the Local Government Association suggests that it is best practice to consult the public on major policy changes for a minimum of 6 weeks<sup>1</sup>.

Therefore, Spelthorne Borough Council held a public consultation on the revised Housing Allocations policy from Wednesday 20<sup>th</sup> April 2022 to Wednesday 1<sup>st</sup> June 2022 via the Council's consultation website (hard copies were also available to residents upon request). Respondents provided feedback through a short questionnaire which included a mixture of closed and open questions. A focus group with registered providers was held Wednesday 18<sup>th</sup> May 2022 providing an opportunity for comments and suggestions. In both instances, copies of the proposed revised policy, a summary of the main changes and a privacy notice were provided.

### How was the consultation promoted?

To ensure as many residents as possible had the opportunity to take part in the consultation, the council used a variety of communication channels. This included the publication of a press release,

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<sup>1</sup> Source: <https://www.local.gov.uk/our-support/leadership-workforce-and-communications/comms-hub-communications-support/resident>

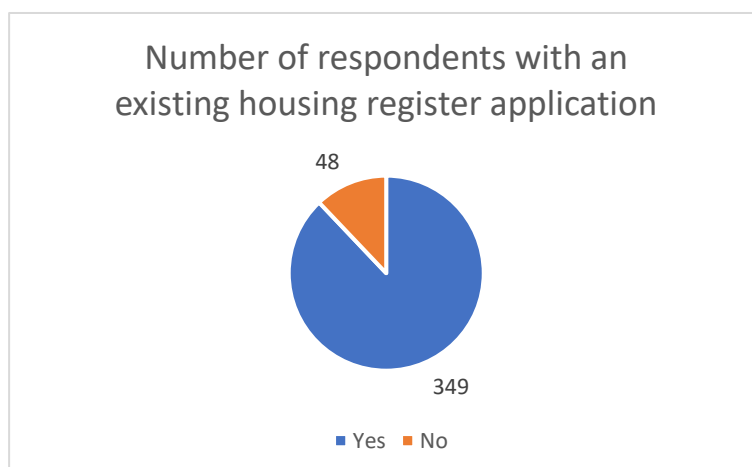
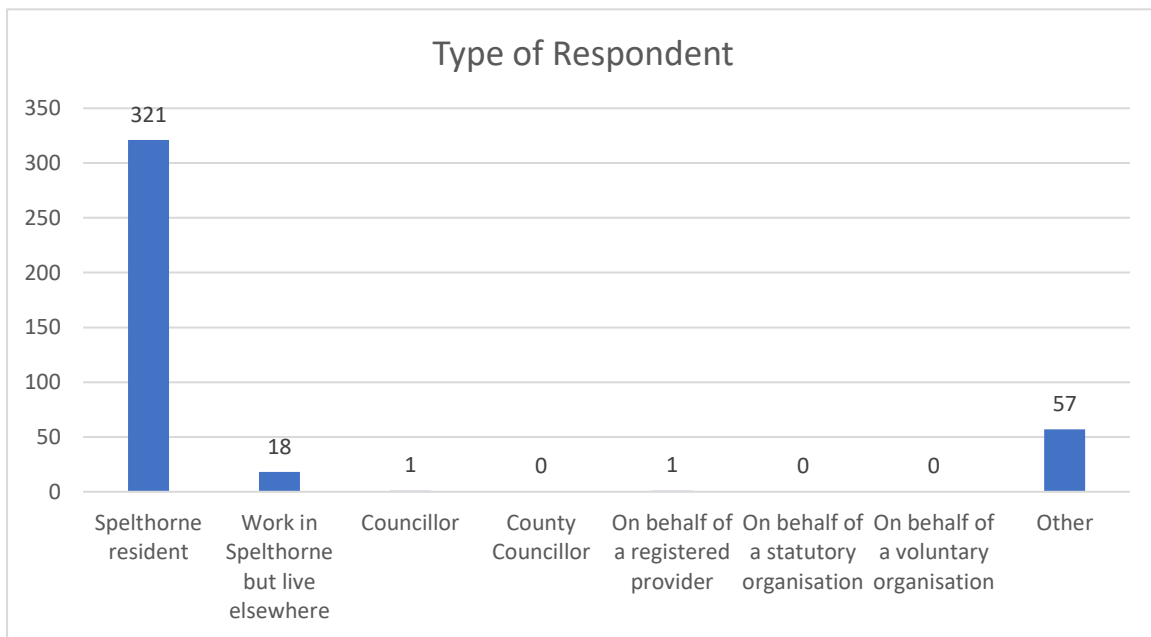
information on the news and consultation sections of the website, repeated posts on social media channels, an article in the e-newsletter, email alerts, posters on neighbourhood noticeboards and adverts on digital screens in the town centre.

To ensure those most impacted by the changes were made aware of the consultation, an article was placed on the SEARCH moves website (where housing register applicants bid for properties). A direct email was also sent to all housing register applicants to advise them of the consultation details and to invite them to respond.

All councillors were emailed advising them of the consultation details and to give them an opportunity to provide comments ahead of the public consultation. Furthermore, partners across Surrey were informed of the consultation at Spelthorne’s Homelessness Prevention Forum 29<sup>th</sup> March 2022 and advised to share with colleagues and clients.

Breakdown of responses

In total, there have been 398 responses to the public consultation. The majority have responded online with 6 responses being received via post. The majority are Spelthorne residents living across the borough and the vast majority have an existing application on the housing register. There was a mixture of respondents from various household types as demonstrated below.



