



Walsall Council

Scrutiny Overview Committee

Meeting to be held on: **9 November 2023 at 6.00 P.M.**

Meeting to be held via: **Walsall Council House**

Public access to meeting via: [Walsall Council Webcasting Portal](#)

MEMBERSHIP:

Chair: Councillor Murray

Vice Chair: Councillor Nawaz

Councillor P. Bott
Councillor Cooper
Councillor Ditta
Councillor Follows
Councillor Hicken
Councillor K. Hussain
Councillor Sears
Councillor Singh-Sohal
Councillor Waters

LEADER OF THE COUNCIL:

Councillor Bird

PORTFOLIO HOLDERS:

All

ITEMS FOR BUSINESS

1.	Apologies To receive apologies for absence from Members of the Committee.	
2.	Substitutions To receive notice of any substitutions for a Member of the Committee for the duration of the meeting.	
3.	Declarations of interest and party whip To receive declarations of interest or the party whip from Members in respect of items on the agenda.	
4.	Local Government (Access to Information) Act 1985 (as amended) To agree that the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda (if applicable).	
5.	Minutes of the previous meeting To approve and sign the minutes of the meeting held on 28 September 2023.	<u>Enclosed</u>
6.	West Midlands Combined Authority Overview & Scrutiny 5th Annual Report 2022/23 This report seeks to set out the work of the West Midlands Combined Authorities various Overview and Scrutiny Committees in the years 2022-2023.	<u>Enclosed</u>
7.	Recruitment and Retention For the Committee to consider the Council's workforce strategy.	<u>Enclosed</u>
8.	Local Authority Control of Housing Waiting List To provide an overview of the Council's role in administering the Housing Waiting List.	<u>Enclosed</u>
9.	Feedback from Overview & Scrutiny Committees To receive any feedback from meetings of Overview & Scrutiny Committees since the last meeting.	<u>Verbal</u>
10.	Recommendation Tracker To consider progress on recommendations from the previous meeting. Completed recommendations from the previous municipal year have been removed and outstanding recommendations requiring action have been retained.	<u>Enclosed</u>
11.	Areas of Focus 2022-23 To review the Committees Work Programme and the Forward Plans for Walsall Council and the Black Country Executive Committee.	<u>Enclosed</u>

12.	Date of next meeting To note that the date of the next meeting will be 11 December 2023.	
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The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Specified pecuniary interests

The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Localism Act 2011 are the interests specified in the second column of the following:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a member in carrying out duties as a member, or towards the election expenses of a member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Regulations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to a member's knowledge):</p> <p>(a) the landlord is the relevant authority;</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to a member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is more than</p>

	one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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Schedule 12A to the Local Government Act, 1972 (as amended)

Access to information: Exempt information

Part 1

Descriptions of exempt information: England

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:
 - (a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Information being disclosed during a meeting of an Overview and Scrutiny Committee when considering flood risk management functions which:
 - (a) Constitutes a trades secret;
 - (b) Its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority);
 - (c) It was obtained by a risk management authority from any other person and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that other person.

Scrutiny Overview Committee

Thursday 28 September 2023, 6:00pm

In the Council Chamber at the Council House, Walsall

Committee Members present:

Councillor Murray (Chair)
Councillor Nawaz (Vice Chair)
Councillor Bott
Councillor Cooper
Councillor Ditta
Councillor Follows
Councillor Hicken
Councillor K. Hussain
Councillor Sears
Councillor Singh-Sohal

Portfolio Holders present:

Councillor Bird
Councillor Andrew
Councillor Ali
Councillor Ferguson
Councillor Murphy

Officers present:

Judith Greenhalgh	Interim Executive Director - Resources
David Elrington	Head of Community Safety and Enforcement
Alison Ives	Head of Planning and Building Control
Neil Hollyhead	Customer Engagement Lead (Housing and Resettlement)
Elise Hopkins	Director – Customer Access
David Moore	Interim Director – Regeneration and Economy
Nikki Gough	Democratic Services Officer
Edward Cook	Democratic Services Officer

Others in Attendance:

Phil Dolby Chief Superintendent (West Midlands Police)

16 Apologies

There were no apologies.

17 Substitutions

There were no substitutions.

18 Declarations of interest and party whip

No declarations of interest or party whip were received.

19 **Local Government (Access to Information) Act 1985 (as amended)**

There were no agenda items requiring the exclusion of the public.

20 **Minutes**

A copy of the minutes of the meeting held on 15 June 2023 and the special meeting held on 12 July 2023 were submitted.

[Annexed]

Resolved:

That the minutes of the meeting held on 15 June 2023 and the special meeting held on 12 July 2023, copies having previously been circulated, be approved and signed by the Chair as a true and accurate record.

21 **West Midlands Police – Update on Policing within Walsall**

The Head of Community Safety and Enforcement introduced the report, outlining the local authority's responsibilities regarding policing, community safety and the duty of co-operation through Community Safety Partnerships.

(Annexed)

Chief Superintendent Dolby delivered a presentation, providing an overview of policing within Walsall Borough.

(Annexed)

The presentation highlighted changes in the organisation of local policing through the establishment of the Local Policing Areas model, across West Midlands Police (WMP). Through this, the Chief Superintendent's responsibilities and control regarding policing resources had increased and performance had seen a general improvement. Statistics relating to arrests, intelligence submissions, expired bail and response times all reflected improved performance. Chief Superintendent Dolby provided an overview of the Serious Violence Duty and how this was being effected in Walsall.

There then followed an extensive period of questions to Chief Superintendent Dolby.

Chief Superintendent Dolby elaborated on the importance of partnerships working to produce visions of change and design approaches for achieving these, including with regards to the Bloxwich and Blakenall impact area zones. Engaging and building trust with communities was important for increasing intelligence flow, which was essential for informing police work. Partnership work was also important regarding the night-time economy, where work had been done with the Council's licensing and community protection team, local licensees, the Pub watch group and other town centre businesses. A 'safe space' was being established through a partner and street pastors were returning. Despite some initial concerns from licensees, it was believed the benefits were now being felt. Road safety and tackling road harm was identified as an area in which partnership working could be improved and community

involvement could be an important part of this. The Chief Superintendent highlighted the need to 'design out' rather than 'enforce out' some highways risks. Civil injunctions conducted in partnership with organisations such as social housing providers were a useful tool and WMP would like to co-locate in the Civic Centre with the community protection team.

In response to a question regarding dangerous dogs, Chief Superintendent Dolby explained that resources had been increased across WMP with increased kennel capacity and trained staff. It was often difficult to immediately identify dangerous dog breeds and the Chief Superintendent did have concerns regarding the scope of the Dangerous Dogs Act. Walsall had not experienced as many reported dangerous dog-related incidents as other areas, but continued difficulties were expected.

Regarding mental health, Chief Superintendent Dolby explained that the reality of how mental-health related issues were being responded to was not necessarily reflected accurately in the media. Recent years had seen a 'drift' of mental health cases being diverted to the police due to resource issues in other services with approximately 25% of cases associated with mental health. Whilst these should not be the police's priority nor were the police the most appropriate service for dealing with these issues, Chief Superintendent Dolby reassured members that whenever there was a risk, harm or threat identified relating to an individual with mental health concern, the police would always respond to deal with the situation.

WMP was actively engaged in schools, with dedicated schools team engaged with secondary schools and neighbourhood teams visiting primary schools. Regarding funding, Chief Superintendent Dolby could not provide an exact figure for police funding in Walsall due to the multiple sources of funding and the budget structure however, WMP were the fifth worst-funded force nationally with 800 fewer officers now than in 2010.

Following recent national events, Chief Superintendent Dolby explained that it was a difficult time for firearms officers but that in the UK and West Midlands they were only deployed after thorough processes were followed and firearms were rarely discharged. Police officers put themselves in every time they were deployed and firearms officers were regularly deployed as first responders to incidents not associated with weapons, such as serious medical emergencies.

Resolved:

That the Committee:

- 1. Note the presentation and verbal updates from the Borough Commander.**
- 2. Commend the work carried out by Walsall Police together with its partners, including the Walsall Council's community safety team, and the excellent leadership provided by Chief Superintendent Dolby to make our residents and Borough safe.**
- 3. Request Cabinet to:**
 - a. Identify potential opportunities to improve collaboration between Walsall Council and West Midlands Police to improve road safety and reduce road harm in the Borough.**

b. Consider the feasibility of co-locating the Council's community protection teams alongside West Midlands Police to increase co-operative working.

22 Section 106 monitoring report

The Head of Planning and Building Control introduced the Section 106 (S106) monitoring report.

(Annexed)

A breakdown of S106 contributions and agreements by ward was provided and the process for securing S106 agreements was explained. An overview of the responsibilities and constitution of the S106 board was provided and it was explained that regular performance reports were presented to Planning Committee. Within the Planning service there had been a number of successes, including a 52% reduction in the backlog for processing major applications, 85% of minor applications and 63% of major applications were determined within targeted time frames, with 76% of appeals being dismissed.

Responding to questions, the Head of Planning and Building Control explained that the planning team was responsible for agreeing and collecting S106 funds, but not for spending them as this was the responsibility of relevant service areas. The information included in the report regarding how funds had been spent had been provided by service areas. There was a discussion regarding the accuracy of some of the data provided and concerns were also raised regarding costing for projects. It was as yet unclear whether the proposed infrastructure levy would come into force or have any effect on the current S106 framework.

Regarding staffing, the Head of Planning and Building Control explained that the previous, temporary development monitoring officer had now left, but that the role would be advertised as soon as possible on a permanent basis. Regarding negotiations with planning applicants and recent changes to introduce a one amendment policy, the Head of Planning and Building Control explained that these changes had facilitated faster determination of applications but had also led to increased complaints.

The Customer Engagement Lead (Housing and Resettlement) explained that regarding affordable housing, 'locality' legally meant anywhere within the Borough, with S106 contributions for affordable housing often pooled together to enable the acquisition of temporary accommodation for housing the homeless. The Council did have a list of long-vacant properties.

The Deputy Leader and portfolio holder for Regeneration added that the new process for Councillors calling-in planning applications had only been in place for a short time

and it was too soon to change this, however he recognised Councillors' concerns regarding timeframes.

Resolved:

That:

- 1. The infrastructure funding secured through S106 planning obligations during the financial period 1 April 2022 to 31 March 2023 including details of committed/spent funding and infrastructure secured be noted.**
- 2. The approved procedure for securing necessary infrastructure through S106 planning obligations and the role of members in the process be noted.**
- 3. That Councillor Nawaz be provided with information on delays to funds allocated by Section 106 being received and spent, and whether urban open spaces are included in Section 106 arrangements.**
- 4. Officers arrange a meeting with Councillor Bott to discuss his concerns regarding the spending of Section 106 funds.**

23 Recommendation Tracker

The Committee received the tracker of recommendations from previous meetings, including progress made and outstanding items.

[Annexed]

Resolved:

That the recommendation tracker be noted.

24 Areas of Focus 2023-24

Members received the Committee's Work Programme and considered the Forward Plans of the Council and the Black Country Executive Joint Committee [Annexed].

The Committee received feedback from the Chairs of the Overview & Scrutiny Committees on meetings of their committees since 15 June 2023.

It was agreed that Councillor Nawaz, Councillor Hicken and Councillor Bott would work with Officers to set the housing allocation policy.

Resolved:

That:

- 1. The feedback from Overview and Scrutiny Committees be noted;**
- 2. The following items be considered at the November 2022 meeting:**
 - a. Recruitment and retention**
 - b. Housing waiting list**
- 3. The Forward Plans be noted;**

- 4. Democratic Services assess the feasibility of collating all items related to police and judicial matters which could be considered by the Council's Overview and Scrutiny Committees.**

25 Co-ordination of Scrutiny Working Groups

The Committee received and discussed the report from Democratic Services regarding the co-ordination of working groups for the 2023-24 municipal year.

[Annexed]

Resolved:

- 1. That the Primary care access and GP Services Working Group be established to commence immediately, with its membership to be determined by the Social Care and Health Overview and Scrutiny Committee.**
- 2. That the Housing Standards Working Group be established to commence in January 2024, or earlier should Democratic Services be able to facilitate this, and that its membership be as follows, subject to consultation with Councillor Waters:**
 - a. Cllr Bott**
 - b. Cllr Follows**
 - c. Cllr Hicken**
 - d. Cllr Nawaz**

26 Date of next meeting

The next meeting would be 9 November 2023.

There being no further business this meeting was terminated at 8:48pm.

Signed:

Date:

9th November, 2023

**West Midlands Combined Authority Overview & Scrutiny 5th Annual Report
2022/23**

Ward(s) All

Portfolios: Cllr

Report:

- This report seeks to set out the work of the West Midlands Combined Authorities various Overview and Scrutiny Committees in the years 2022-2023.
- Walsall is a valued Constituent Authority Member of the Combined Authority, and the report will update Walsall Members on the value the Combined Authority makes to Walsall and the wider region.
- The desired outcome from this report is that Members feel sighted of the important work carried out by Overview and Scrutiny at the Combined Authority, have the opportunity to ask further questions of relevant Members and Officers and feed into the decision-making process within the organisation.

Recommendations: That the report be noted.

That:

1. That the report contents be noted, and any suggestions of future work be made to the West Midlands Combined Authority representatives.
2. That any areas of interest for a future report from the West Midlands Combined Authority be suggested/explored between Walsall and Combined Authority Officers, in consultation with the Chair of the Committee.
3. Where an answer was not able to be given on the evening a written response will be provided by the Combined Authority.

Contact Officer:

James Hughes – WMCA Member Relationship Manager
James.hughes@wmca.org.uk



**West Midlands
Combined Authority**

Overview & Scrutiny

5th Annual Report 2022/23



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Foreword

The last 12 months have been the busiest year of scrutiny since I have been sitting on the committee from 2018!

We started the year with the news that, along with Greater Manchester Combined Authority, we had been selected as partners in the Government's Trailblazer Devolution Deal, with all 'asks' believed to be on the table. Scrutiny had a big role to play in shaping these asks and offering a sense-check on ambitions and the resources available to deliver them. We held five working groups over the summer months and looked at every aspect the WMCA was putting forward. This demonstrated the absolute value of pre-decision scrutiny, helped to shape the final proposals submitted to the Government and demonstrated the strength of good governance. The Deeper Devolution Deal, as it has finally been called, will also be the catalyst for Government seeking to increase and the strengthen the role of scrutiny across all combined authorities and local authorities to ensure robust oversight.

The year also saw two strands of the governance review progressed, with the transport governance recommendations hopefully being signed off at the WMCA's upcoming AGM.



Chair – Councillor
Cathy Bayton

As Chair, along with the support of Lyndsey Roberts, we have convened two meetings of the chairs and vice-chairs of all combined authorities across England. This has helped share good practice and ideas for how we can all strengthen and improve our scrutiny functions. We have agreed it is a useful meeting and to convene three further meetings during the next year.

The members of both Overview & Scrutiny Committee and Transport Scrutiny Sub-Committee have worked diligently, challenging and offering constructive observations to policy and delivery. I want to thank all of them as the demands on their time this year have been greater than ever and as their Chair, I have hugely valued their constructive support and contributions. I want to pay particular thanks to Councillor Naeem Akhtar from Coventry as Vice-Chair of the Overview & Scrutiny Committee and Councillor Chaman Lal from Birmingham as Vice-Chair of the Transport Scrutiny Sub-Committee. I also wish Councillor Lal every success in his forthcoming role as Lord Mayor of Birmingham. We have struggled again with the quorum this year, and it is hoped that the proposals contained within the new Levelling Up & Regeneration Bill to give powers to remunerate statutory committees may well help this issue. But it is also really important when local authorities nominate members to sit on our committees, those individuals have the capacity to commit to the work programme ahead.

As always, the backbone of the scrutiny function at the WMCA is the support that we receive from officers Lyndsey Roberts, Dan Essex and more recently Julia Cleary. Without their continued hard work to ensure the meetings have all the information they require, and the support offered to me as chair, the scrutiny function would not be as effective.

Introduction

We are pleased to present the Overview & Scrutiny Committee's fifth annual report which outlines its focus, key work activities and the outcomes achieved during the 2022/23 municipal year.

Overview and scrutiny are statutory functions of the WMCA. The Overview & Scrutiny Committee discharges these responsibilities through oversight of the work of the Mayor, portfolio lead members and the wider WMCA decision making process in order to hold decision makers to account and improve the quality of the decisions (whether planned, underway or implemented) that the WMCA takes.

