

# Housing homeless families

## Local authorities and housing associations working together to rehouse families in forever homes

April 2022

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## Introduction

We are living through a crisis of housing supply and affordability, which increases housing vulnerability. There are historically high numbers of children living in temporary accommodation. At the same time, the supply of social rent housing (the cheapest social housing rent, set at up to 50% of market rent) has dropped by 85% since 2010/11, with the number of social rent homes available for letting each year also falling since 2014/15. Welfare reform, such as the household benefit cap, removal of the spare room subsidy and the two-child limit, has also limited income for those on benefits.

Housing associations consistently let nearly a quarter of new general needs lettings to homeless households every year, rising to well over a third if supported housing is included. Despite this, housing associations have faced some criticism in recent years for a perception that they are not doing enough around homelessness or have practices that exclude people who are homeless, such as checks on affordability before offering a property. There have been numerous research reports around the experiences of homeless households living in temporary accommodation, as well as partnership working between local authorities and housing associations to address homelessness. There is very little research, however, on the allocation of social housing to homeless households.

The National Housing Federation (NHF) wanted to investigate these criticisms and address the research gap around policy, practice, barriers and enablers to allocations of homes to households previously living in temporary accommodation. Through interviews with formerly homeless families rehoused in housing association homes, local authorities housing and homeless teams, and housing association lettings teams, it seeks to investigate the processes and experiences of allocations. The research draws out what helps with allocating homes and the difference that stable and secure accommodation makes.

This report presents the background on social housing supply, affordability and housing need, including the legislative framework, before talking through the findings of our research on working with families and allocations policy and practice. We found no evidence that homeless applicants are 'screened out' of social housing, with housing associations consistently letting nearly a quarter of homes to homeless households. It concludes that while there are good examples of partnership working between local authorities and housing associations, families feel confused by the system and may lack choice in homes. There are opportunities for closer partnership working, but if supply of social housing is to ever come close to meeting demand, we

need government to invest in more social rented housing, fewer benefit restrictions, and more homelessness support.

## Housing supply, affordability and homelessness

### Housing supply and affordability

To provide some context for this research, it is worth setting out a brief history on local authority (council) housing and housing association homes, including recent changes that have affected supply and affordability.

Social housing is low-cost homes for rent from local authorities and housing associations. The number of social housing homes in England is shrinking. Figure 1 shows homes by tenure in England from 1970 to 2020. This shows the decline of local authority homes for rent (council housing) from 4.5 million in 1970 to 1.6 million in 2020, while housing association homes have grown from 0.4 million in 1980 to 2.5 million in 2020. These statistics from the Department for Levelling Up, Housing and Communities (DLUHC) show social housing as a proportion of all stock has declined significantly from 1980 to 2020, from 31% of all homes in England to 17%. In the same period, owner occupation has grown from 57% to 64% and private renting from 12% to 19%.

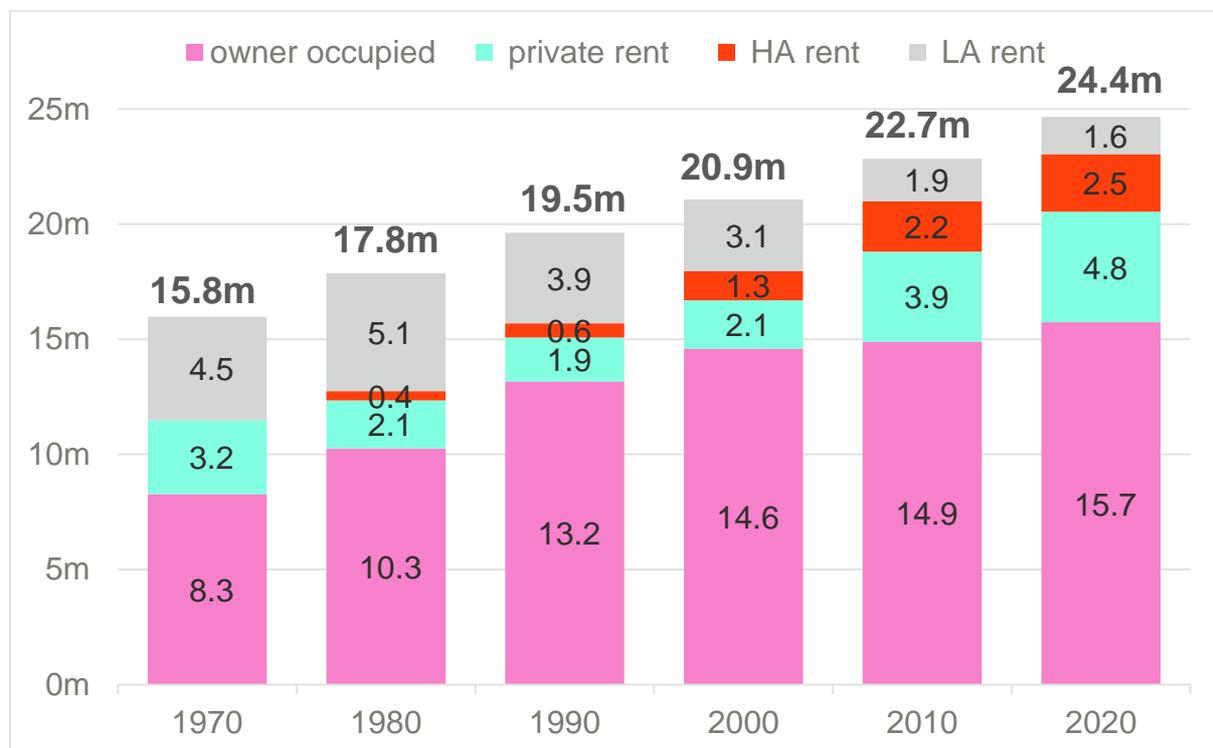


Figure 1 Dwelling stock in England by tenure, 1970-2020. Source: DLUHC Dwelling stock, Table 104

There has been a decline in homes owned by local authorities due to transfers of stock to housing associations and, more significantly, the introduction of Right to Buy in 1980. Right to Buy accounted for 80% of local authority social housing losses in 2019/20, with replacements not keeping up with sales.<sup>1</sup> Until 2018, local authorities also faced a borrowing cap on their Housing Revenue Accounts (HRA), meaning they were restricted on the amount they could borrow to invest in and develop social housing stock. While such caps were lifted in 2018 to support more housebuilding,<sup>2</sup> these issues have constrained the supply of council housing, leading to the decline in stock shown in Figure 1.

In this same period, the number of homes for rent owned by housing associations has grown. Housing associations are not-for-profit landlords of social housing. They are also referred to as registered social landlords (RSLs) and registered providers of social housing (registered providers, providers or RPs). Housing associations can trace their roots back to the founding of almshouses in medieval times, with the modern movement born out of Victorian philanthropy in the 19<sup>th</sup> century. Many of the large housing associations still in existence today were founded at this time, including Peabody and Guinness.

Housing associations were often formed as a direct response to issues in housing, such as poor quality, discrimination, or influxes of refugees. Several housing associations were formed from self-help housing co-operatives in the 1960s/70s, such as Notting Hill Genesis. In the case of homelessness, housing associations also formed in direct response to the problems raised by the 1966 BBC television play 'Cathy Come Home' (directed by Ken Loach). Today, these, and other housing associations who aim to do more to end homelessness, work jointly as 'Homes for Cathy'.<sup>3</sup>

Housing associations grew in the 20<sup>th</sup> and 21<sup>st</sup> century due to the transfer of council housing stock, through large scale voluntary transfer (LSVT). Local authorities increasingly transferred their stock to housing associations. This accelerated in 2000 under Labour's Decent Homes Programme, where stock transfer was intended to facilitate large-scale investment in (undermaintained) council stock.<sup>4</sup> Housing

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<sup>1</sup> [Wilson, W. and Barton, C. \(2021\) Social rented housing \(England\): past trends and prospects. House of Commons Library.](#)

<sup>2</sup> [Ibid.](#)

<sup>3</sup> <https://homesforcathy.org.uk/>

<sup>4</sup> [Pawson, H. et al. \(2009\) The impacts of housing stock transfers in urban Britain.](#)

associations formed from stock transfer are more likely to be locally based associations. Housing association stock also grew after the Housing Act 1988, which allowed new build homes to be financed by private finance in combination with grant funding. 1.3 million homes have been built by housing associations since this time.<sup>5</sup>

Amidst the reduction in social housing stock as a proportion of total homes in England, the supply of new social rented housing (the cheapest form of social housing, at around 50% of market rent) is also falling. The Affordable Homes grant programme, which subsidises delivery of new affordable housing, changed in 2010/11 so that no grant funding was available for building new social rent housing. It introduced a new tenure of social housing for rent, affordable rent, set at up to 80% of market rents. Average affordable rent homes' weekly rent was 38% more than social rent for general needs stock in England in 2021.<sup>6</sup> The higher rents are designed to subsidise the building of more social housing, with grants for building social housing moving from a capital grant supply subsidy to a revenue subsidy. In accordance with this, grant reduced from £8.4bn in 2008-11 to deliver 70% social rent and 30% shared ownership homes to £4.5bn in 2011-15 to deliver 80% affordable rent and 20% shared ownership. The grant rate has increased to £11.5bn for 2021-26, but only half of this is for homes to rent, with money available for social rent remaining low.<sup>7</sup> Inflation also means that the grant rate is less of an increase from 2009-11 than it appears.

As a result of changes to grant, the supply of new social rent homes has dropped from 39,562 in 2010/11 to 5,955 in 2020/21. Meanwhile, affordable rents homes peaked at 40,830 new homes in 2014/15, with 23,715 additional homes completed in 2020/21 (out of a total 52,100 affordable homes).<sup>8</sup> According to the Regulator's stock data, of the 2.19m general need homes for rent from registered providers in 2019/20, 86% were social rent and 14% affordable rent.<sup>9</sup> By contrast, in 2011/12, of 1.85 million general needs rented stock from housing associations, 99.6% was social rent. This change in proportion can be partially accounted for by the reduction in supply of

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<sup>5</sup> [DLUHC, Live Table 1000 Additional affordable homes provided by tenure, England](#); [DLUHC, Live Table 244 permanent dwellings started and completed by tenure, England](#).

<sup>6</sup> [Regulator of Social Housing \(2021\) Private registered provider social housing stock in England - rents profile](#).

<sup>7</sup> See <https://www.gov.uk/guidance/apply-for-affordable-housing-funding#about>. In London, where the Greater London Authority deliver the programme, 50% of the homes funded under the AHP will be for social rent.

<sup>8</sup> [DLUHC, Live Table 1000 Additional affordable homes provided by tenure, England](#)

<sup>9</sup> [Private registered providers social housing stock in England](#)

social rent as affordable rent became the dominant tenure for new builds, due to changes in the Affordable Homes Programme, alongside a limited number of conversions. Affordable rent could be charged from April 2011, with housing associations subsequently converting a limited number of social rent homes to affordable rent. Our analysis indicates that this has resulted in the loss of up to 5% of social rent homes (based on 120,581 homes converted from 2012 to 2021 and 2,372,789 social rent homes in 2012).<sup>10</sup> Additional rent from these conversions has generated funds for housing associations to build new social homes and invest in existing stock and services.

Changes in supply have affected the number of social housing properties being newly let (to new and existing tenants). For housing associations, this has reduced from 271,000 in 2013/14 to 213,000 in 2019/20, a 21% decrease, while local authorities had a 26% drop over the same period, from 126,000 to 93,000.<sup>11</sup> In total, social rent accounted for 86% of new lettings by local authorities and housing associations in 2019/20, compared with 93% in 2012/13.<sup>12</sup>

There is not enough social housing to meet demand. The NHF's People in Housing Need research finds there are 8.5 million people in England with some form of unmet housing need. For 4.2 million of these people, social rented housing would be the most appropriate tenure to address need.<sup>13</sup> The research finds that overcrowding is the largest problem nationally, affecting nearly 3.7 million people. Affordability and suitability of housing are also big issues, affecting 2.4 million and nearly 1 million people respectively. Homelessness affects just over 641,000 people.

To meet housing need in England, research for Crisis and the NHF found it will be necessary to build 145,000 affordable homes each year, including 90,000 for social rent.<sup>14</sup> Further analysis carried out in 2019 suggested building these homes would require £12.8bn in grant a year.<sup>15</sup> More recent research noted the challenges to development capacity from costs to cover urgent building safety works and large-

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<sup>10</sup> [Table 3.13 Additional table on Affordable Rent stock gains and conversions, 2012 to 2021 for the Statistical Data Return \(SDR\) 2021](#)

<sup>11</sup> [DLUHC \(2021\) New social housing lettings in England, 2019/20](#)

<sup>12</sup> [Wilson, W. and Barton, C. \(2021\) Social rented housing \(England\): past trends and prospects. House of Commons Library.](#)

<sup>13</sup> [NHF \(2021\) People in Housing Need.](#)

<sup>14</sup> [Bramley, G. \(2018\) Housing supply requirements across Great Britain: for low-income households and homeless people.](#)

<sup>15</sup> [NHF \(2019\) Capital grant required to meet social housing need in England 2021-2031.](#)

scale decarbonisation, suggesting that £34bn a year is required to meet affordable housing demand with up to £14bn of this required from government subsidy.<sup>16</sup>

Alongside these constraints in the supply of social housing, affordability of home ownership has also declined. The Office for National Statistics state that the ratio of median house price to median gross annual residence-based earnings in England stood at 7.84 in 2020, compared to 6.85 in 2010.<sup>17</sup> Meanwhile, when renting, households on lower incomes could expect to spend 38% of their income on a median priced rental home.<sup>18</sup> JRF found that 1.9 million private renters are pushed into poverty by their housing costs.<sup>19</sup> Poverty is both a precursor to homelessness and a cause of homelessness.<sup>20</sup> The crisis of supply and affordability of housing can increase housing vulnerability, and has been found to be an important factor in a rise in statutory homelessness since 2010/11.<sup>21</sup>

Concurrently, there have been significant reforms to the welfare system. These include the introduction of Universal Credit, the benefit cap, removal of the spare room subsidy, two-child limit, and, for those private renting, Local Housing Allowance caps and freezes. These have the effect of limiting benefits and, in the private sector, can mean that housing costs available through Universal Credit or Housing Benefit are not enough to cover rent (true for 54% of private renters claiming housing costs in May 2021).<sup>22</sup> These changes, alongside a decline in supply, have been found to be one of the factors in increased homelessness, including making it harder to secure housing for eligible applicants.<sup>23</sup>

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<sup>16</sup> [Legal and General and British Property Federation \(2022\) Delivering a Step Change in Affordable Housing Supply.](#)

<sup>17</sup> [Office for National Statistics \(2020\) House price to residence-based earnings ratio, Table 1c](#)

<sup>18</sup> [Office for National Statistics \(2021\) Private rental affordability, England: 2012 to 2020](#)

<sup>19</sup> [Joseph Rowntree Foundation \(2022\) UK Poverty 2022: The essential guide to understanding poverty in the UK.](#)

<sup>20</sup> [Johnsen, S & Watts, B \(2014\) Homelessness and poverty: reviewing the links. Heriot-Watt University.](#)

<sup>21</sup> See summary in [Wilson, W. and Barton, C. \(2021\) Statutory Homelessness \(England\). House of Commons Library.](#)

<sup>22</sup> [Department for Work and Pensions \(2021\) Universal Credit statistics: supplementary tables for Universal Credit up to May 2021](#)

<sup>23</sup> [Watts, B., Bramley, G., Pawson, H., Young, G., Fitzpatrick, S. and McMordie, L. \(2022\) The Homelessness Monitor: England 2022. London: Crisis.](#)

## Levels of homelessness in England

When a person makes a homeless application then a local authority must make an initial assessment around their eligibility, circumstances and needs to determine if a statutory homelessness duty applies. In 2020/21, local authorities recorded around 270,710 homelessness prevention or relief duties owed to households following an initial assessment. About 120,000 of these were prevention duties while around 150,000 were relief duties.<sup>24</sup> Of these, just under 40,000 are owed a main housing duty.<sup>25</sup> Definitions of these duties are in the section on [homelessness legislation](#). Figure 2 below tracks these trends over the years, showing a general rise since 2009/10. The drop in main housing duty can be explained by the larger numbers of households receiving assistance through prevention or relief duties.<sup>26</sup>

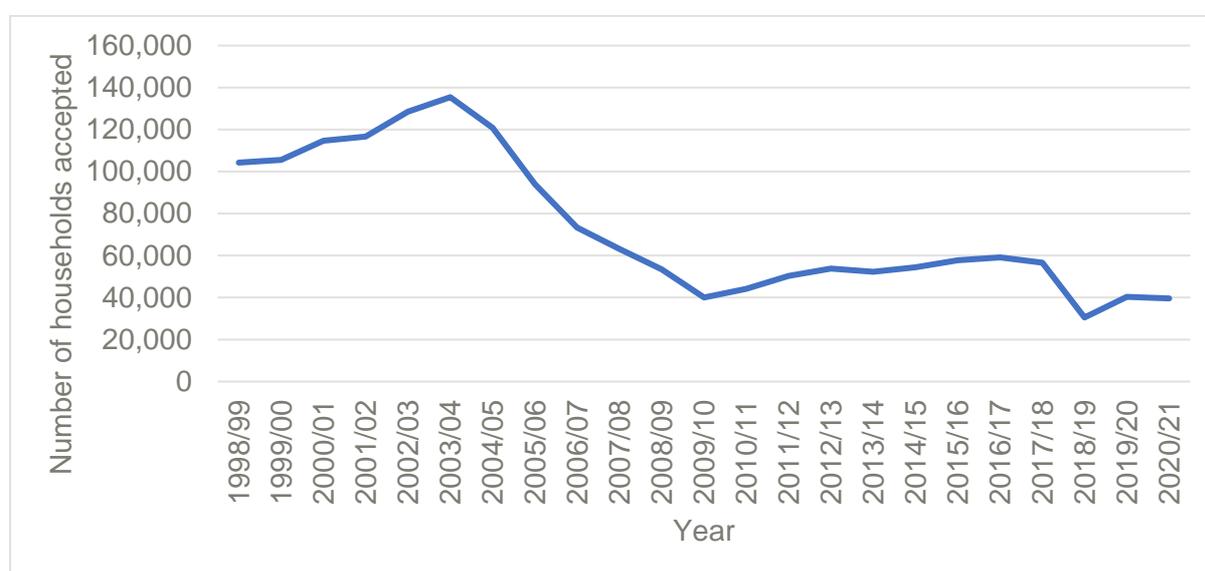


Figure 2 Main housing duty acceptances in England 1998/99 - 2020/21. Households will be eligible, in priority need and unintentionally homeless. Figures since 2018/19 are not directly comparable in the time series due to changes from the Homelessness Reduction Act 2017 as households now receive a minimum of 56 days assistance prior to being assessed for and owed a main duty. Source: [DLUHC Table MD1 - Number of households by decision on duty owed, Statutory Homelessness Live Tables](#).