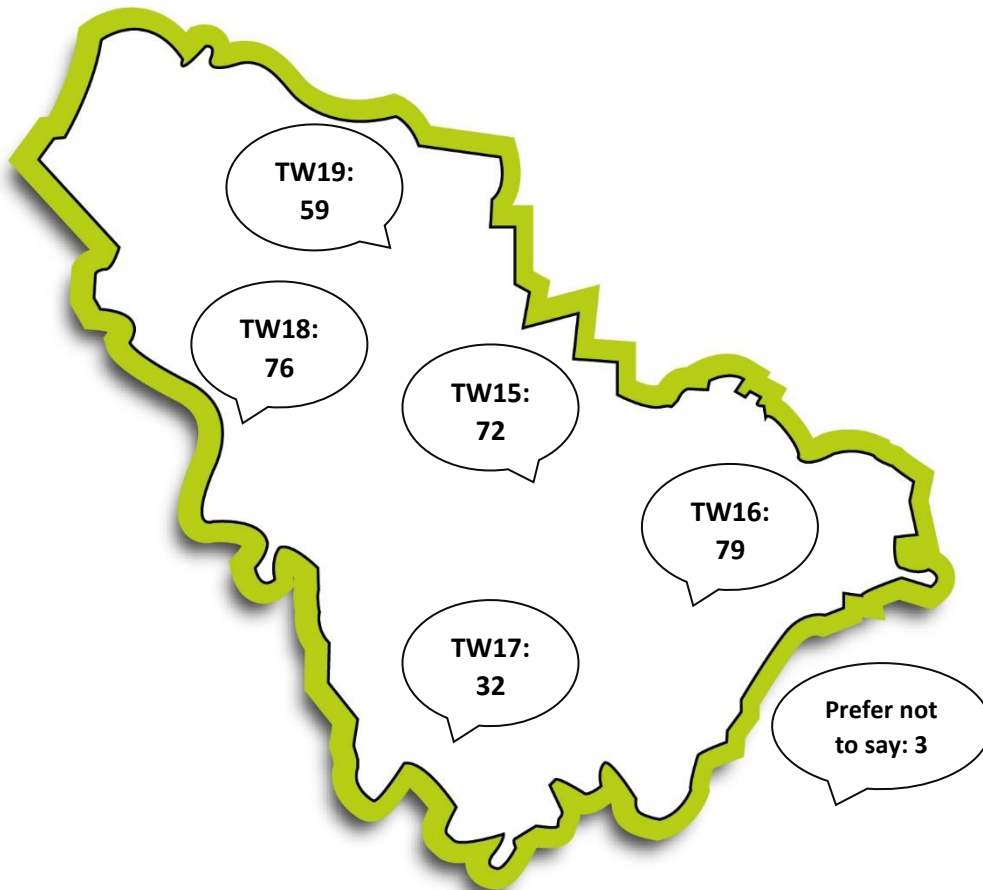
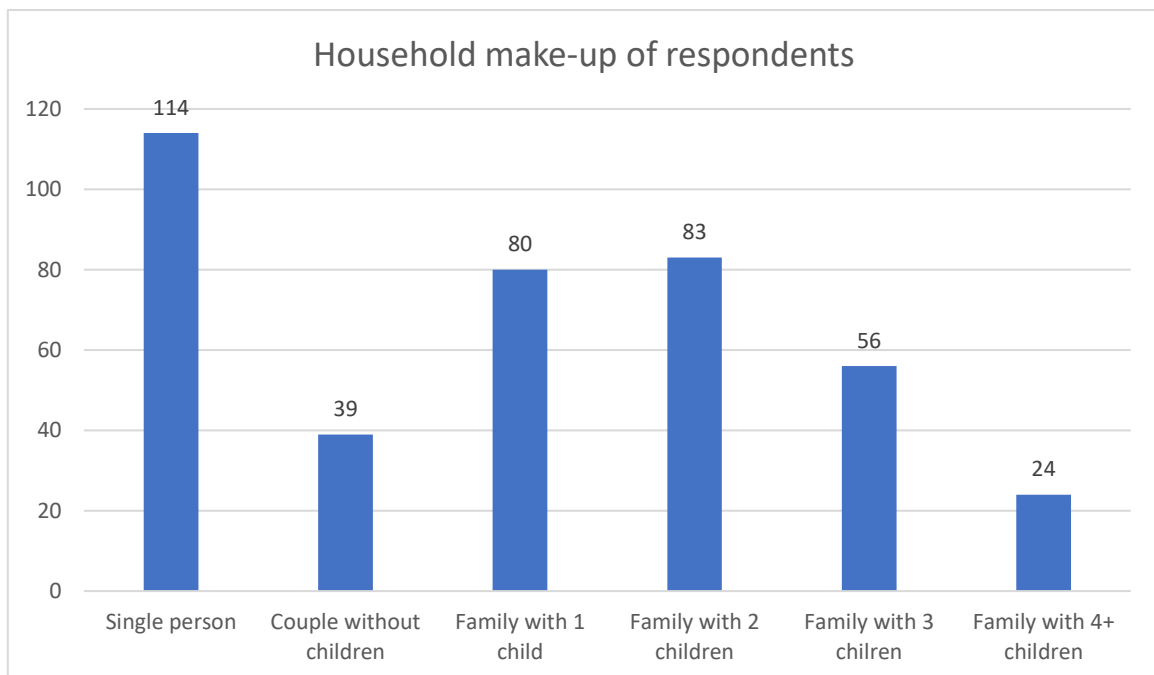
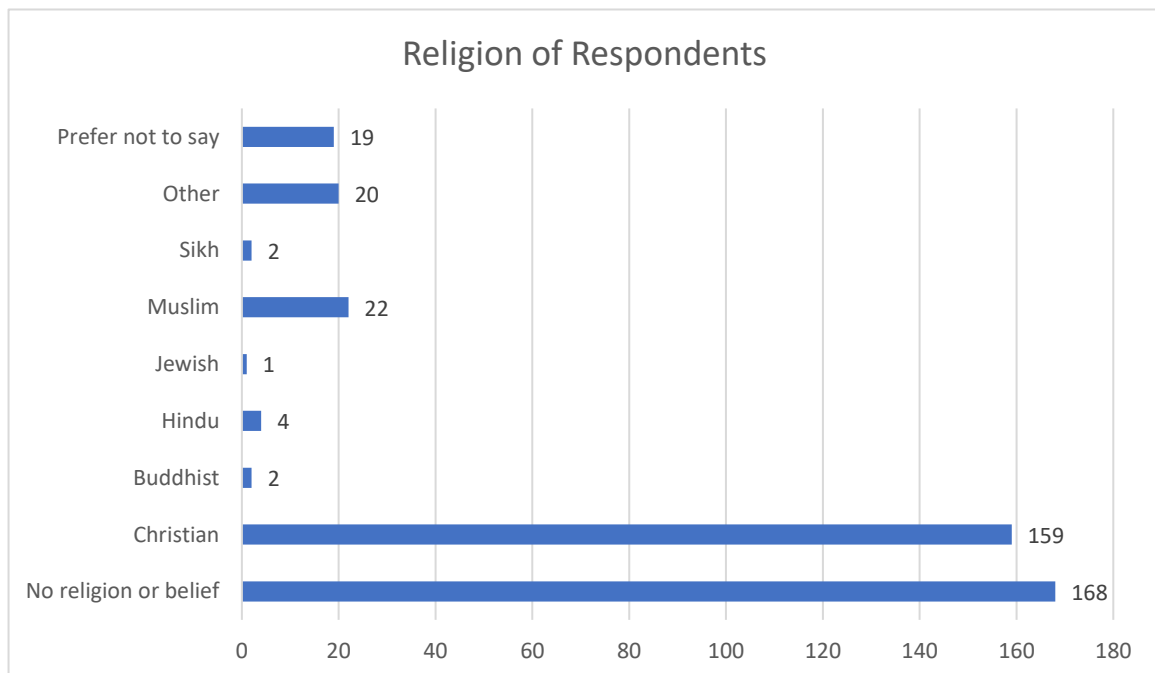
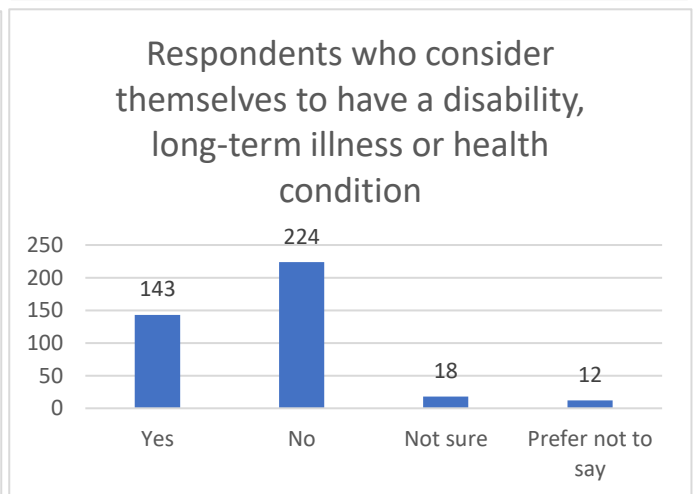
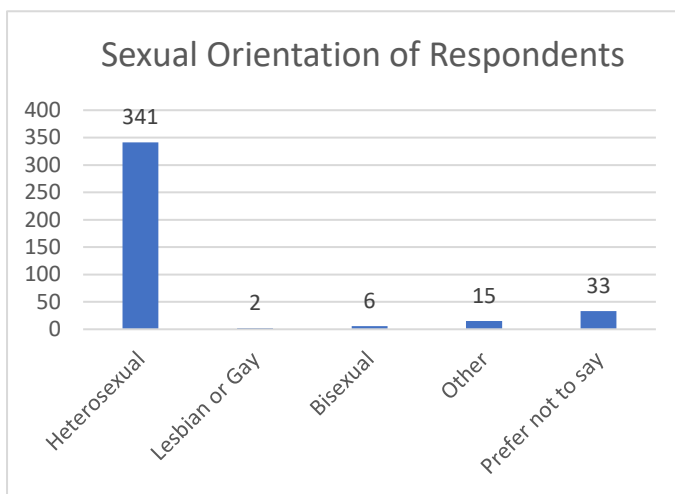
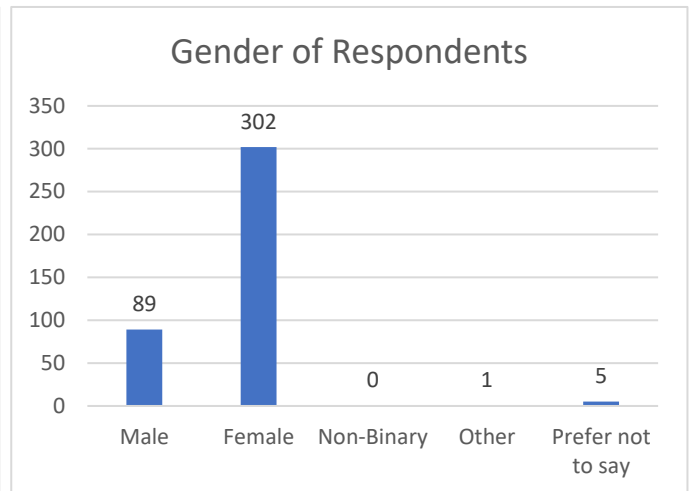
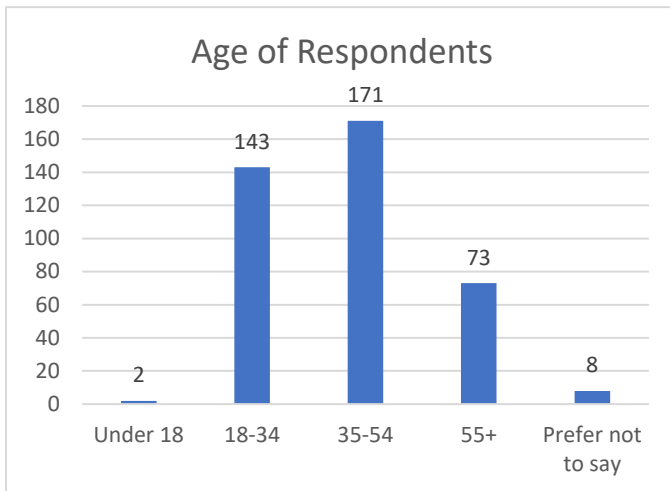