Overview & Scrutiny Committee members may make recommendations to the WMCA Board and other committees, call-in decisions for further scrutiny and challenge those whether planned, underway or implemented. The committee acts as an advocate for residents of the West Midlands by investigating issues that are important to local people's lives and by looking further into matters brought to its attention by the public. From reviewing the asks of the 'Trailblazer' Deeper Devolution Deal to understand the tangible benefits for residents of the West Midlands, value for money to scrutinising the impact of the devolution of the Adult Education Budget to the WMCA on the delivery of local skills training, the Overview & Scrutiny Committee, comprising the region's local councillors and business sector representatives is the body that is charged with providing this critical challenge.

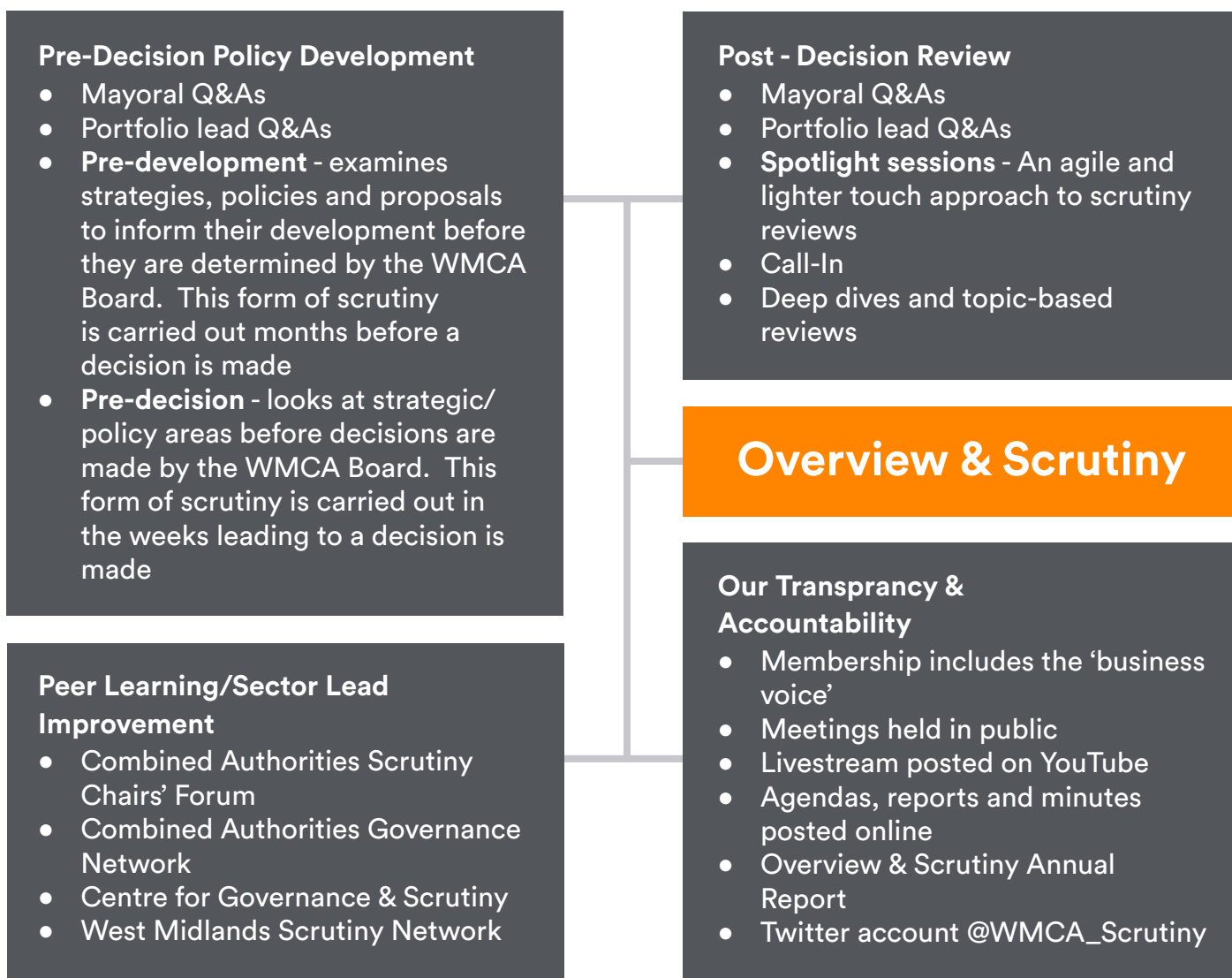
Scrutiny is a fundamental part of any efficient and equitable governance structure and decision-making process. Scrutiny is at the heart of good decision-making, which the WMCA has welcomed, encouraged and supported throughout the organisation.

While the committee's membership includes local councillors nominated by the WMCA's 18 member councils, it also has a representative from the business sector. This brings a business voice to discussions and ensures that the views of the region's commercial sector are heard at the highest levels of decision making.

The committee performs two functions 'overview' and 'scrutiny'. Overview focuses on the development of policy, and scrutiny that looks at decisions that have been made or are about to be made.



What We Do and How We Do It



Overview & Scrutiny's Focus for the Year

Due to the current economic situation in the region and the rise in the cost of living across the UK, it was important for Overview & Scrutiny Committee to ensure that the powers of the WMCA and its policies were delivering for the people of the West Midlands.

Overview & Scrutiny Committee in 2022/23

This past year the committee focused on the 'Trailblazer' Deeper Devolution Deal proposals, the UK Shared Prosperity Fund Investment Plan, progress against the delivery of the 'Five Year Plan' to make the West Midlands net zero by 2041, the affordable housing supply strategy and delivery pilot, and the impact of the Adult Education Budget and how it was meeting the needs of the area, the employer and the disadvantaged. The committee has continued to have broad oversight of the policies of the WMCA and has reviewed the effectiveness of its key decisions. It has an important role in reviewing and scrutinising the Mayor, portfolio lead members, the WMCA and Transport for West Midlands in respect of plans, priorities, corporate governance arrangements and financial matters.



Holding The Mayor Of The West Midlands And The Portfolio Lead Members To Account

The committee has undertaken a number of public Mayoral Q&A sessions, structured around two core themes ‘accountability and investment’ with questions focusing on the key challenges, outcomes and benefits for the people of the West Midlands region.

In October, the committee questioned the Mayor on the delivery and impact of the WMCA’s policies. Questions focussed on:

- Cost of living pressures
- The WMCA’s ambition vs resource
- Investment Zones and potential unintended consequences for the wider economy
- WMCA’s ‘Trailblazer’ Deeper Devolution Deal
- The Levelling Up & Regeneration Bill
- Environment
- Skills
- Transport

In December, the committee held its second Q&A and questioned the Mayor and the Lead Member for Finance on financial matters relating to the developing budget for 2023/24, with a particular focus on:

- Financial challenges and sustainability of the budget
- Investment Programme
- WMCA’s ‘Trailblazer’ Deeper Devolution Deal (resource vs ambition)
- Investment Zones
- Transport (HS2 and approval of unfunded schemes)

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These public Q&A sessions were an important part of providing public accountability and transparency of decision-making for the WMCA’s only directly elected politician

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Mayoral Q&A Sessions - Key Findings

Delivery and Impact of the WMCA's Policies

The following matters were reported to the WMCA Board on 16 December 2022:

- **Adult Education Budget, Skills and Job Opportunities**
The overall impact of higher education spend and the likelihood that any sub-regional disparity in this would affect the future of the region as individuals would seek employment and training opportunities outside of their boroughs. Access to learning and employment and how to change the mindset of individuals to take up the opportunities that were on offer was vitally important.
- **Investment and pace of delivery**
Investment into the reliability and speed of investment to deliver the infrastructure and services needed to enable individuals to travel to work seamlessly and for businesses to operate effectively was important and remained a key challenge.

The 2041 net zero target was also reliant on improvements to the public transport offer.

- **Resource vs Ambition**
Overview & Scrutiny Committee recognised that resource vs ambition had become a common theme and would be keeping a close eye on this throughout the year. Risk of shared failure and the consequences of this was highlighted as an-ongoing concern for members.

Whilst the breadth and diversity of the WMCA's ambitions was welcomed, along with the recognition of the challenges within the region, it was thought that focusing on those areas (housing, skills, transport and climate change) which caused the greatest concern for residents should be the priority focus for the WMCA.

- **Levelling Up Zones**
Members were to be kept updated on the development of these Levelling Up Zones.
- **Communication**
The committee stressed the importance of a strong communications strategy to counteract negative stories.

WMCA's Budget 2023/24

The following matters were reported to the WMCA Board on 13 January 2023, during consideration of the WMCA's 2023/24 budget:

- **Regional Role in Energy Efficiency**
Members expressed their concerns on the cost of energy and the impact that this had on the economy. There was a need to seek the introduction of alternative solutions, for example energy turbines.
- **Investment Portfolio**
The committee questioned whether the WMCA was generating economic growth in specific areas, especially given the disparity of investment.
- **Greater Scrutiny - Arms' Length Companies and the Delivery of Outputs**
The committee considered that there needed to be a greater focus on the outputs generated through investments and a greater scrutiny focus on arms' length companies and the outputs delivered for the region.
- **Carbon Neutrality**
The committee stressed the importance of the work being undertaken to achieve carbon neutrality on projects that the WMCA was supporting.



Areas of Focus 2022/23

West Midlands Combined Authority 'Trailblazer' Deeper Devolution Deal

The Levelling Up White Paper was published in 2022 and defined levelling up as “increasing opportunity across the UK and reducing disparities between and within regions”. The White Paper discussed deepening devolution and offering a number of devolved powers to regions that want them. The WMCA had been invited to negotiate a 'Trailblazer' Deeper Devolution Deal.

The committee had met with the Executive Director for Strategy, Integration & Net Zero to understand the emerging draft devolution proposals, the governance process and timescales for submission.

Key lines of enquiry focused on:

- The ask vs the ability and capability to deliver
- The development of a West Midlands outcome framework
- Drawing down powers and finance from Government
- Funding simplifications for transport, housing, skills and retrofit and increased public engagement
- The importance of the availability of up-to-date information

Questions also focused on the implications of the Levelling Up & Regeneration Bill for the WMCA, which was announced in the Queen's speech of 10 May 2022.

UK Shared Prosperity Fund Investment Plan

Members considered a draft of the UK Shared Prosperity Fund Investment Plan prior to its submission to the WMCA Board. The UK Shared Prosperity Fund was a central pillar of the Government's Levelling Up Agenda, providing funding for local areas to increase life chances across the UK and to build pride in place.

The committee met with the Executive Director for Economic Delivery, Skills & Communities to discuss:

- The allocation of the UK Shared Prosperity Fund to each local authority
- Its allocation for non-constituent authorities and the potential opportunities to work in collaboration
- The ability to spend year one funds by 31 March 2023
- The funding gap for 'people and skills' and challenges
- Risk assessments
- Outcomes

WM2041 – Progress with ‘Five Year Plans’ to get to 2041

Members held a spotlight session with the Director of Energy Capital, Head of Environment and the Energy Infrastructure Lead to understand the progress against the delivery of the ‘Five Year Plan’ to make the West Midlands net zero by 2041.

Key lines of enquiry focused on:

- Resourcing
- The pace of delivery
- The ability of the supply chain to provide products and services that customers trusted
- A behaviour change programme, with a focus on affordability
- Carbon Zero Neighbourhoods
- Being aware of the obstacles that the business community faced
- The importance of the WMCA’s global ethical responsibilities

Housing: Future Homes Strategy, Affordable Housing Supply Strategy, Affordable Housing Delivery Pilot

The committee met with the Lead Member for Housing & Land to discuss and answer questions on the development of a Future Homes Strategy, the Affordable Housing Supply Strategy and the Affordable Housing Delivery Pilot.

The following observations were considered by the WMCA Board:

Future Homes Strategy:

As part of the development of the Future Homes Strategy, the proposal to hold a wider session with members and local authority officers to encourage the proactive utilisation of the opportunities available to deliver speedy, affordable and carbon neutral housing should be supported. The increase in the local supply chain and aim to drive the locally produced percentage of components was to be encouraged.

Affordable Housing Supply Strategy:

There was an important need for genuine affordable housing, an improvement in the relationship between the WMCA, local authorities and developers to secure the delivery of a mix of tenure and the importance of local infrastructure to support the increase in car ownership.

Affordable Housing Delivery Pilot:

The committee commended the pilot and the ambition to deliver 100% affordable homes.

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*“Whilst it was **important** for homes to be **affordable to buy**, it was **equally important** for them to be **affordable** in terms of **location and running costs**”*

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Scrutiny Working Groups 2022/23

WMCA ‘Trailblazer’ Deeper Devolution Deal

Following the committee’s meeting in July, members tested each of the ‘Trailblazer’ Deeper Devolution proposals to ensure that they had a clear focus on drawing down powers and funding from Government (including opportunities for ‘double devolution’ to the WMCA’s constituent member authorities where appropriate) and ensuring that the roles and responsibilities of those constituent authorities were not being devolved.

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The sessions have been extremely constructive and have helped to further illuminate how proposals may address some of the challenges faced by communities across the region

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A principle that the WMCA had adhered to throughout the development of the deeper devolution deal proposals was that **with more responsibility, there should be more accountability.**

Over the summer period (August 2022), a series of extensive working groups had been established to review each of the proposals in detail and to discuss the local benefits that would be delivered to each local authority and non-constituent authorities.

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“Working Group members provided invaluable insight into some of the challenges that their communities faced. This ‘on-the-ground’ perspective was incredibly valuable for officers both in terms of greater understanding of the issues being faced by residents and businesses within the region, but also as evidence and case studies to bolster discussions with Government colleagues

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1

Session One

- Transport
- Housing and Regeneration
- Smart City Region

2

Session Two

- Industrial Decarbonisation
- Economy
- Skills
- Digital Inclusion
- Digital Infrastructure

3

Session Three

- Social Economy
- Homelessness
- Prevention
- Funding Simplification & Fiscal Devolution
- Culture
- Health

4

Session Four

- Data, Performance & Accountability
- Crime, Community, Safety and Resilience
- Net Zero
- Retrofit Commissioning Framework
- Local Area Energy Planning
- Climate Adaptation

5

Session Five

Local benefits that could be delivered by the deeper devolution deal in each of the constituent and non-constituent authority areas.

Effectiveness and Outcome

Scrutiny of the ‘Trailblazer’ Deeper Devolution Deal

After considering each of the ‘Trailblazer’ Deeper Devolution proposals and the local benefits, a number of key themes and considerations emerged.

- **Investment sought compared to the scale of the ambition**
The committee welcomed the scale of ambition outlined in the devolution proposals, but in some instances queried whether the investment being sought was bold enough to ensure delivery.
- **Priorities**
Whilst the breadth and diversity of proposals were welcomed, the committee did reinforce the importance of prioritising these proposals. Key focus areas were identified as housing, transport, skills and climate change. Although this was not to the exclusion of other proposals, these areas reflected the greatest concerns for residents and there was genuine concern that spreading the capacity too thinly, given the level of resource being sought, would undermine delivery in these areas.
- **Impacts from the proposals**
Members’ insights had reinforced the importance of representing people in the proposals rather than merely strategic measures and interventions.
- **Integration of strategic approaches**
The interdependency between proposal areas became clear, for example the important relationships between skills and economic growth, or effective transport systems and easy access to employment opportunities. Members recognised that although many of these areas were already well-integrated and connected, the proposed devolution deal had highlighted even greater opportunities for the integration of approaches and measures.

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We are grateful to Cllr Bayton and her wider team for the time and commitment they have given to strengthening this work

”

Outcome

The conclusions of the work of overview & scrutiny were supported by the WMCA that helped to shape the Deeper Devolution Deal submission to Government.





Deep Dive Review:

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A review of the impact of the devolution of the Adult Education Budget to the WMCA on the delivery of local skills training

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Following the findings of the 2020/21 review to ascertain whether the regional economic recovery proposals were meeting the needs that had been identified within the Black Country sub-region, members considered that it was now an appropriate time to undertake a further scrutiny review to assess the impact and outcomes that had been delivered through the Adult Education Budget since its devolution to the WMCA.

The review sought to understand the impact of the devolution of the Adult Education Budget on the delivery of local skills training within the region, and to identify the challenges and ways in which the WMCA and its constituent authorities could most effectively use skills development to address short-and longer-term challenges in the region, particularly in relation to the big economic challenges. The findings would be used to help shape future skills funding.

