

Choice-based lettings, potentially disadvantaged groups and accessible housing registers: a summary guide to positive practice

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Introduction

1. This is a summary good practice guide for social landlords in England operating or considering the adoption of choice-based lettings. The guide may also be of interest to statutory agencies and voluntary organisations assisting service users in accessing affordable housing. It is underpinned by research on existing landlord practice in this field. The document has been designed to be read as a stand alone guide containing all the key messages on this subject which should be taken on board by choice-based lettings scheme providers. However, more detailed and technical discussion of the issues covered here can be found in the full version of the guidance downloadable from www.communities.gov.uk
2. Choice-based lettings is the term for a system used by social landlords where properties available for letting are advertised or made known to potential applicants and where the onus in matching applicants and vacancies lies with the home-seeker rather than the landlord.
3. By comparison with the traditional approach to lettings, where available homes are allocated by the housing officer, choice-based lettings calls for a more active engagement on the part of applicants. Consequently, it is widely acknowledged that some people could be potentially disadvantaged by the proactive nature of the system. Particularly given the 'safety net' role of social housing, it is important that steps are taken to ensure that this does not happen.
4. Some social landlords have established accessible housing registers (accessible housing registers) to facilitate appropriate housing moves for people needing accessible or adapted housing and, at the same time, to ensure that best use is made of accessible housing stock. Where an accessible housing register is operated, lettings involving accessible or adapted properties may be operated in parallel with choice-based lettings or, alternatively, a choice-based lettings scheme may fully integrate the letting of such properties alongside mainstream stock. The research underpinning this guidance considered the cost and effectiveness of operating an accessible housing register in the context of choice-based lettings.
5. The research underpinning this guide collected new evidence and collated existing study findings about the implications of choice-based lettings for a wide variety of groups for whom this approach to letting social rented tenancies could pose particular challenges. It confirmed the suggestion of earlier research that, for those able to access the help of a relative, friend or support worker, choice-based lettings can be advantageous. However, there are undoubtedly many needy individuals who lack access to such support. And, beyond this, there is a whole strata of actual and potential customers of social housing whose ability to 'just about cope' (e.g. in relation to literacy) means that while unlikely to have a formal support worker, they are challenged by the 'active consumer' requirements of choice-based lettings.

6. Although instances of positive practice were brought to light by the research, the findings confirmed a need for further guidance in this area. The study found support provision standards were often inconsistent and that social landlords tended to devote insufficient priority to the issue. Many choice-based lettings scheme managers recognise the need for a proactive approach to ensuring that potentially disadvantaged groups can engage effectively with choice. Among existing schemes, however, the research suggested that few have established routine procedures to capture sufficient information about applicants to facilitate such action on a systematic basis. In general, when it comes to facilitating participation, choice-based lettings schemes appear to have been administered in a largely 'responsive' mode. Not enough priority has been placed on identifying and reaching out to those without the capacity to assert their own interests.
7. The positive practice guide therefore has two main aims. First, to stimulate landlord thinking on how to ensure that vulnerable people are not disadvantaged by choice-based lettings. And, second, to highlight ways that this can be achieved – including in relation to the integration of accessible housing registers within choice-based lettings frameworks. Here, the guide draws on what are seen as effective tools, techniques and procedures already incorporated within some choice-based lettings schemes to identify and support potentially disadvantaged homeseekers in accessing social housing.

The equality duties

8. Subject to Parliamentary approval, the three separate public sector equality duties for race, disability and gender are being replaced with a single equality obligation covering the seven equality strands: age, disability, gender, gender identity, race, religion or belief and sexual orientation.¹
9. Under the existing disability equality duty applicable to public bodies, housing authorities operating choice-based lettings schemes are obliged to identify where disabled people may be disadvantaged and make reasonable adjustments to facilitate the full participation of disabled people in such schemes.

A comprehensive approach to choice-based lettings

10. Social landlords are encouraged to minimise lettings excluded from choice-based lettings and processed as 'direct lets' (or 'managed lets'). Instead, they should maximise their use of innovative tools and techniques to facilitate engagement with choice on the part of all those seeking social housing. In particular, choice-based lettings systems should encompass dwellings suitable for people with mobility impairments and therefore in need of 'accessible housing'.