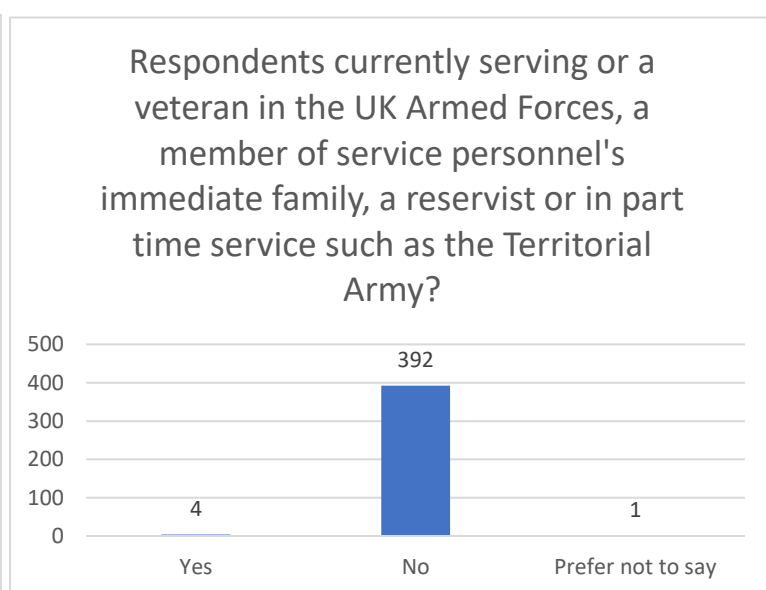
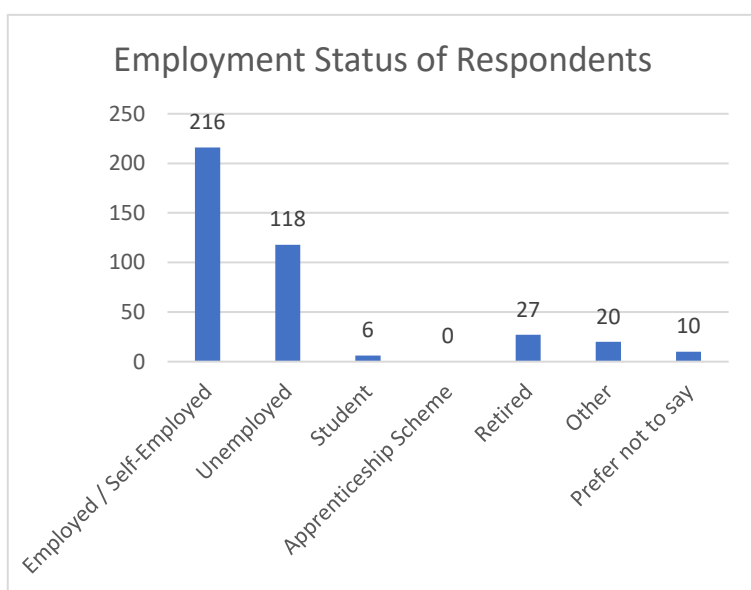
Figure 1 Respondents by postcode (where indicated as a resident)