Figures around households owed homelessness duties were affected by the coronavirus pandemic, with one-fifth fewer households owed a prevention duty than

<sup>24</sup> [DLUHC, Table A1 - Number of households by initial assessment of homelessness circumstances and needs England, 2018 Q2 to 2021 Q3, Statutory Homelessness Live Tables](#).

<sup>25</sup> [DLUHC Table MD1 - Number of households by decision on duty owed England 1998 Q1 to 2021 Q3, Statutory Homelessness Live Tables](#).

<sup>26</sup> [Watts, B., Bramley, G., Pawson, H., Young, G., Fitzpatrick, S. and McMordie, L. \(2022\) The Homelessness Monitor: England 2022. London: Crisis](#).

the year before and 7% more owed a relief duty.<sup>27</sup> The largest rise in relief duties was in April-June 2020, as part of Everyone In, which tasked local authorities with accommodating people at risk of rough sleeping during the initial stages of the coronavirus outbreak.<sup>28</sup> Applications involving family households fell by 22% in 2020/21, reflecting changes to the evictions process and also a rise in homelessness from family/friend exclusion, where sofa surfing arrangements broke down during the public health crisis (which is more likely to affect single people).<sup>29</sup>

Households might be placed in temporary accommodation while their homelessness application is determined, or if their application is accepted and no suitable secure accommodation is available.<sup>30</sup> Numbers of households in temporary accommodation rose between December 2011 and June 2020, though fell 2% in the year since then. Of the 96,060 households in temporary accommodation in September 2021, 61.6% had dependent children, with a total of 121,680 children living in temporary accommodation.<sup>31</sup> Figure 3 shows this is a historically high number.

Temporary accommodation is not social housing and generally not provided by housing associations. Most temporary accommodation is leased to local authorities by private landlords, with the second largest type of temporary accommodation being homes owned by a local authority or housing association.<sup>32</sup>

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<sup>27</sup> NHF analysis of [DLUHC, Table A1 - Number of households by initial assessment of homelessness circumstances and needs England, 2018 Q2 to 2021 Q3, Statutory Homelessness Live Tables.](#)

<sup>28</sup> [Wilson, W. and Barton, C. \(2021\) Statutory Homelessness \(England\). House of Commons Library.](#)

<sup>29</sup> [Watts, B., Bramley, G., Pawson, H., Young, G., Fitzpatrick, S. and McMordie, L. \(2022\) The Homelessness Monitor: England 2022. London: Crisis.](#)

<sup>30</sup> Legislation sets out what factors must be considered to determine if accommodation is suitable, including affordability and location – see [Homelessness code of guidance for local authorities, Chapter 17: Suitability of accommodation](#)

<sup>31</sup> [DLUHC \(2021\) Statutory Homelessness, July to September \(Q3\) 2021: England](#)

<sup>32</sup> [DLUHC, Table TA1 Number of households in temporary accommodation at the end of quarter by type of TA provided, England.](#)

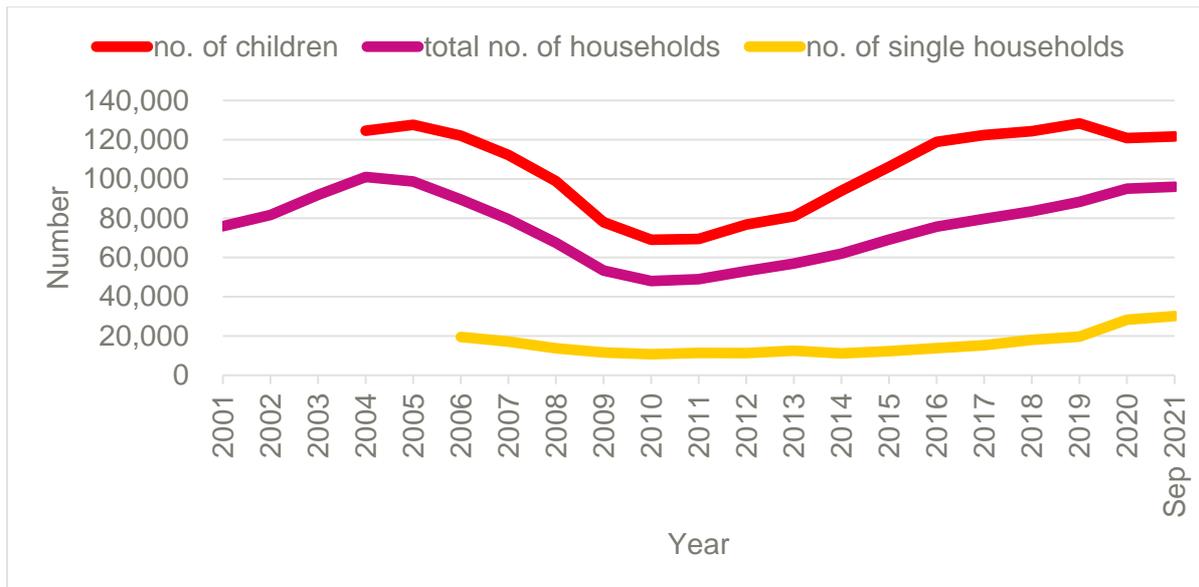


Figure 3 Number of households in temporary accommodation, England. Source: [DLUHC, Tables TA1, TA2 Statutory Homelessness July-September 2021, England. Year ending December, except the final data point \(September 2021\).](#)

## Family homelessness, including impacts on health and wellbeing

There is a wealth of evidence on the impact living in temporary accommodation has on the health and wellbeing of families. Research by Shelter found that children who have been in temporary accommodation for more than a year are over three times more likely to demonstrate problems such as anxiety and depression than non-homeless children are.<sup>33</sup> Research for the Welsh Government found that education outcomes for children living in homeless households are behind that of their peers (though similar to those eligible for Free School Meals).<sup>34</sup>

Despite the impact that homelessness has on families, research in Camden has identified why households may not always accept a housing offer.<sup>35</sup> Households strongly preferred a council tenancy to any other outcome. Those who had lived in temporary accommodation for years felt they had earned a council home. Households interviewed did not have a clear understanding of their realistic housing options, including some not understanding what a housing association was.

<sup>33</sup> [Harker L. \(2006\) Chance of a lifetime: the impact of bad housing on children's lives. Shelter](#)

<sup>34</sup> [Thomas, I. and Mackie, P. \(2020\) Exploratory analysis of education outcomes of children and young people living in homeless households](#)

<sup>35</sup> [Scanlon, K. and Blanc, F. \(2019\) Barriers to acceptance of housing offers by families in temporary accommodation.](#)

## Housing association lets to homeless households

Significant questions have been asked of housing associations and whether they are doing enough to address homelessness. Research from the Chartered Institute of Housing (CIH) highlights concerns over pre-tenancy checks by housing associations leading to a 'screening out' of homeless households.<sup>36</sup> A survey of local authorities for the 2019 Homelessness Monitor in England found nearly half (47%, n=144) agreed that changes in allocation policies applied by housing associations in their area had made it more difficult to address homelessness over the past few years.<sup>37</sup> The main concern was around affordability and financial capability checks making it difficult to place homeless households into social housing.<sup>38</sup> More recently, factors making it challenging for local authorities to access social housing for homeless households include slow void turnarounds (likely caused by a pause in lettings during the early stages of the coronavirus pandemic and supply chain issues) and less turnover due to fewer evictions.<sup>39</sup>

The 2020 UK Housing Review picked up local authorities' criticisms of housing association allocation policy and practice affecting their ability to resolve homelessness from Homelessness Monitor England. It noted that data on lettings show new social lettings to homeless households by English council lettings has been 24-25% for the last three years, while the equivalent housing association share has remained at 22-23%.<sup>40</sup> This is within the context of a decline in social lettings to new tenants because of a decline in supply. In terms of the number of lets each year, housing associations house more homeless households than local authorities, due to owning more homes.<sup>41</sup>

NHF analysis of the most recently available data from DLUHC COntinuous REcording of Lettings and Sales in Social Housing in England (CORE data) shows that, excluding lets to existing tenants of social housing, housing associations consistently let nearly a quarter of all general need homes to homeless households (both the statutorily homeless and those the landlord considers homeless), as shown in Figure 4. This rises to over a third when supported housing lets are included (see

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<sup>36</sup> [Chartered Institute of Housing \(2018\) Rethinking social housing.](#)

<sup>37</sup> [Fitzpatrick, S., Pawson, H., Bramley, G., Wood, J., Watts, B., Stephens, M. & Blenkinsopp, J. \(2019\) The Homelessness Monitor: England 2019. London: Crisis.](#)

<sup>38</sup> [Ibid.](#)

<sup>39</sup> [Watts, B., Bramley, G., Pawson, H., Young, G., Fitzpatrick, S. and McMordie, L. \(2022\) The Homelessness Monitor: England 2022. London: Crisis.](#)

<sup>40</sup> [Fitzpatrick, S., Watts, B. and Perry, J. \(2020\) UK Housing Review, Chapter Five: Homelessness, housing needs and lettings.](#)

<sup>41</sup> [Ibid.](#)

Figure 5). Local authorities let around a third to homeless households, but are increasingly making fewer lets a year compared to housing associations (due to having fewer homes) – see Figures 4 and 5.

Figure 4 shows the number of new general needs lets made each year by housing associations has been falling since a peak of 102,678 in 2014/15 to 87,946 in 2017/18, a 14% decrease. The fall is even more dramatic for local authorities, where 17% fewer general needs lets were made over the same period (from 58,852 to 48,838). These falls are indicative of the crisis in housing supply. The number of lets to homeless households has not fallen at the same rate, with housing associations having a 7% decrease on lets to homeless households and local authorities 6% drop. This means the proportion of general needs new lettings to homeless households has grown in this period. As the number of general needs lets made by local authorities each year is falling at a much faster rate than number of lettings to homeless households, the proportion of lets to homeless households is increasing. Both local authorities and housing associations previously let proportionately more homes to homeless households in 2007/08. The likely explanation for this include fewer homes being available and previously higher rates of statutory homelessness alongside higher levels of ringfenced support funding, through Supporting People.



Figure 4 New social housing general needs lettings by landlord, including proportion of lets to homeless households (statutory and non-statutory). Source: DLUHC, CORE data, new lettings to tenants not in social housing immediately prior, 2007-2018.

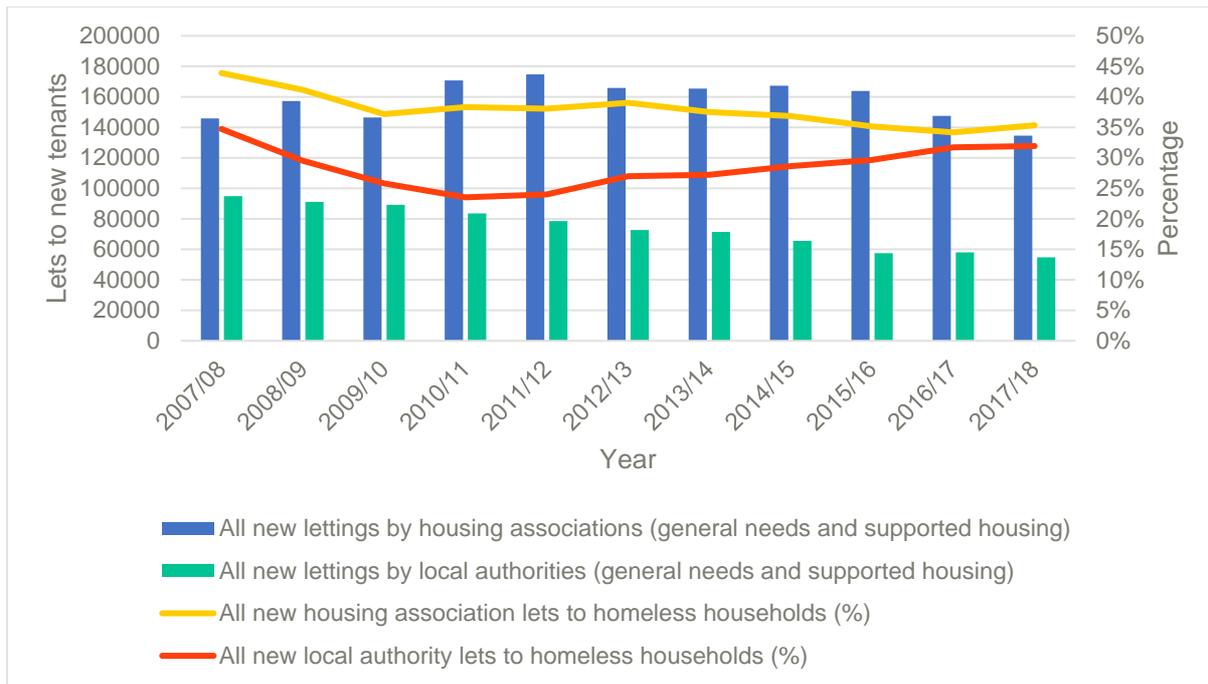


Figure 5 All new social housing lettings by landlord, including proportion of lets to homeless households (statutory and non-statutory). Source: DLUHC, CORE data new lettings to tenants not in social housing immediately prior, 2007-2018.

Lettings vary by local authority. CORE data from 2019/20 for all lettings to new and existing tenants shows there were no lets to homeless households in the City of London or Isle of Scilly (where a total of 5 and 11 lets were made respectively) compared to 46.9% in Basildon (out of 369 lets). In the local authorities spoken to as part of this research, the proportion of total lettings to statutorily homeless households was 14.4%, ranging from 2.9% (of over 3,600 lets) to 31% (of over 900 lets). This indicates differences in housing need and number of social homes available across the country.

To understand more about allocations in the context of the coronavirus pandemic, we conducted a survey of our membership. We found that 42% of respondents said that during the pandemic their approach to allocating homes changed. The majority (82%) said they would like to be able to do more to house people with the highest level of need. When asked what they would like to have in place to support them in doing so, the most cited reason was ongoing access to floating support (56%).<sup>42</sup>

<sup>42</sup> [National Housing Federation \(2021\) New research on adapting allocations policies in response to the coronavirus crisis](#)

CIH's report on allocations concludes that constraints in the policy landscape (such as supply, affordability, welfare reform and cuts to support funding) affect local authorities and housing associations' ability to "balance their objectives when approaching the allocation of social housing".<sup>43</sup> It raises similar concerns to our current research, such as allocations needing to be people- rather than process-led and the importance of information sharing.

CIH also published a report on partnership working between local authorities and housing associations, with a dedicated chapter on allocations and homelessness.<sup>44</sup> The main recommendation was that local authorities and housing associations work together to develop a new and more dynamic system for managing allocations and lettings at a local or sub-regional level.

NHF and the Local Government Association (LGA) recently published good practice case studies of how housing associations and local government have worked together to address and prevent homelessness in their areas.<sup>45</sup> NHF roundtables have identified issues with how allocations work in practice, such as relationships with local authorities, inconsistent allocation policies and practice across local authorities, reduction in support funding and lack of supply.<sup>46</sup>

## Legislative context

Allocation of social housing and prevention/relief of homelessness are governed by legislation. The following section sets out the main legislative framework for England.

### Homelessness legislation

The Homelessness Reduction Act 2017 (HRA) has, since 3 April 2018, amended [Part 7 of the Housing Act 1996](#) to set out new and amended duties on local authorities in England to take reasonable steps to:

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<sup>43</sup> [Greaves, F. \(2019\) Rethinking Allocations. Chartered Institute of Housing.](#)

<sup>44</sup> [Fraser, R., Perry, J. and Duggan, G. \(2017\) Building Bridges: A guide to better partnership working between local authorities and housing associations. Chartered Institute of Housing in association with the Association of Retained Council Housing and VIVID Housing.](#)

<sup>45</sup> [National Housing Federation and Local Government Association \(2019\) Housing associations and councils working together to end homelessness](#)

<sup>46</sup> National Housing Federation (unpublished) Allocations Roundtable Events: Summary of Consultation Feedback, 2 January 2020.

- Prevent homelessness for all eligible applicants who are threatened with homelessness (prevention duty). This duty is owed for a minimum of 56 days unless the duty ends.
- Relieve homelessness for all eligible applicants who become homeless (relief duty). This duty is owed for 56 days unless the duty ends.

Eligibility is based on immigration status, though ineligible applicants can access advice from their local authority.

Certain public bodies are under a duty to refer those they think are homeless or at risk of homelessness to their local housing authority. This does not apply to housing associations as they are not public bodies. Housing associations must cooperate with local authorities in any reasonable request to assist in the discharge of functions under Part 7. The NHF, with its members and DLUHC, established the [Commitment to Refer](#) in 2018, modelled on the duty to refer, whereby housing associations commit to refer those who are homeless or threatened with homelessness to their local housing authority.

Once eligibility is established for someone homeless or threatened with homelessness, housing authorities have a duty to carry out an assessment to identify the causes, housing needs of the applicant and any support they need to be able to secure and retain accommodation. They then work with the applicant to develop a personalised housing plan (PHP). This is an agreement between the authority and the applicant, detailing what actions ('reasonable steps') each party will take to prevent or relieve the homelessness.

Once the relief duty ends and there has been no change in circumstance, the local authority will accept an accommodation duty (main housing duty) if the household is not intentionally homeless and in priority need (such as those with dependent children, care leavers or those who are vulnerable<sup>47</sup>). Local authorities must provide temporary accommodation for eligible applicants who are not intentionally homeless and in priority need from relief stage. Temporary accommodation is an interim while suitable housing is sought. It is not a settled home. Households might spend time waiting in temporary accommodation after the main housing duty is accepted, until suitable housing becomes available.

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<sup>47</sup> With vulnerability defined in legislation and further clarified through case law.

The main housing duty will come to an end when a suitable offer of a settled home is made, regardless of whether the applicant accepts this offer. It can also come to an end for other reasons, such as the applicant leaving temporary accommodation or being no longer eligible due to a change in circumstance.

## Allocations legislation

[Part 6 of the Housing Act 1996](#) sets out the legislative framework for allocation to housing. It defines allocations as selecting a person for a local authority tenancy or nominating a person for a housing association tenancy.

