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Cabinet

27 April 2022

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Public

DRAFT HOUSING ALLOCATIONS POLICY FOR CONSULTATION

Responsible Jane Trethewey, Assistant Director Homes and Communities

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1. Synopsis

1.1. A draft revised policy for allocations to Council owned stock and nominations to housing associations¹ has been prepared. Cabinet is requested to approve the draft policy, to be subject to an eightweek consultation period.

2. Executive Summary

- 2.1. The revised policy seeks to make best use of the flexibilities provided under the Housing Act 1996 to ensure social housing is allocated to those in the greatest need and support strategic housing priorities.
- 2.2. The draft policy has been subject to initial scrutiny by the Communities Overview Committee. Following the proposed eightweek public consultation period and the consideration of feedback, the proposed final draft policy will be further scrutinised by the Communities Overview Committee before it is presented to Cabinet and Council for approval and adoption.

3. Recommendations

3.1. Cabinet is asked to approve that the draft policy, set out in Appendix I, be subject to an eight-week public consultation period, and for this to include formal consultation with all Private Registered Providers currently operating in Shropshire.

¹ Registered with the Regulator of Social Housing, known formally as Private Registered Providers

REPORT

4. Risk Assessment and Opportunities Appraisal

- 4.1. The initial review of the existing allocations policy and scheme identified three options for the future operation of the scheme:
 - (i) Continue using choice-based lettings (CBL) and a common register, widening the policy and scheme to include all forms of affordable housing and encourage those housing associations operating in Shropshire who are not part of the existing scheme to take part.
 - (ii) Continue using CBL, but move to having a housing register to allocate to council owned stock and provide nominations to housing associations, this requires formal nomination agreements to be resurrected or drawn up with all the large housing associations operating in Shropshire; and
 - (iii) Option (ii), but no longer to use CBL but to use direct lets for allocations to council owned stock and nominations to housing associations.
- 4.2. The risks associated with each option are as follows:
 - (i) By using an approach where each housing association uses their own policy and process for deciding which applicant is offered a property it can be difficult to ensure that those applicants in the highest need are able to access affordable housing.
 - (ii) Although this option requires the need to introduce and monitor nomination agreements with all large housing associations who are registered with the Regulator of Social Housing, given that the Council will be providing nominations the risk of those in the greatest need being overlooked for an offer of housing is minimised; and
 - (iii) Applicants are familiar with the CBL model which can also be used to publicise new affordable and supported housing developments; therefore, it would be a risk not to continue with this model and further exploit its potential.
- 4.3. The initial review considered future access to the housing register:
 - Continue with an open housing register, where the only ground for applicants to be disqualified for an allocation (and nomination) of social housing is due to unacceptable behaviour; and
 - (ii) Introduce additional qualification criteria whereby applicants are required to have a local connection and to

be unable to afford to meet their housing needs in the open market.

- 4.4. The risks associated with each consideration are:
 - (i) Given that social housing is such a scarce resource there is a risk that continuing with an open register would not ensure that those in the greatest housing need, especially those to whom the local authority has a duty to rehouse, are allocated accommodation; and
 - (ii) There is the risk that there could be insufficient applicants for properties in lower demand, for example, older persons' bedsit accommodation. However, should this situation arise, it should be considered in the landlord's asset management strategy and lead to an options appraisal as to whether to repurpose, remodel or redevelop these homes, to ensure that the housing offer meets current aspirations.
- 4.5. Following public consultation, which is to include formal consultation with all Private Registered Providers operating in Shropshire, the above risk assessment will be reviewed, and a further assessment will be undertaken.
- 4.6. An Equality, Social Inclusion and Health Impact Assessment (ESHIA) initial screening record has been completed; this is at Appendix II. This does not identify any issues with the proposed draft policy and scheme but will be kept under review. A further assessment will be carried out following consultation on the draft revised policy.

5. Financial Implications

5.1. The operation of the Council's allocation policy is currently funded by the General Fund, with STAR Housing and partner housing associations who advertise their void properties paying the Council a fee for each advertisement. Given the proposed move to a Council housing register and nomination agreements, it will be prudent to review the existing funding arrangements. Any revised proposals will need to ensure that the Housing Revenue Account (HRA) only funds the allocation of dwellings held in the HRA.

6. Climate Change Appraisal

- 6.1. It is acknowledged that the Policy is expected to have a 'no effect' outcome on the climate change impacts listed below:
 - energy and fuel consumption (buildings and/or travel)

- renewable energy generation
- carbon offsetting or mitigation, and
- climate change adaptation.
- 6.2. There are no other anticipated environmental impacts associated with the recommendations in this report.

7. Background

- 7.1. As the local housing authority Shropshire Council must comply with Part VI of the Housing Act 1996 (as amended by the Localism Act 2011) when making allocations to local authority owned stock and nominations to Private Registered Provider (housing associations registered with the Regulator of Social Housing) accommodation.
- 7.2. Statutory guidance on social housing allocations for local authorities in England (January 2022) sets out how allocation schemes are to be framed. In summary the guidance covers:
 - who is eligible for allocation, this relates to immigration status;
 - how local housing authorities can determine who can qualify for an allocation, this can be relate to local connection, financial resources and unacceptable behaviour; and
 - the categories of persons that an allocation scheme must give "reasonable preference" to, this includes households who are homeless (not just those considered to be statutory homeless), overcrowded households, persons with medical and welfare needs, and those suffering from hardship.
- 7.3. The Council's existing allocation policy and scheme, "Shropshire Affordable Housing Allocation Policy and Scheme" was launched in 2014. Called HomePoint this is a common housing register which uses choice-based lettings (CBL) to allocate all Council owned stock (managed by its Arm's Length Management Organisation, STAR Housing) and void dwellings from partner Private Registered Providers. However, since 2014 a sharp increase in housing costs in the private sector has resulted in all forms of social housing, including supported accommodation and low-cost home ownership products, becoming a scarce and important resource. It is now vital for the Council to ensure that those applicants in the greatest need are allocated social and affordable housing. Moreover, the policy review has been influenced by the strategic need to:
 - Prevent and tackle homelessness, including reducing the pressure on temporary accommodation;
 - Promote independent living and reduce admissions to residential care, by ensuring the best use of all tenures and types of social housing; and

- Enable key workers on low incomes to access affordable housing.
- 7.4. It is therefore proposed to create an allocations policy for applications to the Housing Register; the allocation of the housing stock owned by the Council and managed by STAR Housing; and nominations to Private Registered Providers for social and affordable rented and low-cost home ownership² properties and, in some circumstances, to private landlords. This is contained at Appendix I.
- 7.5. The CBL process would remain in place, but formal nominations arrangements would be introduced, with all large Private Registered Providers being required to agree to nomination rights to 100% of allocations to new build homes, with nominations to re-lets and all existing stock be agreed on an individual basis.
- It should be noted that the Housing Act 1996 refers to the need for Private Registered Providers to co-operate with local housing authorities to offer housing to people in priority need and who are homeless. In addition, Housing Corporation³ Regulatory Circular, 02/03 Regulation, February 2003 refers to nomination agreements between local authorities and housing associations (Private Registered Providers) and how these should be for a minimum of 50% void dwellings on re-let. Moreover, The Regulator of Social Housing's Tenancy Standard (2012) sets a specific expectation that, "registered providers shall co-operate with local authorities" strategic housing function, and their duties to meet identified local housing needs. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nominations agreements".
- 7.7. To ensure the Council is meeting local housing and support needs of those who are unable to meet their needs through the market, the draft revised policy contains qualification criteria relating to local connection, a financial assessment and unacceptable behaviour.
- 7.8. With statutory exceptions relating to the Armed Forces, ex-service personnel, existing social tenants moving to employment in Shropshire, and persons who need to move from another local authority area to escape domestic abuse or other forms of violence or harm, the proposed local connection is either residency (living in Shropshire for the last year), close family living in Shropshire, or being employed in Shropshire.
- 7.9. It is proposed that applicants who would be able to purchase or rent market priced housing within Shropshire which is suitable for their

² With the exception of Homes England grant funded shared ownership properties on non-exception sites

³ This body became part of the Homes and Communities Agency and is now called Homes England.

needs would not qualify to be on the housing register. The draft policy proposes that the threshold for access to accommodation in the open market is an income of £50,000 gross per annum or savings and assets (including equity in a property) of more than £200,000 or both. However, as a transitional arrangement, existing applicants who are assessed as able to purchase or rent market housing within Shropshire which is suitable for their needs, would be able to remain on the register but be placed in the lowest band.

- 7.10. Although the existing policy disqualifies persons on the grounds of unacceptable behaviour, this is based on a very stringent test. The draft revised policy recognises that there can be no blanket restrictions as each case needs to be considered on its own merits. However, it sets out a list of example scenarios where an applicant could be disqualified from an allocation of housing.
- 7.11. The draft policy also increases the number of bands from four to seven. Thus, allowing for greater differentiation in prioritising categories of applicants who are required to be given reasonable preference under the Housing Act 1996 and also recognising the needs of those applicants who may not be in a reasonable preference group but are still in housing need and are a strategic priority for the Council, for example, key workers in low-paid employment.
- 7.12. In addition, by the policy applying to all forms and tenures of social housing and introducing qualifying criteria relating to local connection and financial resources, this means that there is greater clarity on the evidence to support affordable and specialist housing development.

8. Additional Information

8.1. If a local housing authority intends to adopt a revised allocations policy and scheme or instead alter the existing scheme to reflect a major change of policy the Housing Act 1996 requires it to send a copy of the draft scheme, or proposed alteration, to every Private Registered Provider with whom they have nomination arrangements, ensuring they have a reasonable opportunity to comment on these proposals. Nomination arrangements are currently in place with the Private Registered Providers who own the dwellings which were subject to Large Scale Voluntary Transfers undertaken prior to Shropshire Council being formed. Given the proposed move from a common housing register, which seeks to operate without enforcing formal nomination processes, to a scheme which will reinvigorate existing agreements and introduce new ones with all large Providers currently operating in Shropshire and any new Providers planning to deliver affordable housing in the

- area, it is recommended that all 32 Private Registered Providers currently operating in Shropshire are consulted.
- 8.2. The rationale for the review of the allocations policy and the proposed changes to the policy and scheme have been subject to an initial discussion at a meeting of Shropshire's Social Housing Forum in March 2022. The Forum comprises the Council, its ALMO STAR Housing, and five Private Registered Providers, representing approximately 90% of all social housing in Shropshire.

