

Everyone should have a home

Gavin Corbett, Policy Manager

Allocating homes

Shelter

Allocations changes to the Housing Bill

- **Section 5 referrals**
- **Reasonable preference**
- **Local homes for local people**

Background

1977

Housing associations / co-operatives

PUBLIC HOUSING

2009

Registered social landlords: 45%

Council housing: 55%

Section 5 referrals: law and guidance

- A RSL must respond to a request by a LA to house a homeless person unless it has good reason not to.
- No appropriate accommodation available within 6 weeks.
- If RSL and LA cannot agree then arbitration can kick in (section 6 of the 2001 Act).

Section 5 referrals in practice

- Data from 2007-08 shows that, of homeless referrals housed by RSLs, 75% are described as section 5 referrals and 25% as “other homeless referrals”.

In 14 LAs Section 5 is sole referral mechanism.

In 2008-09 22% of RSL lets went to homeless people; for councils it is 42%.

Information poor on outcomes.

Scottish Housing Regulator:

▪

“The RSL sector, as a whole, could make more of a contribution to housing homeless people and some individual RSLs should make more of a contribution. In 2008/09, RSLs gave 22% of their lets to homeless people referred by councils. This proportion of lets has increased by only 1% in each of the last two years.

“We have also identified some specific areas where current practices could be improved, to help councils move towards the 2012 target and RSLs to make more of a contribution. We recommend that councils should work more effectively with RSLs to agree evidence-based targets for their contribution to housing homeless people, and share information to maximise the availability and suitability of lets. This may mean setting aside their current reluctance to use section 5 powers.”

5 Duty of registered social landlord to provide accommodation

(1) Where a local authority has a duty under section 31(2) (duty to persons found to be homeless) of the 1987 Act in relation to a homeless person, it may request a registered social landlord which holds houses for housing purposes in its area to provide accommodation for the person.

(1A) No request may be made by a local authority to a registered social landlord to provide accommodation to a person to whom a duty is owed under section 31(2) of the 1987 Act otherwise than in accordance with this section, and any request made by a local authority to a registered social landlord which holds houses for housing purposes in its area to provide accommodation for such a person shall be deemed to be a request under subsection (1).

Strengthening Section 5 Referrals

- Better outcomes for homeless people: full range of stock available, more information about support needs and remedies if things go wrong.
- Greater transparency for councils
- Greater comparability for RSLs with peers

Accompanied by data collection framework by Scottish Housing Regulator.

Reasonable Preference

Section 20 of the 1987 Act gives priority to people who:

(i) are occupying houses which do not meet the tolerable standard; or

(ii) are occupying overcrowded houses; or

(iii) have large families; or

(iv) are living under unsatisfactory housing conditions;

- And also homeless people

Revised statement?

Social landlords should allocate housing according to housing needs, as set out in local housing strategy or other key documents.

MP joins push to make local homes for local people

MP RUSSELL Brown is backing a proposal to ensure homes are given first to people who have grown up in the area.

The suggestion has been made at Holyrood, where an amendment could be made to the Housing Bill.

This could see housing associations and local authorities allowed to give precedence to local people.

close to their family and friends.

“Labour’s proposal will ensure that social housing providers can take into account applicants’ ties to a local area when they allocate homes.”

Mr Morgan hit back pointing to the fact that in eight years of a Labour-Liberal Democrat Executive, no such action was taken.

Summary of Allocations

- Section 5 of the 2001 Act should be amended to so that it is the sole, rather than just the main, referral route for homeless people.
- There is a case for reform of reasonable preference criteria but probably not pressing.
- It is hard to take “local homes for local people” as anything more than a slogan, not backed by convincing evidence or any real solid proposal.