The graphs below demonstrate the data collected for equality and monitoring purposes:



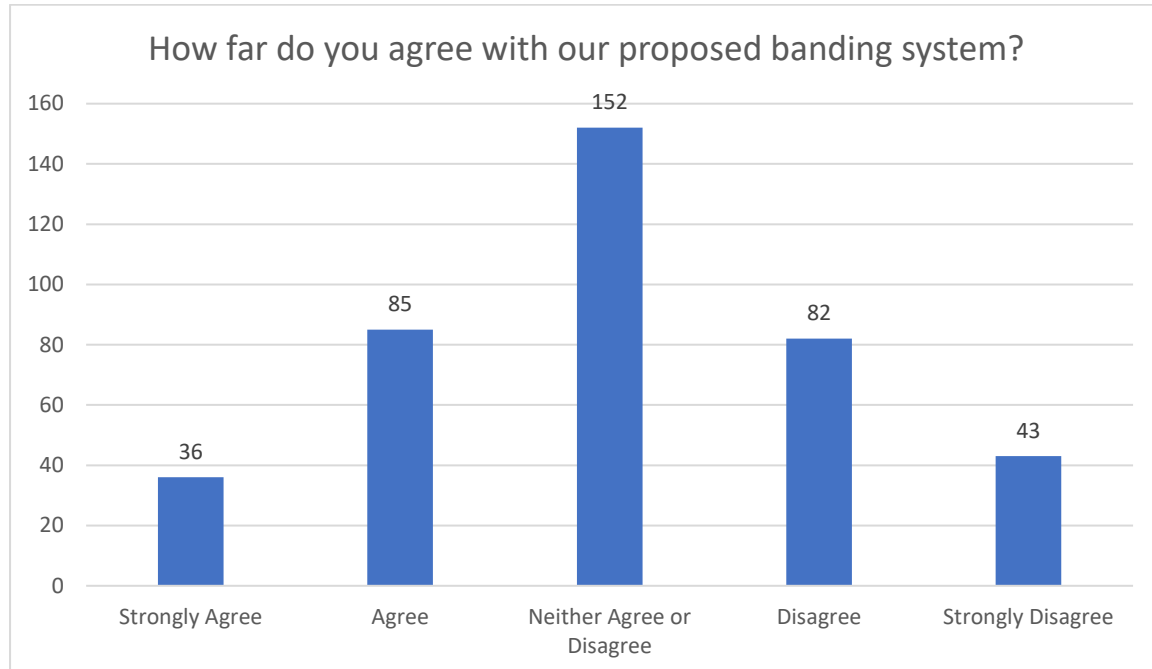
Ethnicity of Respondents		Number of Respondents
<b>White</b>		
	British	221
	English	55
	Welsh	0
	Scottish	2
	Northern Irish	1
	Irish	2
	Gypsy or Irish Traveller	0
	Other	31
<b>Asian or Asian British</b>		
	Indian	9
	Pakistani	6
	Bangladeshi	1
	Chinese	2
	Other	12
<b>Black, African, Caribbean or Black British</b>		
	African	11
	Caribbean	3
	Other	5
<b>Mixed or Multiple Ethnic Groups</b>		
	White and Black Caribbean	4
	White and Black African	5
	White and Asian	2
	Other	4
<b>Arab</b>		3
<b>Any Other Ethnic Group</b>		9
<b>Prefer Not to Say</b>		9



There were seven specific questions in relation to the policy itself. A free text box was included with each question for additional comments to be given.