Every local housing authority must have an allocation scheme to determine housing priorities, and a procedure to be followed when allocating accommodation. The procedure and criteria the authority uses must be clear so that an applicant may assess their chance of success. Local authorities' schemes must include a statement on their policy on offering applicants a choice of accommodation or the opportunity to express a preference about the accommodation offered.

When setting housing priorities in their allocation scheme, local authorities are required to give reasonable preference to homeless households (and other people in need, as set out in legislation, such as those living in overcrowded or insanitary accommodation). They must also give additional preference to people or families of those who serve or have served in the armed forces. There is no requirement to give equal weight to each of the reasonable preference categories or afford greater priority to an applicant who falls in more than one reasonable preference category.<sup>48</sup> When determining priority, local authorities may use different systems, including points-based (where applicants are ranked according to points awarded for meeting different categories) and banding (where applicants are grouped based on housing need or relative priorities) or a mixture of the two.<sup>49</sup>

The Localism Act 2011 brought in legislation to allow authorities more discretion to disqualify certain applicants from their allocation scheme. This discretion allowed local authorities to exclude people without a local connection<sup>50</sup> or who met a locally

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<sup>48</sup> [Para 4.25, DLUHC \(2012\) Allocation of accommodation: guidance for local authorities](#)

<sup>49</sup> [Shelter \(2021\) Local Authority Allocation Schemes](#)

<sup>50</sup> Statutory guidance suggests a reasonable period of residency to determine local connection is two years – see para 13 [DLUHC \(2013\) Providing Social Housing for Local People](#). The criteria for homelessness is less strict, with a working definition in the [LGA \(2018\) Local Authorities Agreement](#)

determined definition of unacceptable behaviour (such as rent arrears or a history of anti-social behaviour).<sup>51</sup> Prior to this, unacceptable behaviour was defined nationally, through legislation.<sup>52</sup> This has led to a reduction in numbers of households on local authority housing waiting lists, from 1.85 million in 2011 to 1.18 in 2021 (though numbers rose 3.7% from 2020 to 2021, from 1.14 to 1.18 million).<sup>53</sup> Local authorities can choose whether to exempt individual homeless applicants (and other individual households in reasonable preference categories) from scheme qualification criterion.<sup>54</sup>

If a local authority asks, a housing association has to co-operate to offer accommodation to people with priority under the authority's scheme, but only as far as is "reasonable in the circumstances".<sup>55</sup> This request might be to offer nomination arrangements, negotiate a common housing register, or be applicant specific.<sup>56</sup> Nomination agreements between local authorities and housing associations set out how many lettings will be available to the local authority, how the nominations process will work, monitoring and information sharing, and timescales for activities. Statutory guidance says it should also include "any criteria which the private registered provider has adopted for accepting or rejecting nominees".<sup>57</sup>

Unless they have entered into a contractual commitment to take local authority nominations, there is no legal obligation for housing associations to take local authority nominations. Legal experts note that if there were frequent rejection of nominations based on housing association criteria (even if set out in nomination agreements) it may seriously impair a local authority's statutory obligations.<sup>58</sup> While partnership working will prevent this, if a local authority feels that a housing association is not cooperating then they can pursue the matter with the Regulator of Social Housing or through the courts. The applicant can also follow the housing

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of residence for at least six months in an area during the previous 12 months, or for three years during the previous five-year period.

<sup>51</sup> [Wilson, W. and Barton, C. \(2022\) Allocating social housing \(England\).](#)

<sup>52</sup> [Ibid.](#)

<sup>53</sup> [DLUHC, Live Table 600: Numbers of households on local authorities' housing waiting lists, by district: England, 31 March 1987-2021](#)

<sup>54</sup> [Para 3.27, DLUHC \(2012\) Allocation of accommodation: guidance for local authorities.](#)

<sup>55</sup> [Housing Act 1996, Part 6 section 170](#)

<sup>56</sup> [Para 6.26 HHJ Luba QC, J., Davies, L., Johnston, C., Buchanan, T. \(2018\). Housing allocation and homelessness: law and practice \(fifth edition\). Lexis Nexis. London.](#)

<sup>57</sup> [Para 6.3, DLUHC \(2012\) Allocation of accommodation: guidance for local authorities.](#)

<sup>58</sup> [Para 6.49 HHJ Luba QC, J., Davies, L., Johnston, C., Buchanan, T. \(2018\). Housing allocation and homelessness: law and practice \(fifth edition\). Lexis Nexis. London.](#)

association's complaints procedure (including the Housing Ombudsman) or even judicial review.<sup>59</sup>

Housing associations must let properties in accordance with the Regulator of Social Housing's Tenancy Standard.<sup>60</sup> This stipulates that housing associations should let their homes in a fair, transparent and efficient way. They should demonstrate how their lettings make best use of available housing and contribute towards local authorities' strategic housing function and sustainable communities. Housing associations are legally required to publish rules showing how they determine priority between applicants for allocation of housing or govern cases where an existing tenant wishes to move to another social tenancy.<sup>61</sup>

CIH have highlighted how changes to housing registers has meant that social housing is increasingly a safety net, rather than having its historically broader appeal.<sup>62</sup> This means that housing registers do not always provide "the steady stream of appropriate applicants" for the different housing products that housing associations offer, such as shared ownership or affordable rent homes.<sup>63</sup>

## About this research

We wanted to examine issues and contribute to our understanding of processes and experiences of allocations within the context of homelessness, particularly statutorily homeless families. Our research sought to identify potential areas for improvement as well as share existing good practice and the difference being rehoused made to families.

## Methods

We conducted qualitative research to understand better policy, practice and experiences around allocations to general needs social housing, and what helps (or hinders) allocations to homeless families. We interviewed:

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<sup>59</sup> [HHJ Luba QC, J., Davies, L., Johnston, C., Buchanan, T. \(2018\). Housing allocation and homelessness: law and practice \(fifth edition\). Lexis Nexis. London.](#)

<sup>60</sup> [Regulator of Social Housing \(2012\) Tenancy Standard: Guidance.](#)

<sup>61</sup> [Housing Act 1985, Part 4, section 106](#)

<sup>62</sup> [Chartered Institute of Housing \(2018\) Rethinking social housing.](#)

<sup>63</sup> [Fraser, R., Perry, J. and Duggan, G. \(2017\) Building Bridges: A guide to better partnership working between local authorities and housing associations. Chartered Institute of Housing in association with the Association of Retained Council Housing and VIVID Housing.](#)

- Nine housing associations from across the country, ranging in size from owning around 4,000 homes to nearly 40,000. Interviewees worked in housing, lettings, or tenancy support.
- Eight local authorities who worked with these housing associations. Interviewees worked in housing or homelessness. Most had transferred stock to housing associations or arms-length management organisation (that became a housing association) in the early 2000s. Only two had a few retained or newly built council homes.
- Three families who had experienced homelessness and were now tenants of one of the housing associations interviewed.

The interviews were semi-structured around topic guides. These focused on allocations policy, how people work with each other (families, housing associations, local authorities, and any other important organisations), changes during the coronavirus pandemic and any changes interviewees would like to allocations. The family topic guide asked about their housing history, the process of getting a new home and anything they found particularly good or difficult about getting rehoused.

We also reviewed allocations policies for local authorities and housing associations involved in the research.

We would like to thank everyone who took part, but especially the families. As one family said “It’s a bit scary to be open about such a stressful time in my life, but my story could help people.” There is a short introduction to the families interviewed in the box below.

#### About the families interviewed

**Family one:** Single mother with two children. Not currently working due to young children. Lives in south east England, but originally from the north. Always lived in private rented housing, but became homeless after section 21 notice served on rent to buy home. Lived in temporary accommodation for 13 months before securing tenancy with a housing association in the south east.

**Family two:** Mother and father of two children. Grew up in owner occupation before private renting. Mother has always worked, father’s business had to shut due to coronavirus restrictions. Used all savings to cover his business costs. During this time, made homeless when asked to leave family member’s home. Mother’s salary wasn’t enough to afford a private rented property. Lived in temporary

accommodation for three months before getting a tenancy with a housing association in the south east.

**Family three:** Single mother with three children. Not working, due to coronavirus restrictions and maternity leave. Became homeless after fleeing from domestic abuse. Rang three refuges before finding a space, but the room was not available for a couple of days. Slept in car and in a family member's home in the meantime. Lived in refuge for two months during coronavirus pandemic, with strangers in refuge as "bubble". Moved to temporary accommodation for nine months before being offered a home with a housing association in London.

## Limitations

As with any qualitative research, the findings from this report cannot be extrapolated to the population. The research is intended to bring some depth and understanding to housing allocations to homeless households. Experiences explored through interviews highlight some common themes around policy and practice facilitators and barriers. It does not mean that every housing association or local authority has these opinions or operates in these ways, nor that every family will experience these issues. The findings are to illuminate some areas which housing associations and local authorities may wish to think about when allocating.

Our aim for the research was to interview at least one family from each housing association. Housing associations helped to recruit families. Despite receiving contact details from most housing associations, it was difficult to arrange interviews. There were still some themes that emerged from the three interviews conducted with families, but we feel the family voice would benefit from further research. In addition, the recruitment and interviews were in English, which limits exploration of language barriers found in other research.

Some of the interviews covered challenges and good practice on housing single homeless households. These issues are touched on in this report, but it was not a focus of the research. Similarly, one local authority raised issues with those with No Recourse to Public Funds (NRPF). It is highly likely that local authorities and housing associations would have more to say on specific issues around allocating to single homeless people or those with NRPF. Interviewees discussed how the single homeless people were often more complex cases or were more vulnerable compared to some families. We focused on families due to rising numbers in temporary accommodation.

A further limitation for the research was the length of time available for interview. To minimise the burden on participants, we asked for up to an hour of their time. For some, it was less than an hour and for others it was slightly over an hour. Given the limited research on allocations, we aimed to cover several topics in this time, from policy to practice, to joint working and case studies of what worked well or any issues. The limited time available meant that we could not go into detail for some of the areas, notably policy development and systems that support allocations. Future research could focus on policy development, drivers for this, and how practical arrangements (such as systems and nominations agreements) deliver policy with housing partners.

## Findings

The main findings for this research have been split by theme:

- [Working with families](#), such as information sharing, assessments, managing expectations and support.
- [Impacts of homelessness and being housed](#), including finding forever homes and the financial and health impacts of homelessness.
- [Allocation policies](#), including how policies are developed, prioritisation and disqualifications for social housing.
- [Finding a home](#) through choice-based lettings or direct lets.
- [Being offered a home](#), including suitable offers and refusals, flexibility and over/underoccupancy.
- [Changes and good practice during the pandemic](#).
- [Partnership working](#) between local authorities and housing associations, including motivations for allocations, working in a pressured system and finding the middle ground.

## Working with families

This section will talk more about families' experiences and how housing associations and local authorities work with these families, including assessments and support.

## Remembering the person at the heart of the process

Families wanted to be listened to, respected and informed about their individual situation and likely chance of success (the latter of which is partly what the law

around allocations seeks to do<sup>64</sup>). They felt angry, stressed and confused by their experiences of homelessness and allocations, and emphasised that homelessness wasn't something they expected or asked for. As one family explained "a lot of people get put in this situation, not knowingly. I didn't want this, this is just how my life turned out."

One housing association (when discussing expectations around managing temporary accommodation) talked about homeless people "coming with a label". This was reflected in family interviews where one described their experiences on the homelessness pathway, with the local authority housing options team, as "we were all being tarred with the same brush". They said they would ask questions and get very abrupt answers back, which they found rude. This family "found it quite insulting, but at the same time I'm in need, so I had to suck it up and deal with it". Another felt local authority homelessness services "cannot generalise; they work with different people and I get the feeling some of them are not nice, but if [the applicants] are nice people, they should be nice to them".

Another family described their first meeting with their housing officer at the local authority:

"I went into the head office to have a meeting with her, with my two children in tow, and I remember that meeting so clearly because she didn't look me in the eye, just asked these generic questions. I felt like a number, I didn't feel like a human being, it was all just facts and figures...With the current housing situation, you honestly feel like a number...when actually I just wanted this lady to listen to my individual circumstances, and she was just very like 'Well, you have to wait 56 days for the homelessness and then we'll see if we will accept you.' and it was all really, really confusing."

They felt they had to "fight for what you deserve...fight to be listened to" and described the process as "difficult and lonely". This family has a more positive experience with their housing association lettings officer, who they described as:

"My knight in shining armour, the only person who helped me in this whole process, treated me as a human being, listened to me, and spoke to me not as a computer."

Housing associations and local authorities talked about managing applications on a case-by-case basis, as picked up in the section on [flexibility and exercise of discretion](#), with the PHP taking account of individual's circumstances. We found a lot

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<sup>64</sup> [Section 166A\(9\) of Housing Act 1996](#)

of care and consideration for homeless households with a real desire to rehouse them, but this was set alongside challenges in supply of social housing and lack of funding for support. One housing association was concerned people might “get hardened in housing” as situations repeat themselves and so might not have “the same impact on your heart as when you first see them”, though they didn’t think this meant people cared less. Policies were there to help staff manage demand for housing in the most fair and equitable way. However, an allocations manager within a housing association was concerned that policies didn’t act as a barrier; making decisions based on policies needed to be sympathetic to people’s individual circumstances.

When asked about whether families understood the system and what their expectations were, local authorities said that many applicants did not understand the differences between the housing register (Part 6 of the Housing Act 1996) and homelessness (Part 7) pathways. This led to people completing the wrong application form, as one of our families did following poor guidance from a staff member at a refuge. She only found out when she rang the council after not hearing anything for four weeks. She was told to fill out a homelessness triage form, but it was still not clear where this was on the council’s website (the council staff member advised doing an internet search for it). This appears to contradict statutory guidance to local authorities. DLUHC’s Homelessness Code of Guidance for Local Authorities states at paragraph 18.6 that housing authorities should regard an application for an allocation of housing under Part 6 as an application for homelessness assistance.

There was also a confusion about what a housing association was, which was linked to expectations that applicants would get a council house. Having lived in the private rented sector previously, the families we interviewed generally didn’t understand what social housing or a housing association was.

The legal framework surrounding homelessness is complicated, even by the admission of local authorities who work within it:

“The landscape’s complicated now anyway. It’s complicated for me, it’s complicated for my staff, so I can only imagine how complicated that can be for some of our clients”. (local authority)

Local authorities recognised the bureaucracy and complications in the system. They reflected that “we perhaps ask people too many questions when they apply” and the need to simplify the system so people can see their pathway. They were limited to some extent by legislation, however, with one local authority saying they have to

send six letters before they come to a decision on the full housing duty, all of which have to reference relevant legislation.

Local authorities did a lot of work on the (legally required) communication to applicants to make it accessible, including reviewing language in letters. One said they always say to people “this is what you've got the right to do, this is what you can do, this is what you need to do, this is what you should do, this is what we advise”. Local authorities were “constantly thinking of ways to explain”. Another said their allocations and homelessness services acted as one team, to put the customer in the middle. One local authority thought applicants were underestimated, that they knew the policy and process, but it was about translating this into “what this means...and making time to speak to them about it”.

This need to understand how the legislation applied to personal circumstance was underlined in interviews with families. They talked about finding the process confusing, such as the arbitrary 56 days for a duty to be owed. One would have liked a better understanding of the differences between social housing and a housing association at the beginning of the process. They always had a housing officer to ask questions to but had to find all policies themselves. They were concerned that lacking information meant people “won't know what questions to ask if you're not given the tools in first place”. When asked what would have improved their experiences, this family said a process map showing the pathway to getting a home and what they could expect so they had a “better understanding of jargon”.

## **Information sharing**

There were several issues raised with information sharing within all interviews. Issues might occur between the applicant and the local authority and the local authority and the housing association. Insufficient information could lead to a nomination being refused or the success of a subsequent tenancy being jeopardised due to lack of support being put in place. Information sharing is critical to successful and timely allocations.

Local authorities requested applicants sign a disclosure to join the housing register. This allowed information to be shared across agencies and services. Applicants could withhold consent and it could be difficult for local authorities to persuade others to share information. Local authorities said they might get information for more complex clients from a support worker.

Housing associations talked about how little information might be shared with them for nominations. It varied across allocations systems and local authorities. It was easier when local authorities and housing associations had the same allocations system. If all details were on there, then housing associations could “see if there are any conversations that we need to know about”. In other cases, they would see the PHP, or the system would detail support needs or vulnerabilities. But, even if they shared a system, this didn’t mean they could all see the same information. In some cases, all housing associations would see from allocation systems or nomination forms were “name, address, contact details and date of birth”. They wouldn’t have any other information, such as whether they were homeless or have medical or support needs.

No matter how much information is received, unless they were contracted to run a housing register or have their own waiting list, the first time a housing association will speak to an applicant is when they contact them about a viewing. This will happen either upon receipt of a nomination or the household coming “top of the list for a property”. It was often only at the point of offer that “things come out of woodwork”. Housing associations expressed frustration that local authorities often knew the situation of these applicants, such as they were fleeing domestic abuse, but this information was not shared with them. Housing associations felt “the more information, the better”. This was all part of making the right match to a property. The “golden stuff” they needed to know related to sustaining a tenancy, such as whether the applicant had a smart phone or could read. Sharing information also meant they could link up to any relevant support, including within their organisation.

Local authorities also talked of challenges from housing associations not sharing information. They might receive very little information about why a housing association skipped a household at offer stage (meaning their bid/nomination not making a shortlist). This meant they couldn’t work on any barriers to accommodation the household faced. One of the changes that one local authority wanted to keep, following closer working during the pandemic (see [case studies from during the coronavirus pandemic](#)), was maintaining adequate information. This was not only between the housing provider and local authority, but also the applicant. The local authority felt that with their [choice-based lettings](#) system (CBL), people might find they are “35<sup>th</sup> on a list, but don’t know why”. The direct let matches and support provided during the coronavirus pandemic had made them consider how to overcome obstacles to refusals/disqualifications to ensure all households had an equal chance to access social housing...

Families talked about some of the issues around inadequate sharing of data. This was the impact of repeat assessments and bad communication, but also inadequate sharing of information leading to reduced banding/refusals at point of offer. One family, who had a child with medical needs, had a bid for a three-bedroom property rejected by the housing association as the age of their children meant they were only eligible for a two-bed. The housing association were not aware of the medical history of one of the children as the local authority had not shared this. The family “had a nervous breakdown, calling everybody, asking why it was not approved”. Following this, the council shared the medical needs and the situation was resolved.

Housing associations and local authorities talked about pushback or hiding behind the UK General Data Protection Regulations. One local authority said that the Commitment to Refer (see [homelessness legislation](#)) was not always working due to concerns around sharing information and conforming to UK-GDPR. This local authority said they were “still in the position where we might not hear about an eviction until they've got the court date and we get that info via the courts”. The interviewee said that “people are scared about legitimate interest and what that looks like”. She felt some clarification and guidance on data protection was needed so that housing associations could share concerns around homelessness as “prevention at the point of crisis is not good enough for our clients”.