The review panel examined how the Adult Education Budget was meeting the needs of the:

- Area
- Employer
- The disadvantaged

The panel sought written evidence and undertook face-to-face interviews with a range of key witnesses to help inform the review including representatives from:

- Coventry & Warwickshire Chamber of Commerce
- Job Centre Plus
- Dudley Metropolitan Borough Council
- City of Wolverhampton Council
- Small/medium-sized enterprises
- Regional Business Council
- A local training provider

The findings of the review will be considered by Overview & Scrutiny Committee in 2023/24, prior to its submission to the Skills Advisory Board.

A Look Back: Scrutiny Reviews 2021/22 - Where Are We Now?

Helping to Deliver Affordable and Social Housing Scrutiny Review

During 2020/21, members had identified the provision of affordable and social housing within the region as a key area of focus and agreed to undertake a review to examine the role and remit of the WMCA to deliver affordable and social housing within the West Midlands through the use of devolved housing and land funds.

The findings and recommendations of the review panel were considered by the Overview & Scrutiny Committee and then subsequently reported to and supported by the WMCA Board on 18 March 2022.

During the course of this year, the committee requested a written update on the work of the WMCA and its partners in implementing and responding to the recommendations from the scrutiny committee.

On 5 September, members considered a report on the progress that had been made on the delivery of the eight recommendations that were supported by the WMCA Board. A copy of the report can be accessed here >> [Full Report](#)

Overview & Scrutiny Committee will continue to receive regular reports on progress with delivering affordable homes, providing members with the opportunity to inform and provide recommendations to guide the ongoing work in this area.



Transport Scrutiny Sub-Committee

Transport Scrutiny Sub-Committee Focus for the Year

Overview & Scrutiny Committee appointed Councillor Cathy Bayton to chair the sub-committee for 2022/23. With the scale and scope of the transport-related projects currently being delivered, the sub-committee had ensured that those responsible for transport were held to account, demonstrated through regular Q&A sessions with the Portfolio Lead for Transport, the Chair of the Transport Delivery Committee, and the Executive Director for Transport for West Midlands.

“

To ensure that Transport for West Midlands together with constituent authorities and stakeholders, were delivering the best public transport services that it could, in the public interest and ensuring that the users experience was paramount and at the forefront of Transport for West Midlands thinking, policies and initiatives

”

Holding Those Responsible For Transport To Account

Councillor Ian Ward, Portfolio Lead for Transport

In October, a Q&A session was held with Councillor Ian Ward, Portfolio Lead for Transport, on transport policy related matters. Members questioned him on:

- Passenger value for money
- Financial challenges
- Impact on capital projects on funding pressures
- Concessions in helping in cost of living pressures
- Cross boundary travel for school aged children
- Effectiveness of processes for holding bus operators to account
- Impact of any scaling back of transport policies in meeting the WMCA's net zero carbon objectives
- WMCA's transport governance review

The sub-committee's observations and recommendations were endorsed by the Overview & Scrutiny Committee and Portfolio Lead Member for Transport.

Councillor Richard Worrall, Chair of Transport Delivery Committee

In February, Councillor Richard Worrall attended a Q&A session to answer questions on transport delivery matters across the region. Questions focussed on:

- WMCA's transport governance review
- Metro City Centre Extension, Wolverhampton financial breach
- Holding Transport for West Midlands and arms' length companies to account
- Bus Franchising
- Behaviour change
- Commonwealth Games Birmingham 2022 - lessons learnt and legacy

The sub-committee's observations and recommendations were endorsed by the Overview & Scrutiny Committee and Portfolio Lead for Transport.

“

Transport services needed to be more predictable and dependable

”

Transport Scrutiny Sub-Committee

This year the Transport Scrutiny Sub-Committee has focussed on the following areas:

Metro Affordability (Wednesbury - Brierley Hill)

The sub-committee invited the Executive Director of Finance & Business Hub to answer questions on the affordability issues related to the Wednesbury - Brierley Hill metro extension.

Members questioned and received feedback on the current challenges, potential mitigations to fund the scheme and future funding opportunities.

Bus Network Review

Members examined the content of the bus network review that was supported by a suite of information, including an update on the delivery of the West Midlands Bus Service Improvement Plan in the context of wider challenges faced in the bus market and the latest performance of bus services in the West Midlands. This information was used to help inform the lines of enquiry.

Bus Franchising

Members reviewed the measures Transport for West Midlands was undertaking to address ongoing challenges in delivering bus services that met the ambitions of the region's Vision for Bus, including the on-going Enhanced Partnership and a Full Franchising Assessment.

Whilst the potential challenges associated with the introduction of a Bus Franchising model across the region were recognised, in terms of delivery, quality and encouraging behaviour change, members challenged the current commercial model and questioned whether it delivered what was needed for the residents of the West Midlands.

Transport Governance Review

Members continued to be engaged in the development of the transport governance review that would provide clarity on roles and responsibilities, consistency and alignment with other WMCA boards and committees, simplification, clear lines of accountability and transparency of the transport decision-making arrangements within the WMCA.

Throughout 2022/23, the committee has continued to meet with the Director of Law & Governance on the emerging governance structures.

Commonwealth Games 2022 - Lessons Learned in Transport

Between 28 July and 8 August, Birmingham hosted the 22nd Commonwealth Games, the largest multi-sport event held in England for the last 10 years. The games brought over 1.5m spectators and visitors to the region and transport had to answer to a complex set of challenges, including a complex and congested transport network, a compressed timescale for planning, impacts of COVID-19 and navigating the realities of industrial action on the rail network.

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Transport for West Midlands be commended on the success of the Commonwealth Games in terms of transport

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Transport Scrutiny Sub-Committee Continued

West Midlands Local Transport Plan 'Reimagining Transport in the West Midlands' - Final Core Strategy and draft Big Moves and draft Area Strategy Guidance'

Following the sub-committee's engagement on the Local Transport Plan Green Paper, it was then consulted on the final version of the West Midlands Local Transport Plan 'Reimagining Transport in the West Midlands' Core Strategy prior to its submission to the WMCA Board.

Key points raised by the sub-committee included:

- The need for a creative approach on the strategy to connect with younger members of the public and that were representative of the region.
- Creative solutions needed to be sought as to how retail outlets supported and encouraged its customers to use alternative modes of transport to access its facility.
- The importance of consumer affordability within the strategy.
- The provision of infrastructure to accommodate alternative modes of transport; and
- Benchmarking

“

*It was important for Transport for West Midlands to **develop a transport network** that would allow **passengers** to have the same **freedom to move around the region** as was currently enjoyed by car owners*

”



Peer Learning and Sector Lead Improvement

Centre for Public Scrutiny Training Events

In addition to internal training, officers of the WMCA and members of the committee were informed of training and events that are led by the Centre for Public Scrutiny, as appropriate.

Combined Authorities Scrutiny Chairs' Forum

The WMCA has been instrumental in setting up the new Combined Authorities Scrutiny Chairs' Forum, enabling the chairs from the country's ten combined authorities' scrutiny committees to meet to share best practice, discuss areas of common interest and to build relationships.

Working with Local Authorities

The Chair of the Overview & Scrutiny Committee attended meetings of local authority partners to discuss and answer questions on the work of the WMCA's Overview & Scrutiny Committee.



Combined Authority Governance Network Group – 'A Collective of the Combined Authorities'

The Combined Authority Governance Network Group is a group of officers from combined authorities across the country that meet on a regular basis and share best practice and learn from others on governance matters, including overview and scrutiny issues. The WMCA was a regular participant of the network group, which was facilitated by the Centre for Public Scrutiny on behalf of the Local Government Association.

Looking Forward 2023/2024

Overview and scrutiny is a statutory function within the WMCA, undertaken by the Overview & Scrutiny Committee that has responsibility to review the work of the Mayor and the WMCA and hold decision makers to account.

Earlier and Regular Engagement between the Executive Board and Scrutiny

Whilst engagement with particular departments has improved during the course of the year, members would welcome a closer working relationship with Transport for West Midlands to enable them to understand the challenges, performance and outcomes of transport priorities and strategies.

'Trailblazer' Deeper Devolution - English Devolution Accountability Framework

The Government will, in the English Devolution Accountability Framework, develop a new scrutiny protocol. The WMCA will engage in the development of the protocol and the Overview & Scrutiny Committee would seek to also be engaged in this process.

Successfully implementing the protocol will be a key factor when Government will be determining eligibility for single funding settlements and deeper devolution deals.

Greater scrutiny of the WMCA's Portfolio Lead Members

This area of scrutiny has been identified as 'needs improving' and therefore members will strengthen this area of scrutiny during 2023/24 by inviting Portfolio Lead Members on a regular basis to Q&As and Spotlight sessions to discuss and answer questions within their portfolio area.

Public engagement within the scrutiny process

Through the establishment of a written questions process and public involvement in 'deep dives'

Scrutiny of the WMCA's performance and outcomes

This is another area that has been identified as 'needs improving' and members would welcome the engagement of the Executive Board on the availability of performance, outcome and metric information that could be examined by the committee.



Committee Members 2022/23



Councillor Cathy Bayton
Dudley
Committee Chair



Councillor Naeem Akhtar
Coventry
Committee Vice-Chair



Councillor Andrew Burrow
Solihull



Councillor Mike Chalk
Redditch



Councillor Ellen Fenton
Association of Black
Country Authorities



Councillor Martin McCarthy
Solihull



Councillor Nigel Lumby
Shropshire



Councillor Ian Kettle
Dudley



Councillor Lauren Rainbow
Birmingham



Councillor Karen Simms
Sandwell



Councillor Mike Sutherland
Cannock Chase



Councillor Paul Sweet
Wolverhampton



Councillor Jamie Tennant
Birmingham



Councillor Ken Wood
Birmingham



Councillor Vera Waters
Walsall



Amanda Tomlinson
Business Voice - Black
Country Housing Group

Sub-Committee Members 2022/23



Councillor Cathy Bayton
Dudley
Sub-Committee Chair



Councillor Chaman Lal
Birmingham
Sub-Committee Vice-Chair



Councillor Martin McCarthy
Solihull



Councillor Barbara McGarrity
Wolverhampton



Councillor Karen Simms
Sandwell



Councillor Rupinder Singh
Coventry



Councillor Alan Taylor
Dudley



Councillor Vera Waters
Walsall





**West Midlands
Combined Authority**

Connect with Scrutiny:

Address: West Midlands Combined Authority, 16 Summer Lane, Birmingham, B19 3SD

Email: lyndsey.roberts@wmca.org.uk

Twitter: [@WMA25](https://twitter.com/WMA25) Scrutiny

Web: governance.wmca.org.uk

9 November 2023

Recruitment and Retention

Ward(s): All

Portfolios: Councillor Ken Ferguson, Portfolio Holder for Internal Services

1. Aim

1.1 The nature of work, the workforce and work relations are constantly being reshaped on an ongoing basis. There is pressure from changing demographics of the workforce, technological advancement, globalisation, competition in recruitment and retention of talent, financial constraints, and overall expectations about the flexibility of work. In order to address these challenges and ensure Walsall Council has a workforce that is fit for purpose and ready to meet our immediate future and longer-term needs, we have developed a workforce strategy that aims to assist us to meet our future challenges, focusing on the following:

- Creating a positive and psychologically safe culture that encourages respect, trust, empathy, creativity, innovation and an engaged and supported workforce.
- Employer of choice, providing an inclusive working environment and attractive employment offer to support the recruitment and retention of our future workforce.
- Upskilling the workforce to meet future needs.
- Developing our future leaders.
- Promoting equitable career progression for all employees.
- Embracing digital technology to aid automation and streamlining.
- Providing a positive work-life balance and flexibility.
- Providing coaching or mentoring and regular feedback to aid development, improve performance and encourage employees to feel valued.

1.2 The benefits of a successful workforce strategy will result in improved customers and service users experience through service efficiency and quality performance. We will ensure that the right people, skills and capabilities are in place through recruitment, selection, training and development. We will have a motivated, high performing, empowered, engaged and diverse workforce who will actively contribute to making Walsall a great place to work and live. We will be an employer of choice, providing an inclusive working environment and attractive employment offer to attract and retain talent while improving wellbeing for all. We will create a workforce to meet future demands, while supporting the

workforce through periods of change and equipping them with the opportunities to grow and develop.

- 1.3 With workforce costs making up over 21% of total council expenditure, the impact of our people is significant and a huge investment, that where nurtured and developed in a supportive and inclusive workplace will lead to creativity, innovation, continuous improvement and ultimately improved performance and service delivery for the residents of Walsall.

2. Recommendations

- 2.1 Note the report contents, including the current workforce profile and future actions.

3. Report detail – know

- 3.1 We know that our workforce needs to be future fit, now and in the longer term and that in order to achieve this we need to design and continually develop a diverse and inclusive workforce that represents the Walsall Borough. Our people will be motivated, highly skilled and capable of excelling in our roles of the future and will be supported and developed to autonomously deliver the best outcomes for our residents.

Where are we now – workforce profile (based on data as at 31 March 23)

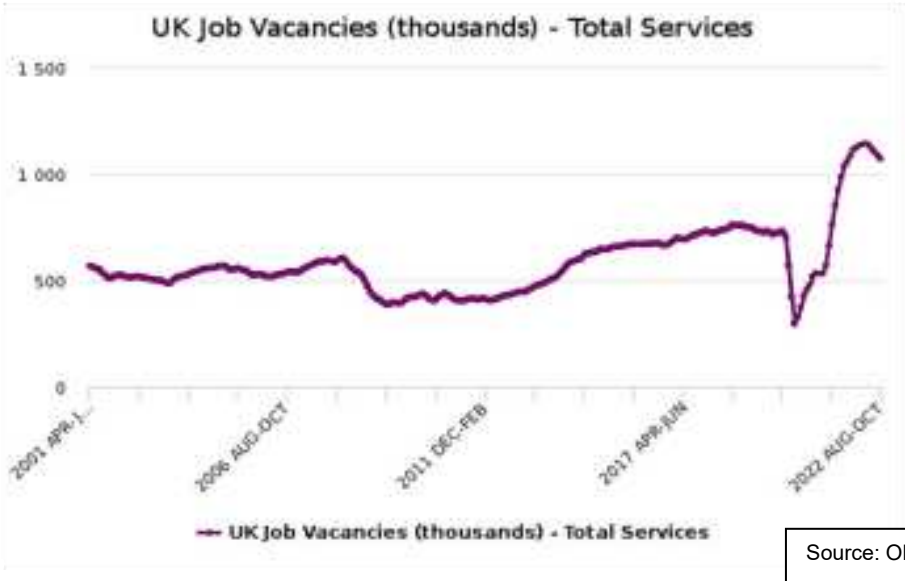
- 3.2 67.2% of the council's 3015 employees are female (compared to 51% of residents in the local population*) and 29.1% of this workforce work part time hours (i.e. less than 37 hours) – this is the lowest % of part time workers we have recorded and has been steadily falling from a high of 37% since 206/17 and 32.5% last year.
- 3.3 The ageing workforce nationally is demonstrated within in our workforce, with almost 1/3 of our workforce (32.2%) being aged 55+ and only 3.4% of our workforce being aged under 25.
- 3.4 Of the workforce who have declared their ethnicity 24.7% of these are from a Black, Asian or ethnic minority background (8.1% of the workforce have not declared), this compares to 28.6% of the local population*. The percentage of employees from a Black, Asian or ethnic minority background has steadily increased year on year over the last 6 years (from 19% in 2017).
- 3.5 16.9 % of our senior management roles are filled by employees from a Black, Asian or ethnic minority background, and this is an increase compared to 15.5% the previous year. 60% of our senior management roles are filled by females, a slight increase on last year (58.9%) but lower than our highest record of 64.1% in 2019.

- 3.6 Of the workforce who have declared disability information, 6.2% are self-classified disabled, this has increased year on year, up from 4.8% in 2017 and up from 5.6% last year (13.9% of the workforce have not declared) and compares to 9.4% of the local population*
- 3.7 The council do not currently have a gender pay gap, with the percentage difference in median pay for male and female employees standing at nil (0%), this is an extremely positive position in comparison to the national average gender pay gap which stands at 14.9%.

*Data Source: ONS Census 2021

National context and the challenges

- 3.8 The graph below from The Office for National Statistics, shows the change in job vacancies in recent years and how much more difficult it is for employers to recruit, and local government is not escaping this trend. The recruitment and retention challenges affect a wide range of job roles and specialisms and are compounded by the ageing work force and the complexities of managing multi-generational workforces.