¹ Now in the Equality Act 2010

11. The proper remit of choice-based lettings should not be seen as limited to general needs housing. For letting homes in supported housing schemes choice-based lettings will often be a suitable method. This is very clearly the case for projects accommodating groups such as older people with moderate or low support needs and those with sensory or physical disabilities. In practice, many landlords have found it possible to incorporate supported housing within choice-based lettings systems. Across England, more than a quarter of 2008/09 permanent lettings in supported housing schemes were made through choice-based lettings. In supported housing schemes providing for people with physical or sensory disabilities, this was true of more than 50 per cent of lets in 2008/09. Chapters 2 and 8 of the full guidance (see web address above) give examples of schemes which successfully incorporate supported and/or accessible housing.

Identifying the potential barriers to choice-based lettings participation

12. Potential barriers to choice-based lettings participation can involve:
 - the low public profile of the service
 - registration issues
 - lack of access to information about vacant properties
 - lack of access to mechanisms for bidding
 - the inability to understand written material (due to language or literacy difficulties)
 - the inability to comprehend the basic requirements of the scheme and to exercise informed choice, and
 - the inability to participate actively in choice-based lettings over a sustained period as a result of ongoing health problems or debilitating illnesses, particularly mental ill health.
13. Recognising these barriers to active participation in choice-based lettings helps to indicate the sort of strategies that can be adopted to overcome these obstacles.
14. Critical in promoting awareness of a choice-based lettings scheme's existence is ensuring that local support agencies (both statutory and third sector) and caring professionals understand that social housing is (or is about to be) let under a system where the onus is on the homeseeker rather than the local authority or housing association concerned. In addition, support agencies (including social services departments) need to be made aware of their potentially crucial role in assisting service users seeking social housing.

15. Some potentially disadvantaged homeseekers may be protected thanks to their links with support workers or agencies (see above). Similarly, choice-based lettings systems often incorporate mechanisms to identify those most in need of assistance (see below). On this argument, those at greatest risk of losing out under choice-based lettings may not be the most “vulnerable” but those who can just about cope (e.g. in terms of literacy) and who, consequently, do not immediately stand out as requiring direct assistance. Both in training lettings staff and in targeting service users for help, this point needs to be borne in mind.
16. More broadly, there is a need for more effective education of lower priority applicants as to their realistic prospects of being accommodated in social housing.

Identifying and helping people potentially in need of special assistance

17. It is important that application forms include questions related to the applicant’s ability to engage with the system – e.g. about literacy or language skills. Applicants should also be asked directly about whether they would like assistance in bidding for advertised properties and about their existing support arrangements (if any). However, while direct questions about whether an applicant sees him/herself as needing assistance to participate in choice-based lettings can be useful, it is important to recognise that some applicants may be understandably reticent about disclosing certain personal factors which could potentially affect their capacity to participate in choice-based lettings – e.g. mental ill health, HIV status or other hidden impairment. Where such information is sought, it is important that the relevance of the request (both in terms of the applicant’s need for assistance as well as their housing priority) is made clear.
18. ICT systems which support choice-based lettings will need the capacity to identify applicants within the relevant ‘special need’ categories (e.g. applicants with learning difficulties) and also cases where particular combinations of data are present (e.g. applicants with learning difficulties and with no support in place).
19. Personal advice and assistance should always be offered to applicants originating from specific access routes – e.g. young people leaving care; people seeking to move out of supported housing. However, it is important that frontline staff see it as routine to ask all applicants if they would like help, whether they appear to need assistance or not. Even where potentially disadvantaged applicants are in existing support relationships, choice-based lettings scheme provider agencies should not necessarily assume that such individuals require no help from their own staff, as external support providers may not be available at the right times to help their clients bid for advertised properties.
20. Periodic monitoring of bidding activity of high priority applicants should be routine: to identify inactive households. The failure to bid at all – or the

tendency to enter ineligible bids – may be a sign that the applicant does not understand or has difficulty navigating the choice-based lettings system.