## Assessments

Assessments or verification checks were a part of allocations. Local authorities will undertake assessments or verification of any information needed to access the housing register. Depending on the scheme, this might include eligibility, affordability, medical needs, and/or bedroom entitlement. This would have to be done to check eligibility for social housing or qualification for the register.

For homelessness, there would be a more detailed needs assessment, including checking eligibility, housing history, support needs, and any risks (such as convictions). Homelessness assessments informed the applicant’s PHP, set out in the Homelessness Reduction Act 2017. This was “a joint plan” as there were actions for the applicant too. One of the local authorities thought the level of information required for PHPs was a “good thing” as “it does give you a little bit more comprehensive assessment when they first come in...you can see what issues people have”.

Housing associations might also perform their own assessments. What was included in these assessments, and how they were used, differed by housing association.<sup>65</sup> Checks were part of the lettings process, linked to tenancy sustainment. As one housing association said, pre-tenancy checks weren't a means to say "No, you're not going to have the property', but a means to understand whether [the applicant is] financially in the best place, do [applicants] need help or support, if [they are] maximising income, and any debt provision". Another checked on connections to the area to see if the household had any support.

These checks ensured referrals to advice and support for those that needed it. One housing association rated each tenant on vulnerability, assessing them as red, amber or green. Red was anyone on benefits and green was a working household with no professionals involved (such as social workers). Anyone who was red would be referred to a specialist team to help with benefits (such as entitlements and supporting any applications) and would receive a visit from a housing officer in the first four-weeks of their tenancy. Those considered vulnerable would be added to a log and would be contacted more frequently. Domestic violence was also considered, with one housing association flagging cases on their housing management system and having a named member of staff regularly check-in. The policy of another housing association said that anyone with an identified support need, but no support arrangement, would receive a conditional offer subject to accepting a referral for support.

Checks were also about understanding the applicant's housing history. One housing association said one of the reasons they undertook checks was it made no sense to evict someone on one day and then take them into temporary accommodation the next day. They said it required lots of multiagency working and costs to evict a tenant,<sup>66</sup> so it would be "odd to go through that process and then rehouse them". They had a reciprocal agreement with other housing associations in the area to house homeless ex-tenants in these circumstances.

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<sup>65</sup> More detail on what these might consist of can be found in [Greaves, F. \(2019\) Rethinking Allocations. Chartered Institute of Housing.](#)

<sup>66</sup> Possession action occurs in a minority of cases and only as a last resort, in situations where tenants are putting others in danger and/or alternatives like mediation have not stopped the risk. [Data from the Regulator for Social Housing](#) shows there were 798 evictions in 2020/21, mostly due to antisocial behaviour. [Pledges by housing associations to not evict anyone accruing rent arrears related to the coronavirus crisis](#) if tenants were working or engaging on a manageable way forward alongside changes to possession proceedings during the pandemic has led to a huge fall in evictions.

Local authorities weren't always aware what checks or assessments the housing associations in their area did, which again shows issues around flow of information and advising applicants. One in the north east said they understood why housing associations did assessments, given the time gap in the local authority allowing someone on the register and the housing association offering the property:

“I get that because even though we've said ‘yeah you're fine to come on [the housing register]’, we've got no control or influence over what happens from today until [they] get an offer.”

This also shows the issues that local authorities have in keeping information on nominees up to date. This could delay the nominations process or lead to refusals if information was inaccurate or didn't match housing association checks (see [information sharing](#)). A lettings officer at a housing association that didn't do any assessments or pre-tenancy checks was concerned not doing so wasn't the “right way to do things”. They felt no one (including the local authority) was doing background checks on applicants or looking at suitability.

Families subject to housing association and local authority checks described these as “intrusive and very, very thorough”. Following local authority checks, one family “had to resubmit our entire lives” to the housing association they were nominated to, “every expense in our bank account had to be accounted for...it was heart-wrenching”.

## **Affordability**

Local authorities must understand what a homeless applicant can afford when assessing whether an offer of accommodation is suitable.<sup>67</sup> Housing associations are also subject to regulatory standards around financial viability.<sup>68</sup> Commonly, any verification checks by housing associations at offer stage also included affordability. These ranged from itemised checks on income and expenses to referrals to benefit entitlement tools. Some housing associations introduced these in response to the introduction of affordable rent alongside welfare reform, such as the bedroom tax, two-child limit and benefit cap.<sup>69</sup>

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<sup>67</sup> [The Homelessness \(Suitability of Accommodation\) Order 1996](#)

<sup>68</sup> [Regulator of Social Housing \(2015\) Governance and Financial Viability Standard – 2015.](#)

<sup>69</sup> See also [National Housing Federation \(2019\) Housing association changes in response to Universal Credit.](#)

One association said “affordability isn't to catch people out, but check they are getting everything they are entitled to”. This included a tenant who received a “back payment of £3,500 in income support” following a check on benefit entitlement. Housing associations who used them said they were necessary to avoid “setting people up to fail”. Those found unable to afford a tenancy would be referred to the local authority or an internal benefit advice service. Another association relied on local authority checks, relaying any concerns on affordability back to the council.

A housing association operating in the north west said they had stopped checking affordability as part of their pre-tenancy checks as “regardless of whether they can or can't [afford it], these people need rehousing. We have to make sure that we get the benefits in place so they can afford it”. This was reflected on by a housing association who said that affordability is “always contentious as if they can't manage a social rented tenancy then where will they go?”.

One family said they had been 20<sup>th</sup> in the queue for their (affordable rent) home but were told that “the 19 people above us were benefit dependent” and didn't pass affordability checks once utilities were accounted for. They were told by their council that affordability checks were there because the housing association was “very particular with the type of tenant that go into a property and everything is based on disposable income”. We interviewed this family's housing association landlord. Each year they let 40% of all available homes to homeless households. Based in the south east, they were building homes in the area to address housing need, but grant restrictions meant these were mostly affordable rent. Where affordability checks showed a homeless applicant would not be able to afford a particular home, the applicant would be referred to the financial inclusion team to check on benefit entitlement and budgeting. If they still wouldn't be able to afford the home, they would have their case reviewed by the Head of Housing, who had the discretion to offer the property. This was part of their commitments under Homes for Cathy.

This housing association, and others in London and the south east, discussed the challenges around affordable rent. They said affordable rent was “not affordable” and “not what it means in this area as many can't afford it”. For one housing association in the south east, the mismatch between benefits and rent created issues around affordability. Their rents were as expensive as London, but the benefit cap was lower than London. This developing housing association said they had managed to build a handful of social rent properties, but, without more grant, were unable to develop more. They said it was a “difficult choice of building more homes for affordable, or fewer homes at social [rent]”. We found evidence of local authorities using capital to

subsidise affordable rent homes to make them social rent. One local authority also worked with a housing association to lower rents in a new development from affordable to social rent. They split the cost “50-50 with that association because we know that affordability is an issue”.

Affordability was also sometimes connected to underlying issues that a household might need support with. This made it important to check, though would only help if support was available to resolve any issues.

Affordability led to much discussion of nominations between local authorities and housing associations. If the local authority successfully disputed the refusal, the housing association would make an offer. If the local authority agreed with the housing association’s assessment, the local authority and applicant would continue looking for suitable accommodation. The housing association might also suspend an offer whilst the applicant addressed the issue, such as clearing arrears. One local authority said they encouraged housing associations to be pragmatic on affordability as “if you're in temporary accommodation with two children and no space, you're gonna go out and go to McDonalds a bit more than you normally would”.

Local authorities also talked about successful cases of preventing homelessness around affordability. In one case of rent arrears, the local authority negotiated with a housing association to keep a client with rent arrears in their property. The client paid half of their arrears and the council guaranteed to pay the rest if the client failed to maintain the payment. An ability to afford rent, and keep up with rent payments, was an important part of preventing homelessness. This was why housing associations had benefit advice and teams focused on tenancy sustainment.

## Support

Local authorities previously had access to ringfenced funding to support vulnerable people in their homes, through the Supporting People programme. The programme, launched in 2003 from amalgamating seven other funding streams, aimed to prevent crises, such as homelessness, by providing early support. It was initially a £1.8bn ringfenced grant to local authorities to fund services to help vulnerable people live independently. The grant was reduced in subsequent years, with the 2010 Spending Review decreasing funding from £1.64bn in 2010-11 to £1.59bn in 2014-15.<sup>70</sup> The

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<sup>70</sup> [Jarrett, T. \(2012\) The Supporting People Programme, House of Commons Library.](#)

ringfence was removed in 2009, becoming part of formula grant, which meant some local authorities saw their share of funding fall. These factors, alongside wider cuts in funding from central government, led some local authorities to withdraw services as funding was used for other expenditure.<sup>71</sup>

Availability of support was a crucial factor to allocating and sustaining housing. Some households might need support to overcome issues that led to them being [disqualified](#) from the housing register or [refused an offer by housing associations when nominated](#).

### **Before and after moving**

Housing associations and local authorities agreed on the importance of support, though the challenge was funding. As one local authority acknowledged: “for some people, it's pointless giving them bricks and mortar if they don't have support”. Provision of support was very varied. Local authorities and housing associations had very different offers here, depending on priorities and funding. Many local authorities still commissioned support, including floating support, while others did not. Housing associations might provide support funded by the local authority or use their own surpluses to fund support or tenancy sustainment teams.

At its best, local authorities had commissioned support providers who worked with families in temporary accommodation and continued to support them up to six months after they moved into their property. They might also have resettlement teams within the local authority, who provided advice, budget management and signposting while people were in temporary accommodation. This would stop when they moved to permanent housing. Some had also introduced tenancy sustainment teams to help prevent homelessness, following changes made in the Homelessness Reduction Act 2017.

At its worst, housing associations described it seeming like local authorities accept people as homeless and then “send them away”, telling them to keep looking for properties. It could feel like councils “focus on the fact they want them rehoused, it's not everything else that comes with it, maybe the vulnerabilities or getting benefits in place”. Housing associations could feel as if responsibility for supporting the (often complex) needs of households were placed solely in their hands. There might not be

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<sup>71</sup> [Ibid.](#)

any support available to help households overcome issues that led to disqualifications or tenancy sustainment issues.

Funding cuts meant “the resettlement teams in the councils don’t seem to be doing as much...it’s quite challenging” (housing association) and housing associations “don’t have the capacity to provide it”. One local authority said that “if all partners are down to the bone and we’re having to link up different support networks or medical assistance, then it can be very difficult to achieve successful outcomes”. This same local authority said funding released to respond to the coronavirus pandemic had given opportunities for new projects and ways of working to happen.

This varied picture was echoed in the mixed experiences of families. They said they “got no help to look for a home”. One described receiving two emails from their housing officer when the council accepted a full duty. The first email explained the process and the second said “I don’t have any responsibility now, don’t contact me anymore” and passed them to a temporary accommodation officer. Families said temporary accommodation officers would only help with queries over the property.

The second family we spoke to said that, once they passed the checks, the customer care of their housing association was “fantastic”. They offered support, financial budgeting advice and “made sure we knew the area”. They also praised the council’s homeless team. Contrary to their expectations “they absolutely supported me through everything...could not praise them enough”. They were “always at end of phone, constantly checking in with me, so polite and accommodating...absolutely amazing”.

While families could be waiting in temporary accommodation for months, the offer of accommodation, when it came, led to a very rapid move. Housing associations talked about doing tenancy sign ups at property viewings. A family said it was two weeks from their offer to moving in, with the lettings officer ringing to update on the stage of works to make the property ready, from new floor to radiators, and doing all the meter readings before they moved in. They described the sign up as “so good”, but that they needed more help with moving (see [financial cost of homelessness](#)).

Housing associations did provide support themselves, or funded support contracts with agencies. This was to prevent homelessness as “the last thing we want is eviction, eviction is failure”. The type and extent of services varied greatly, from more intensive housing management service (found in supported housing rather than general needs) to floating support or more light-touch advice on budgeting. This

varied between housing associations, but also depended on what tenants needed. One part-funded, alongside their local authority, dedicated workers who provided early support to families with more complex needs to prevent homelessness. This looked at underlying issues and had a holistic focus, covering anything from school attendance to rent arrears. More commonly, tenancy sustainment focused on budgeting, benefit entitlement, help with grants, and employment support, but it also extended to mental health support (including hoarding) and befriending services.

While there was a lot of tenancy sustainment and financial inclusion help from housing associations, this wouldn't kick in until someone was nominated, or until they become a tenant. A housing association wouldn't be in contact with a family until they were nominated by a local authority. This could leave a gap if families had needs, such as low-level rent arrears, but the local authority had no commissioned support to address this. Some housing associations provided pre-tenancy support or (in the case of one organisation interviewed) requested potential tenants complete an e-learning course before signing the tenancy agreement. One of the families completed this and found it informative ("it told you things you're responsible for [in the home] and that they're responsible for") and "really, really good".

Support might sometimes worsen a situation when families weren't listened to. The family fleeing domestic abuse had a social worker who "scared me and threatened me all the time about taking my kids away and at the same time said, 'We're here for you.'" They kept going through difficulties for their children, and with their faith, but "when [social services] say that going to take my kids away then I feel so helpless as that's what I have. If I stop and think about it then I will cry, it's too much".

### **Case study: homelessness support**

One local authority in the north east described their homelessness approach at the onset of the health crisis as "all-hands-to-the-pump, what-do-we-do-now approach". They said they would look back at the time as an emergency footing and a combined effort, with partners bringing accommodation, support, and the government being "quite forthcoming with cash...which we've spent before we've got it".

They introduced a homelessness support project for those who were excluded from allocations. They get temporary accommodation, support, including help to fill out the housing register, and "help to move on from those properties via the allocations route". The aim was to give those who needed it temporary accommodation while upskilling them to manage a tenancy, giving them "a period of time to engage in support services and sustain the tenancy".

It had been “absolutely fabulous and completely what we need to do” while “uncovering a lot of people we wouldn’t have worked with”. It had given them a platform and if the government hadn’t given money to extend for another year they would be “stuck with 18 people in tenancies and we wouldn’t have an ability to finish off the work we started”. They were thankful for the project and “it was a good thing that it came along”.

## **Supported housing**

This research focused on families moving to general needs accommodation. Perhaps inevitably, supported housing was discussed in some interviews. Often the complex lives of those involved meant supported accommodation would be appropriate, but there wasn’t always the supported accommodation available for people who needed it. Housing associations said there was a shortage of supported accommodation, but also an “unwillingness for a lot of our customers...they are not that keen on going into it and don’t necessarily always see the benefits of going into it”. There might also be a support gap when households moved from supported accommodation to general needs. While some hostels continued providing support for six weeks after any move, there was a lack of consistency. Housing associations believe move on and settling in services would be “very beneficial”.

### **Case study: supported housing for families**

One housing association we interviewed has a specific supported housing scheme for families. They provide 44 homes for households and commission a specialist support provider to give focused support to these families. They look at access to benefits, employment, life skills (how to budget, how to clean, how to order things online), as well as teaching people how to cook and look after their home.

Many of the residents are young parents with a history of living in temporary accommodation or sofa surfing, who have “never had a permanent place to call their own”. The support provider and housing association have teams embedded in the building and work collaboratively to provide support for a family to move into permanent accommodation.

Families are typically in this exempt accommodation for two or three weeks, but it could be three to four months if they need accommodation of a specific type or in a specific area.

## Impacts of homelessness and being housed

One of the aims of this research was to understand more about the difference housing had made to those with experience of homelessness. This was challenging to research due to difficulties arranging interviews with families leading to fewer participants than intended. Nevertheless, there were some common themes and experiences across just three interviews. Families suffered mental and physical health problems linked to the stress of being homeless. Ultimately, being granted a tenancy was a “happy ending”.

### Forever home

The families we spoke to were, in general, delighted to have been given a home. They got their “happy ending” and were in their “forever home”. It had “completely changed our lives...we are so fortunate”.

The two families who were most happy about their homes had bid and been offered homes of the size they wanted in the area they were looking for. The exception was one family who had been direct let by their local authority to a first-floor maisonette. As a single parent they were concerned about managing the stairs with two small children but, when we spoke to them prior to moving in, they said they “had to be positive”. This would be their fourth move in 11-months, and they were relieved to know they wouldn’t have to move again for some time.

We also asked housing associations and local authorities for any case studies of successful housing of families. One of the pandemic projects from the north west of England, involving an allocations panel to quickly move households out of temporary accommodation, had quotes from those they had helped. These show the safety and security of housing, allowing people to build their lives:

- "At one point I was so close to giving up; no one cared, no one bothered. The minute you get that phone call to say ‘Guess what? We got you!’ I can't tell you how amazing it feels, it's like you've got a safe zone. Thanks to them we now have a future and I have a future for my child".
- "It gave me a big lift in my life, my own freedom to do what I want to do and make it my house".

In one case, the children would have gone into care if the homeless parent had not been offered a home:

- "I lost my job in the pandemic and was homeless for months and months. They offered me a house and I was like, wow, I couldn't believe it, I cried. I'm really, really happy now, it's changed my life since last year. I've got two kids to look after and I don't want them to go through what I went through".

These quotes show why housing association staff in lettings described their job as very rewarding. They had "people crying in my arms" when offered a property. Another said that when they gave someone a house and they "were so pleased they cried, then I cry with them". Housing associations saw settled housing as the "linchpin", and the importance "can't be overestimated". It opened doors for employment and meant children could go to school. When describing finding homes for those fleeing DVA, one housing association said they "felt relieved about getting these families into accommodation, so can't imagine how relieved they felt". There was a huge amount of empathy for the plight of homeless families.

## **Financial cost of homelessness**

The financial impact from being made homeless ranged from the cost of moving multiple times, to storing any furniture, and buying white goods, carpets and furniture for new homes.

Storing furniture was necessary when moving into temporary accommodation, either because it was smaller than previous homes or was already furnished. Most housing association homes are also let empty, without furniture or flooring (unless the previous tenants left things in a good condition). One family, who had moved three times in the last 11-months, had spent all their money on moving and storing furniture. They had no more money for the final move out of temporary accommodation. Their housing association gave them a rent-free week to reduce financial pressures at the start of the tenancy.

Another borrowed money from friends to pay for moving and buying a cooker and furniture for their new home. They would have liked an interest-free loan to help with this and were angered that the council had recommended them a loan with 22% annual percentage rate. This advice "encouraged people to get into more debt". The other family bought things second-hand or on catalogue finance, showing households might incur debt when moving to an unfurnished home.