Each question is broken down below with a few sample quotes to support responses.

### Question 1:



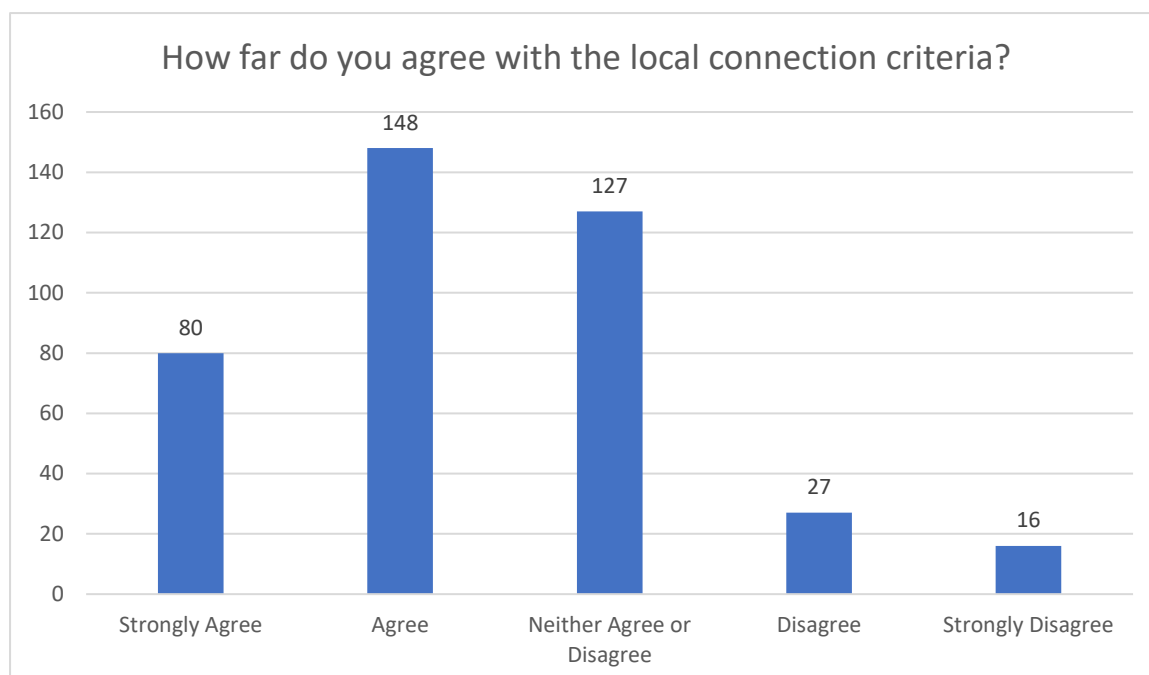
The overall response to question 1 has been fairly neutral with residents having split views about the new banding system. Comments reflected a split view on who should be prioritised more. There were some suggestions for the bandings to be A-E without a second tier in band C and some concern that amalgamation of bands would be unfair. However, the majority of comments reflected a general frustration around waiting times and lack of lets available. A sample of quotes are given below:

- “I think the banding should be from A to E, not A;B;C1; C2; D. To avoid doubt or confusion.”
- “It’s unfair all round if b1 and b2 are now just 'b', people will get moved up and down unfairly, more clarity and examples are needed as to how the new integration would work
- “It has been made to be fairer.”
- “It’s unfair and doesn’t work because there are still people homeless, families and single people waiting too long”.
- “Even high bands aren’t very prioritised and do take time on the housing list.”

The existing banding format is proposed due to the Council’s obligation to afford those with a reasonable preference some priority on the housing register but not as much as those who have a local connection to the borough. Therefore, there is a split level within band C to reflect this.

Amalgamating B1 with B2 and C1 with C2 is for the purposes of trying to generate more lets. Currently those in social housing can apply to go on the housing register as a ‘transfer’ case but are awarded a lower priority within the band. The Council is hoping that by amalgamating the bands, those in social housing will be able to move to a more suitable property thus freeing up accommodation for others to bid on. The priority date on applications will remain so it does not necessarily mean that those moving from a B2 to a B1 will have a longer priority date.

## Question 2:



The overall response to question 2 has been positive with more respondents choosing to agree. Comments reflected that residency should take preference for local connection. There were split views on whether family connection should be included at all. Further clarity is needed where a joint application is made between two friends and is accepted. A sample of quotes are given below:

- “Just because someone has family in this area doesn't mean they should be able to move here when people in this area already need council housing.”
- “Should only be for people who already live in the area. Otherwise, the chances for us who have been residents of Spelthorne for so many years are lowered.
- “I feel that once the criteria changes, I will not be entitled to bid on houses in the area I work in as my [partner] is a carer for our [child] and I work 22 hours in Spelthorne borough not 24 so I will not be able to move closer for my work.”
- “Friends can now apply, what is the criteria for them. Each with families? Proof of friendship? Friendships break up as do families, what is the fallback position?”
- “Seems fair given the high numbers waiting on the register.”
- “Should include living near to grandchildren.”

The council has discussed the differentiation in hours for couples and single households to qualify for a local connection through employment. This change was originally proposed to be in line with the way government calculates working tax credits. However, after considering the various scenarios and purposes of having a certain number of hours for local connection, the council have decided to amend the policy to a minimum of 18 hours for both couples and single households.

Consultation feedback reflected support towards simplifying the scheme. Therefore, it would become complex to prioritise applicants further by reason for local connection. Whilst the council recognises the desire of residents to prioritise residency for local connection, it would create complications to have further tiers. Furthermore, family connection has been further defined within the new policy to reflect that family connection can now only be used in instances of unique welfare or medical reasons and not simply due to family residency in the borough.

The addition of 'friendship' when making a joint application will only be accepted in exceptional cases and is at the discretion of the council, for example, where mutual support is needed by an applicant due to a medical need; supporting evidence from professionals will be required.