9. Conclusions

9.1. The proposed draft policy seeks to ensure that the Council complies with the Housing Act and makes use of the flexibilities it provides, combined with an approach to ensure those in the greatest housing need are allocated social housing, be this existing or new build for rent or low-cost home ownership.

List of Background Papers

Shropshire Affordable Housing Allocation Policy and Scheme

Cabinet Member

Portfolio Holder for Adult Social Care and Public Health

Portfolio Holder for Physical Infrastructure

Local Member

ΑII

Appendices

Appendix I: Draft revised allocations policy

Appendix II: Equality, Social Inclusion and Health Impact Assessment

Appendix I: Draft revised allocations policy

1. Introduction

- 1.1 This Housing Allocation Policy and Scheme applies to the Shropshire Council unitary local authority area. References to Shropshire and the Council refer to the unitary local authority of Shropshire.
- 1.2 This document sets out Shropshire Council's Policy for applications to the Housing Register; the allocation of the housing stock owned by the Council, which is managed by its Arm's Length Management Organisation (ALMO), Shropshire Towns and Rural (STAR) Housing; and nominations to housing associations registered with the Regulator of Social Housing (for social and affordable rented and low cost home ownership⁴ properties) and to private landlords.
- 1.3 Officers act under delegated powers in accordance with this policy.
 All allocations and nominations are made from the Housing Register.

2. Aims of the Allocation Policy and Scheme

- 2.1 In Shropshire the demand for affordable housing exceeds available supply. Therefore, this housing allocation policy and scheme seeks to meet the following aims:
 - Ensure people in the greatest housing need have the greatest opportunity to access suitable housing that best meets their needs;
 - To prevent and relieve homelessness;
 - To make best use of the Council's and housing association stock;
 - To help the Council meet statutory and strategic aims;
 - To help contribute to the development of sustainable communities; and
 - To allow for the greatest degree of choice possible in the allocation of affordable housing.
- 2.2 Whilst this Policy is intended to be comprehensive, the Council recognises that it is not possible to cover every eventuality. In special cases with exceptional needs, the Council has the discretion to award additional priority and approve offers of accommodation taking into consideration all factors relevant to the application.

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 $^{^{\}rm 4}$ With the exception of Homes England grant funded shared ownership properties on non-exception sites

3. Eligibility

- 3.1 Applicants ineligible under Government regulations will not be eligible to be accepted onto the Housing Register. Eligibility is a question of immigration status. The rules regarding eligibility are complex and subject to regular changes in immigration law. Applicants who are not British citizens can request further information from the Council before making an application.
- 3.2 Any applicant who has been excluded from the Housing Register on the grounds of ineligibility will be given written notice of the decision and the reasons for it and advise of their right of appeal (see section 40).

4. Qualification Criteria

4.1 The Council will usually only accept applications to the Housing Register who are in housing need. Housing need qualifying criteria is set out in Bands 1 to 6 in Appendix A.

Local connection

- 4.2 The Council will usually only accept applications to the Housing Register from an applicant with a local connection to the Shropshire Council area. Local connection means that the applicant or a person who might reasonably be expected to reside with them either:
 - Is normally resident within the local authority area of Shropshire; or
 - Has a local connection with the area by virtue of family association or secure employment.
- 4.3 Normally resident means resident in accommodation for a period of at least one year immediately prior to an application being made. This does not include being detained in prison or resident in a bail hostel. Persons occupying holiday or other temporary accommodation (for example, hospital or student housing) are not considered as normally resident unless they can demonstrate that this has been their sole or main home for a period of at least five years.
- 4.4 Family association normally means that the applicant has parents, grandparents, adult children, grandchildren, a brother or a sister currently living in Shropshire and has been normally resident within Shropshire for at least five years. In exceptional circumstances and where support is required family association may include extended family, each case will be determined on its own merits. Applicants will be required to provide proof of local connection by virtue of family association.

- 4.5 Secure employment means the employment or self-employment of the applicant or an adult member of the household for at least one year's duration and at least 20 hours per week. Where this employment has been for less than one year at the time of application or is on a zero-hour contract, evidence will be required to confirm the nature of the employment.
- 4.6 Local connection requirements will not apply to the following applicants:
 - members of the Armed Forces and former Service personnel, where the application is made within five years of discharge;
 - bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner;
 - serving or former members of the Reserve Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service;
 - existing social housing tenants in England who have a reasonable preference because of a need to move to Shropshire to avoid hardship and if they work or have been offered work in Shropshire and have a genuine intention to take up that offer;
 - persons who need to move from another local authority area to escape domestic abuse; and
 - persons who need to move from another local authority area to escape other forms of violence or harm.

Unacceptable behaviour

- 4.7 Applicants will not be accepted on to the Housing Register where it is decided that the applicant, or a member of the household with whom the applicant would usually reside, has behaved unacceptably.
- 4.8 Examples of unacceptable behaviour could include:
 - Significant⁵ rent or mortgage arrears or breach of tenancy obligations where no attempt is being made to repay the debt or remedy the breach;
 - Cautioned or convicted of a nuisance, anti-social or violent offence;
 - Subject to an injunction under the Anti-social Behaviour, Crime and Policing Act 2014 or an Anti-Social Behaviour Order (ASBO) or equivalent;

 $^{^5}$ For example, those with amounts exceeding £1,000 may be disqualified from the Housing Register until the amount has been reduced to below £1,000 or consecutive payments for 26 weeks have been made, unless there are agreed extenuating special circumstances.

- Conduct likely to cause serious nuisance, annoyance or harassment to neighbours;
- Using accommodation or allowing it to be used for immoral or illegal purposes;
- Fraudulent or duplicitous behaviour to obtain accommodation;
- Serious damage to or neglect of a property by the tenant or other occupants; or
- Committing violent or anti-social behaviour, or domestic, racist or other abuse.
- 4.9 Cases will be considered on an individual basis. The following criteria will be applied in determining whether an applicant (this includes existing Council tenants) is excluded from being able to go on the Housing Register for re-housing because of their unacceptable behaviour:
 - There must be reliable evidence of unacceptable behaviour;
 - In normal circumstances the behaviour concerned should have occurred within the last two years. In cases of a more serious nature, for example those involving criminal prosecution, a longer timescale may be appropriate; and
 - There must be reasonable grounds for believing that the behaviour could continue or be repeated. For example, the applicant may have issued threats or there might be a history of repeat offending.
- 4.10 The decision as to whether to exclude an applicant from the Housing Register on the basis of unacceptable behaviour, be this due to the applicant's behaviour or the behaviour of a member of the household with whom the applicant would usually reside, will be made by the Shropshire Council's Head of Housing, Resettlement and Independent Living Protection.

Financial and Needs Assessment

- 4.11 Applicants with a household income of more than £50,000 gross per annum or savings and assets (including equity in a property) of more than £200,000 or both will usually be considered as not being in housing need and will not qualify to be on the housing register. Lump sums awarded to Armed Forces service personnel injured or disabled in action will be disregarded.
- 4.12 The financial assessment will have regard to the financial resources of the applicant and the cost and availability of alternative suitable accommodation. Such applicants who can demonstrate that they have health or support needs that they are unable to meet in the open market will be considered on their individual merits by the Head of Housing, Resettlement and Independent Living. Examples include:

- an applicant who is eligible for a Disabled Facilities Grant (DFG) to fund major adaptations to their existing home, where it is more cost-effective for the authority to re-house the applicant in accommodation appropriate to their housing need;
- an older person is committed to paying for care or support costs in order to remain living independently; and
- an applicant who requires specific accommodation to meet their housing needs but this accommodation is not available in the private sector, other than that provided by the STAR Housing or a housing association.
- 4.13 As with all other decisions made under this policy, any applicant who is deemed to have such resources as not to qualify to be accepted onto the Housing Register will have a right of appeal against that decision. Please see Appeals and Complaints Section (section 40).
- 4.14 Where an application to the Housing Register would not otherwise be accepted on the grounds of failing to meet the qualification criteria, as the Local Housing Authority, the Council will retain the discretion in exceptional circumstances where it is considered necessary to disapply the qualification criteria and / or place the applicant in any other Band as set out in this policy.
- 4.15 Any applicant who has been excluded from the Housing Register on the grounds of failing to meet the qualification criteria will be given written notice of the decision and the reasons for it and advised of their right of appeal (see section 40).

5. Transitional arrangements

5.1 Subject paragraphs 4.12 and 4.13, existing applicants on the Housing Register with a household income of more than £50,000 gross per annum or savings and assets (including equity in a property) of more than £200,000 or both, who have a local connection to Shropshire (as set out above), will be considered to be able to meet their housing need through the open market and placed in Band 7.

6. Age of Applicants

6.1 Applicants will normally be at least 18 years of age. In the case of 16 and 17 year olds applicants must be care leavers or homeless / threatened with homelessness, and not deemed to be a child in need following an investigation by Social Services under section 17 of the Children Act 1989⁶. Applicants under the age of 18 must have a recognised support package and financial guarantor or guardian before being accepted on to the register.

⁶ In this instance an application will be made by Social Services on behalf of the child in needs and a support package will be in place.

7. Homeless Applicants

- 7.1 Shropshire Council has a duty to secure suitable accommodation for homeless households who are eligible for assistance, in priority need, have a local connection and who are not intentionally homeless, in Council, other Registered Provider (housing associations registered by the Regulator of Social Housing) or suitable private rented accommodation. Discharge of the main homelessness duty to the private rented will be made in line with the Homelessness (Suitability of Accommodation) (England) Order 2012.
- 7.2 It is important that persons who are homeless or threatened with being made homeless seek advice from Shropshire Council, or their local council, at the earliest opportunity.