- 3.9 Almost half (47%) of employers have hard-to-fill vacancies, and these are most strongly felt in education (56%), transport and storage (55%), and the voluntary sector (53%). In response to ongoing recruitment and retention challenges, among employers with hard to fill vacancies, the top response has been to upskill more existing employees (41%) followed by advertising more jobs as flexible (35%) and by raising wages (29%) [CIPD Survey reported in 2022].
- 3.10 Our current recruitment and retention high risk areas include, children’s and adult social work, specialist IT roles, public health, legal, finance, democratic services, psychologists, and part-time, front line traded employees (food preparation and cleaning).

- 3.11 79 employees across the council in a range of job roles currently receive either a market supplement or retention payment as a top up to their salary in order to address specific recruitment and retention challenges, including those in social work.
- 3.12 A recent Skills Gap Analysis has been conducted with over 60 members of the Senior Management Group (SMG) and this highlighted that all managers believe that they have gaps in skills within their current workforce, with several areas identifying that they have skills gaps in all the key areas. It is clear from responses that management skills are the greatest concern, followed by IT skills, as well as service specific skills and generic softer skills.
- 3.13 During the Skills Gap Analysis 100% of SMG respondents identified that they are currently having difficulty recruiting certain skills, but commented it was not always appropriate to upskill existing employees and additional difficulties were encountered where there are National shortages of specific qualified workers.
- 3.14 Several changes were anticipated over the next 3 years, which will require current employees to upskill in some cases, using a longer-term planning model. Although the detail of many of the changes are unknown at the present time, but time and money will need to be provided to accommodate the changes in skills that will be needed. Identified changes include a focus on technology, collaboration and partnership, employee turnover and ageing workforce, transformation, legislation, external factors etc.
- 3.15 It is clear that an emphasis needs to be put on closing the current skills gaps, while also looking forward and working with Service Areas to anticipate future needs, so that areas can be proactive in providing development opportunities and designing their services with roles and future workforce at the forefront.
- 3.16 The outcomes from the Skills Gap Analysis are currently being mapped against the existing learning and development offer to help us ensure we are able to upskill those employees with the specific skills that are needed now and in the future. The Organisational Development (OD) team have taken the identified skills gaps collated during SMG earlier in the year and are cross-referencing with the current training offer, both self-paced online learning and the face-to-face learning sessions delivered by members of the team. Where gaps are evident, the team will either produce suitable training or find appropriate training that can be delivered to fill the skills gap, where demand is evident.
- 3.17 The Organisational Development and Workforce Strategies have been designed to reflect these known challenges, as well as other important information including our current workforce profile, employee survey results, the recent peer review challenge outcomes, the local and national context and external factors.

Workforce Strategy Objectives

Objective 1 – Welcoming, developing and advancing a diverse mix of individuals.

- 3.18 This objective focuses on the benefits that supporting equality, diversity and inclusion brings. Not only is it morally right, not only is it fair, but studies have shown that groups of people that are diverse in gender, race, disability, and age perform better together. A study by Josh Bersin and Deloitte found that inclusive companies are almost twice as likely to be considered 'innovation leaders' in their market.
- 3.19 The outcome we plan to achieve is a workforce that is representative of the Walsall Borough, inclusive of different backgrounds, heritages, genders, socioeconomic, disabilities and cultural diversity. Where everyone has equitable opportunities and there is a sense of safety and belonging that sees everyone feel like they are part of the Walsall Council team.
- 3.20 The specific actions identified within the workforce strategy that will help us meet this objective are:
- a) Develop digital solutions that improve current recruitment and selection insights to be provided to Executive Directorate Management teams (EDMTs) and Corporate Management Team (CMT) that will allow identification of patterns/trends in relation to the (none) appointment of people with protected characteristics that can be used to inform targeted actions (as required).
 - b) Improve the capturing and use of workplace profiling data for protected characteristics.
 - c) Improve availability exit data to include protected characteristics (where available) to be provided to EDMTs and CMT that will allow identification of patterns/trends in relation to the reasons for leaving that can be used to inform targeted actions (as required).
 - d) Increase our workforce equality, diversity and inclusion (EDI) monitoring data by creating a safe and culturally sensitive environment where people feel safer to disclose personal characteristic information of their own volition through a range of positive interactions including the use of Equality Champions.
 - e) Develop further our Recruitment & Selection Policy in a number of areas in support of EDI, including a neurodiverse friendly interview process to promote inclusion rather than seeking to provide adjustments.
 - f) Develop a supportive framework for staff networks that provides a consistent approach across the organisation and feeds into the Workforce Equalities Board, with a variety of underrepresented groups within the workforce including LGBTQ+, ethnicity, disabilities including neurodiversity, and any other groups where a need is identified/supported.
 - g) Provide an escalation diagram for current policies and processes, for individual staff where they feel that they are not being listened to or are not receiving equitable opportunity.
 - h) Actively focus on encouraging applications from diverse backgrounds by using anonymised selection techniques (technology allowing), ensuring interview panels are diverse (wherever possible) and reviewing where employment opportunities are advertised.

- i) Develop new EDI related employment policies including a Transgender Equality Policy and Neurodiversity Policy, ensuring adequate training is provided to people managers across the organisation.
- j) As part of the marketing strategy, target areas of the community with the aim of increasing knowledge and awareness of our Council jobs of the future and actively promote our commitment to diversity and inclusion (using role models and case studies).
- k) Further develop management training and resources to heighten awareness and provide activities for teams to build psychological safety, to ensure everyone's voice is heard.
- l) Investigate the delivery of leadership programmes that encourage participation from underrepresented groups.
- m) Review Dignity at Work and Grievance policies to ensure they are fit for purpose and that the workforce are aware of them and how to use them to resolve/address issues.
- n) Monitor the impact of EDI training within the organisation and review the offer accordingly.

Objective 2 – Attract and recruit skilled, flexible and motivated individuals now and in the future.

- 3.21 This objective focuses on the identification of current skills gaps and hard to recruit to positions, finding new and innovative solutions to recruiting the talented people we need now and in the future. This is crucial as we see an aging population within the current workforce. There will also be a need to predict the skills needed in the future to ensure skills gaps do not materialize and impact on the day-to-day business of the Council. The Walsall offer will be reflective of the expectations of the workforce, creating desirable roles and an attractive employment offer.
- 3.22 The outcome we plan to achieve is the recruitment of a workforce that hold the necessary qualifications and/or experience to perform their role, who consistently go above and beyond in the performance of their duties, providing an outstanding customer experience. Proactive in the identification of skills that will be required in the future and ensuring that employee training is provided, or external individuals are recruited in a timely way.
- 3.23 The specific actions identified within the workforce strategy that will help us meet this objective are:
- a) Investigate the possibility of an employee referral programme, where employees are asked to recommend suitable candidates for vacant roles.
 - b) Review and consider other in-house promotional activities including work experience schemes, graduate schemes, and reviewing apprenticeship uptake.
 - c) Diversify outreach strategies, partnering with educational establishments and attendance at planned recruitment events delivered by service area managers and promoting existing employee attendance (to promote and share experiences).

- d) Review current partnership working and investigate further opportunities for the benefit of recruitment.
- e) Investigate the use of social media for the promotion of vacancies, expanding the range of audiences exposed to job vacancy advertisements and to share positive employment experiences.
- f) Identify and implement an annual skills gap analysis process, to assist in identifying current and future skills gaps, as well as risks for each service area. Linking skills development required to the Learning & Development (L&D) offer.
- g) Investigate the potential development of a skills academy for difficult to recruit posts.
- h) Introduce a Continuous Performance Management process that concentrates on quality conversations regarding skills development, PLATE behaviours and career progression and is linked to succession planning for the team.
- i) Promote informal learning, understanding lived experiences, shadowing, coaching, and mentoring by providing training on the 70:20:10 learning model to people managers to encourage personal development and progression of employees.
- j) Creation of career pathways in key service areas and across the Council, to provide a transparent route for employees, so they know the specific requirements for progression.
- k) Improve leavers guidance for managers to effectively capture and retain the knowledge of employee's who leave the organisation.
- l) Ensure that the 'Disability Confident Employer' status is retained.
- m) Marketing and promotion of the council, as an employer of choice.
- n) Review the Recruitment & Selection Policy to support the provision of simple and effective processes.

Objective 3 – Maximise retention by being a good employer.

- 3.24 This objective focuses on the retention of knowledgeable, talented, and committed staff to the organisation by ensuring that they feel valued, recognised, and rewarded for the work that they do. By reducing the number of leavers, knowledge will be retained, and recruitment costs reduced. According to the Society for Human Resource Management, the cost to hire new employees has grown by 34% since 2009.
- 3.25 The outcome we plan to achieve is that the majority of the workforce is positive when discussing their employment, which is shown in improving employee survey results. When employee's leave the organisation, it is as a result of progressing their career rather than dissatisfaction with their manager, the culture, inadequate salary, lack of recognition or limited career advancement.
- 3.26 The specific actions identified with in the workforce strategy that will help us meet this objective are:
- a) Actively monitor and manage our cultural aims, by engaging, trusting, empowering, and supporting all employees to deliver and we will demonstrate our values, through our words and our actions.

- b) Engage workforce with the employee survey and in-between with focus groups to have continual feedback regarding how employees are feeling.
- c) Review and then actively promote the employee benefits offer and introduce a total rewards statement.
- d) Develop robust data on sickness attrition and reasons for leaving, to be provided to EDMTs and CMT and Service Areas to follow up specific actions with support from Human Resources / Organisational Development (HR/OD) as required.
- e) Review the onboarding programme, developing an employee onboarding programme and a separate manager onboarding programme that sets expectations of a manager within Walsall Council.
- f) Develop a cross-organisational buddy/mentor programme for new starters, so employees are making links in other service areas.
- g) Create a new customer focused Ways of Working Policy and refresh the Right to Request Flexible Working Policy.
- h) Scope out a pay and grading structure project, and present options for agreement with CMT.
- i) Review the provision of support provided for employee's applying for progression opportunities within the council, specifically 121 coaching and workshop activities.
- j) Consider different ways that managers can recognise employees and roll-out a method of recognition, such as Viva Insights.
- k) Roll-out of Connected Working across an increased number of teams to improve the management capabilities of all people managers and develop a learning culture within teams.
- l) L&D to focus on current skills gaps identified in the report and work with Service Areas to target areas of development.
- m) An annual skills gap analysis to be undertaken, to determine L&D priorities for specific Service Areas and teams.
- n) Develop a talent strategy and promote.
- o) Improving and promoting the health and wellbeing offer.
- p) Consult with employees to identify preferred ways of celebrating success.

What has been delivered so far?

- 3.27 Over the last 12 months, many actions that form part of and support the Organisational Development and Workforce Strategies have been progressed including the implementation of the new HR/OD restructure (July 2023). The new structure has dedicated operational and strategic functions and introduces a brand-new OD function, which has included the appointment of a dedicated Equalities, Diversity and Inclusion (EDI) Senior OD Advisor (Nov 2023), a Head of OD role, currently filled on an interim basis and an OB Business Partner (currently being recruited to, Nov 2023).
- 3.28 On 02 November the recruitment team will be go living with a brand-new recruitment module (OCR), after a number of months working on system configuration, set up and testing. As well as providing an improved and more user-friendly experience to potential candidates and internal customers the new recruitment system, as part of one source will provide improved management

information, in particular EDI monitoring in general but also as part of the selection and recruitment journey. A further EDI benefit will be the new functionality of anonymised selection by removing identifiable attributes from application forms when managers are shortlisting. The new system will also make it easier for us to reach a wider pool of candidates through wider access to social media advertising.

- 3.29 A new electronic exit questionnaire has been made available, which can be anonymous, and which also captures EDI monitoring data, so we can capture better information on leavers, their reason for leaving and any protected characteristics, as well as automation of the collated results for analysis and future action.
- 3.30 We have launched a new Workforce Equalities Board (WEB) as a subgroup of Corporate Equalities Group (CEG), that provides a safe space for issues to be raised, improves communication with the employee networks and proactively delivers EDI initiatives. This includes a relaunch of and support for our equality champions and the creation of a framework to improve the consistency, communication and number of employee networks for underrepresented groups.
- 3.31 An external EDI (Equality, Diversity and Inclusion) staff forums consultant has been commissioned through the Workforce Equalities Group to assist with a 'Staff networks development day' that was held on 11/10/23. Members of the current EDI staff networks were invited to take part in the development day where staff forums were discussed in detail. Feedback and learning from the event are currently being compiled, with a view to go out to the wider workforce to gain their views about the staff networks they would like to see and be involved in.
- 3.32 A number of internal Equality Champion taster events have been timetabled over the recent weeks and 20 staff to date have completed an expression of interest form to undertake the Equality Champions training in November. As the name suggest, these will be key staff that will champion EDI across the organisation and be points of contact for the workforce that have concerns or require support.
Work is also underway to develop a process for raising informal EDI issues that a member of the workforce needs help with and can be dealt with informally. Therefore, reducing the chances of the issue developing into something more formal.
- 3.33 The HR strategic team have delivered reviews of a number of EDI related policies identified through the workforce strategy, including the Code of Conduct, the Confidential Reporting Policy, Family Friendly Policy, Menopause Policy and the Leave and Time Off Policy (2022/23). In September 2023 we also launched a brand-new Ways of Working Policy and refreshed our Right to Request Flexible Working Policy. In addition, the team have drafted 2 brand new policies that are due for consultation (Nov 2023), a Transgender and Non-binary Equality Policy and a Neurodiversity Policy. Further policies currently

under review (2024 launch) in support of this agenda are the Dignity at Work and Grievance Policies and the Recruitment & Selection Policy.

- 3.34 Our apprenticeship scheme continues to grow year on year and currently (Oct 2023) we have 326 employees completing an apprenticeship with a 98% rate for retaining new apprentice recruits post apprenticeship. Our recent apprenticeship recruitment campaign was so successful, Children's Services have increased the number of social work placements to 9 by converting a number of currently unfilled vacancies. In addition, we have also just launched our brand-new supported internship programme for those aged 16-24 with an Education Health Care Plan (EHCP).
- 3.35 As part of the West Midlands Regional Workforce Strategy we launched a new and improved temporary worker managed service provision in October 2023 which will support the Council's Workforce Strategy and will assist us with not only attracting quality and quantity of candidates but also focuses on the longer-term goal of a reduced temporary workforce and increased temporary to permanent conversion.
- 3.36 Earlier in the year we launched a pilot development programme called 'Accelerating Diverse Talent', which was a development course specifically targeting at those from Black, Asian or Ethnic Minority Backgrounds. This was viewed by attendees as a positive and with feedback from the sessions we are currently reviewing this offer, with the hope of further extending and widening the offer across all underrepresented groups.
- 3.37 The 'Connected Working' offer has been successfully implemented within and across a number of services with positive feedback and proven results, including specific sessions on psychological safety rolled out in a number of areas including Clean and Green.
- 3.38 The extent of recent progress made against our workforce strategy, in particular developments in support of our Equalities, Diversity and Inclusion (EDI) agenda was recognised in the recent revisit of the peer challenge review, who specifically highlighted EDI as an area where progress has already been evident.

What is our focus for the next 6-12 months?

- 3.39 Fill all the outstanding vacancies within the HR/OD function to complete the implemented restructure.
- 3.40 Deliver and launch the final versions of the following strategies/policies:
- External Workforce Strategy
 - Transgender and Non-binary Equality Policy
 - Neurodiversity Policy
 - Dignity at Work Policy
 - Grievance Policies
 - Recruitment & Selection Policy

- 3.41 Projects will also commence on a number of reviews we have committed to:
- An improved employee benefits offer to help attract and retain employees.
 - A fit for purpose pay and grading structure.
 - An improved and consolidated health and well-being offer.
- 3.42 There are a number of projects underway within OD to further develop and improve processes and activities already in place. These include the following:
- Reviewing what and how the corporate induction programme is delivered, to place a greater emphasis on the induction of managers.
 - Reviewing the Leadership and Management training offer to ensure training is available for all levels of managers or aspiring managers regardless of level or experience and ensuring that we are at the forefront of L&M development.
 - Putting a greater emphasis on 'growing our own talent' through the provision of career development support for individuals who want to or are applying for progression opportunities and looking at career pathways within the Council.
 - The development of an OD SharePoint site that the workforce can access easily and within 2 clicks find what they are looking for in terms of support, resources and learning opportunities. [Organisational Development - Home \(sharepoint.com\)](http://sharepoint.com)
- 3.43 As a result of feedback regarding the current Annual Performance Conversation (APC), a small pilot project has been conducted, using Continuous Performance Management (CPM) methodology. Feedback has been received by the participants and a report written which will go through the Enabling Communication and Culture Proud workstream. The expectation is that these pieces of work and projects will result in positive changes and outcomes as identified and will benefit the whole workforce with changes being implemented within the next 6 months.