Question 3:



The overall response to question 3 has been positive with 73% of respondents either choosing to agree or strongly agree. Comments reflected a strong view that applicants who serve a prison sentence should have their application suspended with only a minority suggesting this should be considered on case-by-case basis. A sample of quotes are given below:

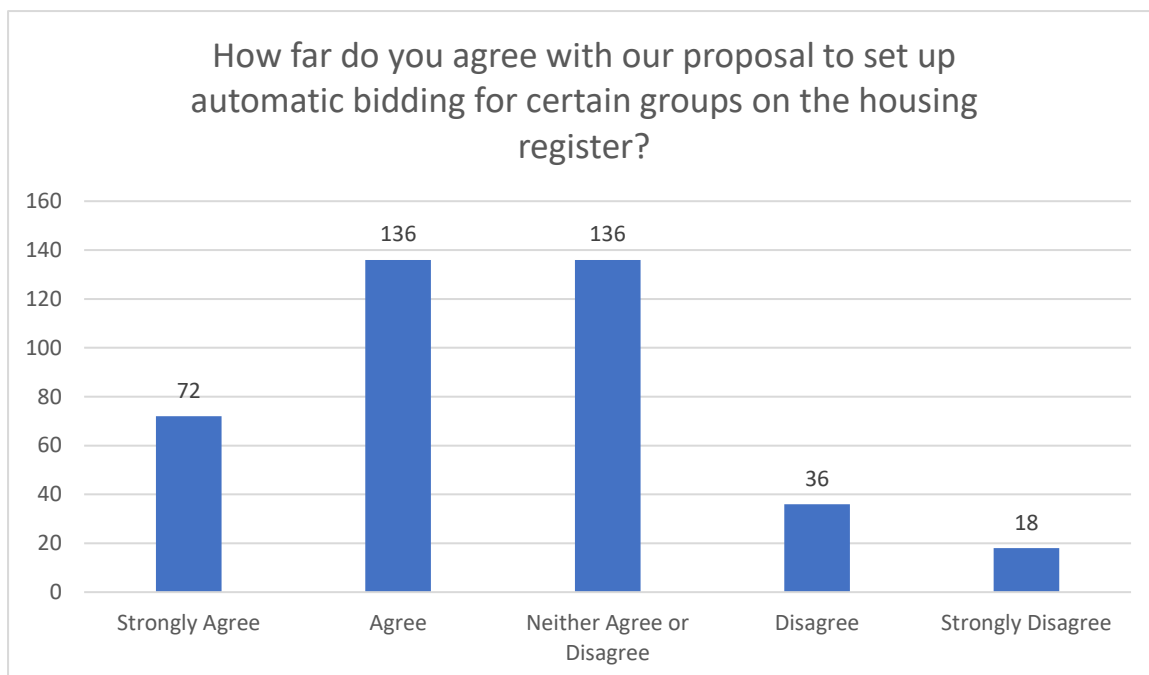
- “Depending on the time in prison should determine if they have to reapply, someone doing 6 months or more shouldn't be allowed to stay on register.”
- “Why wouldn't they, they are being housed somewhere else for a duration. Somebody else could do with that property as the housing system is at crisis point in this country.”
- “This will affect their family who was not involve in crime. But where there is no family, I agree to be taken.”
- “Shouldn't have to bid if in prison as property can go to families who needs it the most.”

The council has considered the feedback provided by residents and agree further clarity is needed where the applicant has other household members included on the application who may be adversely impacted by the suspension. In these circumstances, joint applicants can request to become the main applicant and ask for the household member to be removed.

Furthermore, although there is no specific legislation advising that we cannot remove applicants entirely, the council may be open to legal challenges, such as discrimination. Therefore, the council chose not to remove applicants when going into prison as upon release they are likely to be homeless and require housing. These are people that should not be penalised, however if it is a suspension, it is appropriate to pause their priority. There is no reasonable justification to have them removed off the register entirely.



Question 4:



The overall response to question 4 has been neutral to positive. Comments reflected support for auto-bidding for homeless households due to the sense of urgency but with some reservations about choice and suitability. There was a lack of understanding on how auto-bidding works. A sample of quotes are given below:

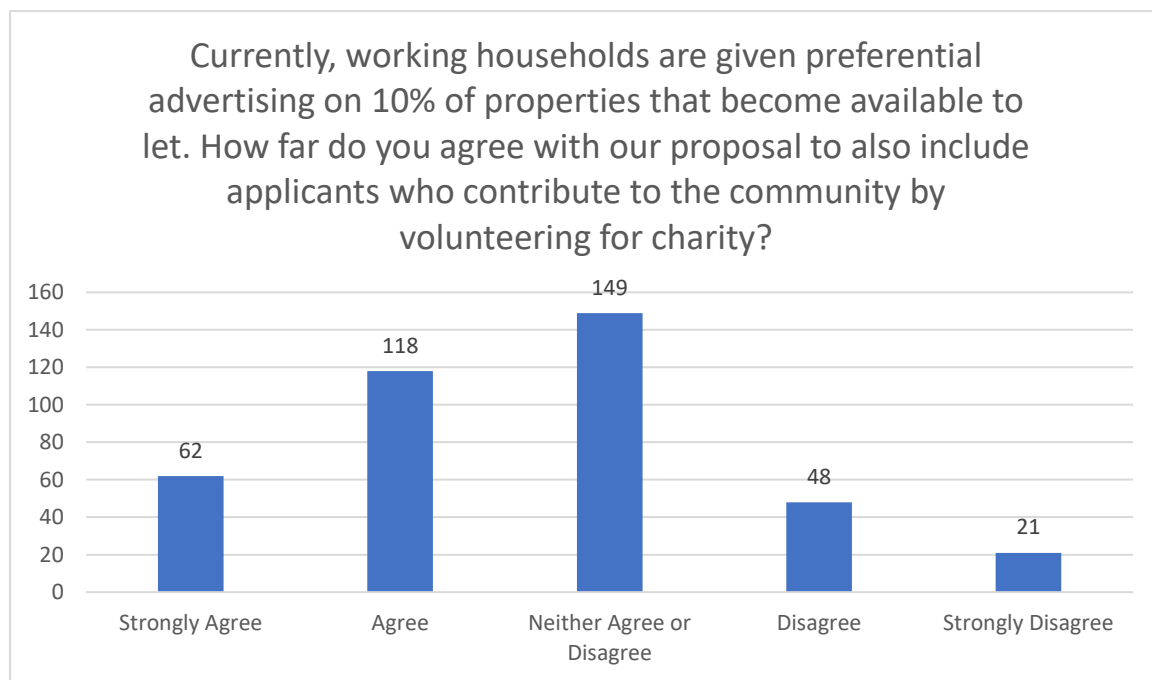
- “Some of the properties that are available to bid on aren't always appropriate for all tenants. Automatic bidding may put a family in a property that's either not affordable or not appropriate.”
- “Automatic bidding to my mind means that there is no human interaction in making such crucial decisions, which can so hugely impact lives.”
- “This will ensure that the households are given properties suitable for them and that this is done quickly. If they are homeless then they should be happy to have a roof over their head.”
- “Homeless people shouldn't have a choice on where they are given as they are in need for emergency, same with domestic abuse victims moving out the area for protection from abuser finding them.