There might also be costs from making a case around suitability of offers. One family paid £50 for a letter from their doctor supporting their case that an offer wasn't suitable. A (different) local authority mentioned that they do not want any applicant to

“incur costs for something that we're asking them to provide”. This council had an occupational therapist who would liaise with doctors over medical need, or make their own assessments based on evidence submitted, to stop anyone having to pay for letters.

## Health

It was striking that despite the small number of interviews with families, two described having heart palpitations and panic attacks for the first time in their life, after being made homeless. They linked these to the anxiety and stress of being made homeless. This was summed up by one as:

“It completely emotionally and mentally ruined us. I lost my mum ten years ago when I was five months pregnant with my daughter and I can honestly say that last year was the worst year of my life.”

Another described a lack of understanding of their situation from their social worker. They were “angry, stressed and alone...I left everything [due to domestic violence and abuse], and [ended up] living in one room with three kids with no prospects”, yet the social worker said they were “rude”.

It was particularly challenging in the coronavirus pandemic when the advice was to stay home, and families lived in temporary accommodation that wasn't their home, away from their support networks, that they didn't want to be in. One described it as an “awful, awful time. I'm still sort of recovering”.

There was also indication that pressure to accept what families saw as unsuitable offers influenced mental health: “If I had thought, I have to accept this, my mental health would have declined, I would have had a heart attack and I would have put my children at risk.”

Local authorities also described mental health as one of their biggest challenges. Mental health services were “so stretched that they're not able to cater to the needs of our clients in temporary accommodation”. Local authorities didn't always have services that they could link into, so had to generate funding for specific support. This included mental health nurses, mind workers, and other specialists who could work with their rough sleepers and those in temporary accommodation.

Another local authority questioned why they “have to be creating our own roles to try and offset the fact that there's not enough funding for services in the area; the government should be pumping money into those services that we can use”. There

was also a funding gap for those in temporary accommodation or families with complex needs which meant they had to “sort of pointedly cover some of those gaps if you like with the RSI [Rough Sleeping Initiative]”. One local authority said it wasn’t even about diagnoses, but about people needing support before they hit crisis point.

## **Allocation Policies**

Allocations can be split into three distinct stages – getting access to social housing through the local authority housing register or a housing association’s own waiting list, being nominated or reaching the top of the waiting list for a home, and being offered a home by a housing association (or local authority). Access to and prioritisation within the local housing register was determined by the local authority allocation scheme, with offers potentially subject to any housing association allocation or lettings policies.

Local authorities and housing associations were continually reviewing allocation policies to ensure they were fit for purpose and, particularly in the case of local authorities who are the housing authority, met the legislative context, including evolving case law. Most of the policies had been developed after the introduction of the Homelessness Reduction Act 2017, though one local authority had a policy dating from 2016 (that they were in the process of revising).

Local authority allocations to housing association homes will be governed by a nomination agreement between the local authority and housing association. Housing associations may work within a common allocations framework developed by a local authority, a local authority’s allocations policy, or they may have their own allocations policy to govern lettings. Within allocation policies, there will be different allocation criteria, such as prioritisation and exclusions.

## **Separate allocations or lettings policies**

Our research found that housing associations and local authorities were more likely to have separate allocations policies (though our research is not based on a representative sample). For housing associations without a waiting list, they either told the local authority they had a vacant home or advertised the property on a choice-based lettings (CBL) system. Local authorities then nominated individuals for direct let or sent successful bids from the CBL to housing associations, who might then assess suitability of nominations based on their own allocations policy. Housing associations might also access bidding information themselves from the CBL system.

One local authority said they try to make clear to customers that some of the homes they bid for on the CBL system are from housing associations (providers) with their own internal policies and requirements:

“say for example, you placed a bid today...we might pass you over to that provider and say you've come on turn, however, what we would say is just bear in mind that those providers have their own separate internal policies, and you may need to meet certain requirements around affordability, also, requirements around age limits, to be able to then access that property.”

The advantage of separate allocations policies to housing associations was it gave more flexibility and consistency around allocation of homes. The main differences between local authority and housing association policies, they felt, came down to age limits on family members sharing bedrooms, with housing associations generally being stricter on limiting overcrowding. Separate policies could allow housing associations to balance a scheme, reflecting the variety of homes available, “rather than giving to everyone in Band A [the highest priority band]”. This meant that housing associations could create mixed or sustainable communities (in accordance with the Regulator’s Tenancy Standard, see [allocations legislation](#)). It could also reduce the administrative burden on local authorities as they would also ask applicants to speak directly to the housing association if they had any issues with the way a property was allocated.

We spoke to one housing association about why they had left their local authority’s common allocations scheme and CBL system to have their own waiting list and allocations policy. They felt customers didn't understand the CBL banding system, people were bidding because they felt they had to and, as a consequence, when they came to viewings, they didn’t really want the home. The housing provider also wanted to start developing new homes and felt they would get a better understanding of demand if they had their own waiting list. Having left, they now had a quicker turnaround time for lettings and were building homes where needed. They also felt there was less duplication of work.

We interviewed one housing association who did not have their own allocations policy, though their website sets out eligibility criteria. Perhaps because they were originally formed through LSVT, most of their local authorities had 100% nomination rights.

New builds were likely to be part of a local lettings plan (which is allowed under Section 167(2E) of the Housing Act 1996) or separate nominations agreement or section 106 agreement, sitting outside of any common allocations framework or general nominations agreement. Housing associations explained that this was because they wanted to create sustainable communities in new builds (in accordance with the Regulator's Tenancy Standard). To achieve this, they might allocate based on direct lets or criteria and day of registration, rather than any banding system.

## **Common allocations framework**

With three of the local authorities we interviewed, housing associations had collapsed their individual housing registers and allocated through a common allocations framework, developed with the local authority. These arrangements were not recent, with some dating back 15 years. Housing associations involved might be local, regional, or national providers.

This could extend to housing providers being contracted to manage the housing register and carry out the admin functions in relation to allocations, or it might be the council having a coordinator who works with housing associations. In one area, the allocations framework extended across multiple local authorities to cover the whole city region. This scheme was managed by the partners, including the housing associations, who oversaw the day-to-day administration of receiving applications, advertising properties, and bidding. This could make it complicated to ensure consistency, given the number of partners involved. Partners were supported by two coordinators in the council, who provided admin support and training in the CBL system. Housing associations were critical that they didn't sit on the board overseeing the common allocations framework, which was limited to local authorities.

One local authority with a common allocations framework felt this worked because housing associations could shape the policy and all partners could ensure homes were being offered in the best way possible. It meant local authorities, working with housing associations, had flexibility to accommodate homeless families during the coronavirus pandemic, as set out in the section on [changes and good practice during the pandemic](#).

This same person said there was sometimes a challenge from housing associations having their own organisational culture and priorities, which meant differences in "the way they think applications should be dealt with". The local authority had to make sure everyone was working consistently, in line with the shared policy. They had to

remind them to allocate in the same way and not look “separately at affordability and entitlement” as the shared policy covered this.

In general, however, the feeling was that housing associations were signed up to the agreed strategy, helped to develop systems and followed processes. If housing associations no longer wished to be part of a common allocations framework, then they could move to a nominations agreement and allocate according to their own policy, perhaps using their own waiting list.

## **Reflections on nomination agreements**

Our research asked whether certain types of nomination agreements work better than others. Housing associations were more likely to have reflections to share on what works well. They said the best nomination agreements were those that gave some flexibility to also meet the needs of existing tenants, such as decanting existing tenants during regeneration or urgent moves, for example on medical grounds or because of harassment or severe overcrowding. This meant a balance could be struck between existing tenants and homeless households or others on the housing register. This flexibility came from a local authority having less than 100% nomination rights for available lets.

Void guarantees in agreements were also praised by housing associations. One association had a void guarantee with a local authority so that if the authority did not nominate within 10 days, then the authority took up the void cost until the unit was let.

Even with 50% nomination rights (where 50% of available lets are given to the local authority to nominate with the remaining 50% retained for the housing association to allocate), in practice housing associations may make all properties available to a local authority. This is because many housing associations we spoke to don't maintain their own waiting lists. One housing association said that they were thinking of closing a waiting list in one area with 50% nominations as demand was so high and it “seems like if someone has applied to [this local authority] and identified as having no housing need, then will come to [us] and think that they'll get a house in the next week”. This was not the case as allocations from housing associations' waiting lists also considered housing need.

One housing association said they felt local authorities had barriers to providing nominations, perhaps from workload. They described working with one local authority who had a lot of homeless households but waived nomination rights for

new build properties. The association had new build homes in this area remaining vacant for 96-days before they received a nomination. This shows one of the challenges in separating out oversight of allocations and the ownership of homes for allocating.

One local authority felt that nominations were “about the relationship, rather than the agreement” in terms of what works best. While the agreement may set out the factual basis, it was really about the implementation of the agreement with the provider. A local authority in the south east was considering whether to move away from individual nomination agreements for each scheme, which took time to negotiate and they felt were onerous and expensive. The model they were considering moving to was a standard section 106 agreement alongside an overarching Service Level Agreement setting out the operational detail with all providers. Nomination agreements is a potential area for future research as it is complex and varied across the country, including differences across specific housing developments in the same local authority area.

## **How policies were developed and reviewed**

Policies were kept constantly under review, mainly because of considering “unintended consequences”, case law or changes in legislation, but also because the priorities of the council or the scheme may have changed. This might include moving to allocating on housing need or altering the system of prioritisation.

In accordance with the Housing Act 1996, any local authority altering or adopting an allocation scheme must give housing associations a chance to comment on the proposals. For common allocations frameworks, housing associations shared ownership with the local authority. Housing associations were involved in local authority policy through formal consultation, but also through working groups, forums, boards, steering groups, task and finish groups, taskforces, and workshops. Those covering operational issues, including serious case reviews, were separate to more strategic policy meetings, and often had different attendees. In general, strategic policy meetings were attended by more senior members of staff.

Involvement varied depending on geographic area, options, and relationships. One local authority said they stopped strategic meetings with housing associations because they wanted more informed housing need information before restarting them. Another local authority suggested their predecessor stopped a forum with registered providers because the housing associations saw each other as competition and did not share information.

One of the big draws of developing policy or assessing operational performance in this way was building relationships. One local authority thought it helped to go to providers with “a blank piece of paper” as this “helps to build up relationships with openness and discussion from the outset”. Similarly, one housing association said that chairing a local housing forum strengthened the organisation’s relationship with officers in the council. Another association spoke of making joint bids with the combined authority, helped by the fact that many of the staff in the former LSVT used to be employed by the local council.

Separate allocation policies were often developed in relation to each other. Housing associations tried to align to local authorities and vice versa. Part of the reason one local authority was currently revising their allocations policy was to match the changes made by their main provider, a former LSVT. Alignment could be difficult to achieve in practice when housing associations operating in a local authority area had different allocation policies or local authorities in a county or region had different policies.

Housing associations were also involved in the procurement of new systems or support providers. One local authority talked about shaping and developing a bespoke allocation system, built in-house, through workshops with housing associations so that “they could import what their needs were at the other end”. Housing associations were “really proactively involved”.

## **Prioritisation and need**

Allocations policies were based on urgency of need and time waiting for rehousing, as well as other factors determined by the local authority or housing association.

In most cases, particularly with local authorities, this was effected through a points system or banding based on circumstance (or a combination of a points system to determine banding). Housing associations did not always have a banding system, but set out the criteria and process used to make allocations.

As set out in the Housing Act 1996, prioritisation was based on housing need and reasonable preference (including homelessness, overcrowding, and moves on medical grounds), additional preference (such as having served in the Armed Forces) plus any local criteria (such as a local connection). One family said they “came into this situation blind” and didn’t understand “that everyone has a criteria, a priority point, and where I sit in the priority points”. They had to find the allocations

policy for their local area and then do internet searches to understand how priority points and banding related to them and how to dispute these if needed.

Homeless applicants in priority need who were owed a main housing duty (or likely to when their relief duty ended) were likely to be in the highest band/priority available, though decants from regeneration could come above these applicants in housing association allocation policies. There was not a specific priority band for homeless applicants; these households sat alongside others in urgent need of moving, such as where there was a risk to life, severe overcrowding, or bereaved spouses of members of the Armed Forces. Under occupiers might also be in this band. One local authority talked about giving enhanced priority points to rough sleepers for certain supported housing schemes with 100% nomination rights during the coronavirus pandemic. This was to move rough sleepers up the waiting list. They acknowledged “it's a careful balance because you don't want to only have our rough sleepers being nominated, 'cause that wouldn't be very fair or equitable” but they wanted to ensure rough sleepers were receiving appropriate priority for their need.

An unintended consequence of prioritising homelessness, however, was that some applicants might deliberately make themselves homeless to access housing. For example, a local authority in the south east found that, in the case of familial evictions, people saw this as a quick route into social housing. To address this, they deprioritised the banding for homeless households (to Band D) and moved to direct lets. Households staying home with their family (if appropriate) had a higher band. This new policy was complicated, which put a strain on resources, but the aim was to prevent homelessness. Another way of approaching this was to deprioritise households found to have deliberately made their circumstances worse.

Two authorities mentioned only recently moving to allocating on need. In the old scheme, it was “first come, first served” for banded applicants. They had since made housing need a requirement of joining the register. For those with no need, an authority in the north west had created a separate mailing list for any products that sat outside of the allocations scheme, such as shared ownership or rent to buys. In making these changes, they had reduced their waiting list from around 20,000 to 6,000. Another local authority had streamlined their banding system to reduce the numbers on their register, reducing their waiting list from 20-30,000 to 10,000. They felt these numbers were more manageable. Some authorities made clear in policies and communication with applicants that there was a shortage of social housing and that only the highest bandings (those in greatest need) were likely to receive offers.

Housing associations sometimes disagreed with the prioritisation in the local authority allocations scheme. This was discussed in relation to reducing the priority banding for households under occupying homes. A housing manager interviewed felt it was “better manoeuvring people” who were under occupying by giving them higher priority when families were waiting for these larger homes. This was also reflected in an interview with a lettings officer, who thought one of the solutions to allocations was how to “free up [homes] to put properties into the pot”. Their idea was to fund an admin post to help tenants with mutual exchanges, including adverts and photos.

## Disqualifications

The Localism Act 2011 gave local authorities more discretion about who can be excluded from housing registers. This includes local definitions of ‘unacceptable behaviour’ that will disqualify people from allocations, with local authorities choosing whether all, some or none apply to homeless households.

All local authority allocation schemes we looked at (except one) set out a list of people who would be disqualified for unacceptable behaviour that would make them an unsuitable tenant. Most commonly, this focused on rent arrears, anti-social behaviour and whether previously evicted/served with a breach of tenancy notice. Criminal conviction appeared in some, but not all. If it was included, then it was more likely to focus on violent behaviour that might threaten neighbours.

The following behaviour is an extract of a much fuller list of disqualifications in one local authority common allocations scheme, developed with housing associations:

- Conviction of a drug-related or violent criminal offence.
- Any other conviction which constitutes a threat to the local community.
- Being abusive to, or threatening, staff.
- Perpetrating violence, domestic violence, racial violence or harassment.
- A history of anti-social behaviour.
- Unacceptable rent or mortgage arrears.

Applicants would also be removed from a register for not bidding or refusing (multiple) offers on properties. This could be immediate or occur after their banding/priority has been downgraded for a period of time and their circumstances re-assessed.

People who were excluded might qualify if they could demonstrate a change in behaviour, such as a supporting statement from a probation officer or by undergoing treatment for substance misuse. One local authority was considering what they “define as a change in behaviour for a conviction without trying to put a blanket around that policy”. They wanted to ensure that if certain triggers were met then a person with a conviction would qualify.

Local authorities did not always use their powers of discretion around disqualifications. In one case, a local authority’s policy stated it “does not have any additional disqualifying criteria and does not have a local connection requirement”. They made clear, however, that housing associations may operate their own suspensions or exclusions policies. Another local authority policy disqualified on the grounds of ASB or convictions, but not rent arrears. This scheme specified in a later section that a housing association may consider rent arrears as unacceptable behaviour when shortlisting applicants for a property, leading to a rejection of the person’s bid.

There was evidence of different practice across the country in terms of how exclusions were handled. For example, with arrears, a local authority might disqualify when they find this through a landlord reference at point of application or they might allow them on the housing register because “by the time they are coming up to an offer then their arrears will have dwindled to nothing”. The personal opinion of one housing team leader was that these applicants should be allowed on as they could be waiting for two years. As housing associations do their own checks at offer stage, they could reassess arrears at this later stage.

Housing associations recognised exclusions were needed from a tenancy sustainment point of view, but acknowledged that disqualified people also needed housing options. There were different ways we identified through the research to resolve disqualifications:

- Pilot projects between local authorities, housing associations, and support providers to help people build a good tenancy history.
- Better information sharing to enable more advice or support (including financial) from local authorities to those on the waiting list.
- The applicant taking action to resolve the disqualification.

Two authorities were working with housing associations and support providers on pilot schemes to house people who had been disqualified, perhaps due to

convictions or a poor housing history. The schemes provided wraparound support and dedicated properties from housing associations to rent on an introductory tenancy. In the case of one, the local authority guaranteed the rent for six months of the first year if the tenant sustained their tenancy. Housing associations said “getting people to prove positive evidence of change wasn’t an easy thing to do”, but were on the verge of housing two people who had been through the project.

One of the local authorities who had recently changed their allocations policy had done this, in part, to overcome issues around exclusions for unacceptable behaviour. The changes meant the priority status of an applicant might be reduced by a housing association at offer stage for unacceptable behaviour. The applicant would be placed in a reduced preference band and the council informed why. The council could then advise the applicant and “work with that family so they can be accommodated in the future”. This was partly about getting better information back from housing associations about why someone was skipped and enhanced flexibility for accommodating some of the more difficult households.

## Finding a home

### Choice-based lettings

Choice-based lettings (CBL) aim to provide choice and encourage applicants to have a greater role in the process of selecting their home. CBL was introduced to the United Kingdom in the early 2000s, with £13 million provided by DLUHC (or the Office of the Deputy Prime Minister as it was) for 27 pilots.<sup>72</sup>

The principle behind CBL may be the same across local authorities or housing associations, but the practice can be very different. Letting of properties from a CBL portal might be governed by a common allocations framework, a local lettings plan or policy, or the housing association’s lettings or allocations policy. One local authority say they allocate purely through a CBL portal so “there’s just one front door for everyone to access”. This one front door may have several doors within it, however, as lettings might be through a common allocations scheme or determined by both the provider and the local authority’s allocation policy or, particularly if a new development, a local lettings plan.

