

EXCERPT FROM THE MINUTES OF THE HEALTH AND WELLBEING SCRUTINY PANEL HELD ON 16 JULY 2020

HWSP.35/20 NEW CUMBRIA CHOICE ALLOCATIONS POLICY AND EQUALITY IMPACT ASSESSMENT

The Corporate Director of Governance and Regulatory Services introduced the final draft of the Cumbria Choice Based Lettings Allocations Policy review supported by the updated Equality Impact Assessment and a summary of the key changes from the previous policy (GD.27/20).

The Housing Development Officer reported that the updated Policy related to homelessness as well as allocations, approval of the updated Policy would ensure that there was greater clarity for households in Carlisle who were registered for social housing or who may register in the future. As it was a shared Allocations Policy, which had to be approved by thirteen partners, it was proposed that minor changes from the consultation process would be signed off by the Corporate Director of Governance and Regulatory Services in consultation with the Economy, Enterprise and Housing Portfolio Holder.

The Housing Development Officer highlighted the changes that had been made to the Policy (as set out at in appendix 3 of the report) and informed the Panel that some amendments and recommendations had been received after the publication of the report, and had been approved in principal by the Partnership. The amendments, which covered information governance, statutory guidance regarding armed forces personal and veterans and those who had a connection Northern Ireland, had been included in the draft Policy for consideration by the Executive on 20 July 2020 along with the minutes from this Panel.

The Homeless Services Manager reiterated that the new Policy would be compliant with all new and amended legislation including the Equality Act and would be a clearer Policy for both the customers and those implementing the Policy. He drew the Panel's attention to the Cumbria Choice Headline figures which demonstrated the effectiveness of the Allocations Policy and how successful the County wide approach had been.

The matter had been referred to the Panel by the Executive at their meeting on 22 June 2020 (Minute Excerpt EX.68/20 refers).

The Communities, Health and Wellbeing Portfolio Holder commented that the amended Policy was a vast improvement on an already excellent County wide document and she supported the reduction in bands and the inclusion of armed forces and veterans and those with Northern Ireland connections.

In considering the Allocations Policy Members raised the following comments and questions:

- The Finance, Governance and Resources Portfolio Holder asked for clarification with regard to the consideration of the Equality Act in applications and questioned how it would be possible for someone to not have a protected characteristic.

The Corporate Director of Governance and Regulatory Services responded that everybody had the benefit of the various legal protections and the policy catered for the possibility that an applicant may argue that they had a protected characteristic which was allegedly being infringed. This would need to be properly considered and responded to.

- The Panel welcomed the incorporation of the Equality Act into the Policy, however the inclusion of transgender in the Equality Impact Assessment was incorrect. The Equality Act guidelines were for gender reassignment only and the inclusion of transgender was in direct opposition to the protected characteristic of sex in particular to men and women. There had been no legislative change to include transgender as a protected characteristic and it was proposed that the word be removed from the document.
- A Member felt that it should be mandatory for applicants to complete all sections of the application to be eligible.
- There was a large number of people registered for Cumbria Choice, how many people were in each band and was there an appeals process for those who were not happy with their placement in the new bands?

The Homeless Services Manager responded that the reduction in the bands should provide greater clarity and transparency for customers and would not significantly change the banding they were in. If, however, applicants were not satisfied there was an appeals process that was managed by the appropriate housing association. There was support available for individuals who wanted to appeal from local authorities or from a number of charities.

- Given the demand for housing through Cumbria Choice, how many social housing properties were available in Cumbria?
- If an applicant to Cumbria Choice did not have a local connection could they only apply to band C or return to their local area?
- How did the changes to the Policy impact those applying to Cumbria Choice?
- Was the Policy prescriptive for applicants or was there some discretion for individual cases?

The Homeless Services Manager confirmed that the Policy was purposefully prescriptive for transparency. The previous Policy had been vague and ambiguous which had led to different interpretations across the County. Although the Policy was prescriptive local authorities' statutory duty for homelessness did take priority and matters such as the local connection would not be required in those cases.

- A Member was concerned that changing the Section 106 details in the Policy could cause issues in rural areas where there was a risk of losing social housing.

The Housing Development Officer advised that Section 106 agreements were legal agreements which would not be superseded by the Policy.

- The IT system which was used was outdated and difficult to use, the Panel asked that the new system should be simple, use plain English and be easy to access and to use. They also asked that consideration be given to having paper copies of the application available to those who

could not access or use IT equipment. The Panel asked that a demonstration of the new system be given to the Panel at a future date.

The Homeless Services Manager agreed that the current system was no longer fit for purpose. The procurement of a new system would begin when the Policy was adopted and would be tailored to the requirements of the Policy. He agreed that a demonstration of the system could come to the Panel.

Referring to the paper applications he explained that the Partnership Board was moving to paperless applications, however, he agreed that not everyone could access IT equipment and he would raise the Panels concerns with the Partnership Board.

The Economy, Enterprise and Housing Portfolio Holder praised officers for their part in the production of the Policy. He highlighted the high level of housing delivery in the City and commented that the current and future offer looked promising.

REOLVED – 1) That the Panel have considered and commented on updated Cumbria Choice Allocations Policy and Equality Impact Assessment (GD.27/20).

2) That the Executive and the Partnership Board be asked to consider the following amendments and proposals:

- Clarification of the wording for protected characteristics on page 25 in the 'Qualification rules adopted under the Policy' section;
- Removal of the word 'transgender' in the Equality Impact Assessment;
- That paper applications for Cumbria Choice are still available for those who cannot access or use IT equipment.

3) That a demonstration of the new Cumbria Choice ICT system be given to the Panel following the procurement in 2021