Automatic bidding will be set-up for all homeless households. Final offers made to homeless applicants will only be made if the property is deemed suitable. Auto-bidding is voluntary for all other housing register applicants, should an applicant be unhappy with the systems auto-bid, they can make up to 2 refusals within a 12 month period<sup>2</sup>. Furthermore, auto bidding can be adjusted on the system to suit need, for example, if an applicant has mobility difficulties and requires ground floor accommodation, then the system can be adjusted to only bid on suitable properties that meet this need. Auto-bidding can be adjusted based on property type and area to ensure suitability for each applicant.

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<sup>2</sup> There are separate arrangements for those who have made a homeless application. The number of refusals allowed is dependent on the type of duty owed to the applicant.

Question 5:



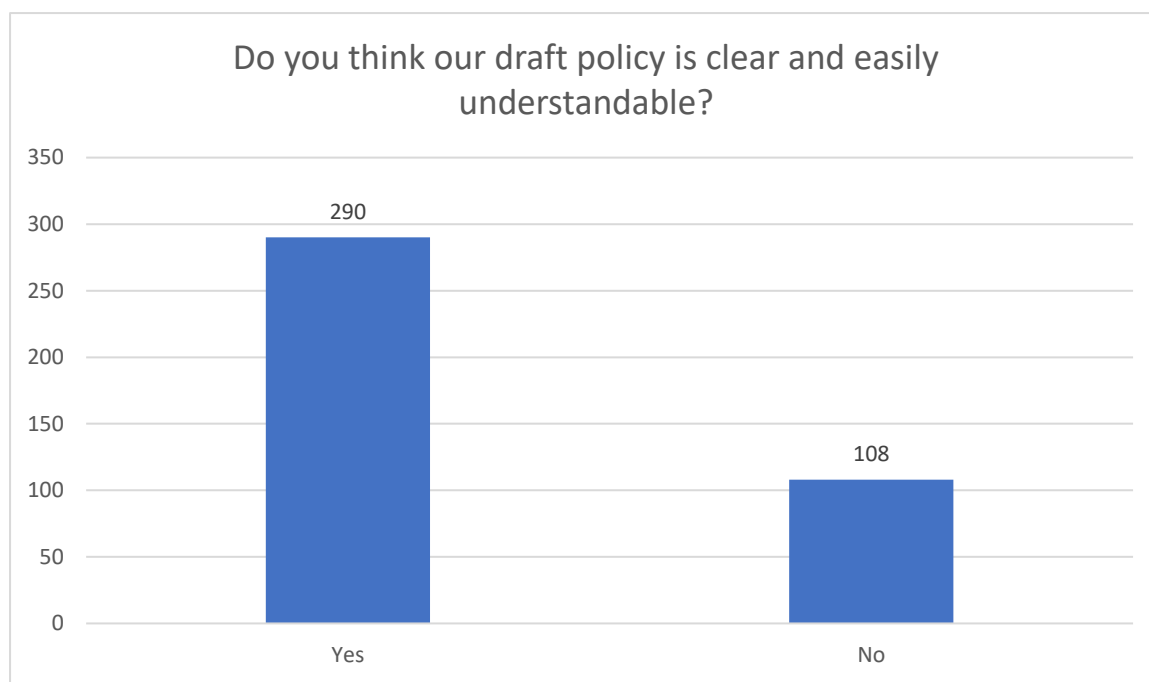
The overall response to question 5 has been neutral to positive. Comments reflected support for volunteers to be included as part of preferential advertising with some clarity needed for those who are unfit to work or volunteer. A sample of quotes are given below:

- “Working households should only be given priority for properties for workers. Changing it will open it up to people who only help for charity or community for a short period of time to obtain housing.”
- “There should be preferential advertising for those who are most at risk, this should not be based solely on working/volunteering.”
- “All applicants should have access to bid on all properties as sometimes their circumstances stop them from working and is not their fault.”
- “Strongly agree, both contribute to society.”
- “Depends on whether applicants can, callously, use their voluntary status as a tool to be included, when they would not normally volunteer for anything. Checks would need to be put in place.”
- “Volunteering work is as important, if not more, than paid workers, as people are giving their time freely so deserve preferential consideration”

To ensure no resident is discriminated against, section 3.2.2 of the draft Housing Allocations policy clarifies that where an applicant cannot reasonably make a community contribution, because they have a protected characteristic (as outlined in the Equality Act 2010), the council will consider such cases on an individual basis upon written request and use discretion to award community contribution where appropriate.

Where an applicant declares to be volunteering, this will need to be verified through supporting evidence. The applicant must volunteer for a minimum of 18 hours a week, for at least 6 out of the last 12 months, for a registered charity that provides a service to the Spelthorne community.