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<sup>72</sup> [ODPM \(2004\) Piloting Choice Based Lettings \(An Evaluation\).](#)

Administration of CBL systems also varied. Local authorities might oversee it themselves, contract out to a local housing association, or have shared oversight with scheme partners. In one city region, the CBL is operated by the largest housing association in the area, which was formed from LSVT. The local authority will nominate an applicant to the housing association, who will then band them based on their need and priority. The applicant can then bid on the housing association's allocation system in accordance with their banding. Housing associations who use a CBL often must pay to do so. There are different portals being used by local authorities and housing associations, from bespoke portals built in house to off-the-shelf products, such as HomeFinder and HomeHunt.

There were mixed views about the effectiveness of CBL. Positives were transparency and being customer-friendly due to the level of information on properties available. Households might understand their chances of success as a result. One family we spoke to, however, criticised the accuracy of the information on CBLs: "the advert will say [the home] has ensuite, and it doesn't; disabled bathroom, doesn't" and encouraged housing associations to work on these adverts. They also said that while they bid on all properties in the area they wanted they were "heartbroken as knew I wouldn't get it".

While interviewees were supportive of choice there was a question about whether such choice was genuine and if "everyone is able or capable" to exercise choice through the CBL system without support (housing association). A local authority in the north west felt:

"The term "choice" can be a little bit misleading as it still depends on people's housing need, priority and match to a property that becomes available"

They explained that from an applicant's point of view, they might bid on a house they want and find they are 150<sup>th</sup> on the list due to other bids. The position in the list would change during the bidding cycle too, depending on the housing need of other people bidding. Families said they were told to "always bid as then you know where you're coming".

Housing associations felt that applicants did not always understand the system, have access to the technology, or know what to do and how to do it. Supported bidding was done for applicants who were vulnerable, including those with no email address or internet. Even if a CBL system is in place, local authorities may restrict certain properties so that only homeless applicants can bid or suspend this for homeless applicants owed a main housing duty. If they suspend, they will do a direct let or automatically bid on their behalf.

CBL was also seen as administratively more cumbersome than direct lets, with a question mark about where the balance lies in decision making – the partners of the scheme, the board overseeing it (that might not include housing associations) or the applicants.

Housing associations said that some applicants attended viewings for properties they didn't want (or, in the worst case, moved in to homes they didn't want) because they were told by the council that they had to bid for properties. One family we spoke to said they "bid on all three-bed properties in the area we were looking at".

## Direct lets

The alternative to CBL was direct lets. Through this system, housing associations send a local authority details of a home (size, rent) for the local authority to "find somebody off our queues and give [the housing association] the details of the person who we've nominated" (local authority).

There were issues with this system too. CBL was felt fairer, and gave a choice, whereas direct lets led to issues if people were not matched according to preferences and did not want the home. One association in London questioned how much the borough considered the applicants they were nominating:

"nominations are not good...guy who was serving in the UK Armed Forces, gout and mobility issues, but nominated him for a first floor flat...I think that they have a list and just hand out, they don't match".

Direct lets might be managed in one of two ways: through coming top of a list/queue by prioritisation (be it on need and/or waiting time) or through matching people to homes. A housing association in the south east felt that bidding "works better than direct lets". They thought that direct lets could cause problems when an offer wasn't in the area or type of property the applicant wanted. It led to "back and forth with the local authority" and "might cause social issues, if [the applicant is] not happy" or they might not look after the property. They said it was "very hard when someone was moving somewhere they weren't excited about". They felt, however, that most direct lets worked very well, with around three in 10 having issues.

One family, accommodated in a local authority with direct lets, had lived in a refuge and then two different temporary accommodation properties over 11 months. She said that "when you are made homeless, you don't have a choice. I think that's

wrong, you should have a choice in where you live...England is a wealthy country, it's not right". She felt that this choice was a "human right".

Many housing associations seemed to prefer direct lets where matching was involved, as shown in the [changes and good practice during the coronavirus pandemic](#). Matches were about considering the needs and preferences of the household and matching to the most suitable home amongst the pool of homes available. Without matches, direct lets involved households reaching the top of the queue for a property type and being nominated for it. Housing associations thought matching helped with tenancy sustainment, which prevented homelessness.

One housing association said the change they would like to see in allocations to homeless people was a move to match people to properties, prioritising those in temporary accommodation.

## Being offered a home

### Suitable offers and refusals

Alongside disqualifications to join a housing register, another challenge in accessing suitable social housing was refusal of offers, either by the applicant or by the housing association. The challenge here was what was considered a suitable offer out of available homes, and whether local authorities, homeless households and housing associations agreed on this.

### By family

One housing association said that in nine out of 10 cases of refusals, it was the applicant who went back to the council to say that the property wasn't suitable. The legislative context meant that policies around offers of accommodation to homeless households were slightly different to those made to households in other forms of housing need. Part 7 of the Housing Act 1996 states that if a local authority is satisfied an offer is suitable, then a family's refusal will lead to the main housing duty ending, unless the family can appeal on grounds of reasonableness.

Local authorities we spoke to said that homeless households owed a relief or main housing duty have one offer of accommodation because they are given a priority status and so rehoused quicker. Working with available homes, local authorities worked hard to ensure the one offer was suitable, and to inform applicants how to challenge a decision. For housing register (part 6) applicants, policies generally gave three offers (one offer for the London borough) before there were any

consequences, such as reduced priority. This means that non-homeless households in the reasonable or additional preference category may have more choice in where to live than those who are homeless. Housing associations supported choice and felt “people should have some kind of say in what is happening to them, particularly if they’re homeless”.

According to local authorities, households expected “they should be housed straight away by the local authority, that is our job, and we should be looking to house them”. There were felt to be some unrealistic expectations in terms of housing, including location, size, and access to a garden. Some of this was based on want rather than need. This was reflected in one of our family interviews where they said “in my heart of hearts, I’d been dreaming of a house for me and my girls, doesn’t everybody?”, and may explain why they described the housing officer at the local authority reacting in a way that “she made me feel like ‘how dare you say that, how dare you want a house, there’s people on the streets, you’re only going to get a flat’. Obviously, I was grateful to be housed”.

A challenge raised in most interviews was the lack of available properties, which made finding suitable accommodation difficult. This could cause tensions between applicants, housing associations and local authorities. For example, one housing association said they had a challenge that lasted three weeks from one homeless family who had been nominated for a property. The family “didn’t want to go there”. The housing association went “back and forth” with the local authority, who told them the family had to live there. This made the family feel angry and like they weren’t being listened to. The housing association “didn’t understand why the local authority had asked [about] preference on location and property type if that wasn’t an option” and felt “caught in the middle”. The opposite could occur too; another housing association said they sometimes got “caught in the middle” when someone wanted a property that was not suitable for them.

The impossibility of the situation for local authorities, when supply didn’t meet demand, was acknowledged by this housing association in the north west:

“We’ve had this conversation with the council loads of times, this family want to refuse because it’s not in the area where they’ve got support. And I get the council’s argument that, we can’t keep them in temporary accommodation, it’s costing us money...I get both sides, it’s a really difficult one.”

Since the Localism Act 2011, local authorities can discharge their housing duty to the private sector. Local authorities said it was also very difficult to get homeless

households to accept a private tenancy once they were in temporary accommodation. They would wait for a social tenancy. One family described trying to find accommodation through lettings agencies: “you ring up any lettings agency and they say ‘do you claim benefits?’ and when you say ‘yes’ then they say ‘sorry, no’. I must have rung up 100s of lettings agents”. Discriminating against those on benefits by lettings agents is unlawful, as it is indirect discrimination under the Equality Act 2010 due to the disproportionate number of women and disabled people claiming.<sup>73</sup> Yet the practice remains. One local authority said they were setting up their own lettings agency. They were leasing properties from private landlords as another way of discharging their housing duty.

There seemed particular challenges around families refusing offers where local authority placed auto bids on CBLs or direct lets were in place for homeless households. Local authorities would account for preferences, including where people wanted to live, but “if we can't get in that location then we will bid anywhere in the city for them”. The logic for this, as described by local authorities, was to move homeless households out of temporary accommodation quicker. This ensured throughput of households in temporary accommodation, avoiding the risk of unlawful use of bed and breakfasts (and might reduce council spending on temporary accommodation). This practice was reflected in family interviews where, after nearly a year of unsuccessful bidding, one family rang the housing officer at the local authority and were told that the council were automatically bidding on their behalf as they were in temporary accommodation:

“So I said to her, ‘So I've been bidding for nearly a year and nobody has told me this, that I don't get a choice and you bid for me?’ And she said ‘basically, yeah.’”

Housing associations weren't always aware which nominees were auto bids by the local authority. The first they might realise is when they contact a nominee, sent by the local authority, about a property viewing. The applicant then said they didn't bid on that home and didn't want to live in that area. A housing association in the south east felt the number of people refusing offers had increased where there was this automatic bidding, which “CBL was meant to get rid of”. This affected homeless households who were likely to have only one suitable offer of accommodation.

One family “cried to the [housing association] lettings officer” about their first offer from auto bidding. The family said it was “maybe seven miles from my child's school,

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<sup>73</sup> [Shelter \(2021\) How to challenge DSS discrimination](#)

up a country road, no bus links, on the second floor, my heart sank”. Due to the restrictions on refusing offers, they had to gather letters from professionals to support their case that the offer was not suitable.

The use of auto bidding or direct lets means that accommodation offered might be one families had no choice in. While the council may take their preferences into account, they were limited by available stock. This was also an issue for those making bids. One allocations manager said that she advised customers to be careful with bids and wait for the right property as they had 12 weeks in which they got priority status. One of the projects that came out of the coronavirus pandemic gave homeless families three offers of accommodation. The housing associations involved were keen this policy was continued as they felt the choice was one of the factors in high rates of tenancy sustainment.

We found evidence of families feeling pressure from some local authorities to bid or accept an offer of accommodation. This included pressure to move out of temporary accommodation quickly once an offer was accepted. Families understood why (“there’s asylum seekers fleeing places and they might need that property or domestic violence [victims] fleeing places, I get they want to rush you, to get you out”), but wanted time to move and furnish their home, including laying flooring (which wasn’t always provided for relet properties).

A housing association in the south east said that some local authorities tell homeless households to accept the offer, move in and then appeal on grounds of reasonableness. This practice was confirmed by an interview with a local authority from the north east. This caused problems for the housing association as the household moved in and made complaints as a way of building a case against the suitability of accommodation offered. Housing associations also recognised it was difficult for homeless households as they might be desperate so take accommodation offered, but if it didn’t meet their needs then the tenancy wouldn’t always work. A housing association said if households felt forced to take homes, where authorities “bid anywhere”, this might cause a “revolving door” of homelessness. Households might then move in and potentially abandon their property or be evicted for antisocial behaviour.

The families we spoke to discussed suitable offers and their needs. Offers were made on proof of need, such as medical, but families felt it didn’t account for what they needed. As single parents of young children, they faced issues with carrying

shopping, children and pushchairs up and down stairs. Housing associations did consider this; one of those interviewed said they had a policy of no families in flats.

One family with young children given an offer of accommodation with stairs said that they were asked whether they had medical needs and they replied that they “didn’t now, but might do in the future from the carrying up and down stairs”. Offers also didn’t account for general medical needs, rather than those linked to housing need. This family were on an NHS waiting list for help with a condition, but their accommodation offer was in a neighbouring borough. This meant they would have to start on a new waiting list.

### **By housing association**

Housing associations could refuse (or skip) nominations to their properties if they felt the nomination wasn’t suitable, including talking to local authorities on behalf of families who wanted to reject an unsuitable offer. They wanted to make sure the home offered met an applicant’s needs and they would be able to sustain the tenancy. Local authorities had the opportunity to dispute any refusals. The process for this would be set out in a nomination agreement. If an agreement couldn’t be reached through phone calls and emails, then resolution might involve forming a review panel. The rights of applicants to challenge refusals would be set out in the local authority and/or housing association’s allocation scheme.

Some housing associations’ own allocations policies talk specifically about criteria around exclusions or eligibility for offers, whereas others are short documents guiding how decisions on allocations are taken (prioritising housing need above all else). One housing association said they don’t exclude, but will suspend offers in certain circumstances, for a pre-defined period. Their ‘rule of thumb’ with suspensions was “could you [the housing association] get possession of the property if that was the current scenario”.

A housing association in the south east said refusals, particularly for homeless households, were few and far between. Another housing association in the same region said that if a homeless household nominated had been rejected, say on affordability grounds, then the application would go to the head of housing who had the discretion to overturn a refusal and offer the tenancy. This was part of their commitment to preventing homelessness, putting processes in place to ensure they were “not drawing the line at that point”.

Exclusions could be very stressful for (homeless) applicants if they were a result of something inadvertent. One of the families we spoke to was skipped on a property offer because of rent arrears. They had built these up in temporary accommodation but couldn't understand how this happened when they had been told their benefits would cover the rent. They set up a payment plan with the council to pay the arrears and resolve the issue.

Local authorities said that housing associations couldn't be selective at offer stage; local authorities and housing associations, together with families, negotiated what was a suitable offer. Housing associations had to provide information on why a nomination had been refused. Other local authorities said that they didn't always know why a household was skipped and the information on refusals was very basic, despite sharing the same allocation system. There was an understanding of why a household with ASB or arrears might be skipped, but the concern was that detail around refusals wasn't always shared. In the case of a refusal by a housing association with their own allocations policy, the local authority would ask the applicant to talk to the housing association.

Reasons for refusals discussed during interviews were:

- **Income limits:** a housing association said they “want to house people who can't afford to access the private sector, but local authorities don't always have this and say [we] should accept people even though they could afford to access on the private market.”
- **Bedroom standards**,<sup>74</sup> particularly age limits for sharing bedrooms (linked to policy differences in [over and under occupancy](#)): “we have a few where the local authority have removed the age limit for same sex siblings. We say 18...so if we get a nomination for a two-bed where they've got two daughters who are 25 and 26 [years old] then we will reject that.” (housing association).
- **Arrears:** “if someone has rent arrears, it's trying to explain the consequences of those rent arrears and paying it off. Sometimes, when people approach our [homelessness] service, they don't realise the seriousness of becoming homeless until they actually reach our service...they don't realise, when they've got rent arrears and they haven't been sticking to a payment plan, that they can't get another social housing property or it's very, very difficult to get a social landlord to take them on. And a lot of people don't want to go into the

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<sup>74</sup> Statutory overcrowding is set out in [sections 324 and 325 of the Housing Act 1985](#), which local authorities should be mindful of when helping to secure accommodation for homeless applicants.

private sector for obvious reasons, because it's not as secure and it's not as affordable...liaising with the customer and the landlord helps, especially with [housing association] they have a lot of support for families within the tenancy, to budget and things like that." (local authority)

- **Affordability:** "We also do an affordability assessment. It's just an income/expenditure, our policy does allow us to decide whether we feel that they can afford their tenancy. The last thing we want to do is set someone up to fail, particularly straight away from an affordability assessment...it's a bit of a difficult conversation at times, but we need to ensure they can manage that in terms of their rental income." (housing association)
- **Support needs:** for more complex households, there might be issues with rent arrears or ASB if not properly supported. There was a challenge over where responsibility lay for supporting such households, as this local authority (who did not commission support) discussed "we've got quite vulnerable clients and [the housing association] might say well we can't support them...we can't then refer back to [the housing association] because their allocation scheme says they can't take people who they've evicted for rent arrears or ASB, but we've picked them up...we have to then keep them in temporary accommodation longer and then look for something else for them." (local authority). This is discussed further in the section on [support](#).

Local authorities understood why housing associations had exclusions. Their own policies might include similar criteria around disqualification. They might share the view of housing associations that nobody should be set up in a tenancy that they wouldn't sustain. As one local authority described:

"We shouldn't be taking people who [are] potentially going to cause problems in tenancies because that's not sustainable and it just causes problems further down the line when we've got to then evict them and they come back through the homeless team again."

This didn't stop it being challenging to rehouse excluded people, particularly people with rent arrears or convictions. It was often about coming up "with ways that we can work around it", such as, in the case of rent arrears, payment plans or local authorities paying off arrears. It led to "back and forth" between housing associations and councils. Local authorities felt that some housing associations were stricter on exclusions than others. They would have liked more leniency from housing associations in certain cases, such as certain types of convictions and historic rent arrears or those built through financial abuse.

There was evidence of flexibility around refusals across some local authorities and housing associations. One housing association said that where they have a good relationship with a local authority then the authority were more likely to accept a refusal, “but others will say 'no you can't, they're taking that property'”. There were also regular meetings or calls to discuss cases, including where local authorities would ask housing associations to focus on rehousing households currently in costly temporary accommodation.

Other solutions included reciprocal arrangements with other housing associations in the area to take on applicants who had a poor housing history with one of the other providers. One housing association had an informal agreement on this, borne out of Housing First. A local authority said they were working on a reciprocal arrangement for housing associations in their area to sign. It was particularly for urgent moves and domestic abuse victims and was one of the ways they were seeking to prevent homelessness. The council informally negotiated this currently, but they thought that if housing associations came to this agreement with each other then it would improve the customer journey, as well as freeing up properties quicker. They wanted to encourage housing associations to use this as part of their “management toolkit”.

## **Flexibility and exercise of discretion**

Local authorities and housing associations both noted that flexibility was an important part of any allocations scheme and nomination agreement. They talked about looking at things on a case-by-case basis and not using a blanket approach, as well as using local lettings plans to ensure balanced communities. Flexibility was a benefit because it allowed more control over allocations.

Examples given included:

- Flexibility around exclusions, including asking how rent arrears had developed rather than just excluding when there were arrears.
- Loose policy around exclusions on grounds of ASB, which made it easier to refuse a nomination. Some schemes were very prescriptive in terms of what constituted unacceptable behaviour around ASB, such as being served with a tenancy caution, but this didn't cover all types of ASB by an applicant that might affect existing tenants.
- Where a local authority had 100% nomination rights, giving some flexibility for housing associations to prioritise allocations when residents were decanted during regeneration schemes.

Flexibility is limited to some extent by legislation. While there is discretion for local authorities to set allocations policies in accordance with local housing need, legislation, case law and statutory guidance governs duties, allocations and accommodation offers to homeless households. Certain practice that was considered successful during the coronavirus pandemic might not be lawful outside of this emergency footing. For example, housing associations in a north west city region worked with their local authority and support providers to form a panel that made matches for direct lets to available homes for households in temporary accommodation. This was to facilitate faster move on from temporary accommodation to accommodate others who were homeless. This had great success in terms of tenancy sustainment, but the local authority was advised by a consultant that continuing allocation via a panel would be problematic. The consultant advised that decisions around homeless applications should be made by the local authority, to ensure all duties were met in a consistent and lawful way.