4. *Financial information*

N/A

5. *Reducing Inequalities*

Detailed in the main body of the report and the supporting documents.

6. *Decide*

Report is for note and updating members. No decision required.

7. Respond

The workforce strategy will comprise of a number of actions in support of its delivery and depending on the complexity and decision-making requirements of each, these will be reported up through Corporate Management Team to Personnel Committee as necessary for comment or approval as applicable. The actions will be progressed through the Human Resources and Organisational Development workplan under the governance of the Enabling Culture & Communications Proud Workstream.

8. Review

The workforce strategy is a 3-year strategic plan (2023-2026) that will be reviewed and updated as necessary on an ongoing basis.

Background papers

[Organisational Development - OD Strategy document](#)

[Workforce Strategy](#)

[Employment Monitoring Report Corporate 2022/23](#)

[Apprenticeship Update October 2023](#)

Author

Michele Leith

Director HR/OD/ABS

☎ 658088

✉ michele.leith@walsall.gov.uk

9 November 2023

Local Authority Control of Housing Waiting List

Ward(s): All

Portfolios: Councillor Perry – Deputy Leader, Resilient Communities

1. Aim

The purpose of this report is to provide the Scrutiny Overview Committee with information about why the Council has taken control of administering the local Housing Waiting List. It also seeks to inform the Committee about the policy and processes through which officers will prioritise housing applications, and nominate households to receive offers of social housing owned by Housing Associations, where the Council has retained nomination rights.

2. Recommendations

That the Scrutiny Overview Committee considers the contents of this report and decides whether any further information or updates are required.

3. Report detail – know

Context

3.1 Walsall Housing Group (WHG) is a not-for-profit housing association founded in 2003, and is currently responsible for more than 21,000 homes, primarily in the borough of Walsall. These homes were previously controlled by the Metropolitan Borough of Walsall, but were transferred to the housing group following a vote among tenants in 2003. Under this Transfer Agreement the Council receives 50% of nominations for all properties that become available for re-let each year. Similarly, the Council receives 50% of nomination rights with all other housing associations operating within the borough. This type of nomination arrangement enables the successful discharge of homelessness duty for many of the Council's homelessness applicants.

3.2 In accordance with the Transfer Agreement in 2003, whg agreed to manage the Council's Waiting List on behalf of the Council. During February 2023, whg notified the Council of their intention to close the waiting list (to non whg tenants) due to the significant number of applicants, whilst they looked to review their Allocations Policy. This meant it was necessary for the Council to launch a new housing register to ensure that customers were still able to apply for housing. Following positive negotiations between whg and Council officers, it was recognised that it was a significant piece of work for the Council to open a new housing register, and whg agreed to keep their list open until September 2023 to allow this to happen. The Council successfully met this deadline and Walsall Council's new housing register was launched on 4 September 2023. We have

continued to work in partnership with whg since that time and whg have continued to process nominations for us during an interim arrangement period which will end January 2024.

- 3.3 In line with national trends, the number of people leaving social housing has reduced significantly, with the number of re-lets in Walsall reducing from 2,530 in 2017/18 to 1,881 in 2021/22, and estimated to be approximately 1,500 in 2022/23. Working in partnership with our housing association partners, particularly the 4 largest (whg, GreensquareAccord, Watmos, Longhurst) we were able to nominate to at least 50% of their total relets. However the overall reduction in social housing re-lets has made it harder for the Council to discharge its statutory duty under homelessness. The reduction in re-lets is believed to link to the cost of living pressures which means more social housing tenants are choosing to remain in their existing home, as they are less likely to be able to buy their own home, or secure other forms of accommodation in the private rented sector which has become more unaffordable. The Council taking back the administration of the housing waiting list does not mean that the Council will receive additional nominations to social housing properties. It is anticipated that the number of nominations will remain in line with the levels seen in 2022/23.

Walsall Council Housing Allocations Policy

- 3.4 Part VI of the Housing Act 1996 (as amended) sets out the legislative framework through which Local Authorities should maintain and operate their Housing Registers and allocate social housing properties. In accordance with this legislation and the Council's constitution, the Council's Housing Allocations Policy for allocating social housing has been agreed and reviewed in accordance with the timeline below:

- 2010 - Agreed by Cabinet 15 December 2010.

- 2022 - An amended Policy (reconfirming priority for armed forces and homelessness relief applicants, and adding priority for foster carers and adoption cases) was agreed by Cabinet 16 March 2022, whilst also approving delegated authority to make additional changes.

- 2023 - A review of the 2022 Housing Allocations Policy was undertaken in summer 2023 at the point whg advised officers that they wanted to hand back management of the waiting list. As a result, amendments were identified that would be needed to ensure that it would be possible to manage local demand. These amendments were made under delegated authority following a targeted consultation exercise with some customers, Housing Associations, and Council staff. Accordingly, this amended 'interim' Housing Allocations Policy (2023) at Appendix A, will be adopted in January 2024, which is the point that the Council intends to commence direct nominations from its own Housing Waiting List without support from whg. The Council's revised Policy makes the following amendments to the existing Scheme:

i Introduction of Bands A, B, C & D (instead of Gold, Silver, Bronze and Pewter).

- ii. Removal of all references to WHG and Choice Based Lettings
 - iii. Introduction of Direct Offers of accommodation from the Council.
 - iv. Introduction of a required 2 year local connection (with some exemptions e.g. for victims of domestic abuse/armed forces).
 - v. Right to suspend Band C (general needs) when required.
 - vi. Right to introduce property quotas for individual Bands.
 - vii. Additional management discretion.
- 2024 - The Council will then carry out a full review of this interim housing allocation policy (Appendix A), during 2024, following any lessons learnt from the first 3 to 6 months of managing its own Housing Waiting List. It is anticipated that in Quarter 2 of 2024/25 full formal consultation with all stakeholders will begin on this new Allocations Policy, with the aim of that being considered formally by Cabinet in October/November 2024.

Operation of Housing Register

- 3.5 To enable the Council to manage the Housing Waiting List a new Housing Allocations Team has been established consisting of:

1 Full Time Equivalent (FTE) x Housing Allocations Team Leader (G10)
 2 FTE X Housing Allocations Officers (G7)
 2.5FTE x Customer Advisors (G5)

- 3.6 Although the Council opened its Housing Waiting List in September 2023, whg have continued to process nominations on behalf of the Council in line with the existing published Council Allocations Policy (2022), and will do so until January 2024. In the period from September 2023 to January 2024 the Council will assess all new housing register applications in accordance with the attached interim Allocations Policy (Appendix A), to have a waiting list ready for it to commence direct nominations in accordance with this Policy from January 2024. In the meantime, any applications for housing we receive from households in urgent need, including homelessness, are being identified and sent to whg for nomination in line with the existing published Policy (2022) online.

- 3.7 It was agreed that in September 2023 WHG would write to the households on their Choose and Move waiting list asking if they provide consent for them to transfer their data to the Local Authority to enable a swift transition from the Choose and Move list to the Council's waiting list. There are approximately 12,000 Walsall households on the Choose and Move register. To date, 3307 households have provided consent for their data to be transferred to the Council. It is anticipated that WHG will send this data across by mid-November 2023.

4. Financial information

An investment requirement of £225,000 per year from 2024/25 has been submitted as part of the Medium Term Financial Outlook (MTFO) budget setting process to fund the Allocations Team in its current form.

5. Reducing Inequalities

By having control of its own housing waiting list, the Authority is able to closely monitor all cases that are put forward for nomination. This will help support the Council to meet its overall mission of reducing inequality and maximising potential.

An Equality Impact Assessment (EQIA) was completed for the interim Allocations Policy which will be effective from January 2024. An EQIA will also take place in quarter 1 2024/25 in readiness for the new Allocations Policy later that year.

6. Decide

That the Scrutiny Overview Committee considers the contents of this report and decides whether any further information or updates are required.

7. Respond

Any recommendations made by the Committee, will be assessed, and where appropriate included in the future implementation plan.

8. Review

There are established regular performance monitoring meetings that take place between the Manager and Team Leader. These meetings are held on a weekly basis. The Project Implementation plan is overseen by the Customer Engagement Senior Management Team via Departmental Management Meetings held monthly.

A cross-party members group has been established to help support the successful implementation of the new Housing Waiting List and support the development of proposals which will become the basis of future consultation on the future Housing Allocations Policy scheduled for quarter 2 of 2023/24.

Background papers

None

Author(s)

Elise Hopkins
Director of Customer Engagement
☎ 07967639334
✉ elise.hopkins@walsall.gov.uk

Mitchell Powell
Housing Services Manager
☎ 01922 650949
✉ Mitchell.Powell@walsall.gov.uk

Walsall Council Housing Allocations Policy



Effective from **/**/23



Walsall Council

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Appendix 1: Annual Lettings Plan

Appendix 2: Local Connection Criteria

Section 1

In this section of the document we explain:

Part 1: Context and aims of the policy

Part 2: The legal framework under which the scheme operates

Part 3: Choice and Constraints

Part 1: Context and Aims

The Aims of Walsall Council's Allocations Scheme

This document describes the criteria that Walsall Council uses to prioritise housing applicants for the social housing that we allocate to homes owned by Housing Associations (HA's) in the area (these allocations are known as nominations).

Social housing is housing owned by both local authorities and housing association landlords for which guideline rents are determined through the national rent regime. Walsall Council no longer owns any housing stock so this policy applies to accommodation held by Housing Association Landlords in the Walsall area where the council has rights of nomination to a percentage of vacant properties that become available. This Policy remains the Council's legal Allocation Policy throughout.

In Walsall the demand for social housing is greater than the number of homes available. This Allocations Scheme describes how the Council prioritises housing applicants to ensure that those in greatest housing need, as described by the legal definition of Reasonable Preference (see section 1 part 2), are given a head start to access available social housing, compared with those who have no housing need, but who want to move to or within social housing.

Walsall Council's Allocations Scheme sets out in detail who is and is not eligible under the scheme and how this assessment is made. It also sets out how applicants can apply for and access housing and what service standards an applicant can expect.

The scheme has been designed to meet all legal requirements (see section 1 part 2 for more detail) and to support and contribute towards the objectives of the Council Plan (2022-25) by promoting economic growth and sustainable communities.

The key objectives of this Allocations Scheme are to:

- Provide housing applicants in Walsall with a fair and transparent system by which they are prioritised for social housing.
- Help applicants most in housing need.
- Promote the development of sustainable mixed communities and neighbourhoods of choice.
- Encourage residents to access employment and training.
- Make the best use of Walsall's social housing.
- Make efficient use of resources of our partner Registered Social Landlords.

We are committed to providing a fair and transparent service to all persons eligible for registering for housing under the Council's scheme and to allocate accommodation, in the majority of cases, to those households with the greatest need. Accommodation will be allocated through direct offers of accommodation complicit with this policy and based on their respective banding priority and registration date. Where there is justifiable evidence to do so, properties may be banded to meet housing need. In doing so we are also committed to ensuring that the allocation of homes is done in such a way as to promote social cohesion and balanced sustainable communities.

It is recognised that the supply of social housing in the borough will rarely match demand leaving a shortfall in available properties. To ensure that the Council meets the needs of the local community, and in particular those in the most pressing housing need, it reserves the right to temporarily suspend making offers of accommodation to households who qualify for Band C.

The Council reserves the right to implement a property quota system to ensure that it meets both its statutory obligations to those owed reasonable preference and its strategic objectives in enabling balanced, sustainable communities.

Part 2: Legal Context

The legal context within which the scheme is framed

Walsall Council's Allocations Scheme sits within a tight and complex legal framework. This section describes this legal framework.

The 1996 Housing Act (as amended by the 2002 Homelessness Act) requires local authorities to make all allocations and nominations in accordance with an Allocations Scheme. A summary of the Allocations Scheme must be published and made available free of charge to any person who asks for a copy. A summary of the Scheme and general principles is available through Walsall Council Civic Centre, offices and on the Council's website. This document is the full version of the Scheme and is available for inspection at Walsall Council, Civic Centre Darwall Street, Walsall WS1 1TJ. A full version will be available on request for a reasonable fee.

The Housing Act 1996, (as amended) requires local authorities to give Reasonable Preference in their allocations policies to people with specific types of housing need. This includes homeless people, those who need to move on welfare or medical grounds, people living in unsatisfactory housing and those who would face hardship unless they moved to a particular locality within the local authority's area.

The Homelessness Reduction Act 2017 places duties on local authorities to intervene at earlier stages to prevent homelessness in their areas. It also requires housing authorities to provide homelessness services to all those affected, not just those who have 'priority need'. These include:

- a) an enhanced prevention duty extending the period a household is threatened with homelessness from 28 days to 56 days, meaning that housing authorities are required to work with people to prevent homelessness at an earlier stage (referred to as the Prevention Duty); and,
- b) a new duty for those who are already homeless (referred to as the Relief Duty) so that housing authorities will support households for 56 days to relieve their homelessness by helping them to secure accommodation.

The Housing Act 1996 (as amended) also requires local authorities to state within the policy what its position is on offering applicants a choice of housing accommodation, or offering them the opportunity to express preference about the housing accommodation to be allocated to them.

This Allocations Scheme complies with the requirements of the Housing Act 1996 (as amended) and most notably takes into account the codes of guidance - *Allocation of Accommodation: Code of Guidance for Housing Authorities 2020 issued by the MHCLG*, *Improving access to social housing for members of the Armed Forces (2020)*, *Providing social housing for local people (2013)*, and *Improving access to social housing for victims of domestic abuse (2022)*.

The scheme is also drafted and framed to ensure that it is compatible with the Council's equality duties including the duty to eliminate unlawful discrimination and to promote good relations between different racial groups, as well the duty to promote equality between disabled persons and other persons and between men and women. The Council has carried out an Equality Impact Assessment in relation to the scheme.

This Scheme has considered:

- The Council's statutory obligations and discretion as to who is eligible for housing allocation
- The Council's statutory obligation to provide Reasonable Preference to certain categories of applicants set down by law i.e. those who must be given a 'head start' under the Council's Allocations Scheme.
- The Council's statutory discretion to grant "additional preference" and/or to determine priority between applicants with Reasonable Preference.
- The general and specific statutory discretions the Council can exercise when allocating housing in support of the Council Plan (2022-25).

The Application of Reasonable Preference

Walsall Council is required by law to determine the relative priority that housing applicants are awarded. This is particularly important when, as is the case in Walsall, the demand for social housing is greater than the availability of homes. The law, as it applies to local housing authorities, requires that Reasonable Preference for housing must be given to those in the categories set out in the Housing Act 1996 (as amended) the statutory Reasonable Preference categories cover:

- All homeless people as defined in Part VII of the Housing Act 1996 :
- People who are owed a duty under section 190 (2), 193 (2) or 195 (2) of the 1996 Act (or under section 65 (2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any Housing authority under section (192 (3)).
- People occupying unsanitary, overcrowded or otherwise unsatisfactory housing;
- People who need to move on medical or welfare grounds (including grounds relating to a disability);
- People who need to move to a particular locality within the district to avoid hardship to themselves or others.

Specific details and examples of how Reasonable Preference and priorities are determined and applied are detailed in section 3.

Determining priority between applicants with Reasonable Preference

The Council determines priority between applicants with Reasonable Preference by taking into account various factors including:

- The degree of housing need as set out by this policy
- The date of registration on the housing register as set out by the terms of this policy (after all required documents have been received and approved by the Council)
- The financial resources available to a person to meet their housing costs.
- Any behaviour of a person (or member of their household) which affects their suitability to be a tenant (which can include both good and bad behaviour).
- Details and examples of how the Council determines priority between applicants is detailed in section 3.

What are “Allocations” under this Scheme?

The nomination of a person to be an Assured or an Assured Short-hold tenant of housing accommodation held by a Housing Association (HA) (via the Council’s Nomination Rights Agreement with that HA). Often the nomination will be that of a ‘Starter Tenant’ of a HA whereby the HA will grant an Assured Short Hold Tenancy for a set “probationary” period (usually 12 months) and provided the tenant successfully completes the “probationary” period the HA will grant an Assured Tenancy.

Who will administer the Allocation scheme?

Although the transfer of its Housing stock has taken place, the Council retains a number of statutory housing obligations. One of these is the requirement for the Council to formulate, adopt and amend an Allocation scheme. Whilst there is no statutory requirement to maintain a Housing Register, there are significant practical reasons to do so. The Council administers a Housing Register and all allocations made under this Policy are administered within the Council Allocation policy. The Council retains full responsibility for the scheme itself including any amendments to it and for consulting housing associations on any proposed changes to the Policy.