### Question 6:



The overall response to question 6 has been positive with approximately 73% agreeing that the policy is clear. A sample of quotes are given below:

- "I think the majority of people will be able to understand points made in this policy. However, I did struggle with understanding some of the wording used."
- "There should be an 'easy read' document for those who struggle with large text, there are many subsections which is difficult for some individuals to interpret and understand."
- "Not [easy to read] on mobile it's not."
- "Draft policy is clear. However, I think bullet points should be numbered or alphabetised so that they can be easily identified. Bullet points can lead to confusion."
- "Agreed so long as the proposer remembers that there are still many of us who have to seek help with electronic applications".

The council appreciates that some wording within the policy may be complex due to the legislative nature of it. Certain regulation needs to be included to ensure the policy is not misinterpreted. Therefore, it may not be appropriate to simplify the policy into an 'easy read' guide. However, the Housing Options team are available to support residents with questions they have on the policy and are on hand to assist with housing register applications where a suitable advocate is unavailable. There are also [help pages](#) available on the existing SEARCH moves website which will be rewritten for the new Homes4Spelthorne website. The new website will also be mobile friendly. Some of the policy bullet points have been updated with letters for ease of referencing.

### Question 7:

Question 7 was a free text box that asked respondents to share any final comments. Comments reflected a frustration with waiting times and a suggestion to improve property adverts with videos, photos, maps and more information. A sample of quotes are given below:

- "How can a couple on up to £60,000 be considered for council housing."

- “I do strongly believe that a real distinction needs to be made at every opportunity, between Housing Need and Affordable Homes. The current planning rules DO NOT support Housing Need requirements sufficiently, but SHOULD, and it should be monitored.”
- “I would request as it is not possible to view a property until after your bid has been successful that many more photos, internal and external, are added to the listings to give a better idea of size of the property and surrounding area plus a much more detailed description of the property. This may stop bids being placed on housing that would turn out to be inappropriate.”
- “We are a family of four living with a [relative]. We have always worked and just because we earn an average wage does not always necessarily mean we can afford private rent. For us private renting has always been a nightmare, never a permanent property. The cost of a mortgage of part buy part rent is ridiculous.”
- “We have been on the housing list for over 3 years and still waiting [for] that phone call/text from your office.”
- “It would be more helpful if we could bid and actually get a chance of having some option to rent properties if working.”
- “Thanks for your good service and communication.”
- “When you have been on the list for several years like I have due to private rent taking all my wages. Your system is not fair to key workers. It needs to help people more who have been waiting years for a home.”
- “Social housing is now encouraging people not to work or to separate with partners or to divorce them in order to get a house quickly. This is upsetting for those who are working and paying tax but unable to afford decent accommodation.”
- “I find the current register impossible. It’s awful. I have been bidding for over a year and have had nothing suitable offered! I’m registered disabled and have specific needs.”
- “I’ve been on the housing register for almost 4 years and I haven’t even had a chance to view somewhere.”
- “The need for housing is greater than the supply, I will always be stuck in private renting with no way out of the situation.”
- “The policy seems fair as possible given the demand for social housing and lack of homes.”

The council have increased the income threshold for both single and joint applicants due to the increased cost of living. It is also to encourage applicants to seek employment and to not adversely affect those who are working. Furthermore, comments from applicants who are employed highlighted a concern that they were at a disadvantage despite working, increasing the threshold supports those in employment and key workers who may be above the previous income threshold.

The council are exploring the technical capabilities of the new Homes4Spelthorne website to identify if property adverts can be improved. This will also rely on the registered provider who owns the property to provide imagery that can be uploaded to the system.

There is a shared understanding that many housing register applicants will not be rehoused due to great demand and lack of supply. As a result, many are waiting for long periods and are frustrated with lack of move-on options available to them. The council’s Strategic Planning team are looking at ways of increasing the number of affordable homes currently being delivered in the borough.

### Feedback from focus group with Registered Providers

All Registered Providers in Spelthorne were sent a copy of the revised Housing Allocations policy and were invited to a focus group to discuss the proposed changes.

Registered Providers who attended the focus group were broadly supportive of the refresh to the policy and agreed the register needs to be updated to identify true housing need in the area.

- Clarity was provided that joint tenancies made by friends would only be in exceptional circumstances e.g. due to a mutual support need.
- It was discussed that a separate key worker council policy is in place and that the council are looking at how to easily identify key workers from the pool of housing register applicants.
- A suggestion was made to explore technical capabilities for adding virtual property tours on property adverts placed on the new Homes4Spelthorne website.
- The group discussed auto-bidding and the issues around homeless applicants being unhappy with auto-bids and the delays caused to void turnaround times. The Housing Options team are undertaking training on how to make effective final offers and discharge the homeless duty. The group agreed there needs to be a balance between tenant choice and minimising emergency accommodation duration times.
- A2Dominion agreed to meet the council separately to discuss the impact of the policy on the existing large scale voluntary transfer arrangements.
- Suggestions were made to add wording and clarity on relationship breakdown and the consequences for those giving up social housing.
- All agreed that it is best practice to notify the council when a property is going to be vacant to allow the council sufficient time to advertise and find a suitable nominee. This in turn will minimise void times.
- There was a shared understanding that if the policy is approved by committee, then the system reconfiguration will begin which will involve a re-registration of all housing register applicants.

### Conclusion

The overall consultation response has been positive towards the proposed policy changes with a few suggestions of further improvements. In light of this, a working group of key officers have considered all the feedback received and have made several minor changes to the policy prior to committee approval. These changes include further clarification on prisoner application suspensions and adjusting employment hour thresholds for local connection as well as general formatting improvements. The Housing Options team are also exploring the technical capabilities of the new Homes4Spelthorne website to ensure it is user friendly and informative.

The number one take away message of this consultation is that whilst the public are broadly supportive of the changes proposed in the allocations policy, there is a shared frustration with the lack of affordable housing available in the borough. Housing register applicants are disappointed with waiting times rather than opposed to the policy itself. The council are aware of the lack of affordable housing available in the borough and are working to deliver 618 homes per year for the next 15 years as targeted by the government. Further details are available in the publication of Spelthorne Borough Council's emerging Local Plan.