From the perspective of a family, the potential for flexibility when offers were challenged was considered to introduce unfairness into the system. For example, one family had been made an offer of accommodation that they didn't consider suitable. They organised letters from their MP, doctor and child's school to support their case to the local authority. These led to the offer being withdrawn, which they thought indicated that the system was not fair: "that says to me there is leeway in this system and it's faulty... It's not good, it's a flawed system. I feel sorry for people that don't have the knowhow". She was concerned what would happen to others who "wouldn't fight because they don't know how to or don't have the guts...what about other women who don't have a voice like me, who aren't intelligent enough to write a letter, women who are scared and beaten".

## **Over and under occupancy**

Lack of suitable sized properties was discussed across the interviews. There were different demands and challenges across the areas, from lack of one-bed flats to a lack of larger homes for families. While development teams from housing associations were often involved in discussions with local authorities on the pipeline development to meet need, there was a lag involved. This often meant that available properties did not meet demand. Alongside this, the removal of the spare room subsidy (bedroom tax) affected allocations to those on benefits if they were deemed to under occupy.

Allocations policies sought to address challenges around over and under occupation. In general, local authorities appeared to be more lenient on bedroom standards than housing associations, as this local authority sets out:

“Just as a comparison, so in [Area A], we changed our allocation scheme because there was a pressure for two bedrooms. So what we did is, if there was a couple or a single parent household with a child under the age of three years old, we would give them a one bed, whereas we can't do that in [Area B] because obviously the bedroom standard is applicable to the landlord.”

The housing association who worked with this local authority said that they were being asked about splitting households and taking more people than their bedroom standard allowed. They said they were reviewing their policy, given the pressure on two-, three- and four-bedroom homes, but were saying no currently as they “don't want to give some families advantage over other families who have been waiting longer”. This housing association gave 100% nomination rights to this local authority. There was a further frustration around overcrowding amongst their existing tenants because the increase in homelessness led to fewer lets to those in the “general needs queue” (with more to those with priority rehousing status, such as homeless households). This meant overcrowded tenants had to wait longer to be rehoused.

Another housing association discussed a similar situation in an area with a shortage of larger properties. They discussed a recent case of an eight-person family who came up on the waiting list for a three-bed; “they explained that they were desperate, living in a two-bed and that anything was better than that. I talked to the council, who said it was up to family, they could use the kitchen or dining room as a bedroom”. The housing association refused as “further down line [the family] then realise that doesn't work and we will be moving them on again”. It also caused issues for the housing association, as damp was more likely to occur when a property was over occupied.

These challenges meant that larger families might be waiting in temporary accommodation for longer. There was evidence of successful negotiations between local authorities and housing associations to resolve these cases: “We've also had a family of nine and we negotiated an over occupation by one child”, or housing associations accepting overcrowding or adapting stock where they didn't have suitable properties: “where we have a six-bed need, we don't have properties that size...we look at whether we have a four-bed that works for them, whether a dining room that might be suitable”. Housing associations also might come to specific agreements with local authorities on bedroom standards: “if it's a three-bed then we

generally only house five people in that house, but in [Area A] and [Area B] if we had six people then we would house them”.

Underoccupancy was an issue not only for freeing up larger properties for those that need it, but also the financial impact on tenants from the bedroom tax. Most allocation schemes gave priority to people under occupying for these reasons. During the coronavirus pandemic, housing associations in one area agreed to allow under occupation to households, with the local authority guaranteeing rents for 12 months, using Discretionary Housing Payments (DHP).<sup>75</sup> This covered any shortfall caused by the bedroom tax.

## **Making a suitable home**

A stumbling block to making a suitable offer was available stock, especially when adaptations were sometimes needed. A London authority said they work with housing association partners to identify properties, or ask them to look for properties, that could be adapted to accommodate households with mobility issues. Larger homes with adaptations was a “huge challenge”.

Relationships with housing associations and local knowledge helped here, as shared by another local authority:

“There are a lot of people with mobility issues. I don't know whether it just feels like there's more now or what that looks like, but we're doing a lot more grants and adaptations work, so we've got a piece around that and how we work with providers to identify suitable properties coming up from relet...But because I am a local girl if I see something come up and I think I know that property and we could possibly use that then we pick the phone up and the housing association in [town], particularly, are just amazing. I'll phone them, 'I need this [type of home] and can you keep your eye out' and their development team are amazing as well, so they'll see if they can see something and they work with us, they absolutely do”

Furniture was another barrier to suitability and sustainability of tenancies. Some households came with nothing and had no money or support. Families in our research talked about the financial costs around this (see [financial costs](#)). In general,

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<sup>75</sup> DHP provide financial support with rent or housing costs for people on housing benefit or the housing element of Universal Credit. They are administered by local housing authorities. Each council decides how the application process works, including how much and for how long people will be paid.

housing associations let properties unfurnished. This might include removing any carpets, furniture and white goods in a bad condition or “stained and dirty”. There was a question about whether local authorities explained this to applicants as it “seems to be a shock for people when they move”.

Housing associations recognised the challenges of not providing furniture, white goods and carpets. They were reviewing policies around this, piloting schemes, and helping tenants access grants. Whether a tenant had furniture was one of the checks done when offering a home, or just after a move. Furnished tenancies, which are subject to a service charge, were available with one housing association, but another voiced concern that they were a barrier to moving into work as the service charge increased the cost of the property.

### **Furniture**

There were several ways that housing associations sought to address issues of furniture provision. There were some obvious barriers, however, in terms of the lag between moving in and provision of furniture, including how to store any furniture available.

Examples included:

- Furnished tenancies providing a package of furniture for all new tenants. Tenants pay their housing association through service charges and can end any contract when they want. Faulty goods are removed by the furniture provider. This was introduced to stop customers having to use payday loans or rental companies, such as BrightHouse. The cost of the service charge can be covered by benefits.
- Helping tenants access or make applications for grants or crisis packages from local authorities and charities (including quirky grants, such as one for vegetarians that tenants can use to buy fridges)
- Specific schemes, grants or social enterprises that provide furniture packages or help build furniture packages. This included a partnership with a local furniture project where tenants get a half-price discount.
- Piloting an enhanced void standard, including providing carpet and curtains, alongside gifting of white goods and furniture, funded by the housing association. This was introduced for single homeless people to reduce high turnover in one bed and bedsit properties.
- Decorating grants and recycled furniture schemes, where caretakers will look after good quality furniture left by tenants.

The “emergency footing” of the coronavirus pandemic led to temporary action to address lack of furniture:

- Furniture packages funded by housing associations, local authority, and Next Steps Accommodation funding, with furniture commissioned from a local centre. These were delivered within 48 hours of a tenancy sign-up. A housing association managed the funding, giving out 318 family packages at a cost of £680,000.
- One housing association who had a specific project helping families fleeing domestic violence and abuse during the pandemic remembers “racing to put curtains up and find lamps to make the property ready”. They were moving offices at the time, so used old office furniture to furnish homes for families, including pedestal drawers as bedside tables and meeting tables for kitchen tables.

## Changes and good practice during the pandemic

There were many examples of specific projects and interventions undertaken around homelessness during the pandemic, pulled out in case studies below. Changes in practice also occurred, some permanently, notably moving more services online.

Moving online was the main change made due to the coronavirus pandemic by local authorities and housing associations we spoke to. This was particularly challenging for local authority homeless services, which were largely face-to-face or telephone services. Housing associations were more likely to do property viewings remotely, through videos, undertake the tenancy induction over the telephone, and provide e-docs for tenancy agreements. One family said that the tenancy sign up was “so good”, they “did an e-doc sign-up and it was so straightforward”. They could also submit scans of documents on their phone which was “really quick and effective”. They now “always have my tenancy [agreement] on my phone on email, so I can produce it when people ask”.

Other changes mentioned were having two affordability assessments when joining the housing register, one with the Universal Credit uplift and one without. One authority mentioned that increasing homelessness during the health crisis led to them reviewing their bandings to check they were still fit for purpose. Another said they had updated their impact assessments to say “that we now consider that COVID is a mitigating circumstance and that people might be affected by issues to do with their job, or to do with their income”.

Increased pressure had been felt by both types of organisations during the pandemic, with one local authority saying that the focus on rough sleepers and day-to-day side of lettings made it “quite hard to focus on some of the wider side of the business”. Housing associations and local authorities mentioned how issues with contractors getting void properties ready for let had also slowed down lettings. A further reason for fewer properties was an unintended consequence of the changes to the evictions process during the coronavirus pandemic. While fewer evictions is a positive, one local authority said that it meant fewer properties being available for relet, which underlines the shortage of social housing in this area.

### **Case study: setting people up to succeed**

At the beginning of the coronavirus pandemic, a city in the north west asked all their housing associations to provide empty properties for households to move out of temporary accommodation. Two housing associations volunteered to oversee lettings of these homes and were added to the city’s Homelessness Reduction Panel. The project involved the local authority housing and homelessness teams, support providers and those working with care leavers and domestic abuse victims.

The two housing associations set up a shared document with all available properties. This included information on the type of property, location, any adaptations, the area (such as sensitivities, like ASB), who’d been nominated (and if refused why refused), and when let. This data helped ensure the properties were the “right match for people”. All data was shared (through a data sharing agreement) with the local authority’s housing options team so they could track customers. Over 1,000 homes were managed in this way, and the partners felt this success was partly down to trust and sharing of information, while having one person with control and oversight was key.

When a property was made available for let, the housing associations would offer them out to the panel for matching. This was a “conversation between landlords and partners, it was not just putting people in a place, it needed to be the right match and they needed to have support”. Households were allowed at least three offers (rather than the one offer normally given) as the team wanted to make sure people were taking a home they wanted and could sustain a tenancy in.

The two most important aspects for the success of the project, housing associations felt, were support for households and furniture packages, so they weren’t just

“dumping” people in an “empty box”. Housing associations donated money for furniture packages, alongside funds raised by the local authority from donations and government grants. One housing association oversaw the funding and worked with a local furniture resource centre to provide 800 packages to new tenants. This included beds, wardrobes, table, and chairs, even towels and kitchen utensils. The packages were delivered within 48 hours of a tenancy sign up. Support was funded through the local authority Adult Social Care budget and government’s Next Steps Accommodation Programme funding.

The project required a complete rethink about how all partners were working. The housing associations agreed any home for the project was kept available for two weeks. They also agreed to under occupation, pets, and no requirement for a month of rent at the start of the tenancy. The local authority guaranteed rent for 12 months, using DHP. Support providers helped applicants to access acceptable forms of ID for joining the housing register, such as applying for birth certificates. Housing associations took tenants they had previously “had problems with”. Support agencies meant there was something in place to address issues that might have prevented tenancies before, such as rent arrears. It also provided a safety net to support issues around tenancy failure. Prior to the pandemic, some of the vulnerable households coming through the housing options (as opposed to homelessness route) didn’t have a support worker, but this project addressed this gap.

The project has been “transformational”. A lot of the people housed felt they would “never get a tenancy”. It has also led to closer relationships between partner agencies, officers in the housing associations and meant tenants knew better how to access support. Sustainability for tenancies in the project was 97%.

The partnerships formed have been “really something to build on”. The local authority said the role of housing associations in their homelessness strategy is going to be “even more prominent going forward”, with “a greater involvement in shaping [it] than they might have done in the past”. Everyone was working together to drive towards the same place, created rapid rehousing that was, according to one support agency “groundbreaking”.

The two housing associations who oversaw the project say they now have more oversight of the bigger problems around housing need. Prior to the project, their involvement would be limited to getting a local authority nomination of a household on the waiting list, rather than any involvement in the housing register and any issues around allocations. The issue the project faces, however, is that the panel

allocations were a break from the council's scheme. While this was permissible in an emergency, it may not be in the future, particularly as decisions around homeless applicants should be made by the local authority on whom the duty rests.

### **Case study: helping people flee domestic violence**

A housing association from the north east helped families experiencing domestic violence and abuse move on from refuges. If they knew someone was fleeing DVA or accepted homeless, they looked at whether they could let any properties the families had previously bid on. They worked with their voids team to assess if there was any way to get the property back and available for let, including repairs. They housed around 30 households this way. They worked closely with the link workers at refuges to get women into homes as they “knew there would be more coming along”. They did this through “long hours and great team work” and, sometimes, it “felt like there was a new case every day...because of all the restrictions that were being placed, we knew as an organisation that that would happen”. They had single points of contact for the families, and any staff would be able to escalate a case where they thought a family was at risk. It helped the local authority as they freed up spaces in the refuge.

### **Case study: flexing common allocations framework to provide temporary accommodation**

During the coronavirus pandemic, a local authority in the north east said they had a lot of families approaching them who needed temporary accommodation. The providers in their common allocations framework came to the local authority with empty homes that they were willing to offer as temporary accommodation. They believed this was only possible because of provisions in the scheme and the relationships with providers. Having a common scheme, they felt, “gives us the ability to be able to have those closer discussions”.

## **Partnership working**

Partnership working was vital to the functioning of allocations to homeless households and those in housing need. The housing duty for homeless households and legal requirements around allocations schemes rested with local authorities, but

all of those interviewed had no, or only a handful of, homes. This meant they were reliant on housing associations to end homelessness, with “less flexibility for the council”.

Local authorities and housing associations shared the same desire to end homelessness but might not agree on how to best achieve this. As with most aspects of allocations, partnerships and relationships varied within or between areas, authorities and organisations, and was set in the context of a pressured system and (for housing associations) the regulatory framework.

While recognising that they didn’t always agree, housing associations and local authorities worked well together operationally “to get people housed”. This included working together to find the “middle ground” and processes for resolving disputes. Perhaps the most powerful acknowledgement of the importance of relationships to allocations comes from this local authority in the south east:

“You can work with housing associations, or you can have an amazing relationship with housing associations. So you can just discharge your duty to a property or you can work with them to sort of stretch that relationship and be more flexible for those difficult families.”

This section will talk about these aspects of partnership, and how this affects allocations to homeless households.

## **Motivations for allocations**

Having reviewed the legal and practical aspects of allocation policy, it is worth drawing out the motivating factors for making allocations mentioned during interviews.

Housing associations, in accordance with the Tenancy Standard, wanted to create sustainable communities. This was also about sustaining tenancies, which prevented homelessness for households and void loss or possession proceedings for housing associations. Repeatedly, lettings was described as finding the “right person” or “right fit”. This wasn’t about excluding households, or discriminating households, it was about making sure that the home offered matched people’s needs and was “the right thing for them”. Otherwise, the housing association would have to find a new property or, in the worst case, the household would end up homeless again.

In the case of some households, support was crucial to an appropriate allocation. Without support, some households, due to their housing history, were not considered

able to sustain a tenancy. This was reflected through one discussion on establishing a Housing First scheme: “the challenge is making a decision on whether the clients being put forward can sustain a tenancy”, whether their housing histories are “too significant” for maintaining a tenancy.<sup>76</sup> They “want to make sure we are allocating appropriately and there is going to be that support”.

### **Case study: sustainable communities and homelessness**

A housing association in the north west described how some homeless families are forced into moving into properties because it's their one and only offer. This doesn't always work, however, when it is away from their support networks.

They had a recent case of a young girl with a baby who was desperate to be rehoused. She was offered and moved into a “lovely” area, but she was surrounded by older owner occupiers who complained about her having visitors. These visitors were friends supported her, but “she was never going to fit in there and there was no support in place for her”. The housing association supported her to find a mutual exchange. She moved to somewhere else after less than a year.

The issue was that she “didn't want that property in the first place”, when offered, but “the council's argument was that it was her one and only offer and was a two-bed”, as she needed. The provider “just knew it wouldn't work, she was in hospital and tried to commit suicide”. They acknowledged “It's a hard one, if someone is desperate, they'll take anywhere, but it doesn't always work”.

Housing associations also wanted to avoid loss of income from empty properties available for rent (void loss). Rents fund services for tenants and improvements to existing homes. Housing associations are required to report to the Regulator of Social Housing on rent losses from voids as part of their Financial Forecast Return<sup>77</sup> and are required by the Tenancy Standard to minimise the time that properties are empty between each letting.<sup>78</sup> As such housing associations want to let homes quickly and to the right match so there “weren't problems further down the line”. This was their “bread and butter...and we wanted to make sure it was done correctly”.

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<sup>76</sup> It is worth noting, as described in our research on Housing First, that one of the principles of the scheme is that households are not expected to be tenancy ready, but must be willing to sustain a tenancy – see [NHF \(2020\) Experiences of housing associations delivering Housing First](#).

<sup>77</sup> <https://www.gov.uk/guidance/information-required-from-registered-providers#regulatory-documents>

<sup>78</sup> [Para 2.1.5. Regulator of Social Housing \(2012\) Tenancy Standard](#).

For local authorities, the drivers were resolving the applicant's homelessness (ending the main housing duty) and reducing the cost of temporary accommodation. They wanted "throughput of people in temporary accommodation and out into permanent accommodation", moving people "as soon as needed" as it had "considerable cost". They wanted to prevent or end homelessness because it "isn't great for the family, for their children and it's costly for the local authorities". They too wanted to ensure that homeless families moved into suitable accommodation, not just because this was the law, but also because it prevented future homelessness.

For families, the drivers were much more personal. They mentioned finding their strength from their children, they "have to look after kids and have to do it for them". One family said "I had to fight to be treated fairly...I would have never stopped for [my children], for their upbringing". Faith also played a part. All mentioned wanting to find a property that was near existing support networks, particularly their child's school.

What our research shows is that housing associations and local authorities did not always share the same allocations policies or view on suitability of offers. Each area and organisation was different, depending on local context and need. This inevitably led to discussions and disputes between housing associations and councils. The local authority in the north east, who had no disqualification policy, believed some housing associations were becoming more business-like. Yet these drivers show that local authorities were also driven by business decisions around cost of temporary accommodation and might disqualify people from accessing social housing. The stories of families show the cost of this pressure to allocate when it doesn't, or more likely can't, account for choice, preference and need – and when a tenancy doesn't come with the support needed to sustain it. These pressures come back to the lack of supply of social housing, limits on benefit levels, and less support funding to help people sustain tenancies.

Understanding of the different drivers and needs seemed to shape practice around allocations. One local authority said "I understand the challenges that [housing associations] face and I can translate that into how we present information for them and understanding their needs". Local authorities and housing associations mentioned the value of forums to discuss operational challenges around allocations. One of the outcomes of a project that sprang from the coronavirus emergency was the local authority working closely with housing associations on their homelessness strategy, in a way they wouldn't have done before. The evidence suggests that what

helps with allocations is involving housing associations more, [sharing information](#) on problems or challenges, and together developing strategies to address this.