Disseminating information about the choice-based lettings scheme and available to let properties

21. Understanding how the system works is fundamental to the ability to participate effectively in choice-based lettings. For groups potentially disadvantaged by choice-based lettings, the key to addressing this disadvantage lies in the quality of information about choice-based lettings and how it is made available by the scheme provider organisation and partner agencies. Choice-based lettings scheme guides should include at least a summary explanation of the framework for ranking competing bids for an advertised property.
22. Whether it relates to the way that a choice-based lettings scheme works or the features of available-to-let properties, information about the scheme must be made accessible to individuals regardless of language skill, literacy or visual acuity. The materials that support choice-based lettings are critical in this respect and schemes should use a variety of media to communicate such information – e.g. webpages, leaflets, audio guides, literature translated into appropriate languages.
23. In relation to potentially disadvantaged groups it is important that choice-based lettings web pages are made accessible to those with limited literacy or without English as a first language, as well as those with visual impairments. Choice-based lettings websites that allow available properties to be browsed only by registered scheme users should be avoided as this creates an unnecessary barrier to people who might be interested in registering if they were able to find out what was available. Perhaps of more importance in the context of this guidance, the ability to view available properties can be useful for family members or other advocates of “vulnerable people” needing accommodation (see Chapter 6 of full guide).
24. Translation has already been mentioned above. Another useful technique addressing both translation and literacy issues in relation to property adverts is the use of symbols to convey information about a property’s features and who is eligible to bid for it (see reference to East London Lettings Company choice-based lettings scheme in Chapter 4 of the full guidance document).
25. Given the recent trend away from properties being advertised in newspapers, it is important that choice-based lettings schemes ensure that the range of techniques used to disseminate property information remains adequate to ensure fair treatment of people without home internet access and complies with the requirements of disability discrimination legislation. Properties should be advertised across a range of media, such as websites, print media, direct mailings, telephone services, digital TV, TV screens and local radio; and at a range of

26. In operating choice-based lettings schemes landlords are encouraged to employ innovative tools and techniques to widen access to published information – whether conveyed online or via other media. Examples include use of symbols (for people with limited literacy or unfamiliar with English), Browsealoud (for blind or partially sighted people) and TYPETALK (for people with impaired speech and/or hearing). Ideally, choice-based lettings scheme provider organisations will work with specialist designers, as well as potentially disadvantaged people, to develop the format and content of media and materials.
27. Some schemes offer an option of receiving property listings by post in return for a small charge. Along with the premium rate tariff applicable to some choice-based lettings helplines, such charges are controversial and potentially in breach of the requirement in the Housing Act 1996 to ensure that necessary assistance for people who may have difficulty applying for housing is available free of charge. Alternative tariffs (such as 03 numbers) should be used wherever possible.
28. Information about the accessibility of the neighbourhood as well as the property advertised should be available for applicants with limited mobility.

Bidding, post-bidding procedures and the provision of feedback

29. A range of mechanisms should be used to support the bidding process, including online through websites and digital TV, 24-hour telephone services and in person at a local office. Where online bidding is available, schemes should ensure that applicants have public access to PCs (e.g. in council offices or libraries) and that support is available to assist those less familiar or able to use computers and websites.
30. Mechanisms for assisted, automatic or proxy bidding should be advertised to ensure that people are aware of these services. An auto-bid facility allows for bids to be entered automatically on behalf of specific applicants in relation to any advertised vacancy conforming to their recorded needs and preferences. Where mechanisms are provided to assist applicants with bidding, these should be used carefully to continue to support the choice ethos (Chapter 5 of full guidance).
31. Post-bid procedures, such as viewing and time to decide, should be used sensitively to encourage informed and supported decisions on offers. It would be unfair to expect anyone to accept a tenancy offer without having first seen the property and having had the chance to discuss their options with key family members or support workers. This is particularly important for those (such as, people with learning difficulties) who may have special reasons for needing time to reflect on and discuss issues with trusted advisers. Extra time may be needed to visit a property again, such as with an occupational therapist for people requiring adaptations.