8. Transfer Applicants

8.1 Existing tenants of Shropshire Council will be subject to the provisions of the Allocation Policy. Tenants wishing to transfer will not normally be considered for re-housing until they have been resident in their present home for one year.

9. Applying to the Housing Register

- 9.1 Persons wishing to register must complete an Application Form. The application can either be completed using a paper application form or online through the Shropshire Council website. Paper applications can be printed from the website and are available by post from Shropshire Council's Customer Contact Points.
- 9.2 Applicants are advised to check carefully the full postage has been paid when sending applications or correspondence, as Shropshire Council cannot collect underpaid mail.
- 9.3 The Application will then be assessed by Shropshire Council. Applicants will receive a written response confirming whether their application has been accepted. If accepted, the applicant will be provided with written notification of the Band in which they have been placed and given a registration date.
- 9.4 Where an applicant is not satisfied with the way their application has been assessed or determined they have a right of appeal (see Section 40).

10. Verification

10.1 On completing the Application Form applicants give permission for Shropshire Council to verify (check) the information that they have provided or will re-provide prior to any offer being made or any

change of circumstance. This includes permission to contact other Council departments, for example Council Tax and Social Services, and other people or organisations such as previous and current landlords, the UK Border Agency and the police. Applicants will not be made an offer of accommodation until all information requested has been provided and verified. Appendix C lists the information applicants are required to submit to verify their housing application at both application and offer stage.

10.2 Shropshire Council may share information as appropriate where this is legally required and when providing nominations to housing associations and private landlords.

11. False statements and withholding information

- 11.1 Ensuring all the information provided is true and accurate is the responsibility of the applicant. Verification checks will be undertaken at the point of offer to confirm the information on the application form is correct and up to date.
- 11.2 It is a criminal offence for applicants knowingly or recklessly to give false information; or to knowingly withhold information. It can carry a fine and in separate civil proceedings can lead to the loss of any accommodation let as a result of Shropshire Council relying on that false information.
- 11.3 Applicants are required to sign paper applications and certify online applications confirming the details they have given are correct to the best of their knowledge.
- 11.4 This Scheme falls within the provisions of Part VI of the Housing Act 1996. Section 171 of the Act states:
 - (1) A person commits an offence if, in connection with the exercise by a local housing authority of their functions under this Part:
 - (a) they knowingly or recklessly make a statement which is false in material particular, or
 - (b) they knowingly withhold information which the authority has reasonably required them to give in connection with the exercise of those functions.
 - (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- 11.5 Consequently, where Section 171 applies, Shropshire Council may bring a prosecution which if successful could result in a fine of an unlimited amount.

11.6 Where false information is found to have been given, the applicant may also be disqualified from the Housing Register on the grounds of unacceptable behaviour. Where false information has resulted in the applicant obtaining accommodation, the relevant Landlord may bring possession proceedings for recovery of the property.

12. Worsening of Circumstances

- 12.1 Applicants must not deliberately worsen their circumstances in order to obtain greater preference on the Housing Register. If an applicant is found to have deliberately worsened their circumstances they will either be placed in the Band corresponding to their circumstances at the time of their original application or may be disqualified from the Housing Register on the grounds of unacceptable behaviour.
- 12.2 Examples of deliberate worsening of circumstances might include:
 - Selling a property that is affordable and suitable for an applicant's needs;
 - Disposing or gifting assets, including property;
 - Moving from a secure Assured Tenancy to insecure, overcrowded accommodation, where there is no good reason for this move; and
 - Where there is evidence that it was reasonable for an applicant to have remained in their original accommodation.
- 12.3 Where an applicant has little or no control over their move to alternative accommodation, this will not be considered as a deliberate worsening of circumstances.

13. Change in Circumstances

- 13.1 If an applicant's circumstances change Shropshire Council must be informed straight away or as soon as is reasonably practicable. Examples of changes include change of address or change in family size.
- 13.2 If an applicant's circumstances change they may cease to be eligible for inclusion on the Housing Register, and their application will be disqualified. They will be informed if this is the case and advised of any right of appeal (see Section 40).

14. Statutory Requirements

14.1 Under the Housing Act 1996 Shropshire Council has to ensure that when allocating and nominating to housing accommodation **reasonable preference** is given to the following groups:

- people who are homeless within the meaning of Part 7 of the Housing Act 1996 (including those who are intentionally homeless and those not in priority need);
- people who are owed a duty by any housing authority under the Housing Act 1996 sections 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3);
- people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- people who need to move on medical or welfare grounds, including grounds relating to a disability; and
- people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).
- 14.2 The Housing Act 1996 also requires that housing authorities must give **additional preference** to the following categories of applicants who fall within one or more of the reasonable preference categories and who have urgent housing needs:
 - former members of the Armed Forces⁷
 - serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service;
 - bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner; and
 - serving or former members of the Reserve Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service.
- 14.3 Those applicants who are in the above categories and are placed in Bands 1 to 6 and are considered to have urgent housing needs will be given additional priority so that they are considered for re-housing ahead of other applicants in their respective Band.

15. The Banding System

15.1 The Allocations Policy is based on six Bands with specific qualifying criteria (see Appendix A for more details). Each applicant's housing need and other circumstances are assessed on the information provided and the applicant is placed in the **highest** Band their circumstances allow. Within each Band applicants are ranked in date order from when they were registered into that Band.

⁷ Usually where the application is made within five years of discharge.

16. Statement of Choice

- 16.1 Shropshire Council is committed to offering the greatest choice possible in the allocation of affordable housing in the county, whilst ensuring that housing is allocated to those with the greatest need.
- 16.2 There will be certain situations where choice cannot be offered in the allocation of housing, such as when the Council needs to make a direct let as a matter of urgency. These circumstances are detailed within the scheme.
- 16.3 With the exception of these limited circumstances, housing will only be allocated to applicants who apply for a specific property, and all applicants have the opportunity to bid for properties they are entitled to be considered for, having regard to household size and other eligibility criteria.

17. How the Scheme Operates

- 17.1 All properties managed by STAR Housing that become available for letting and all housing association properties where the Council has nomination rights will be advertised through choice-based lettings. Housing associations and private landlords are able to advertise other properties where nomination rights do not apply. The scheme operates on a weekly property cycle from a Wednesday to the following Tuesday. The exact rent, service charge, for sale price, tenancy type and length of tenancy will be clearly advertised on the property details.
- 17.2 Those applicants who have been accepted onto the Housing Register can then bid (apply) for properties that are advertised. Applicants able to apply (bid) for one property each cycle. When the bidding period has closed the advertised property will be offered to the bidder in the highest Band for whom the property is suitable and who has been within that Band for the longest period of time, unless otherwise provided by this Policy.
- 17.3 In the event that the bidder does not want to accept the property then it will be offered to the bidder in the same Band who has been waiting the second longest and then so on. Only when bidders in the highest Band have been considered, will the those in the next highest Band be offered the property.
- 17.4 When a property is allocated, notification will be given on the Shropshire Council website identifying the Band of the successful applicant and their registration date.

18. Bedroom entitlement

- 18.1 Where possible, adverts will show the number of bedrooms available and number of people they are suitable for to enable eligibility to be exactly matched, for example, three bedroom five persons. Adverts will also show if any restrictions apply to the type of household that can apply.
- 18.2 Those applying for properties should ensure their income, including housing and welfare benefits, is sufficient to fully cover all the rent and charges associated with the accommodation.
- 18.3 The number of bedrooms required for each household is calculated in accordance with age, sex, marital status composition and the relationship of the members to one another. A separate bedroom is required for each married or cohabitating couple, for any other person aged 16 years or over, for each pair of children aged 0 to 15 years of the same sex, and for each pair of children under 10 years of the same or opposite sex. If that is not possible, he or she is counted as requiring a separate bedroom, as is any unpaired child under the age of 10 years. Additional bedroom/s required because of a medical condition/s will be considered as part of the medical assessment procedure.
- 18.4 Appendix D gives examples of what size and type of property an applicant can usually expect to be offered, therefore, should bid for.

19. Supported accommodation

- 19.1 Applicants can indicate whether they want to be considered for supported accommodation on the application form but will usually be offered one only if they meet the following criteria:
 - Older persons' sheltered or independent living accommodation applicants aged 55 or over with support needs. Applicants will be expected to sign-up to a support package.
 - Older persons' extra care sheltered accommodation applicants aged 55 or over with support and/or care needs. Applicants require a referral from a social care manager to be considered for this type of housing. Applicants will be expected to sign-up to a support and care package.
 - Other supported housing applicants must meet the requirements set out in each scheme's eligibility criteria. Applicants will usually require a referral from a social care manager to be considered for this type of housing. Applicants will be expected to sign-up to a support and / or care package as appropriate.
- 19.2 Bungalows will usually only be offered to applicants who have poor health and/or a disability who require accommodation on one level.

19.3 Other properties may be designated, for a limited period of time, for applicants who fall into a particular age category to ensure the continued sustainability of a particular block or area of housing. These may be subject to local lettings policies (see below).

20. Support / Care Packages

20.1 Some applicants (such as care leavers, and people with serious mental illness, dementia, or learning disabilities) will only be eligible for an offer of accommodation once it is confirmed that they have a recognised support/care package in place. This support/care package need not be provided through Social Services, but could include other forms of support, for example from family or friends. The support/care package will be reconfirmed before an offer of accommodation is made to ensure that applicants are supported to live successfully in their new home.

21. Advice and assistance

21.1 Shropshire Council is unable to provide personal appointments. However, staff are able to signpost applicants to other sources of advice and assistance including those of dedicated teams and organisations throughout Shropshire. In particular, assistance will be provided to anyone who may have difficulty participating due to disability, learning disability, illness, age, not speaking English as a first language, or any other reason that might make it harder for them to fully participate within the scheme. Where applicants are unable to submit bids themselves an assisted bidding process can be offered.

22. Information about the Allocation Policy and Scheme

- 22.1 Anyone who wishes is entitled to a free summary of the Allocation Policy and Scheme, which can be obtained from Shropshire Council. A copy of this document is available to be downloaded from the Shropshire Council website.
- 22.2 Applicants to the Housing Register are also entitled to request details of information that has been used to assess their application. Requests must be submitting in writing.
- 22.3 When each property advertised has been successfully allocated, the banding and registration date of the successful applicant will be made available on the website. This information should be sufficient for applicants to determine their prospects of success in obtaining housing, and to estimate how long they are likely to have to wait to obtain such housing.

