

REVIEW OF DERBY DISCRETIONARY ALLOCATION POLICY

Report of the Head Housing Options & Homelessness

1. SUMMARY

- 1.1 This report is part of the Operational Board Policy Reviews 2021/22. The report outlines the review of the existing Discretionary Allocations Policy which sits alongside of the Derby Allocations Policy.
- 1.2 The Discretionary Allocations Policy is aligned to Derby City Council's Allocations Policy and allows Derby Homes the discretion to make offers of accommodation out of turn in certain circumstances. The Allocations Policy states that this is to '*support sustainable communities and other Council initiatives*'.
- 1.3 The existing Discretionary Allocations Policy has been in place since September 2018. The existing policy is still fit for purpose but has required some wording changes to align with the Allocations Policy 2020/25 including responsible officer titles for administering the policy. The Discretionary Allocations Policy assists in the delivery housing solutions within Derby.

2. RECOMMENDATION

- 2.1 To approve the updated/reviewed Discretionary Allocations Policy ensuring that it is aligned to the existing Derby Allocations Policy 2020/25.

3. REASON(S) FOR RECOMMENDATION

- 3.1 To ensure Derby Homes has the ability to offer a housing solution to those customers where the usual route through Homefinder would not be achievable.
- 3.2 A discretionary offer allows Derby Homes to fulfill the need to make an out of turn allocation and to consider if a tenant has a very urgent need to move. For examples some of the reasons a Discretionary Allocation maybe considered are:
 - A recent traumatic event
 - If they are at serious risk of harm in their current address
 - Where their current tenancy has become unsustainable
 - Where their home is no longer suitable for their needs
 - Where their home cannot be adapted or extended to allow them to continue living there.

4. MATTER FOR CONSIDERATION

- 4.1 Derby Homes manages Derby Homefinder, the choice based letting system, on behalf of all the registered partners who allocate social housing properties within

Derby. The Discretionary Allocations Policy allows us to resolve individual unique housing issues in a timely manner, that would not be achievable via this route.

- 4.2 The policy has robust processes in place, ensuring transparency and appropriate audit trails. The policy is administered by the Senior Allocations Officer with a 2-stage approval process required by the Head of Housing Options & Homelessness and the Head of Housing Management being the sign off officers.

5. OTHER OPTIONS CONSIDERED

- 5.1 There are no other options to be considered and without this policy we will not be able to address some of our most serious housing issues within the city.

6. LEGAL AND CONFIDENTIALITY

- 6.1 Allocation schemes should leave room for the exercise of discretion on the part of the local authority to make offers or award additional priority outside the scheme's rules in exceptional circumstances. Case law examples include Leicester CC v Shearer [2013] EWCA Civ 1467; R (on the applications of KS & Ors) v Haringey LBC [2018] EWHC 587 (Admin).

7. POLICY REVIEW IMPLICATIONS

- 7.1 This is a key policy of Derby Homes and is included in the Key Policy Review Schedule. In accordance with Derby Homes Board Minute 10/51 this policy will be reviewed no later than 3 years from the date of this meeting.

The areas listed below have no implications directly arising from this report:

Consultation

Financial and Business Plan

Council

Equalities Impact Assessment

Policy Review

If Board Members or others would like to discuss this report ahead of the meeting please contact:

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Background Information: None

Supporting Information: None

This report has been approved by the following officers:

Managing Director	Maria Murphy	17/11/2021
Finance Director/Derby Homes Accountant	Michael Kirk	11/11/2021
Company Solicitor	Taranjit Lalria	12/11/2021
Head of Service (Operational Board reports)	James Joyce	21/10/2021