Applications for Housing will be made using a standard form agreed with the Council and partnering housing associations.

The allocation of properties due to the Council under its nomination rights with all Housing Association Landlords in the Walsall area will be undertaken wherever possible according to this Policy. It is an objective of the Council that Housing Associations in the area will voluntarily agree to adopt the Council’s Policy.

The Council has nomination rights to all housing associations in the borough. These will be reviewed on an annual basis. For all registered housing associations, the Council has 50% nomination rights.

Exempt Allocations – Accommodation provided for lettings that are not covered by this

The following are not “allocations” under this Scheme:

- Conversion of a Starter Tenancy into a Secure Tenancy (that is a matter for the tenants Housing Association).
- Nominations to a Housing Association by the Council for property which is to be used as temporary accommodation to house homeless households owed a duty under the Homelessness legislation.
- Assignments of and Successions (these are matters for the tenant’s Housing association).
- Mutual exchanges of Housing Association Tenancies (again this is for the relevant Housing association to decide and administer).
- Nominations not under part VI for offers of assured tenancies, assured short hold tenancies, or other tenancies or licences, from private landlords or Housing Charities who are not Housing Associations.

Joint Tenancies, Tenancy Succession and Transfer of a Tenancy

This Allocations Scheme supports adult applicants wishing to sign as joint tenants should they choose to do so. It is for the Housing Association for which the Council makes a nomination to decide whether to allow a Joint Tenancy depending on the circumstances of the case.

Part 3: Choice and Constraints

Policy on choice and expressing preferences regarding the area in which an applicant wishes to live in.

The amount of choice that the Council is able to offer may be limited by the acute housing pressures it faces and responsibilities it has to some groups in housing need such as those found to be statutorily homeless. The Council believes that any applicant considered to be eligible under this Scheme should be able to express a preference over the area in which they would like to live. However, applicants should be aware that the Council's ability to satisfy any expressed preferences may be severely limited.

At the point of registration applicants will be able to express preferences regarding the areas within the borough in which they would like to live. There are some circumstances for which this might not always apply. For example, in some homeless circumstances (see section on choice and homeless households), and for younger people and childless couples, due to age restrictions or scarcity of some property types. These exceptions are dealt with in more detail below and in the Section that deals with homelessness applications section 4 part 1 and the section that deals with restrictive lettings section 3 part 4 below.

The Council also requests that the applicant states any areas where they believe they cannot live due to fear of violence, harassment or domestic abuse. The Council must be satisfied such factors exist and that it is reasonably necessary to allocate accordingly. The Council may also in these circumstances reserve the right to award reasonable preference for allocations to specific areas.

Section 2

In this section of the document we explain:

Part 1: Who is and who is not eligible under this scheme

Part 2: The Bands that make up the scheme

Part 3: What discretion is built into the scheme

Part 1: Who is and who is not eligible under this scheme

Who can apply to be part of the Council's Allocations Scheme?

Any United Kingdom resident 16 years or over can apply for accommodation by completing an Application for Accommodation form. However a Social Landlord will not normally grant a tenancy to anyone under the age of 18 years unless they are able to provide a guarantor to cover rent and a support worker. For young people under the age of 18 years the Social Landlord may grant permission to allow the occupation of a property by way of an "Equitable Agreement".

Married, civil partners and cohabiting couples, same sex couples and brothers and sisters who wish to live together can make joint applications. In such cases, it is usual for a joint tenancy to be granted in the event of an offer of accommodation being made.

Those applicants who are not eligible

The Council shall only allocate housing accommodation to people who are eligible under this Allocation Scheme. The following persons are not eligible::

- People who are "*subject to immigration control*" (unless they fall within a class prescribed by regulations as eligible).
- People who are not subject to immigration control, but are nevertheless prescribed by regulation as being "*persons from abroad*" (this may include British citizens).
- Any other person as prescribed by the Secretary of State.
- Applicants (or a member of their household) who have been guilty of "unacceptable behaviour" and at the time of their application for housing they are still considered unsuitable to be a tenant by reason of that behaviour].
- Applicants who do not meet the Council's requirements regarding it's local connection criteria (Appendix 2)

“Subject to immigration control & Persons from abroad” – access to housing for foreign nationals is governed by Housing and Immigration legislation.

“Unacceptable behaviour” – is defined as behaviour which would, if an applicant or member of their household was a secure tenant, entitle a landlord to possession under any of the Grounds 1 to 7, Schedule 2 of the Housing Act 1985. “Unacceptable behaviour” can include:

- Owing significant rent arrears and/or failing to comply with a current or past tenancy agreement with a Council, housing association or private landlord to such an extent that a Court would grant a possession order.
- Conviction for illegal or immoral purpose.
- Causing nuisance and annoyance to neighbours or visitors.
- Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community.
- Being violent towards a partner or members of the family.
- Allowing the condition of the property to deteriorate.
- Obtaining a tenancy by deception, for example by giving untrue information.

In determining whether an applicant is ineligible due to “unacceptable behaviour”, the Council will consider whether:

- the applicant or a member of the applicant’s household has been guilty of unacceptable behaviour
- the unacceptable behaviour was serious enough to have entitled Walsall Council to have obtained an outright order for possession
- At the time of the application, the applicant is still unsuitable to be a tenant by reason of that behaviour, or the behaviour of a member of his household.

An applicant’s eligibility to join the Allocations Scheme will be kept under review during the application process. An applicant may be rendered ineligible at anytime during the process should the Council become satisfied that they are ineligible. Applicants classified as being ineligible through “unacceptable behaviour” can make an application for accommodation in the future if they can demonstrate a changed pattern of behaviour. It is for the Council to determine whether the changed behaviour claimed makes the applicant eligible under the Scheme. This is assessed at the point of re-application to the scheme.

Each application will be assessed on its own merits and a decision regarding eligibility will be made accordingly. Anyone subsequently made ineligible from the Scheme will be provided with a full written explanation for the decision and will have a right of review of the decision. Please see section 5 part 5 which deals with the right to reviews of decisions.

Anyone can register for housing on the Housing Register, but checks are required before they can be considered eligible for the Council’s Allocation Scheme.

At the point of registration for housing all applicants are asked for information about their housing history and legal status, including whether they are persons from abroad or subject to immigration control. The Council will then carry out checks at an appropriate point to establish eligibility to the Scheme under the relevant legislation.

Applicants who apply are registered and they are not assessed via the Scheme or placed into a Band until a decision has been made regarding their eligibility.

Part 2: The bands that make up the scheme

The Structure of the Priority Banding System

Walsall Council operates a needs based banding system as described below. The Bands are arranged to reflect housing need with the highest Band indicating the greatest need for housing. The scheme consists of four Bands whose purpose is summarised below:

Band A: Urgent Need to Move Band due to Reasonable Preference	Summary of Criteria
<p>Emergency medical or disability</p> <p>All of these awards will be made by letting officers who may seek an opinion from local NHS agencies and professionals</p>	<ul style="list-style-type: none"> ■ Where an applicant has been diagnosed as terminally ill with a life expectancy of twelve months or less and re-housing is required to provide a basis for the provision of suitable care. ■ The condition is life threatening and the applicant's existing accommodation is a major contributory factor. ■ The applicant's health is so severely affected by the accommodation that it is likely to become life threatening. ■ The applicant's accommodation is directly contributing to the deterioration of the applicant's health such as severe chest condition requiring intermittent hospitalisation as a result of chronic dampness in the accommodation and the condition of the property cannot be resolved within a reasonable period of time – usually 6 months. ■ Where severe overcrowding in the property leaves the applicant at risk of infection, for example, where an applicant is suffering from a compromised or suppressed immune system.
<p>Exceptional need to move</p>	<ul style="list-style-type: none"> ■ Applicants who need to move due to domestic abuse, extreme violence or extreme harassment. ■ Applicants who need to move because of an adult safeguarding issue. ■ Where a move is necessary to protect a witness to criminal acts via the National Witness Mobility Scheme. <p>Extreme violence or harassment will be verified by the Police and/or other agencies as necessary.</p> <ul style="list-style-type: none"> ■ Agreed in exceptional circumstances due to significant problems associated with the tenant's occupation of a dwelling in the social or private rented sector and there is a high risk to the tenant or their family's safety if they remain in the dwelling/area. For social housing tenants transfers will be to properties of the same size or smaller if they are under-occupying and type where required, but locations or areas are likely to change. ■ Exceptional circumstances due to fire/flood making the property uninhabitable. ■ protected list of local authority caretakers who have preserved rights

Band A: Urgent Need to Move Band due to Reasonable Preference	Summary of Criteria
HM Forces applicants	Persons who qualify under the terms of the statutory guidance 'Improving access to social housing for members of the Armed Forces as set out elsewhere in this policy.
Release of adapted property	Where a tenant is willing to transfer to a suitable non adapted property and is releasing an adapted house or designated older persons property.
Statutory Overcrowded	Tenants who are statutorily overcrowded See section 3 part 1 for definition on statutory overcrowding.
Acute Overcrowding	Where a household is 2 bedrooms short of the bedroom standard outlined in section 3 part 1.
<p>Private sector properties with Category 1 hazards that pose an imminent risk to health and safety;</p> <p>Applicants living in unsatisfactory housing lacking basic facilities.</p> <p>Reasonable preference category's 167(2)</p>	<p>Private sector tenants and residents of dwellings where the Council's Private Sector Housing Team has determined that the property poses a category 1 hazard under the Housing Health and Safety Rating System (HHSRS) and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health.</p> <p>If the Council are satisfied that the problem cannot be resolved by the landlord within 6 months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a 6 month time period.</p> <p>A private sector property either owned or rented where a statutory notice has been served by the Housing Standards team to be either prohibited under section 20 or 43, demolished under section 46, is subject to a clearance area under section 47 of the Housing Act 2004 or is subject to a compulsory purchase order under Housing Act 1985.</p>
<p>Homeless Households owed a homeless duty under sections 189B, 193(2)and 195(2)</p> <p>Reasonable Preference categories s167(2) (b)</p>	<p>People who are owed a duty under section 189 B (Relief Duty), 193 (2) (Main Duty), and 195 (2) (Prevention Duty) of the 1996 Act (or under section 65 (2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any Housing authority under section 192(3).</p> <p><i>At the discretion of the Council cases owed a full homeless duty by any other Council may receive a reduced preference for not having a local connection to Walsall Council (until they acquire a local connection with the district).</i></p>
Under-occupation	Householders willing to downsize by at least 2 bedrooms. For example releasing a 4 bedroom house to move to a 1 or 2 bed flat or bungalow) or releasing a 3 bedroom house to move to a one bedroom flat

Band A: Urgent Need to Move Band due to Reasonable Preference	Summary of Criteria
Housing need due to age Reasonable Preference category s167(2)(d)	Applicants aged 60 plus seeking Extra Care housing.
Ready to move on from Council accredited supported care schemes Reasonable Preference category s167(2)(c)	<p>An applicant is ready to move to independent settled housing from temporary accommodation funded via Supporting People on the recommendation of the support worker.</p> <p>The applicant is in need of medium to long term rather than short term ongoing tenancy support.</p> <p>That support package has been assessed and is in place.</p>
Move on from Care Reasonable Preference category s167(2) (c)	<p>Eligible people are:</p> <ul style="list-style-type: none"> ■ care leaver (in the care of the local authority for a period of 13 weeks or more spanning their 16th birthday) ■ young disabled person (who has been living in a residential college - which may be outside the borough - wanting to return to independent living in Walsall ■ person leaving residential or nursing care – which may be outside the borough and moving to or back into independent living <p>in all these cases the person must have been prepared for a move to independent living</p> <ul style="list-style-type: none"> ■ be ready to move to independent settled housing ■ possess the life skills to manage a tenancy including managing a rent account, with support if needed. ■ have been assessed for any necessary support package ■ have any necessary support package ■ have any necessary support package in place and ready to be activated
Clearance	This would apply when Registered Providers need to re- house an applicant due to a demolition programme.
Foster carers and those approved by the Council to adopt	<p>Band A will be awarded to households who are approved as foster or adoptive parents by Walsall Children Services and who need an extra bedroom to accommodate the child(ren) to be placed by the Council</p> <p>In addition, this priority will also be given to households holding a Special Guardianship Order, Child Arrangement Order, or family and friend's carers who are not foster carers but who have taken on the care of a child because the parents are unable to provide care and who need an extra bedroom to accommodate the child(ren) placed by the Council</p>

Band B: Need to move Reasonable Preference / recognisable need	Summary of Criteria
<p>All homeless people as defined in Part VII of the Housing Act 1996 excluding those who qualify for Band A.</p>	<p>Homeless households that are not Band A, which may include those who are intentionally homeless.</p>
<p>Overcrowded by the Bedroom standard. Reasonable Preference category s167(2)(c)</p>	<p>Applicants overcrowded by 1 bedroom according to the Bedroom standard for overcrowding.</p>
<p>Breakdown of joint tenancy with children</p>	<p>Where there is a joint tenancy and the relationship between tenants has broken down, only the applicant who will not have full time care of the children will be given priority as a single applicant. Care and control of the children must formally have been agreed prior to award of this priority.</p>
<p>Medical grounds Reasonable Preference category s167(2)(d)</p>	<p>Where an applicant's housing is unsuitable for severe medical reasons or due to their disability, but who are not housebound or whose life is not at risk due to their current housing, but whose housing conditions directly contribute to causing serious ill-health. The assessment is not of the applicant's health but how their accommodation affects their health or welfare. The impact must be of a long term nature and would not cover for example a person who has suffered a broken leg.</p> <p>The applicant is unable to mobilise adequately in their accommodation and requires rehousing into accommodation suitable for their use.</p>
<p>Hardship/welfare/exceptional need to move for care or support Reasonable Preference category s167(2) (c) and (d)</p>	<p>Those who need to move to give or receive care that is substantial and ongoing.</p> <p>Those who need to access social services facilities, and are unable to travel across the Area.</p> <p>Those who need to take up (or continue) employment, education or a training opportunity that is not available elsewhere and who do not live within reasonable commuting distance.</p>

Band C: Want to Move - No Reasonable Preference	Summary of Criteria
Applicants who do not qualify for Reasonable Preference but who would like to move to alternative accommodation.	All applicants that do not qualify for Reasonable or Additional Preference.

Band D: Reduced Priority	
Reduced Priority	Summary of Criteria
<p>People who are owed Reasonable Preference but have reduced priority because of one or more of:</p> <ul style="list-style-type: none"> ■ arrears or other housing related debt within the meaning of this scheme, ■ income above threshold, ■ breach of a tenancy agreement that is unresolved but does not warrant a full possession order, ■ a property not meeting the standard required for a transfer applicant, <p>Reduced priority due to capital assets irrespective of housing need (see Section 3 Part 2)</p>	<p>A person will be awarded the Reasonable Preference that their assessed housing needs warrant. But due to reasons given the Council has the right to reduce that preference to Band D until action is taken to remedy the person's behaviour or circumstances.</p> <p>People will remain in Band D until they take steps to meet the criteria. At that time they no longer have their priority reduced.</p>

Annual Lettings Plan

An annual lettings plan will be published and lettings made will be monitored against this. The annual lettings plan is devised to ensure that the Local Authority meets its statutory obligations. All lettings made under this Part V1 Scheme, are counted for the purposes of the lettings plan.

The plan will be monitored and reviewed annually. If monitoring shows that outcomes are not as per the lettings plan, the Council reserves the right to implement a quota system and/or restrictive labelling to ensure that it meets its statutory obligations.

See Appendix 1 for a more detailed explanation of the Annual Lettings Plan.

Part 3: What discretion is built into the scheme?

Management Discretion

As far as is possible the Council will use the Banding system and waiting time (See section 2 part 2) within the Band to allocate accommodation. At times this will also incorporate restrictive labelling of properties through Local Lettings Plans to ensure that the Council is meeting its statutory obligations and helping to achieve the outcomes of the Council Plan 2022-25.

However the Council recognises that there may be exceptional circumstances where the only way an exceptionally urgent housing need can be resolved is through the use of management discretion. In the interests of fairness to all these applicants these circumstances are kept to a minimum. Examples of exceptional circumstances include, but are not limited to:

- Threat to life
- Emergency cases whose homes are damaged by fire, flood or other disaster may be provided with another tenancy if it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life.
- Households who, on police advice, must be moved immediately due to serious threats to one or more members of the household, or whose continuing occupation would pose a threat to the community.
- An applicant who has an exceptional need that is not covered in the Allocations Scheme. For example, where child or public protection issues require re-housing or for severe domestic abuse where all other options to remain in the home have been considered.
- Where a statutory duty to provide accommodation is owed, and where it is in the best interests of both the household and the Council to make a statutory offer of suitable accommodation
- Other exceptional circumstances as authorised by the Head of Customer Engagement.