23. Local lettings plans and policies

- 23.1 Local Letting Plans are usually introduced to:
 - Balance communities to achieve stainable neighbourhoods;
 - Deliver specific local strategic outcomes; and
 - Due to planning conditions.
- 23.2 Affordable housing dwellings may be subject to special planning conditions or legal restrictions applied through Section 106 of the Town and Country Planning Act 1990 (as amended) specifying local occupancy or employment conditions on who is able to live in the accommodation. These conditions are usually found in rural settlements and aim to ensure that applicants on the Housing Register who have a local connection with a specific parish or defined area are given priority for rehousing, over and above those who do not have that connection. Each Section 106 document will set out the specific detail of the Local Lettings Policy.
- 23.3 Where a Local Letting Plan or Policy is in place, priority will normally be given to applicants who directly meet the criteria of the Plan. Details of each Local Letting Plan or Policy will be available on request from the Council. Advertisements for properties included in the Local Letting Plan will specify the required criteria.

24. Letting privately rented accommodation

24.1 Private landlords (this does not include housing associations registered with the Regulator of Social Housing) who offer affordable housing to households on the Housing Register may use additional criteria when selecting prospective tenants. The use of a Private Landlord's Letting Plan must be agreed with Shropshire Council and referred to in the property advertisement. The Plan must also be available to applicants on request.

25. Sensitive lets

25.1 Shropshire Council and its ALMO, STAR Housing, may from time to time identify specific properties for Sensitive Let. This means specific criteria will be applied to individual homes to achieve wider objectives. Where a Sensitive Let is identified, priority may be given to applicants who directly meet the required criteria. Advertisements for properties defined as Sensitive Lets will specify the required criteria.

26. Direct lets

26.1 Shropshire Council and its ALMO, STAR Housing, may from time to time need to make a Direct Let of a property to an applicant in

exceptional or urgent circumstances, for example to facilitate or maintain essential support arrangements, or for an applicant who has very specific housing requirements. Properties identified for a Direct Let will be advertised in the normal way but will not be available for bids.

27. Adapted properties

27.1 Properties which have been adapted to meet the needs of people with disabilities will be identified when advertised. Priority will normally be given to people requiring the adaptations provided.

28. Offers of accommodation

- 28.1 Applicants have a responsibility to ensure their contact details are up to date including, change of address, contact telephone numbers and email addresses. Shropshire Council publishes a list of supporting information required at point of offer which applicants are expected to have available immediately for verification. In most instances offers of accommodation will be made by telephone and applicants will be given three working days to respond. If applicants do not respond within this timescale, the offer may be withdrawn.
- 28.2 Where the offer of accommodation is to an applicant where a statutory homeless duty is owed by Shropshire Council, they will be given three working days for applicants to respond. If no response is received the Landlord will notify the Housing Options Team and agree whether to withdraw the offer.
- 28.3 Those applicants, with the exception of those with a homeless duty, who have refused or have failed to make contact on four or more occasions within a twelve-month period when suitable offers of accommodation have been made through the Allocation Scheme, will be deferred and therefore be declined further offers for a period of up to six months. The Council will write to the applicant and inform them of the reason as to why they have been deferred.
- 28.4 Landlords will make formal offers of accommodation in writing, either by letter or email.

29. Medical assessment procedure

- 29.1 Shropshire Council will assess and verify medical need/s which are directly affected by the applicant's accommodation and where a move to more suitable accommodation is needed.
- 29.2 Information is taken from the application with any supporting evidence to determine if there is a medical need and the level of this need. In exceptional circumstances, an independent medical assessment may be sought.

30. Joint applications

- 30.1 Joint applications can be made by:
 - A married couple;
 - A civil partnership couple;
 - Partners (including same sex couples)⁸;
 - A parent with a child aged 21 years or over; and
 - Siblings.
- 30.2 Where a sole application becomes a joint application, the original or earliest registration date of the two will apply. Should the parties of the joint application then wish to separate their applications, the respective dates at which they each separately joined will then apply.
- 30.3 Notwithstanding the above joint applications, joint tenancies will not usually be issued to parent and a child aged 21 years or over or to siblings.

31. People in prison

- 31.1 Applications will be accepted from those currently in prison provided eligibility and qualification criteria are met. Shropshire Council works with a range of agencies to prepare people for release from prison and to prevent homelessness. While preparation for release may begin sometime prior to release, applicants should be mindful that bids made one month or more before the release date will not normally be considered.
- 31.2 Upon release an update application will be required and if applicable liaison with any support workers and agencies.
- 31.3 Emergency cases will be referred to Shropshire Council's Housing Options Team.

32. Pregnancy

32.1 Where a household member is pregnant, the pregnancy will only be considered once a medical certificate such as a MATB1 is received. Until the birth and the sex of the child or children can be confirmed the bedroom entitlement assumption will be set at the minimum number according to the above criteria.

⁸ This does not include friends.

33. Access to children

33.1 In the case of divorced or separated parents / guardians, a child will typically be expected to reside with one parent / guardian as their main residence. Unless otherwise stated in a legal document, the other parent / guardian will not receive any bedroom entitlement for access visits.

34. Fostering and adoption

34.1 Where a household has formal evidence that, subject to a suitable property becoming available, approval would be given to foster or adopt a child or children, subject to confirmation from a Social Worker, each child would usually be entitled to a separate bedroom. Verification of fostering and/or adoption arrangements will be carried out at point of offer of accommodation.

35. University / full-time study away from home

35.1 Household members studying away from home in full-time courses will be considered in bedroom entitlement unless they are the main applicant.

36. Overnight carers

36.1 Where a household has formal evidence that an overnight carer or team of carers is needed three or more nights per normal week, a carer shall be included in the bedroom eligibility calculation.

37. Applications from employees, board members, councillors and their relatives

37.1 Applications are monitored carefully to ensure that all allocations are made in line with this policy and no favour is given to those with close links to Shropshire Council, STAR Housing or housing associations with housing stock in Shropshire.

38. Property adverts

- 38.1 Available properties are published each week. The scheme operates on a weekly property cycle from a Wednesday to the following Tuesday with applicants able to bid (apply) for one property each cycle.
- 38.2 Those applicants with email addresses will be sent a weekly link to available properties. Those applicants who have no internet access, with no one able to bid on their behalf, can request that the Council undertakes bidding on their behalf.

39. Equal Opportunities Statement

39.1 Shropshire Council believes that it is a fundamental right for everyone to be treated fairly, with respect and dignity; in the implementation of this policy it will ensure that this right is promoted and upheld.

40. Appeals and complaints

- 40.1 Any applicant to Shropshire Council's Housing Register has a right to make an appeal if they disagree with a decision made by the Council, such as disqualifying them from registration, the banding awarded and / or make a complaint if they believe Shropshire Council has done acted incorrectly.
- 40.2 For decisions made by Shropshire Council the applicant should appeal / complain in writing to the Head of Housing, Resettlement and Independent Living. An applicant can also appoint an advocate and, once appointed, Shropshire Council will deal directly with that advocate.
- 40.3 There are two stages to the appeal / complaints process:

Stage 1

The appeal must be made in writing within 21 calendar days of the date of the decision letter, stating the grounds for the appeal. The appeal will be considered by the Head of Housing, Resettlement and Independent Living or nominated representative, and a decision will normally be given within 21 calendar days. In complex cases it may not be possible to give a decision in 21 days and may take longer. Where this is the case the applicant will be notified in writing prior to expiry of the 21 day period.

Stage 2

If the applicant is unhappy with the decision made by the Head of Housing, Resettlement and Independent Living they may request that a further review be carried out by the Director of People or their nominated representative. This request must be made in writing within 7 days. Again, a decision will normally be given in 21 days, subject to extension where necessary.

- 40.4 If still unhappy with the outcome of the appeal, the applicant may make a complaint to the Local Government Ombudsman.
- 40.5 A copy of the full appeals and complaints procedure is available from Shropshire Council.
- 40.6 Where an offer of accommodation has been made to discharge the main homelessness duty, this will be subject to a different review process.

41. Monitoring and Review

41.1 Shropshire Council monitors all allocations and reports this in a 'Quarterly Monitoring and Statistics Report' which is published and available to download from the Shropshire Council website.

Appendix A: Bandings

All qualifying applicants will be allocated to one of the following Bands according to their particular circumstances.

Band 1:

Band 1A

Homeless households who are owed the main duty and are currently accommodated in emergency accommodation and other emergency cases:

- Households who are homeless and are owed the main duty including when they have become homeless or the Relief Duty has come to an end and they have been assessed as being eligible for assistance, unintentionally homeless, in priority need and have local connection and are currently accommodated in emergency accommodation provided by the Council.
- Other households in emergency housing need where the authority has a statutory duty to provide housing.

Band 1B

Homeless households who are owed the main duty and where Council tenants need to move due to major works or demolition:

- Households who are homeless and are owed the main duty including when they have become homeless or the Relief Duty has come to an end and they have been assessed as being eligible for assistance, unintentionally homeless, in priority need and have local connection.
- Where Shropshire Council require tenants to move to alternative accommodation to allow major works to be undertaken (such as modernisation or demolition).

Where households are homeless and owed the main duty Shropshire Council's Housing Options Team will bid on applicants' behalf for each suitable property that becomes available. When a successful bid is made for a property the applicant will be notified of this and, subject to rights of review under Part VII of the Housing Act 1996 (as amended), this will constitute an offer of housing under Part VI as a discharge of the Council's homelessness duty.

Band 2:

Homeless households who are owed the Relief Duty, urgent medical need, hospital discharge; care leavers, serious disrepair and persons who are fleeing domestic abuse or other forms of violence or harm:

 Applicants who are homeless and are owed the Relief Duty and would be owed or likely to be owed the Main duty when the Relief Duty came to an end, because they are or are likely to be in priority need and unintentionally homeless.