32. Choice-based lettings schemes incorporating penalties for applicants refusing a tenancy offer raise the stakes significantly and mean that applicants may need support to visit a neighbourhood before bidding. This can place a considerable burden on support workers, family and friends.
33. Choice-based lettings applicants need to be made aware of the relative availability of different types of housing in different places. Simple information on vacancies which have been let (indicating the location and type of dwellings and priority status of the successful applicant) should be published. This is useful to inform bidding behaviour. It is also a key aspect of the transparent accountability of the system. However, a significant proportion of people seeking social housing will need one-to-one guidance to help them interpret such information. This is especially true of certain potentially disadvantaged groups, such as applicants with poor literacy or learning difficulties.

Support provision

34. Choice-based lettings schemes may arrange for assistance and support to be provided to potentially disadvantaged applicants either by:
 - (a). designating such activity as a specialist function within (or alongside) a lettings team, or
 - (b). integrating it within the job descriptions of all operational staff involved in delivering the choice-based lettings service, with no single team member designated responsible for this function.
35. The role of providing support and assistance may be taken more seriously and delivered more professionally when it is a staff member's central function. However, if this approach is adopted, it is important that it is not seen as relieving mainstream lettings staff of responsibility for adopting a helpful and sympathetic approach.
36. Where choice-based lettings schemes involve two or more partner landlords, it is essential that the provision of support to applicants in need of assistance is consistent across all participating landlords. Scheme-wide support provision standards are, therefore, essential.

Working with other organisations to deliver support

37. In ensuring that choice-based lettings schemes engage potentially disadvantaged groups it is important that landlords collaborate with other key stakeholder organisations working in the locality. These include social services departments, probation services and local voluntary and community organisations (VCOs). Social landlords operating choice-based lettings are encouraged to work with key stakeholders to develop an access strategy which:
 - sets out specific objectives for engaging target groups

- designates clearly defined roles for each relevant organisation in meeting these objectives.
38. The role of support providers can be critical in enabling people to engage with choice-based lettings and Supporting People funding has been used in some areas to enable this to take place.
 39. Regular liaison, working group or forum meetings between the choice-based lettings lead organisation, partner landlords and other stakeholders will help to maintain contact and provide opportunities for reviewing, updating and improving choice-based lettings systems and access strategies.
 40. Planned ongoing training programmes for choice-based lettings partner landlord and support agency staff are required to allow for staff turnover and new volunteer recruitment. Choice-based lettings schemes should also be promoted through regular community events, including annual open days, to raise awareness about the existence of the scheme, its principles and rules.

Monitoring scheme effectiveness

41. Scrutiny reviews provide a comprehensive and formal mechanism for evaluating the effectiveness of established choice-based lettings schemes. Mystery shopping can play a valuable role in informing such reviews. Periodic customer surveys – preferably conducted by telephone rather than via self-completion questionnaires – are also strongly recommended. These should include both successful and unsuccessful bidders.
42. However, while one-off exercises such as scrutiny reviews and customer surveys are useful, they are no substitute for routine monitoring of potentially disadvantaged applicants, in terms of registration, engagement in the bidding process and successful housing outcomes.
43. Monitoring systems should provide for periodic analyses of choice-based lettings outcomes both in terms of:
 - quantity – e.g. the proportion of bids from and lettings made to potentially disadvantaged groups; and
 - quality – e.g. the proportion of particular types of properties which are let to potentially disadvantaged groups.
44. To ensure that equality duties are fully met across the equality strands, an equality impact assessment (EIA) should be undertaken as the choice-based lettings scheme policies and procedures are developed, followed up by a further EIA once the scheme has been established, as part of an overall scrutiny review. Such assessments should probe the effectiveness of policies to maximise engagement by members of potentially disadvantaged groups – e.g. in relation to whether choice-based lettings

information is provided in accessible formats and via media accessible to all.