Such cases will qualify for Reasonable Preference and will be allowed irrespective of waiting time and made a direct offer of accommodation if all other housing options have been explored. If an applicant has exceptional circumstances that are not within a Reasonable Preference category then the Head of Customer Engagement discretion will be required to authorise the applicant being placed in Band A. A list of all applicants given Gold Band priority, and a subsequent list, under management discretion will be kept, monitored and reported on annually for the purposes of monitoring this policy.

Head of Customer Engagement and Director of Customer Engagement Discretion (for other exceptional circumstances not covered by this scheme)

From time to time a situation may arise that is not adequately reflected in this Allocations Scheme but the needs or circumstances are exceptional and significant.

Where a case is considered exceptional but the applicant does not meet any of the Reasonable Preference criteria or it is felt that a higher Banding than the one awarded is more appropriate then the Head of Customer Engagement and/or Director of Customer Engagement reserves the right to override this scheme and allow an applicant to have a higher priority than they would be entitled to under the Scheme. These cases should be few in number and will be closely monitored and regularly reported on to ensure that the duty to achieve Reasonable Preference overall is not compromised.

Section 3

In this section of the document we explain:

Part 1: What is Reasonable Preference and how is it applied under this scheme

Part 2: How Reduced Priority is given under this scheme

Part 3: What Restrictive Labelling is and how it is applied under this scheme

Part 1: What is reasonable preference and how is it applied under this scheme

Walsall Council is required by law to determine the relative priority that housing applicants are awarded. This is particularly important when, as is the case in Walsall, the demand for social housing is greater than the availability of homes.

The law, as it applies to local housing authorities, requires that Reasonable Preference for housing must be given to those in the categories set out in the Housing Act 1996 (as amended). The statutory Reasonable Preference categories in section 167(2) (a) ©(e) of the Housing Act 1996 (as amended) are:

- People who are homeless (within the meaning of Part VII of the Act).
- People who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3).
- People occupying unsanitary or severely (as per the Bedroom Standard) overcrowded housing or otherwise living in unsatisfactory housing conditions.
- People who need to move on medical or welfare grounds (including grounds relating to disability).
- People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship to themselves or others.

The Council will use a Banding based system to allocate accommodation. In assessing housing need the Council will give Reasonable Preference to those applicants who fall into the statutory categories above.

The Council's Allocations Scheme has been devised to ensure that it meets its legal obligations to provide overall Reasonable Preference to the above category of applicants whilst also delivering the desired outcomes of the Council Plan 2022-25).

Who qualifies for Reasonable Preference?

The law requires Local Authorities to give reasonable preference for housing to certain categories of households. The statutory reasonable preference categories are set out in section 166A(3) (a) to (e) of the Housing Act 1996 (as amended) and are:

A: Reasonable Preference category s166(3) (a) – *applicants who are homeless within the meaning of Part VII Housing Act 1996. All applicants that fall into Reasonable Preference category (a) will be granted Band A.*

This group comprises all applicants who are homeless under the definition of homelessness contained in sections 175 -177 of Part VII of the Housing Act 1996. This definition includes a person who does not have accommodation which is legally and physically available to him or her, or has accommodation that is not reasonable for him or her to continue to occupy. Under this provision there is no requirement that an applicant should be in 'priority need' for accommodation, or that they have made a statutory homelessness application to the local authority under Part VII of the Housing Act 1996.

Examples of where an applicant may qualify under Reasonable Preference category (a) include:

- Those who have no accommodation at all in which they can live, with other family members normally living with them or others the Council might reasonably expect to live with them.
- Those who have accommodation but where their legal right to live in that accommodation has been terminated and they will be homeless immediately or within 56 days.
- Those who have accommodation but where in the Council's opinion it wouldn't be reasonable for them to continue to occupy it
- Those who have accommodation but cannot secure access to it, or, in the case of a moveable structure, like a caravan, there is no lawful place they can lawfully live in it.
- Those who have made a homelessness application and have been determined by the Council to be homeless but not in priority need, or found to be intentionally homeless but are no longer owed the limited temporary accommodation duty (normally 56 days) following a decision of intentional homelessness. (Note those found to be intentionally homeless may be given reduced preference on the Housing Register if the reason for finding them intentionally homeless was because they had been evicted for debt or antisocial behaviour.

Homeless Prevention Criteria.

Housing authorities have a duty to take reasonable steps to help prevent any eligible person (regardless of priority need status, intentionality and whether they have a local connection) who is threatened with becoming homeless. This means either helping them to stay in their current accommodation or helping them to find new accommodation before they become actually homeless. The prevention duty continues for 56 days unless it is brought to an end by an event such as accommodation being secured for the person, or by their becoming homeless. These households will be granted Band A for the first 6 months of a Prevention Duty being applied after which they will be reviewed and their priority reassessed

B: Reasonable Preference category s166 (b) —*applicants who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) or who are occupying accommodation secured by such an authority under section 192(3) of the Housing Act 1996 (as amended). All applicants that fall into Reasonable Preference category (b) will be awarded Band A priority. Those who are awarded Homeless prevention status may have their priority reduced to Band B after 6 months.*

People who would fall into Reasonable Preference category (b) are:

- People who the Council has accepted that it owes the applicant a duty under section 195(2) (Prevention Duty) as being threatened with homelessness in the next 56 days, and the Council is taking steps to try and prevent that homelessness from occurring.
- People who have been accepted as being owed the full homeless duty under section 193(2) i.e. those who are deemed homeless, in priority need and unintentionally homeless.
- People owed a section 189B duty (Relief Duty)

C: Reasonable Preference category s166 (c) – *People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions. All applicants that are determined as being owed reasonable preference under this group will be granted either Band A or Band B status depending on the severity of their situation.*

Unsatisfactory housing conditions: Applicants will be placed in Band A due to unsatisfactory housing conditions if they;

- Lack a bathroom or kitchen
- Lack an inside WC
- Lack hot or cold water supplies, electricity, gas or adequate heating
- Occupy a property which is in such disrepair that there is a category 1 hazard there or is unfit for occupation as defined by Section 604 of the Housing Act 1985

Overcrowding: Those overcrowded by two bedrooms in line with the Bedroom standard will be granted Band A and those overcrowded by one Band B.

The bedroom standard is set out in the Housing (Overcrowding) Bill. The Housing (Overcrowding) Bill (Bill 46) was not passed by Government; however it is cited as good practice nationally and therefore this will be the standard by which Walsall Council will measure overcrowding levels for the purpose of awarding “reasonable preference”. (N.B. the Council’s Allocation Scheme gives additional preference to those applicants who are statutorily overcrowded or deemed by the Council to be acutely overcrowded. This additional preference is addressed in section 3 part 3).

For the purposes of the bedroom standard a separate bedroom shall be allocated to the following persons:

- a) a person living together with another as husband and wife (whether that other person is of the same sex or the opposite sex)
- b) a person aged 21 years or more
- c) two persons of the same sex aged 10 years to 20 years
- d) two persons (whether of the same sex or not) aged less than 10 years
- e) two persons of the same sex where one person is aged between 10 years and 20 years and the other is aged less than 10 years
- f) any person aged under 21 years in any case where he or she cannot be paired with another occupier of the dwelling.

Applicants who claim they are overcrowded will have their circumstances assessed against the Bedroom Standard. The table below shows the bedroom entitlement for adults and children according to the bedroom standard:

Bedroom Standard		
	Number of bedrooms	
Household Members	1	2
Single Adults over 21	✓	
Couple (married or cohabiting) wishing to live together	✓	
28+ weeks pregnant woman with or without partner and no other children		✓
One child	✓	
2 children under 10 regardless of sex	✓	
2 children of the same sex aged between 10 and 21	✓	
2 children of different sexes aged between 10 and 21		✓

Example

Using the table above to calculate the size entitlement of a family comprising 2 parents plus a female child aged 9 and a male child aged 14:

- Parent’s entitlement is 1 bedroom
- Each child is entitled to a separate bedroom
- Total size eligibility for this household is 3 bedrooms.

In exceptional circumstances the Council may exercise discretion in deviating from the Bedroom Standard.

D. Reasonable preference category s166 (d) –Medical, Disability and Welfare. *All applicants assessed as owed reasonable preference for medical, disability or welfare grounds will be granted Band A or Band B priority depending on the severity of the impact of their housing on their condition.*

Reasonable Preference is awarded by the Council following an assessment by the Council, or from Walsall Teaching Primary Care Trust. An applicant's circumstances will normally be referred for a medical assessment if an applicant has indicated that there is a medical or disability problem that is made substantially worse by their current housing.. Priority will be given depending on how unsuitable the current accommodation is in relation to their medical, welfare or disability needs. The assessment is not of the applicant's health but how their accommodation affects their health or welfare.

The criteria to be considered relate to the extent that the health of an applicant, or an immediate member of the applicant's family, will significantly improve by a move to alternative accommodation. The assessment is not based on the seriousness of an applicant's condition, but is solely based on the impact of their current housing on that condition and whether this would improve significantly or arrest deterioration through a move to alternative housing.

When will Band A for medical reasons be awarded?

Band A will be awarded where an applicant's (or a member of their household) housing is unsuitable due to severe medical reasons or disability, but who are not housebound or whose life is not at risk due to their current housing. However their housing conditions directly contribute to causing serious ill-health. Their circumstances will be assessed by a Walsall Council Officer using set criteria, and may need to be referred to a qualified nurse/medical advisor or Occupational Therapy Team depending upon the circumstances.

The following are examples of cases that would qualify for Band A status under one of the statutory reasonable preference categories. i.e. medical, welfare or disability needs:

- The applicant's accommodation is directly contributing to the deterioration of the applicant's health such as severe chest condition requiring intermittent hospitalisation as a result of chronic dampness in the accommodation.
- Children with severe conditions such as autism, or cerebral palsy where their long term needs cannot be met without settled accommodation.
- A member of the household seeking accommodation is disabled and re-housing will enable that person to overcome physical barriers created by current accommodation e.g. steps and stairs.
- A person with a severe disability requiring substantial adaptations to a property which is not provided for in their current accommodation.
- A person with a terminal illness or long term debilitating condition whose current accommodation is not having a significant impact on their condition but where their quality of life would be significantly improved by moving to alternative settled accommodation which may or may not be closer to support.
- A person suffering with mental illness or disorder where the medical condition would be significantly improved by a move to alternative accommodation.
- A person with a severe disability requiring substantial adaptations to a property which cannot be addressed by DFG due to the design or access of the current accommodation or if a DFG is not appropriate because of financial limitations (ceiling cost or budget)

When will Band A for welfare reasons be awarded?

Those applicants that qualify for reasonable preference on welfare grounds will be those urgent cases that require care and support needs or have other social needs that do not require medical care or support. In Walsall there are **three** groups that will be awarded reasonable preference for welfare needs. These are listed and detailed below.

1). Persons who are ready to move on from specific supported housing schemes or from care and need a stable base from which to build a secure life

The Council wants to ensure that care leavers and other vulnerable people with support needs are helped to access secure and suitable long term housing. It is important that they are able to access social housing when they are assessed as ready to move on. The Council therefore take the view that such applicants will be owed reasonable preference when the applicant has been assessed as being ready to move on. At that point they will be awarded Band A:

The Council will give Band A priority to people moving on in a planned way from supported accommodation that receives Supporting People funding.

A person who has been awarded ‘move on’ priority having been assessed as ready to move on to long term settled housing. However if an applicant registers to move not having completed their supported housing in a plan way they will be given a reduced priority. There are two categories of cases:

Move on Supported Housing Projects

Applicants will be awarded this category for certain listed projects in accordance with protocols agreed between the Council and the voluntary sector body. Not all applicants who occupy named supported housing projects will qualify for reasonable preference. They must have vulnerability and urgent housing need that is best met by the provision of long term settled housing. All other cases will not be owed reasonable preference under this category and will be expected to be assisted by the project with support from the Housing options service to move on to social and private rented sector accommodation. The criteria for an award of reasonable preference will be:

- An applicant is ready to move to independent settled housing
- The applicant is in need of medium to long term rather than short term ongoing tenancy support.
- That support package has been assessed and is in place.
- And an applicant’s vulnerability is such that accommodation in the private rented sector would through its short term (i.e. Assured Shorthold) have a detrimental effect on their vulnerability.

To help improve overall understanding of mental health in relation to housing & priority needs for re-housing, the ‘*Managing Mental Health vulnerability priority referral form for housing*’ has been developed. By providing this relevant information, a consistent approach can be given by housing partners when considering priority for re-housing. This form replaces individual Social Needs Reports currently produced by mental health professionals in support of housing applications where a social need is identified.

Move on from Care

Applicants are awarded this category in accordance with protocols between Walsall Council’s Housing and Children Services Departments. Applicants must be a “Former Relevant Child” as defined by the Children Leaving Care Act 2002. As with the need to move on from supported accommodation not all care leavers will qualify for reasonable preference. They must be vulnerable and have an urgent housing need that is best met by the provision of long term settled housing. All other cases will not be owed reasonable preference under this category and will be expected to be assisted by the Children’s Services with support from the Housing options service to move on to private rented sector accommodation. The criteria for an award of reasonable preference will be:

- A care leaver has been assessed as ready to move to independent settled housing.
- There is evidence they possess knowledge and understanding of the life skills needed to manage a tenancy including managing a rent account.
- The care leaver is in need of either a long term or medium term tenancy support.
- That support package has been assessed and is in place if appropriate,
- and their needs are such that accommodation in the private rented sector would through its short term nature have a detrimental effect on their transition to independent living.

2) Priority award under the Exceptional Circumstances, Welfare and Hardship criteria. With the exception of elderly infirm applicants and those leaving care or who are ready to move on from specific supported housing schemes that need a stable base from which to build a secure life, the award of reasonable preference Priority on welfare grounds will be made by the Council under Exceptional Circumstances, Welfare and Hardship criteria.

E. Reasonable Preference Category 166(e) – – *People who need to move to a particular locality within the local authority's district, where failure to meet that need would cause hardship to themselves or to others. Qualifying households will be granted Band A or Band B priority depending on the severity of the impact of their housing on their condition. Criteria details of when Reasonable Preference will be granted for this group and what Band will be relevant are given below.*

This category applies to those who need to move to a particular area within the Walsall Council boundary, where failure to meet that need would cause hardship to themselves or others. Given that the Area is geographically compact, with good transport links, an award will only be made in very exceptional circumstances. Reasonable Preference would not normally be awarded to applicants who claim that they require ongoing support from relatives or friends, unless there are severe mental health, medical or welfare issues relating to this person or a member of this person's household and exceptional reasons why this support cannot be made available through a reliance on public transport or the applicant's own transport.

Examples when Band A reasonable preference might be awarded on hardship grounds.

Need to move on hardship grounds – support or employment.

- Those who need to move to give or receive care that is substantial and ongoing.
- Those who need to access social services facilities, and are unable to travel across the Area.
- To take up (or continue) employment, education or a training opportunity that is not available elsewhere and who does not live within reasonable commuting distance

All such cases will be looked at by the Exceptional Circumstances, Welfare and Hardship Panel.

Those applicants who need to move on welfare grounds due to infirmity caused by old age

These cases will have their welfare need recognised and reasonable preference awarded should their current housing be inadequate. An assessment of an applicant's need to move due to infirmity caused by old age will be made by the Council taking into account information provided by one or more of the following:

- An applicant's GP or consultant.
- Social Services.
- Occupational Therapist.
- Age Concern or any other voluntary sector organisation representing the applicant.

Applicants who are Statutorily Overcrowded

An applicant who is statutorily overcrowded as defined by the statutory minimum overcrowding standards or who is 2 bedrooms or more short of the bedroom standard will be awarded Reasonable Preference and placed in the band A.

Statutory overcrowding is defined by the Housing Act 1985 as follows:

Statutory overcrowding can be caused by having too many people in a room or by having too many people for the size of the room.

If two people of the opposite sex have to sleep in the same room the accommodation will be overcrowded unless the two people are:

- a married or cohabiting couple, or
- At least one occupant is under ten years old.

The number of people of the same sex (unless they are a same sex couple) who can sleep in one room is restricted by the size of the room.