- Urgent medical need where the applicant's (or member of their household who is moving with them) condition is currently directly affected by their accommodation and an urgent move is needed to have a positive effect on their medical condition, or where as a result of their condition their current accommodation is not suitable to their needs. An investigation will be carried out. For Urgent Medical Need it is generally expected that the property cannot reasonably be occupied as the applicant is either unable to use or has serious difficulty using an essential part of the property, for example, the WC.
- Applicants who have been released from hospital and cannot return to the property. Severity of medical illness does not determine the housing banding. Medical evidence will be required.
- Where a young person who has been looked after, fostered or accommodated by the Local Authority, is engaging fully with support provided, a duty to rehouse accepted by Shropshire Council and deemed to be within 6 months of being ready for independent living.
- Serious disrepair refers to the condition of the current accommodation. This will apply where the Council has deemed the applicant's home to have the presence of Category 1 Hazards, Bands A - C under the Housing Health & Safety Rating System and these Hazards cannot be resolved or reduced to a Category 2 Hazard with 6 months.
- Applicants who are fleeing domestic abuse or other forms of violence or harm. All applications will be taken seriously and will be fully assessed in conjunction with partner agencies and landlords.

Unless specified otherwise in this policy, Band 2 will normally be valid for eight weeks from date of award. If accommodation has not been secured in this period there will be a review carried out. If no suitable properties have become available during the period time in Band 2 will be extended for a further period, usually six weeks. If the applicant has been bidding for suitable properties but has not been successful, the status may be extended. If however, the applicant has failed to bid for properties, or has been bidding for unsuitable properties, the reasons for this will be determined and if there are valid reasons the time in Band 2 may be extended, but where there are insufficient reasons, the Band will be withdrawn and the applicant will be reassessed accordingly.

Band 3:

Resettlement, homelessness prevention, serious medical need, use and occupation, over-crowding, under-occupation and members of the armed forces to be discharged within six months:

- Resettlement applicants have been assessed as ready to move from hostel or other temporary supported accommodation into settled accommodation. Where appropriate, arrangements will be made for tenancy support.
- Applicants who are threatened with homelessness and are owed the Prevention Duty and would be likely to be owed the Main duty if both the Prevention Duty and any Relief Duty that followed on were to end unsuccessfully and they would be, or would likely to be, found to be in priority need and unintentionally homeless.
- Serious medical need will apply where the applicant's (or member of their household who is moving with them) condition is currently directly affected by their accommodation and a move is needed to have a positive effect on their condition, or where as a result of their condition their current accommodation is detrimental to health and wellbeing. An investigation will be carried out.
- Use and occupation following the death of the tenant, occupiers of Council dwellings who either do not have succession rights or a nonstatutory succession cannot be granted as the current property would be under-occupied or considered unsuitable. Following notice served by a tenant and an assignment cannot be granted to the remaining occupants.
- Overcrowding assessments will be based on the bedroom entitlement at Appendix D. Lodgers will be not be included in the assessment.
- Under-occupation by one or more bedrooms by a tenant of a Registered Provider where the property is in Shropshire.
- Where a member of the British Armed Forces is going to be discharged within 6 months or has been discharged but been unsuccessful in finding permanent suitable accommodation. If part of a couple separating, this criterion would not apply to their expartner's application. Those that have been dishonourably discharged will be considered individually based upon the circumstances and reasons for the discharge.

Band 4:

Need to give or receive support, moderate medical need, disrepair, overcrowding, excessive travel and homelessness:

 Give or receive support from close family members and / or move closer to local facilities. Where not having a move would result in serious detriment.

- Moderate medical need where the applicant's (or member of their household who is moving with them) condition is currently directly affected by their accommodation and a move is needed to have a positive effect on their condition, or where as a result of their condition their current accommodation is not suitable to their needs
- Disrepair where the Council has deemed the applicant's home to have the Presence of Category 2 Hazards, Band D under the Housing Health & Safety Rating System.
- Excessive travel, where applicants in, or due to be in, permanent full-time employment (20+ hours per week) are subject to excessive travel (over 1 hour each way).
- Homeless is where the Council accepts a household is homeless but to whom it does not owe a duty to secure settled accommodation because they are not considered to be in priority need or because they are intentionally homeless.

Band 5:

Sharing essential facilities, forced to live apart, above ground floor flat with child or pregnant, and key workers:

- Sharing essential facilities such as bathroom, toilet or kitchen with a separate household⁹.
- Family forced to live apart, where the family that has previously lived together find themselves in circumstances where it is impractical to reside in the same house due to financial, work or other commitments.
- The applicant has a child under ten or is pregnant and lives in a first floor flat or above.
- The applicant is considered by the Council to be a key worker.

Band 6:

Following a financial and need assessment, applicant would not be able to purchase or rent market priced housing within Shropshire which is suitable for their needs.

Band 7:

Following a financial and need assessment, applicants who would be able to purchase or rent market priced housing within Shropshire which is suitable for their needs.

⁹ Where the households sharing essential facilities are parents and their adult children this does not apply

Appendix B: Glossary and definition of terms

Scheme Shropshire Council allocate and nominates to affordable housing properties. Affordable Housing Affordable housing comprises social and affordable rented accommodation and low-cost home ownership products [see NPPF] Affordable Rents Affordable rents set at up to 80% of local open market rents. Bidding for a Property Choice-Based Lettings More commonly known as CBL. A process used to advertise available properties and asking applicants to choose for themselves the properties they would like to be considered for. Community Benefit An allocation used to promote the best interests of the local community, detailing how the eligibility for a property departs from the standard criteria within the Allocation Policy. Direct Let Used in urgent situations where the Council directly allocates or nominates to a property. Housing Register Council for affordable housing. Key worker Someone whose role provides an essential service deemed crucial to the economy and wellbeing of society, including, but not limited to, emergency responders and operators of critical infrastructure. Specifies how the qualification and eligibility for a property departs from the standard criteria within the Allocation Policy.		
rented accommodation and low-cost home ownership products [see NPPF] Affordable RentsAffordable rents set at up to 80% of local open market rents. Bidding for a Property Choice-Based Lettings More commonly known as CBL. A process used to advertise available properties and asking applicants to choose for themselves the properties they would like to be considered for. Community Benefit An allocation used to promote the best interests of the local community, detailing how the eligibility for a property departs from the standard criteria within the Allocation Policy. Direct Let Used in urgent situations where the Council directly allocates or nominates to a property. Housing Register The list of all those registered with Shropshire Council for affordable housing. Key worker Someone whose role provides an essential service deemed crucial to the economy and wellbeing of society, including, but not limited to, emergency responders and operators of critical infrastructure. Specifies how the qualification and eligibility for a property departs from the standard criteria within the Allocation Policy. Main Duty Where a homeless household is found by the local housing authority to be eligible for assistance, homeless but not intentionally so, in priority need and with a local connection they are owed the main duty of an offer of suitable accommodation. Prevention Duty If a homeless household is eligible for assistance and	Allocation Policy and Scheme	Shropshire Council allocate and nominates to
Bidding for a Property The applicant's way of expressing an interest in being re-housed in that property Choice-Based Lettings More commonly known as CBL. A process used to advertise available properties and asking applicants to choose for themselves the properties they would like to be considered for. Community Benefit An allocation used to promote the best interests of the local community, detailing how the eligibility for a property departs from the standard criteria within the Allocation Policy. Direct Let Used in urgent situations where the Council directly allocates or nominates to a property. Housing Register The list of all those registered with Shropshire Council for affordable housing. Key worker Someone whose role provides an essential service deemed crucial to the economy and wellbeing of society, including, but not limited to, emergency responders and operators of critical infrastructure. Specifies how the qualification and eligibility for a property departs from the standard criteria within the Allocation Policy. Main Duty Where a homeless household is found by the local housing authority to be eligible for assistance, homeless but not intentionally so, in priority need and with a local connection they are owed the main duty of an offer of suitable accommodation. Prevention Duty If a homeless household is eligible for assistance and	Affordable Housing	rented accommodation and low-cost home
Choice-Based Lettings More commonly known as CBL. A process used to advertise available properties and asking applicants to choose for themselves the properties they would like to be considered for. Community Benefit An allocation used to promote the best interests of the local community, detailing how the eligibility for a property departs from the standard criteria within the Allocation Policy. Direct Let Used in urgent situations where the Council directly allocates or nominates to a property. Housing Register Council for affordable housing. Key worker Someone whose role provides an essential service deemed crucial to the economy and wellbeing of society, including, but not limited to, emergency responders and operators of critical infrastructure. Local Letting Plans Specifies how the qualification and eligibility for a property departs from the standard criteria within the Allocation Policy. Main Duty Where a homeless household is found by the local housing authority to be eligible for assistance, homeless but not intentionally so, in priority need and with a local connection they are owed the main duty of an offer of suitable accommodation. Prevention Duty If a homeless household is eligible for assistance and	Affordable Rents	
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Housing Register The list of all those registered with Shropshire Council for affordable housing. Key worker Someone whose role provides an essential service deemed crucial to the economy and wellbeing of society, including, but not limited to, emergency responders and operators of critical infrastructure. Local Letting Plans Specifies how the qualification and eligibility for a property departs from the standard criteria within the Allocation Policy. Main Duty Where a homeless household is found by the local housing authority to be eligible for assistance, homeless but not intentionally so, in priority need and with a local connection they are owed the main duty of an offer of suitable accommodation. Prevention Duty If a homeless household is eligible for assistance and	Community Benefit	the local community, detailing how the eligibility for a property departs from the standard criteria within
Register Council for affordable housing. Someone whose role provides an essential service deemed crucial to the economy and wellbeing of society, including, but not limited to, emergency responders and operators of critical infrastructure. Specifies how the qualification and eligibility for a property departs from the standard criteria within the Allocation Policy. Main Duty Where a homeless household is found by the local housing authority to be eligible for assistance, homeless but not intentionally so, in priority need and with a local connection they are owed the main duty of an offer of suitable accommodation. Prevention Duty If a homeless household is eligible for assistance and	Direct Let	- · · · · · · · · · · · · · · · · · · ·
deemed crucial to the economy and wellbeing of society, including, but not limited to, emergency responders and operators of critical infrastructure. Local Letting Specifies how the qualification and eligibility for a property departs from the standard criteria within the Allocation Policy. Main Duty Where a homeless household is found by the local housing authority to be eligible for assistance, homeless but not intentionally so, in priority need and with a local connection they are owed the main duty of an offer of suitable accommodation. Prevention Duty If a homeless household is eligible for assistance and	Housing Register	
Plans Specifies how the qualification and eligibility for a property departs from the standard criteria within the Allocation Policy. Main Duty Where a homeless household is found by the local housing authority to be eligible for assistance, homeless but not intentionally so, in priority need and with a local connection they are owed the main duty of an offer of suitable accommodation. Prevention Duty If a homeless household is eligible for assistance and	Key worker	deemed crucial to the economy and wellbeing of society, including, but not limited to, emergency
housing authority to be eligible for assistance, homeless but not intentionally so, in priority need and with a local connection they are owed the main duty of an offer of suitable accommodation. Prevention Duty If a homeless household is eligible for assistance and	Local Letting Plans	Specifies how the qualification and eligibility for a property departs from the standard criteria within
-	Main Duty	housing authority to be eligible for assistance, homeless but not intentionally so, in priority need and with a local connection they are owed the main
	Prevention Duty	