Accessible housing and choice for disabled people

45. Survey evidence suggests that, across England, over 300,000 households involving people with disabilities were living in 'unsuitable accommodation' in 2006/07.
46. A small proportion of social rented homes are 'accessible', that is to say they are designed to 'mobility standards' or are equipped with adaptations (e.g. ramps, grab rails, stair lifts) to make them more suitable for people with various disabilities. Both to improve quality of life for disabled people in unsuitable housing and to make the most effective use of this 'limited resource', accessible housing registers (accessible housing registers) have been established in many areas. As defined by the Department for Communities and Local Government (DCLG) an accessible housing register is 'a list of suitable homes for disabled people with access needs'.
47. The case for maintaining an accessible housing register within the choice-based lettings context rests mainly on the strategic value of establishing a comprehensive database of accessible housing; and in particular to inform needs analysis to support housing investment planning. The recommended model for letting such homes is via an integrated approach, where accessible (and otherwise adapted) homes are advertised alongside mainstream housing and let through the choice system. To make this work, choice-based lettings schemes should be designed so that priority for accessible/adapted properties is given to people with an assessed need for that accommodation.
48. Landlords operating choice-based lettings systems and schemes should consider what procedures are needed to maximise the chances that an accessible home will be let to a person requiring such a dwelling where a lack of suitable bidders means this cannot be initially achieved. Such procedures might include holding properties vacant pending re-advertisement.

Conclusions and positive practice summary checklist

49. On the basis of this guidance, a social landlord exemplifying 'positive practice' in the choice-based lettings context would be one which:
 - (a). Uses a choice-based lettings system to let homes of all kinds, including properties designed or adapted for occupation by people with mobility disabilities, and encompassing supported housing where appropriate.
 - (b). Makes publicly available – both on its website and via its offices – its current rules on eligibility for housing and those used to rank housing applicants. Such documents need to be phrased in everyday language.

- (c). Periodically disseminates information on its lettings procedures and rules to local agencies or groups concerned with advice or advocacy.
- (d). Works in partnership with local advice and advocacy groups in designing and reviewing choice-based lettings scheme rules and procedures, as well as training agencies' staff to enable them to play a constructive role in scheme operation.
- (e). In registering people applying for housing, collects information about any disabilities or disadvantages (e.g. in relation to literacy, language or mental capacity) which might limit their ability to engage with choice-based lettings as 'active consumers'.
- (f). Making use of information collected through applicant registration, offers help to people seeking housing who are potentially in need of special assistance (e.g. help with bidding) and ensures that such help is, in fact, received where required.
- (g). Advertises available properties via a range of media, taking account of the fact that not all housing applicants will have ready access to the internet.
- (h). In disseminating information about how to apply for housing and about available-to-let properties, makes effective provision for people with visual impairment, limited literacy in English or learning difficulties.
- (i). In letting homes specially designed or adapted for people with mobility needs, specifies this information in property advertisements and prioritises applicants needing such homes above all others.
- (j). In publishing feedback information (lettings results), uses a format which maximises intelligibility and includes explanatory text; as well as training staff to explain to service users how such material should be interpreted in informing a service user's future bidding activity.
- (k). Monitors the numbers of housing applicants with any disabilities or disadvantages which might limit their ability to engage with choice-based lettings and the numbers of such applicants who actively bid for vacancies and the numbers rehoused.
- (l). Takes appropriate action to remedy any possible shortcomings revealed by monitoring of bidding activity and lettings outcomes.
- (m). Trains its lettings staff to be aware of the potential barriers faced by certain groups in engaging with choice-based lettings, how these may be addressed and how to communicate with members of such groups.

About the research

The research underpinning the new guidance was undertaken by a team from Heriot-Watt University led by Hal Pawson and also involving Caroline Brown, Delia Lomax, Filip Sosenko and Colin Jones. It involved three main components: (i) Contacts with national stakeholder agencies; (ii) A review of existing literature on issues relating to choice-based lettings and vulnerable groups; and (iii) Case study work focusing on a diverse group of nine choice-based lettings schemes in operation in various parts of England. The positive practice guide was drawn up on behalf of DCLG by Delia Lomax and Hal Pawson.