## A pressured system

It was clear from interviews that local authorities and housing associations are often working in a pressured system, with increasing numbers (and associated costs) in temporary accommodation and a lack of suitable properties driven by a lack of supply. This can be seen in the numbers of people waiting for homes compared to the numbers of lets made each year:

- “In July this year we had five three-bedroom properties become available, which, when you've got approximately 1,300 households looking for a three-bedroom property, it's not even tickling the need, never mind anything towards addressing it.” (North west local authority).
- “We've got 165 families waiting for housing. That's two-bed plus... We let about 248 properties [last year], just social housing, not private sector, and 139 of those were one-beds, so only 63 were two-beds, so families can wait for a long time.” (London local authority).

Local authorities recognised that policies acted as a barrier to certain people accessing housing but noted that the number of homes was finite and needed to be allocated “on a priority need basis”. Housing associations spoke about wishing they could give “every person that rings a house”, but that policies and procedures were good to ensure fairness.

Local authorities also spoke about the challenges around prevention. They wanted more action to address the root causes of homelessness, to “nip problems in the bud”. One local authority said they spend a lot of time rallying around people in a mental health crisis where the support doesn't come. While they had a mental health nurse, they were “spread so thin that he's not able to react and we're catching people when they've fallen off the cliff, we're not stopping them.” One suggestion to help with prevention of homelessness was for government to change legislation to end ‘no fault’ section 21 evictions in the private sector.

## Finding the middle ground

The pressure and different motivations for those involved in allocations meant local authorities and housing associations often had to find the middle ground. We found recognition of the same goals within the two types of organisations, to prevent or end

homelessness, but “not the same understanding of how to get there”. One local authority said “we’ve all the same goal, we all want to house people in the properties” but this didn’t mean there weren’t disputes, it was about taking time “finding a middle ground”.

As discussed in the section on [suitable offers and refusals](#), nomination agreements included provisions for disputes. Most common allocations frameworks had steering groups and boards overseeing their operation and strategy. Local authorities without common allocations frameworks held forums with their providers. These were generally considered good for building relationships, including between housing associations. One housing association emphasised the importance of documenting conversations and reviewing decisions as allocations was “an imperfect science and we will get things wrong, but the measure is that we don’t repeat mistakes over and over again”. There had to be strong links and relationships when local authorities had no stock of their own as they had “no fall back”.

It seemed that the greatest difficulties lay in how to accommodate households who had more complex issues that might disqualify them or stop them sustaining a tenancy and there was no support and no funding for support. Even in the small number of interviews we conducted, we found evidence of true partnership working between local authorities and housing associations to pilot projects that help such people (see [disqualifications and suitable offers and refusals](#)).

The challenges to house homeless households during the coronavirus lockdowns had also created opportunities to “open up conversations”, with government funding enabling new projects and ways of working. One local authority and their housing associations proactively looked at empty (void) properties available for let and had “a joint conversation about the best use of those voids”, such as CBL, direct lets or temporary accommodation. This was a more “proactive dialogue” about homes compared to before the health crisis. It was considered successful in this local authority and continued to be used for a certain portion of lets.

## Local vs national

Our research finds that allocations policy and practice differed by local authority. Housing associations can operate on a regional or even national basis. This led to many developing their own allocations policy to provide, amongst other things, consistency in how homes are allocated. Local authorities described wanting to get housing associations’ “commitment to our locality”. This could feel a challenge when providers had stock across multiple authorities.

Similarly, one local authority sought to align their revised allocations policy with the allocation policies of their housing association partners. They couldn't "fully align" on certain things, such as level of arrears, as these were different across providers and some housing associations "weren't willing to move on their policy, they cover a number of different local authority areas". They reached a compromise "on most things and not on some", meaning the local authority policy differed to some individual housing association policies.

## **Coordination and oversight**

Housing associations thought having "one person with control and oversight" was helpful to allocations. Coordination provided consistency, oversight of systems, and facilitated joint working. It meant there was active management and oversight of the housing register so that it better reflected true housing need in the area. A housing association in the north east said the local authority coordinator for one common allocations scheme:

"Made it successful because none of us would have the time to push the policy on...it gets reviewed quite often, so it's always changing to accommodate what the situation is and what customers want".

This was reflected in some of the successful projects that grew out of the coronavirus crisis. There were more conversations and coordination between local authorities, housing associations and support agencies. Housing associations understood need and found properties to meet them. This meant that people were often housed quicker, in homes that met their needs, in a responsive way that a support provider said "would never have happened" before.

## **Housing and homelessness within local authorities**

Our research found a need for joined up approaches across local authorities' allocations and homelessness teams. As one local authority said "if there's a joined up approach and you're all singing from the same hymn sheet, you can support those families to move on a lot quicker".

Local authorities talked about households being confused between Part 6 (allocations) and Part 7 (homelessness) of the Housing Act 1996. They reflected that "whichever way you cut it, it always seems to be an overly bureaucratic process". They thought the two pathways shouldn't be confusing and should complement each other. The homelessness function, however, did not always sit within the same team

or directorate as housing. One housing association expressed concern that the housing options team had no oversight of the hundreds of homeless people on the register, due to such a split. Temporary accommodation might also sit in a separate team to housing or homelessness.

One housing association talked about homeless nominations coming from multiple services within local authorities, such as social services, homelessness prevention or housing options. They were concerned this wasn't joined up within the authority. Another local authority had countered this by developing a joint protocol between housing options and children's services to provide a better service for care leavers. They were given additional preference through the housing register. They did this in response to a growing number of care leavers approaching at crisis point, through the homeless route.

The number of different teams involved in the homelessness pathway was reflected in the experiences of families. One described being passed:

“On to different departments in the council...all those other branches want different information...passed over to so many different people, we had to relay everything that was going on, give everyone our story”.

They didn't understand the difference between the areas, which wasn't explained to them, and found “a lot of their tone...not very kind”. Another family said that the communication between the different local authority departments was “so bad, so so bad”. The third family felt that the council and the housing association didn't communicate. This left them in limbo and meant “you have to be smart to understand everything and contact all of them”.

## Conclusion

There are historically high numbers of homeless families living in temporary accommodation. Alongside this are concerns around allocations of housing association homes and whether it is meeting housing need. We wanted to address these concerns through research examining good practice and experiences of allocations for families, housing associations and local authorities.

Numbers of homeless households living in temporary accommodation has been rising since 2006, with 96,060 households (including 121,680 children) in England living in temporary accommodation in September 2021. Concurrently, the number of social housing lets made each year has fallen from 397,000 in 2013/14 to 306,000 in 2019/20, a 23% decrease.

Homelessness is one form of housing need that must be met by available homes. People who are homeless must receive reasonable preference for social housing in local authorities' allocations schemes, alongside others in severe housing need, such as overcrowded households, people with urgent medical needs, or those facing a threat to life. The NHF's People in Housing Need research found there are 8.5million people in England in some form of housing need, with homelessness affecting just over 641,000 people. Housing associations consistently let nearly a quarter of general needs homes to homeless households each year. But demand for social housing outstrips supply, leading to challenges in managing who qualifies and should be prioritised for such a scarce resource. Local authorities and housing associations are working in an intensive, pressured system, balancing huge need against constraints in supply.

## **Impact on families**

Families found it stressful and confusing navigating allocations and homelessness. They did not understand what a housing association was. They developed panic attacks and heart palpitations from their situation. It was touching to hear the impact that permanent housing had made for families, their "happy ending", and how rewarding this was for housing association and local authority staff working on successful rehousing.

## **Partnership working**

Allocations to social housing and local authority activity around homelessness is set out in legislation. When a local authority has all the legal duties, but none of the homes, then it must rely on housing associations to discharge homelessness duties. Partnership working is key to allocations. Changes to ways of working during the coronavirus pandemic, and evidence of existing good practice, indicate that the more housing associations are involved in strategies and individual cases, the better the outcomes for families. We found much good and innovative practice between the local authorities and housing associations, but there were also challenges due to funding cuts. These affected local authority capacity to build partnerships.

Information sharing is clearly pivotal to a successful allocation. Homeless households are likely to fall into the same priority as others in urgent need of housing. Homelessness is not a separate band of need in most allocation schemes, and prioritisation within a band may be determined by length of time on a register. Given the issues around information sharing, housing associations may not always be aware an applicant is homeless. They may not receive all the information the

local authority has on the household and do not speak to applicants until they arrange a property viewing for those nominated. Local authorities might also receive little information about why a nomination is refused. Poor information sharing created issues for families, such as housing associations refusing bids as they couldn't see a family qualified for a property of that size. While information sharing is governed by UK General Data Protection Regulations, it seemed the barriers were not always about consent, but about parties not sharing information they had or systems not enabling this.

## **Legislative context**

The legislative and policy landscape governing allocations is clearly very complex, with homelessness one form of housing need governed by separate legislation. If part of the aim of allocations legislation is to give an applicant sufficient information to understand their chances of success, and how long it might be before being housed, then the practical application of this is very hard. There may be multiple different policies governing the allocation of housing. Where allocations are not governed by a common allocations framework, an applicant may have to read separate allocation policies for multiple housing providers in the area and, if a new build or area where sensitive lets are required, a local lettings policy. Flexibility in allocations, while helpful, could also be seen as risking consistency and fairness.

We found lots of evidence of local authorities supporting applicants to understand homelessness legislation. Local authorities thought it was complicated and could see confusion between the homeless and allocations pathways. They worked hard on communication to explain what decisions meant for families. But families described feeling confused and alone, saying they had to find policies themselves, and experienced poor communication between council departments, or local authorities and housing associations, and inconsistent service. They said that, as a homeless applicant, they were “all tarred with the same brush” when they wanted to be listened to, and treated as, an individual. Where this did happen then they were full of praise for the service.

## **Motivations**

Our research has clarified that housing associations and local authorities both want to prevent and relieve homelessness. Local authorities had a financial imperative to discharge their duty and wanted to move families out of temporary accommodation quickly, which is understandable given the pressure on temporary accommodation and poor outcomes for families stuck in it for too long. Housing associations wanted

to ensure sustainable communities and sustainable tenancies. Families wanted to be close to support networks and their child's school, and have a choice in their "forever" homes. The challenge came with all three agreeing what a suitable home was, particularly given the constraint in supply of housing. Overcrowding in allocations was also a risk due to lack of supply.

## Support

Local authorities and housing associations undertook checks to determine if someone was eligible for social housing or homelessness assistance and to ensure a property was the right fit for families. These checks might be how a housing association learnt an applicant was homeless and what support was in place (or needed) for them. Such checks, where used, were not about screening out homeless applicants, but understanding if offers met an applicants' needs. If the home was not the right fit, there was a risk of tenancy failure, such as through tenancy abandonment. Local authorities disputed any refusals that they considered unreasonable. Refusal of offers by families was also common. We heard that pressures on temporary accommodation and housing supply might mean families felt they had to bid on or accept homes that didn't meet their needs.

Support might be needed to ensure successful rehousing of homeless households, or to overcome issues that had led to disqualifications or refusal of offers. Housing associations funded tenancy sustainment teams who worked with existing tenants to address problems that might cause a tenancy to fail. Some local authorities funded support, but the reduction in funding for support, alongside the removal of the ringfence for available funding, meant this could be limited or non-existent. There was a risk of homeless households being unable to maintain a tenancy because there was no support to help them do so, or to overcome issues that had led to previous tenancy failures. Furniture poverty also acted as a barrier for sustaining tenancies. Funding during the coronavirus pandemic opened up new opportunities and projects, including furniture packages and commissioned support.

Our research found some great examples of partnership working between housing associations and local authorities to prevent and relieve homelessness. We think there are opportunities for closer partnerships, but many of the issues within the allocations system lie beyond the processes and policies of local authorities and housing associations. Welfare reform, loss of social housing through Right to Buy and reduced government grant funding to build more homes at social rent (the most affordable of tenures) means there are issues around affordability and supply of social housing. Support funding has also been cut in many local authority areas. This

limits the number and suitability of offers that local authorities and housing associations can make, and access, choice and preferences of families. These constraints on allocations are somewhat at odds with the legislative framework. They are larger, national issues and require government funding to fix.

## Recommendations

We make several recommendations from our research, for housing associations, local authorities, the Department for Levelling Up, Housing and Communities and the Department for Work and Pensions. These are set out in brief below with more detailed explanation following.

### For local authorities and housing associations:

- Work in partnership to put people at the heart of allocations.
- Share information.
- Ensure consistency alongside flexibility.
- Greater focus on tenancy sustainment in allocations.

### For the Department for Levelling Up, Housing and Communities:

- Increase grant funding for new social rented housing.
- More dedicated funding for homelessness support.
- More guidance on tenancy sustainment within allocations.

### For the Department for Work and Pensions:

- Review the impact of welfare reform on housing affordability, including allocations.

## Local authorities and housing associations

### Work in partnership to put people at the heart of allocations

- While we understand there are pressures within the system, local authorities should continually review how they explain the rehousing process and housing options to families.
- Local authorities and housing associations should regularly review whether their policies and practice are joined up with each other, responsive to local housing need and comprehensible for applicants. This includes housing

associations working with other housing associations in the areas they operate. The route into social housing needs to be clear to applicants.

- Nomination agreements should be clear about the reasons a nomination can be refused and the process for any disputes. Where a housing association applies its own eligibility criteria, these should be clearly laid out in the nomination agreement and any adverts for available homes.
- Unless it is retained housing that is not subject to local authority nomination rights, housing associations should only be refusing nominations that are unreasonable and not in accordance with the nomination agreement.
- Housing associations should ensure adverts for their homes on any allocations system include information on eligibility, accurate details about the property, and photos of the home for rent.
- Housing associations and local authorities should continue to look at allocations on a case-by-case basis, within the framework of policies, and regularly discuss issues to learn from each other and shape practice, including joint solutions to any issues with rehousing homeless households.
- Local authorities and housing associations should agree a shared understanding of affordability and how to address any issues around affordability.
- With historically high numbers of children living in temporary accommodation, local authorities could work with housing associations to consult on changes to allocations or introduce pilot approaches that match families with housing association homes to facilitate faster moves out of temporary accommodation. This could include using Discretionary Housing Payments to subsidise affordable rents or to cover void costs if adaptations are needed.

## Share information

- Working within UK-GDPR, local authorities need to share more information on the circumstances and needs of homeless households applying for social housing. This should mean housing associations have to undertake fewer pre-tenancy checks and lead to faster, more suitable allocations.
- Housing associations need to share information on any refusals so that they can work with local authorities, families, and other housing associations to overcome barriers to accessing social housing.
- Local authorities and housing associations should have named contacts to coordinate work around housing registers, homeless applicants and allocations.

- Local authorities should regularly maintain and update their housing register, including data sharing consent, checks on affordability and eligibility, and support to address any issues that might prevent applicants being offered a home.
- Local authorities should share with housing associations what their housing register says about local housing need. Housing associations should share details around how lets in the area respond to this local need, including monitoring reasons for refusals of lettings.
- Local authorities and housing associations should work together to understand whether refusals impact particular groups in housing need or the local authority's statutory duties. If issues are found, then they need to work together on solutions.
- The NHF is working on advice around UK-GDPR and the Commitment to Refer to ensure that it works to prevent homelessness before crisis point.
- In accordance with statutory guidance, local authorities should also review processes to ensure that all Part 6 applications by households who might be homeless, or threatened with homelessness, trigger an application for homelessness assistance (where a Part 7 application has not already been made). Our research found evidence that this does not always happen, meaning assistance for homeless households is delayed.
- Local authorities should train partners, such as refuges, to provide assistance, or knowledge of assistance, when making homelessness applications.

### **Ensure consistency alongside flexibility**

- Homeless households are not the only households who have an urgent need to be rehoused. Nominations agreements and allocations need to strike a balance between the needs of existing tenants in severe housing need, homeless households and other people on the housing register with an urgent need to move.
- Local authorities and housing associations should make any exemptions to standards or policies clear, so that an individual applying for social housing understands how it might apply to their circumstances and can ascertain their chances of success.
- Local authorities and housing associations need to continue to ensure that households are supported to understand their rights and responsibilities around allocations and homelessness, including what to do if they disagree with a decision.

- Local authorities and housing associations should ensure households do not incur charges from providing proof to support a homelessness or housing application.
- Local authorities could consider working at a subregional level when it comes to allocations. This should ensure a more consistent approach across the local housing market and facilitate partnership working with housing associations and local authorities.

### **Greater focus on tenancy sustainment in allocations**

- Local authorities should work with families and housing associations to sustain tenancies, such as by using Discretionary Housing Payments to guarantee rent, cover removal costs and pay for any rent needed at the start of the tenancy. They should also investigate funding furniture packages and, if not used already, commissioning support.
- Housing associations should use pre-tenancy support (such as tenancy ready courses) and tenancy sustainment tools, as well as work reciprocally with other housing associations in the area to accommodate tenants with a poor housing history. Housing associations' provision of tenancy sustainment is critical to homelessness prevention.
- Housing associations should investigate the impact furnished tenancies and enhanced void standards have on tenancy sustainment to prevent homelessness.

## **For the Department for Levelling Up, Housing and Communities**

### **Increase grant funding for new social rented housing**

- DLUHC must provide more grant funding for new social rent homes for housing associations to provide enough homes that homeless households (and others in housing need) can afford and want. Our analysis from 2019 suggests that building the 90,000 social rent homes we need each year requires £12.8bn in grant a year.
- If nothing changes with funding for social rent then the government must investigate how the allocations system can best meet demand, including whether homelessness should be given additional preference over other types of housing need.

### **More dedicated funding for homelessness support**

- We are calling on the government to release more funding that will support families to move out of temporary accommodation and fund tenancy sustainment teams within local authorities that prevent homelessness.

### **More guidance on tenancy sustainment within allocations**

- There is no requirement for local authorities to look at whether a person will sustain a tenancy as part of suitability of accommodation offers to homeless applicants, or through their allocations scheme. Sustaining tenancies is important to prevent homelessness, particularly repeat homelessness.
- We would like good practice examples from DLUHC on how local authorities should consider tenancy sustainment in allocations.

## **For the Department for Work and Pensions**

### **Review the impact of welfare reform on housing affordability, including allocations**

- Ten years after the introduction of welfare reforms, DWP should publish a review of the impact of these changes on housing affordability, including access to social housing and rent arrears.
- DWP should continue to work with the social housing sector to examine how welfare policy can restrict housing associations making best use of their available homes.