	local housing authority is required to work with them to prevent them becoming homeless.
Registered Providers	Housing organisations that are registered with the Regulator of Social Housing. Local authorities who own social housing stock are Registered Providers. Private Registered Providers are usually called Housing Associations.
Relief Duty	If a homeless household is eligible for assistance and is homeless, regardless of priority need, the local authority is required to take reasonable steps assist the household to obtain accommodation, this duty could last for up to 56 days.
Sensitive Let	Used for specific properties in the best interests of the local community.
Section 21 Notice	A formal document giving two months' notice on an Assured Shorthold Tenancy to vacate a property.
Section 106 Agreement	Some properties may be restricted under agreements pursuant to Section106 of the Town and Country Planning Act 1990 (as amended), imposing conditions on who is eligible to be allocated / nominated, such as including a local connection requirement to a specific parish or area.
Shared Ownership	Where a person buys a proportion of a new home and pays rent on the remaining portion.
Statutory Homeless	A term that refers to people or families to whom a local housing authority has a duty to make an offer of suitable accommodation – this could be a council or housing association property or a twelve-month tenancy of private rented accommodation.

Appendix C: List of information required to verify an offer of accommodation

Local Connection

A copy of one of the following documents either from the applicant or from the close relative must be provided:

- Council tax bill
- Employment or contract of employment details
- Tenancy agreement

Without the documentation shown above, your local connection will not be verified.

Identification

- Passport sized photograph of applicant
- Original or certified copy of birth certificate or passport for applicant and for each household member included on the applicant's application
- Where applicable, proof of name change via Deed Poll
- Where applicable, original or certified copy of Marriage certificate

Housing

- A copy of Tenancy agreement
- A copy of Licence agreement
- A letter from friend or relative confirming the applicant's living arrangements - (letter should state date when the applicant moved in and number of bedrooms to which they have access)
- A current valuation of the applicant's home
- A copy of the applicant's latest mortgage statement
- Confirmation of Tied accommodation

Income

A copy of award letter or bank statements showing the following amounts:

- Employment Support Allowance
- Income Support
- Child Benefit
- Child Tax Credit
- Working Tax Credit
- Incapacity benefit
- DLA
- Carer's allowance

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- Pension credit
- State Pension
- Occupational Pension
- Last 3 months or 5 weeks of payslips for each employment
- A copy of self-employed accounts

Appendix D: Size and type of properties eligibility criteria

It is expected that for working age applicants the size of property for which they are entitled is in line with the DWP bedroom standard, however if applicants can demonstrate that they are able to pay rent with or without recourse to Housing Benefit, they may be considered for a property with an additional bedroom, this being subject to availability.

If a person named on an application as being part of the household is aged 16 or over they are classed as a person who is not a child and, therefore, as needing their own bedroom.

Households will usually be able to choose the floor level on which they want to live (depending on property type) unless there is an assessed need for a particular floor level. For example, if priority for ground floor accommodation is recommended on medical grounds.

The criteria listed below will usually be used when deciding what property is suitable for a household.

Household	Properties usually considered suitable
Single person of working age ¹⁰	Room in shared house, bedsit or 1 bedroom flat
Single person over working age	Bedsit, 1 or 2 ¹¹ bedroom flat or bungalow
Coupe both of working age	1 bedroom flat
Couple with one or both over working age	1 or 2 bedroom flat or bungalow
Pregnant woman with no other	1 or 2 bedroom flat, maisonette or
children	house
Family with one child	2 bedroom flat, maisonette or house
Family with two children aged under 10	2 bedroom flat, maisonette or house
Family with two children aged under 16 of the same sex	2 bedroom flat, maisonette or house
Family with two children of different sex, where one or both children are aged 10 or over	3 bedroom flat, maisonette or house
Family with three children	3 bedroom flat, maisonette or house
Family with four children	3 or 4 ¹² bedroom flat, maisonette or house

 $^{^{10}}$ Working age includes anyone who is under the State Pension Credit age of the time

¹¹ Usually only following agreement from Social Services

¹² Depending on age and sex of children

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Family with five or more children	4 or 5 ¹³ bedroom house
Household needing 2 bedrooms	2 bedroom flat or maisonette
where all are adults	

Contact: Jane Trethewey 01743258913

¹³ Depending on age and sex of children

Appendix E: List of Local Lettings Plans and Policies

Hanley Lane, Bayston Hill

Oak Meadow, Bishops Castle

Chapel Close, Bomere Heath

Rastick Close, Bridgnorth

Tasley Area, Bridgnorth

Wenlock Rise, Bridgnorth

Love Lane, Cleobury

Shrewsbury Road, Cockshut

Brook Close, Condover

The Leasowes, Ford

Bearcroft, Hinstock

Warren Court, Market Drayton

Orchid Meadow, Minsterley

Callaughton Lane, Much Wenlock

Castle Fields, Oswestry

Plas Ffynnon Way, Oswestry

Willow Gate, Castle Street, Oswestry

Wingate Way, Park Hall, Oswestry

Thomas Beddoes, Shifnal

Battlefields, Shrewsbury

Sweetlake Meadow, Shrewsbury

White Lodge, The Mount, Shrewsbury

Bower Farm, St Martins

Church Farm, Tilstock

Round Meadow, Wem

Saxon Fields, Wem

Pipegate, Woore

Appendix II: Equality, Social Inclusion and Health Impact Assessment (ESHIA)

Initial Screening Record

A. <u>Summary Sheet on Accountability and Actions</u>

Name of proposed service change
Revised housing allocations policy

Name of lead officer carrying out the scre	ening
Melanie Holland	

Decision, review, and monitoring

Decision	Yes	No
Initial (part one) ESHIA	\checkmark	
Only?		
Proceed to Full ESHIA or		✓
HIA (part two) Report?		

If completion of an initial or Part One assessment is an appropriate and proportionate action at this stage, please use the boxes above. If a Full or Part Two report is required, please move on to full report stage once you have completed this initial screening assessment as a record of the considerations which you have given to this matter.

Actions to mitigate negative impact or enhance positive impact of the service change in terms of equality, social inclusion, and health considerations

The proposed changes to the housing allocations policy and scheme seek to ensure that all forms of social housing, this includes supported housing and low-cost home ownership products, are allocated to those persons in the greatness housing need. Therefore, seeking to ensure equality of opportunity and social equality is promoted through access to suitable housing to allow people to be able to participate in society and to ensure the provision of suitable housing for people's health and support needs will improve people's quality of life and reduce admissions to hospital and residential care. By having a policy which covers allocations and nominations to all forms of social housing and introducing local connection and financial assessment qualification criteria, this should result in not just housing been allocated to those in greatest housing need, but also provide strong evidence of need and

demand, which will greatly assist the Council and its partners to enhance the positive impact of the policy change through the enabling and delivery of additional social housing.

Actions to review and monitor the impact of the service change in terms of equality, social inclusion, and health considerations

The draft revised policy and scheme will be subject to public consultation; once the finalised policy and scheme is agreed, part of the implementation process will involve contacting all existing applicants to advise them of the policy changes, applicants who are no longer qualify for an allocation or feel that they have less priority than previously have a right of appeal. Following the implementation of the revised policy it will be subject to ongoing monitoring, both in terms of allocations of Council owned stock and housing association compliance with nomination agreements, to ensure that those applicants in the greatest housing need are being allocated social housing. In addition, as a minimum, there will be quarterly monitoring of housing demand as evidenced by the housing register, in terms of first choice parish and type and size of property. This data will be used to development and asset management plans, so as to ensure that new and existing social housing meets need and reflects aspirations.

Associated ESHIAs

Following the end of the public consultation on the draft revised policy a second screening ESHIA will be undertaken.

Actions to mitigate negative impact, enhance positive impact, and review and monitor overall impacts in terms of any other considerations. This includes climate change considerations

This is the section in which to please outline any actions to mitigate negative or enhance positive impacts in terms of economic, environmental, or wider societal considerations, and actions to review and monitor the overall impact of the service change accordingly.

Climate change

As the housing allocations policy and scheme is purely concerned with allocations and nominations for existing social housing stock a climate change appraisal is not relevant.

Health and well being

Being able to access an affordable dwelling which meets a household's needs is essential to health and well-being. For example, this could be an allocation of a flat in an extra care sheltered scheme to an older person with disabilities, allowing them to be able to continue to have "their own front door" and live independently instead of moving into residential care or potentially being admitted to hospital due to a fall. Or instead providing a house which is affordable, of good quality and has security of tenure to a family threatened with homelessness, allowing them to create a home for their children and reducing the worry of a no fault eviction or being able to afford an increase in rent.

Economic and societal/wider community

By ensuring that those in the greatest housing need are allocated social housing, the benefits are not limited to improving the individual health and wellbeing of those allocated housing but can be much wider. For example, the provision of affordable housing can result in some being able to escape the "benefits trap" and take a job as a care assistant. Moreover, enabling someone with learning disabilities and autism to choose to live independently in supported housing, is essential to ensuring an inclusive society.

Scrutiny at Part One screening stage

People involved	Signatures	Date
Lead officer carrying out the screening	Milland	23 March 2022
Any internal service area support*		
Any external support**		

^{*}This refers to other officers within the service area **This refers to support external to the service but within the Council, e.g., the Rurality and Equalities Specialist, the Feedback and Insight Team, performance data specialists, Climate Change specialists, and Public Health colleagues

Sign off at Part One screening stage

Name Signatures Date

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Lead officer's name	
Accountable officer's name	

B. <u>Detailed Screening Assessment</u>

Aims of the service change and description

The Council's existing allocation policy and scheme, "Shropshire Affordable Housing Allocation Policy and Scheme" was launched in 2014. This is a common housing register which uses choice based lettings (CBL) to allocate all Council owned stock (managed by its Arm's Length Management Organisation, STAR Housing) and void dwellings from partner Private Registered Providers. However, since 2014 there has been a sharp increase in housing costs in the private sector, resulting in all forms of social housing, including supported accommodation and local cost home ownership products becoming a very scarce and important resource. It is now become vital that the Council ensures that those applicants in the greatest need are allocated social and affordable housing which in recent years, due to the increase in housing costs in the private sector, has become a very important resource. Moreover, the policy review has been influenced by the strategic need to:

- Prevent and tackle homelessness, including reducing the pressure on temporary accommodation;
- Promote independent living and reduce admissions to residential care, by ensuring the best use of all tenures and types of social housing; and
- Enabling key workers on low incomes to be able to access affordable housing.

It is therefore proposed to move to where the Council has an allocations policy for applications to the Housing Register; the allocation of the housing stock owned by the Council, which is managed by STAR Housing; and nominations to Private Register Providers for social and affordable rented and low cost home ownership (with the exception of

^{*}This may either be the Head of Service or the lead officer

Homes England grant funded shared-ownership dwellings) properties and, in some circumstances, to private landlords.

The CBL process would remain in place, but formal nominations arrangements would be introduced, with all large Private Registered Providers to require to agree to nomination rights to 100% of allocations to new build housing, with nominations to re-lets and all existing stock be agreed on an individual basis. It should be noted that the Housing Act 1996 refers to the need for Private Registered Providers to co-operate with local housing authorities to offer housing to people in priority need and who are homeless. In addition, Housing Corporation Regulatory Circular, 02/03 Regulation, February 2003 refers to nomination agreements between local authorities and housing associations (Private Registered Providers) and how these should be for a minimum of 50% void dwellings on re-let.

To ensure the Council is meeting local housing and support needs of those who are unable to meet their needs through the market, the draft revised policy contains qualification criteria relating to local connection, a financial assessment and unacceptable behaviour.

With statutory exceptions relating to the Armed Forces, ex-service personnel and existing social tenants moving to employment in Shropshire, the proposed local connection is either residency (have lived in Shropshire for the last year), close family living in Shropshire, or being employed in Shropshire.

It is proposed that applicants who would be able to purchase or rent market priced housing within Shropshire which is suitable for their needs would not qualify to be on the housing register. The draft policy proposes that the threshold for being able to access accommodation in the open market is an income of £50,000 gross per annum or savings and assets (including equity in a property) of more than £200,000 or both. However, as a transitional arrangement, existing applicants who are assessed as able to purchase or rent market housing within Shropshire which is suitable for their needs, would be able to remain on the register but be placed in the lowest band.

Although the existing policy disqualifies persons on the grounds of unacceptable behaviour, this is based on a very stringent test. The draft revised policy recognises that there can be no blanket restrictions as each case needs to be considered on its on merits, however, sets out a list of example scenarios where an applicant could be disqualified from an allocation of housing.

The draft policy also increases the number of bands from four to seven. Thus allowing for greater differentiation in prioritising categories of applicants are required to be given reasonable preference under the Housing Act 1996 and also recognising the needs of those applicants

who may not be in a reasonable preference group but are still in housing need and are a strategic priority for the Council, for example, key workers in low-paid employment.

In addition, by the policy applying to all forms and tenures of social housing and introducing qualifying criteria relating to local connection and financial resources, this means that there is greater clarity on the evidence to support affordable and specialist housing development.

Intended audiences and target groups for the service change

The proposed changes to the allocations policy and scheme will affect applicants currently on the housing register and future applicants wishing to join. Although there is a proposal for a local connection and financial assessment qualification criteria, the revised scheme will encompass all forms of social housing, including supported housing and low-cost home ownership, so for those qualifying applicants there is greater opportunity of being allocated housing.

In addition, moving from a common housing register to the Council making allocations and nominations from a local authority housing register, will also change the way the Council works with housing associations. However, this approach is considered a standard model for allocating social housing, especially in areas of scarce affordable housing and high housing need.

Elected Members are also likely to affected by the proposed changes as they may be contacted by applicants.

Evidence used for screening of the service change

The evidence used for developing the proposed changes to the allocation policy and scheme includes: homelessness data (including the numbers of households in temporary accommodation); housing need and demand data from the existing housing register; housing market data; research on key workers; statutory guidance on social housing allocations for local housing authorities in England; and good practice.

Specific consultation and engagement with intended audiences and target groups for the service change

The proposed eight-week public consultation will include formal consultation with all 32 Private Registered Providers operating in Shropshire and media publicity to raise awareness with Council tenants and existing and potential applicants.

<u>Initial equality impact assessment by grouping (Initial health impact assessment is included below)</u>

Please rate the impact that you perceive the service change is likely to have on a group, through stating this in the relevant column.

Please state if it is anticipated to be neutral (no impact) and add any extra notes that you think might be helpful for readers.

Protected Protected	High	High	Medium	Low positive,
Characteristic	negative	positive	positive	negative, or
groupings and	impact	impact	or	neutral impact
other groupings	Part Two	Part One	negative	(please
in Shropshire	ESIIA	ESIIA	impact	specify)
	required	required	Part One	Part One ESIIA
			ESIIA	required
			required	
Age (please				
include children,			✓	
young people,				
young people				
leaving care,				
people of working				
age, older people.				
Some people may belong to more				
than one group				
e.g., a child or				
young person for				
whom there are				
safeguarding				
concerns e.g., an				
older person with				
disability)				
<u>Disability</u>				
(please include			✓	
mental health				
conditions and				
syndromes;				
hidden disabilities				
including autism				
and Crohn's				
disease; physical				
and sensory				
disabilities or				
impairments;				
learning				
disabilities;				

Multiple Sclerosis; cancer; and HIV)		
Gender re- assignment (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)		✓
Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)		✓
Pregnancy and Maternity (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)		✓
Race (please include ethnicity, nationality, culture, language, Gypsy, Traveller)		✓
Religion and belief (please include Buddhism, Christianity, Hinduism, Islam, Jainism, Judaism, Nonconformists; Rastafarianism;		✓

Shinto, Sikhism, Taoism, Zoroastrianism, and any others)		
Sex (this can also be viewed as relating to gender. Please include associated aspects: safety, caring responsibility, potential for bullying and harassment)		✓
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)		✓
Other: Social Inclusion (please include families and friends with caring responsibilities; households in poverty; people for whom there are safeguarding concerns; people you consider to be vulnerable; people with health inequalities; refugees and asylum seekers; rural communities; veterans and serving members of the armed		

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forces and their families)				

Initial health and wellbeing impact assessment by category Please rate the impact that you perceive the service change is likely to have with regard to health and wellbeing, through stating this in the relevant column.

Please state if it is anticipated to be neutral (no impact) and add any extra notes that you think might be helpful for readers.

Health and wellbeing: individuals and communities in Shropshire	High negative impact Part Two HIA required	High positive impact	Medium positive or negative impact	Low positive negative or neutral impact (please specify)
Will the proposal have a direct impact on an individual's health, mental health and wellbeing?			✓	
For example, would it cause ill health, affecting social inclusion, independence and participation?				
Will the proposal indirectly impact an individual's ability to improve their own health and wellbeing?			✓	
For example, will it affect their ability to be physically active, choose healthy food, reduce drinking and smoking?				

Will the policy have a direct impact on the community - social, economic and environmental living conditions that would impact health?			✓
For example, would it affect housing, transport, child development, education, employment opportunities, availability of green space or climate change mitigation?			
Will there be a likely change in demand for or access to health and social care services?		√	
For example: Primary Care, Hospital Care, Community Services, Mental Health, Local Authority services including Social Services?			

Identification of likely impact of the service change in terms of other considerations including climate change and economic or societal impacts

As the housing allocations policy and scheme is purely concerned with allocations and nominations for existing social housing stock a climate change appraisal is not relevant.

With respect to the Human Rights Act, this does not give a person a right to a home or other accommodation, instead it contains a right to respect for a home that a person already has. The Housing Act 1996 and the associated statutory guidance on social housing allocations for local authorities in England sets out the legal framework for the Council to establish its allocation policy and scheme. The Council must comply with the Housing Act 1996, even if the statute appears to infringe the Human Rights Act, for example in terms of eligibility. However, the operation of allocation schemes must avoid unjustified discrimination (which may be contrary to Article 14 of the Human Rights Act) and procedural unfairness (which may be contrary to Article 6 of the Act). The revised draft allocations policy and scheme has been considered in terms of this, and as show in section 21 of the draft policy, advice and assistance, including assisted bidding is provided to ensure all persons are able to apply to the scheme and applicants are able to submit bids.

With respect to the public sector equality duty, through ensuring those applicants in the greatest housing need are allocated social housing the draft revised policy seeks to promote social inclusion.

Guidance Notes

1. Legal Context

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. It is up to us as an authority to decide what form our equality impact assessment may take. By way of illustration, some local authorities focus more overtly upon human rights; some include safeguarding. It is about what is considered to be needed in a local authority's area, in line with local factors such as demography and strategic objectives as well as with the national legislative imperatives.

Carrying out these impact assessments helps us as a public authority to ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010, and to thus demonstrate that the three equality aims are integral to our decision making processes.

These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

These screening assessments for any proposed service change go to Cabinet as part of the committee report, or occasionally direct to Full Council, unless they are ones to do with Licensing, in which case they go to Strategic Licensing Committee.

Service areas would ordinarily carry out a screening assessment, or Part One equality impact assessment. This enables energies to be focussed on review and monitoring and ongoing evidence collection about the positive or negative impacts of a service change upon groupings in the community, and for any adjustments to be considered and made accordingly.

These screening assessments are recommended to be undertaken at timely points in the development and implementation of the proposed service change.

For example, an ESHIA would be a recommended course of action before a consultation. This would draw upon the evidence available at that time, and identify the target audiences, and assess at that initial stage what the likely impact of the service change could be across the Protected Characteristic groupings and our tenth category of Social Inclusion. This ESHIA would set out intended actions to engage with the groupings, particularly those who are historically less likely to engage in public consultation e.g. young people, as otherwise we would not know their specific needs.

A second ESHIA would then be carried out after the consultation, to say what the feedback was, to set out changes proposed as a result of the feedback, and to say where responses were low and what the plans are to engage with groupings who did not really respond. This ESHIA would also draw more upon actions to review impacts in order to mitigate the negative and accentuate the positive. Examples of this approach include the Great Outdoors Strategy, and the Economic Growth Strategy 2017-2021

Meeting our Public Sector Equality Duty through carrying out these ESHIAs is very much about using them as an opportunity to demonstrate ongoing engagement across groupings and to thus visibly show we are taking what is called due regard of the needs of people in protected characteristic groupings

If the screening indicates that there are likely to be significant negative impacts for groupings within the community, the service area would need to carry out a full report, or Part Two assessment. This will enable more evidence to be collected that will help the service area to reach an informed opinion.

In practice, Part Two or Full Screening Assessments have only been recommended twice since 2014, as the ongoing mitigation of negative equality impacts should serve to keep them below the threshold for triggering a Full Screening Assessment. The expectation is that Full Screening Assessments in regard to Health Impacts may occasionally need to be undertaken, but this would be very much the exception rather than the rule.

2. <u>Council Wide and Service Area Policy and Practice on Equality, Social Inclusion and Health</u>

This involves taking an equality and social inclusion approach in planning changes to services, policies, or procedures, including those that may be required by Government.

The decisions that you make when you are planning a service change need to be recorded, to demonstrate that you have thought about the possible equality impacts on communities and to show openness and transparency in your decision-making processes.

This is where Equality, Social Inclusion and Health Impact Assessments (ESHIAs) come in. Where you carry out an ESHIA in your service area, this provides an opportunity to show:

- What evidence you have drawn upon to help you to recommend a strategy or policy or a course of action to Cabinet.
- What target groups and audiences you have worked with to date.
- What actions you will take in order to mitigate any likely negative impact upon a group or groupings, and enhance any positive effects for a group or groupings; and
- What actions you are planning to review the impact of your planned service change.

The formal template is there not only to help the service area but also to act as a stand-alone for a member of the public to read. The approach helps to identify whether or not any new or significant changes to services, including policies, procedures, functions, or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

This assessment encompasses consideration of social inclusion. This is so that we are thinking as carefully and completely as possible about all Shropshire groups and communities, including people in rural areas and people or households that we may describe as vulnerable.

Examples could be households on low incomes or people for whom there are safeguarding concerns, as well as people in what are described as the nine 'protected characteristics' of groups of people in our population, e.g., Age. Another specific vulnerable grouping is veterans and serving members of the Armed Forces, who face particular challenges with regard to access to Health, to Education, and to Housing.

We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging, or delivering services.

When you are not carrying out an ESHIA, you still need to demonstrate and record that you have considered equality in your decision-making processes. It is up to you what format you choose.-You could use a checklist, an explanatory note, or a document setting out our expectations of standards of behaviour, for contractors to read and sign. It may well not be something that is in the public domain like an ESHIA, but you should still be ready for it to be made available.

Both the approaches sit with a manager, and the manager has to make the call, and record the decision made on behalf of the Council. Help and guidance is also available via the Commissioning Support Team, either for data, or for policy advice from the Rurality and Equalities Specialist. Here are some examples to get you thinking.

Carry out an ESHIA:

- If you are building or reconfiguring a building.
- If you are planning to reduce or remove a service.
- If you are consulting on a policy or a strategy.
- If you are bringing in a change to a process or procedure that involves other stakeholders and the wider community as well as particular groupings

For example, there may be a planned change to a leisure facility. This gives you the chance to look at things like flexible changing room provision, which will maximise positive impacts for everyone. A specific grouping that would benefit would be people undergoing gender reassignment

Carry out an equality and social inclusion approach:

- If you are setting out how you expect a contractor to behave with regard to equality, where you are commissioning a service or product from them.
- If you are setting out the standards of behaviour that we expect from people who work with vulnerable groupings, such as taxi drivers that we license.
- If you are planning consultation and engagement activity, where we need to collect equality data in ways that will be proportionate and non-intrusive as well as meaningful for the purposes of the consultation itself.
- If you are looking at services provided by others that help the community, where we need to demonstrate a community leadership approach

For example, you may be involved in commissioning a production to tour schools or appear at a local venue, whether a community hall or somewhere like Theatre Severn. The production company should be made aware of our equality policies and our expectation that they will seek to avoid promotion of potentially negative stereotypes. Specific groupings that could be affected include: Disability, Race, Religion and Belief, and Sexual Orientation. There is positive impact to be gained from positive portrayals and use of appropriate and respectful language in regard to these groupings in particular.

3. Council wide and service area policy and practice on health and wellbeing

This is a relatively new area to record within our overall assessments of impacts, for individual and for communities, and as such we are asking service area leads to consider health and wellbeing impacts, much as they have been doing during 2020-2021, and to look at these in the context of direct and indirect impacts for individuals and for communities. A better understanding across the Council of these impacts will also better enable the Public Health colleagues to prioritise activities to reduce health inequalities in ways that are evidence based and that link effectively with equality impact considerations and climate change mitigation.

Health in All Policies - Health Impact Assessment

Health in All Policies is an upstream approach for health and wellbeing promotion and prevention, and to reduce health inequalities. The Health Impact Assessment (HIA) is the supporting mechanism

- Health Impact Assessment (HIA) is the technical name for a commonsense idea. It is a process that considers the wider effects of local policies, strategies and initiatives and how they, in turn, may affect people's health and wellbeing.
- Health Impact Assessment is a means of assessing both the positive and negative health impacts of a policy. It is also a means of developing good evidence-based policy and strategy using a structured process to review the impact.
- A Health Impact Assessment seeks to determine how to maximise health benefits and reduce health inequalities. It identifies any unintended health consequences. These consequences may support policy and strategy or may lead to suggestions for improvements.
- An agreed framework will set out a clear pathway through which a policy or strategy can be assessed and impacts with outcomes

identified. It also sets out the support mechanisms for maximising health benefits.

The embedding of a Health in All Policies approach will support Shropshire Council through evidence-based practice and a whole systems approach, in achieving our corporate and partnership strategic priorities. This will assist the Council and partners in promoting, enabling and sustaining the health and wellbeing of individuals and communities whilst reducing health inequalities.

<u>Individuals</u>

Will the proposal have a *direct impact* on health, mental health and wellbeing?

For example, would it cause ill health, affecting social inclusion, independence and participation?

Will the proposal directly affect an individual's ability to improve their own health and wellbeing?

This could include the following: their ability to be physically active e.g., being able to use a cycle route; to access food more easily; to change lifestyle in ways that are of positive impact for their health.

An example of this could be that you may be involved in proposals for the establishment of safer walking and cycling routes (e.g., green highways), and changes to public transport that could encourage people away from car usage. and increase the number of journeys that they make on public transport, by foot or on bicycle or scooter. This could improve lives.

Will the proposal *indirectly impact* an individual's ability to improve their own health and wellbeing?

This could include the following: their ability to access local facilities e.g., to access food more easily, or to access a means of mobility to local services and amenities? (e.g. change to bus route)

Similarly to the above, an example of this could be that you may be involved in proposals for the establishment of safer walking and cycling routes (e.g. pedestrianisation of town centres), and changes to public transport that could encourage people away from car usage, and increase

the number of journeys that they make on public transport, by foot or on bicycle or scooter. This could improve their health and well being.

Communities

Will the proposal directly or indirectly affect the physical health, mental health, and wellbeing of the wider community?

A *direct impact* could include either the causing of ill health, affecting social inclusion, independence and participation, or the promotion of better health.

An example of this could be that safer walking and cycling routes could help the wider community, as more people across groupings may be encouraged to walk more, and as there will be reductions in emission leading to better air quality.

An *indirect impact* could mean that a service change could indirectly affect living and working conditions and therefore the health and well being of the wider community.

An example of this could be: an increase in the availability of warm homes would improve the quality of the housing offer in Shropshire and reduce the costs for households of having a warm home in Shropshire. Often a health promoting approach also supports our agenda to reduce the level of Carbon Dioxide emissions and to reduce the impact of climate change.

Please record whether at this stage you consider the proposed service change to have a direct or an indirect impact upon communities.

Demand

Will there be a change in demand for or access to health, local authority and social care services?

For example: Primary Care, Hospital Care, Community Services, Mental Health and Social Services?

An example of this could be: a new housing development in an area would affect demand for primary care and local authority facilities and services in that location and surrounding areas. If the housing development does not factor in consideration of availability of green space and safety within the public realm, further down the line there could be an increased demand upon health and social care services as a result of the lack of opportunities for physical recreation, and reluctance of some groupings to venture outside if they do not perceive it to be safe.

For further information on the use of ESHIAs: please contact your head of service or contact Mrs Lois Dale, Rurality and Equalities Specialist and Council policy support on equality, via telephone 01743 258528, or email lois.dale@shropshire.gov.uk.

For further guidance on public health policy considerations: please contact Amanda Cheeseman Development Officer in Public Health, via telephone 01743 253164 or email amanda.cheeseman@shropshire.gov.uk