The amount of space in each room: Rooms that are counted include living rooms, bedrooms and large kitchens. For the space and floor area calculations:

- children under one year old are ignored
- children under ten years old and over one count as a half
- rooms under 50 square feet are ignored.

As a general rule:

- 1 room = 2 people
- 2 rooms = 3 people
- 3 rooms = 5 people
- 4 rooms = 7.5 people
- 5 or more rooms = 2 people per room.

The floor area of a room also determines how many people can sleep in it:

- rooms under 50 square feet are ignored
- floor area 110 sq feet (10.1 approx. dminis metres approx) = 2 people
- floor area 90 - 109-sq ft (8.4 pprox.dminis sq m approx) = 1.5 people
- floor area 70 - 89-sq ft (6.5pprox.dminis sq m approx) = 1 persons
- floor area 50 - 69-sq ft (4.6pprox.dminis sq m approx) = 0.5 people.

Please note: for those applicants where their housing conditions or level of overcrowding mean that it is not reasonable for them to continue to occupy their overcrowded accommodation and as a result they are owed a Statutory homeless duty under section 193(2) of the Housing Act 1996, they will no longer be allocated priority from Reasonable Preference Category (c) as the Council will be under a legal duty to remedy the cause of homelessness through the provision of suitable accommodation. This will result in an award of Reasonable Preference for the statutory homeless duty under Reasonable Preference category (s167 (2) b).

Applicants who need to move due to domestic abuse, extreme violence or extreme harassment

People who have satisfied the Council that they are fleeing severe harassment or violence from inside or outside of the home but have not been accepted as being owed a statutory homelessness duty as a result of that violence or harassment.

Note: A statutory homeless duty applies if the applicant applies as homeless and a full duty is accepted. Those cases that do not apply as homeless and wish to remain with relatives or friends can be awarded reasonable and additional preference under this group without going through the homelessness route.

Applicants who are or were in the armed forces

This policy is fully compliant with statutory guidance published in June 2020 ('Improving access to social housing for members of the Armed Forces'). The following categories of persons will be deemed to have qualified under our local connection criteria.

Those who are currently serving in the Regular Armed Forces or who were serving in the Regular Forces at any time in the 5 years preceding their application for an allocation of social housing.

- a) Those who are currently serving in the Regular Armed Forces or who were serving in the Regular Forces at any time in the 5 years preceding their application for an allocation of social housing.
- b) Bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.
- c) Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.

In addition regulations made under section 166A(7), requires local authorities to frame their allocation scheme to give additional preference to certain members of the Armed Forces community, where they fall within one or more of the reasonable preference categories and have *urgent* housing needs. Therefore, the following classes of persons will automatically qualify for Band A

- a) Former members of the Regular Armed Forces
- b) Serving members of the Regular Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- c) Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- d) Bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.

Applicants in Private sector unsanitary or unfit properties.

This is awarded to those applicants who are living in unsanitary conditions in private sector properties where the conditions pose an ongoing and serious threat to health.

Private sector tenants and residents of dwellings where the Council's Private Sector Housing Team has determined that the property poses a category 1 hazard under the Health and Safety fitness rating and the Council is satisfied that the problem cannot be resolved by the landlord within 6 months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or has living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a 6 month time period.

A tenant of a private sector property either owned or rented where a statutory notice has been issued by the Environmental Health department that an unfit property is to be demolished under the Housing Act 2004 will be placed in Band A.

Applicants who are under-occupying their current social housing

The Council is aware that many of the borough's family homes are currently under-occupied and that there are many houses where only one bedroom is used. While the Council appreciates the rights of a secure tenant it is also aware of the needs of families registered on the Housing Register who are in need of more suitable housing.

Tenants who are currently under-occupying a family home will be placed in Band A if they are occupying a house with at least 3 bedrooms and are willing to move to a one bedroom property or a 2 bedroom flat or bungalow.

Applicants releasing adapted properties

A tenant who is willing to transfer to a suitable adapted property and is releasing a house with adaptations for the disabled or a designated older persons' property will be placed in Band A.

Section 3 Part 2: How reduced priority is awarded under this scheme

The Council has a right to reduce preference to applicants which might see applications suspended by participating Housing Associations.

This part of the Scheme describes those circumstances under which applications may be given reduced preference/suspended from accessing Housing Association property. In doing so, due regard has been given to the requirement to give reasonable preference to those categories outlined in the Housing Act 1996 (as amended). The reasonable preference categories are listed in section 3 part 1.

Those applicants that are eligible under the scheme will be assessed to determine if they are owed a reasonable preference or not. If they are, they will be allocated a Band according to the Council's allocation priority. However, where an applicant would have been awarded a specific Band due to assessed need but one or more of the factors listed below apply to their case, their application will be given a reduced preference/ suspended until the issues relevant to their circumstances has been resolved.

Applications will be given reduced preference/suspended by housing Associations in the following circumstances:

Suspended Applications due to rent arrears/housing related debt – Band D

This could include current or former rent arrears (including temporary accommodation arrears), damage to a former social housing property or legal costs arising from court action in connection with a current or former tenancy.

All applicants are registered for rehousing in the usual way and a rent account check undertaken at the time of application.

The decision to exclude or suspend an application is made immediately after registration. The administration officer if, having checked, the applicant falls into any of the following arrears categories, the officer should take the appropriate action set out below:

1. Applicants who owe £100 or over but less than £1000 in rent arrears will have their application suspended. Before they can be reinstated they must have signed an undertaking to repay the outstanding debt and reduced the debt to less than four weeks rent. Any subsequent offer of a property would be subject to the debt being cleared at point of offer.
2. Applicants owing over £1000 rent arrears will be deemed ineligible save only for exceptional personal circumstances that will be considered on a case by case basis. This is because at the level of arrears they are considered by the Council to be guilty of unacceptable behaviour to be unsuitable to be a tenant by reason of that behaviour (that of the serious rent arrears). However if the debt is reduced to below £1000 an applicant may re-apply, with their application suspended as in 1 above.

If an applicant reduces the debt below £1000 and continues to keep to an arrangement to repay the debt then their application would retain their registration date as an incentive to clear the debt. During any period of reduced priority, an applicants' housing need should continue to be investigated and updated.

Suspension in all cases will be for a minimum of 13 weeks, unless the debt is cleared in full within the period. The only exception to this would be where a tenant cleared their arrears in full. In such a situation reinstatement to the appropriate Band should be made as soon as the relevant account becomes clear.

Should there be more than one debt, this policy must be applied to all debts owed.

The only exceptions to the policy of suspension for applicants who owe a debt in excess of £100 are:

- Those who can demonstrate that either they or their family face life threatening circumstances and as a consequence require immediate rehousing.
- Applicants in need of temporary rehousing (decant) as a consequence of fire or flood damage, together with other tenants we may agree to decant for other reasons, from time to time.

- Applicants requiring permanent rehousing as a consequence of Housing Regeneration Activity. (However such lettings are outside of Part VI and therefore made outside of this policy).
- Applicants with emergency medical needs, and who have a Band A priority to reflect that, who have made regular agreed payments for a minimum of 6 weeks.
- Applicants awarded priority for Domestic Violence.
- If an applicant has been accepted with a full homeless duty by the Local Authority and there is a statutory duty to rehouse them.

Council officers, delegated as appropriate, on receipt of sufficient supporting evidence, will place an applicant in the appropriate Band according to their circumstances. The Council will consider whether there are exceptional circumstances, such as whether the claimant has taken debt advice acted on it, has entered into and begun to implement any arrangement to clear the arrears and the regularity of any payments made to clear any debt.

Suspended Applications due to refusal of three reasonable offers of accommodation

Applicants who have refused 3 reasonable offers of accommodation within 6 months of the date of the first offer will have their priority for housing reduced by being put into Band D for a 12 month period. After this 12 months period the applicant will be returned to their original band with their original date as long as a change of circumstances has not occurred. See section 5 part 4 moving up and down Bands

Reduced Priority due to non compliance with the tenancy agreement Band D

This applies where the Council is satisfied, having considered all available evidence, that an applicant (or a member of their current or prospective household) has failed to adhere to the terms and conditions of any current or previous social housing or private rented sector tenancy agreement. This includes committing acts causing or likely to cause nuisance or annoyance to neighbours or others in the locality of where they live or where they previously have lived. In such cases applicants will have their priority reduced and be placed into Band D This will apply until the applicant (or a member of their prospective household) has demonstrated, to the satisfaction of the Council, that circumstances have changed, such that the previous conduct is unlikely to reoccur. In some cases this could include demonstrating co-operation with support agencies leading to a substantial improvement in behaviour.

The status will be reconsidered at the request of the applicant and only where there has been no reasonable cause for complaint or concern against the applicant (or members of their prospective household) for a continuous period of six months. A regular review of Band D will be carried out and applicants, whose behaviour continues to be unacceptable, will be excluded if the unacceptable behaviour has reached an extent at which possession of the property has been or may have been achieved.

Reduced priority due to capital assets Band D.

Owner occupiers who are adequately housed or people with sufficient financial resources available to them to meet their housing needs will be given reduced priority and will be placed into Band D. The Council considers £130,000 total capital/asset to be sufficient financial resource to buy a home or pay market rent in the Area unless their specific housing need identifies otherwise. The Council also considers £35,000 (single applicant) and £45,000 (joint applicant) household income per annum household income to be sufficient financial resource to buy a home or pay market rent in the area.

Section 3 Part 3: What are restrictive letting policies?

How they are applied under this scheme

Walsall Council reserves the right to apply restrictive letting policies in order to identify suitable applicants in particular circumstances. Restrictive letting will take the form of Local Lettings Policies or corrective action to meet the Annual Lettings Plan (see [Page 18 of 26](#) Where restrictive letting is applied, the letting will

be made to the applicant with the earliest priority date in the highest Band that meets the criteria set by the restrictive letting.

The Council, reserve the right to apply any criteria while meeting the statutory obligations for Reasonable Preference. The Council may, in the interests of promoting balanced and sustainable communities agree with participating housing associations local lettings plans for specific areas, estates, or blocks. This is to ensure that there are local lettings policies that are tailored to the needs of an area, which protect the interests of existing residents and the wider community.

The principles in applying Local Lettings Policies (LLPs)

Local Lettings Policies may be developed to meet the particular needs of a local area.

- LLPs must be evidence-based and there must be a clear need (this may take the form of recurring antisocial behaviour issues, high child densities or a concentration of older residents – see examples provided below.
- LLPs must be developed and approved in accordance with an agreed procedure that must have specific aims and will be reviewed on an annual basis.

The decision to implement a local lettings policy will be developed and approved or jointly by both the Senior Officer responsible for the Walsall Council's Allocations Scheme and the relevant Housing provider for whom the Council has nomination rights for properties held by that housing association. Any decision to implement a local lettings policy will always take into account the implications for Equal Opportunities and the need to ensure that the Council is able to meet the allocation needs of those owed a reasonable preference.

Where a property is advertised in accordance with a Local Lettings Policy (LLP), the letting will be made to the household with the earliest priority date in that group who meets the eligibility criteria of the LLP and also meets the entitlement rules around size eligibility.

Examples of Possible Local Letting Policies:

The following are examples of local letting policies that could be employed in Walsall covering an area, estate, or block:

- Age restrictions.
- Transfer applicants with a positive tenancy history in respect of no rent arrears and exemplary behaviour.
- Policies that are geared towards encouraging applicants who work or volunteer to live in an area.
- Applicants who are key workers as defined by the Council.
- Lettings to employed persons where there is a high concentration of existing residents who are out of work.
- Restrictions on lettings to vulnerable households where there are already a concentration of supported tenants/residents.
- Lettings to childless households where there are high concentrations of children and young people living on a specific estate or scheme.

Local Lettings Schemes will be subject to a review at least every 12 months, or as and when changes to an estate, area or block, necessitate such a review.

Section 4

In this section of the document we explain areas of the scheme under which specific criteria are applied.

Part 1: How we allocate to homeless households under the scheme

Part 2: How Serious Offenders are dealt with under the scheme

Part 3: How Medical Assessment and Adapted Homes are dealt with under the scheme

Part 4: How Retirement and Extra Care Housing is dealt with under the scheme

Part 5: How we determine the size and type of property for which applicants are eligible

Part 6: How Lettings to Staff, Board Members of relevant organisations, Council Members, Co-optees and relatives of these groups are determined

Section 4 Part 1: How we allocate to homeless households under the scheme

This part applies to applicants who are considered to be homeless under Part VII of the 1996 Housing Act (as amended). The Local Authority has a legal duty to secure settled accommodation for households who are homeless or at risk of becoming homeless (unless certain exceptions apply). The Council will do all they can to prevent homelessness and where this is not possible an assessment will be carried out by the Council's Housing Options team.

It is recognised that social rented housing is not the only tenure available to homeless households and where appropriate they will be encouraged to accept rehousing in the private sector. Where possible the Council will look to offer private rented options to give applicants a wider choice of tenure and location. If a household already has an application for housing with the Council and that application has a Reasonable Preference award, the original date of that award will stand, even if a subsequent positive homeless decision is made. No extra priority will be awarded.

Statutory Homeless applicants will be entitled to one reasonable offer under the scheme. If an applicant has the duty discharged by this one offer and refuses the offer they are entitled to remain on the Allocations Scheme and their priority will be assessed accordingly. If their housing circumstances still qualify them for reasonable preference then the original date of the award can be kept but they will not be entitled to reasonable preference for being assessed as statutory homeless duty under sections 189(B), 193(2) or 195(2).

Whether or not a homeless applicant accepts an offer of accommodation made under the scheme, they have the right to request a review of the suitability of the accommodation they have been offered in discharge of the Council's Part VII duty. Homeless Applicants are therefore encouraged to accept the offer that has been made to them, even if they intend to request a review of its suitability. If the applicant has been accepted as being owed a statutory duty by the Council, this duty, subject to a right of review, will have ceased if the property is refused. In such circumstances an applicant will no longer be entitled to any duty, will have to leave any temporary accommodation provided and make alternative accommodation arrangements.

Intentional Homelessness

If an applicant is assessed under Part VII of the Housing Act as intentionally homeless then the applicant may be given a reduced priority.

Section 4 Part 2: How serious offenders are dealt with under this scheme

Walsall Council will make an assessment of risk to the community of any applicant who has been convicted of a community offence and is considered to present a significant risk to potential neighbours and/or communities. This assessment will determine whether;

- either the risk is too great and therefore the applicant is ineligible to appear on this scheme due to the eligibility criteria that apply to applicant's guilty of serious unacceptable behaviour, or
- the risk is such that the applicant will be considered for housing provided an undertaking is signed to document an agreed cooperation and the applicant is placed in a Band appropriate to the applicant's need
- the risk is such that the applicant will be eligible for housing but the application will have reduced priority

At the time of registration, an applicant is asked if s/he or anyone who will be residing with them has a conviction of a criminal offence or anti-social behaviour order that has not been spent.

If the applicant answers yes, a supplementary questionnaire and declaration is sent to the applicant asking for more details and for permission from the applicant to contact the Police and/or Probation Service.

The result will be one of the following

- i) Some applicants will be assessed as ineligible for housing due to evidence of past unacceptable behaviour that would warrant an outright possession order through the courts. In such cases, these applicants will be treated as ineligible: see section 2 part 1.
- ii) Some applicants will be deemed lower risk providing they agree to and sign up to a behaviour contract and provide two satisfactory references in which case they will be placed in a band appropriate to their need..
- iii) Some applicants will be allowed on the scheme and given reduced preference to Band D until they have demonstrated to the Council their ability and willingness to satisfactorily perform the requirements of their tenancy agreement.

On a case by case basis the Council may only make offers to certain applicants when an appropriate package of support is in place. Additionally, for certain individuals, offers will only be made when serious consideration has been given to child protection issues and where accommodation is an integral part of the risk management plan.

Section 4 Part 3: How medical assessment and adapted homes are dealt with under the scheme

Adaptations

Properties which are adapted or which the Council believe are suitable for adaptation, or which are otherwise potentially suitable for applicants with a substantial disability or other special reasons may be allocated directly to the most appropriate applicant and outside any strict Band date order. This may, depending on the characteristics of the property, include cases where a ground floor flat is available and an applicant with very high priority requires such accommodation. Rather than select an applicant with general needs to the property the Council reserves the right to allocate to a high priority applicant in need of such accommodation via the Walsall Adapted housing Service.

Medical Assessment

Applicants who have a medical need will be asked to complete a Medical Form, which will be assessed by the Council. Applicants will only be offered additional preference (Band A) if their medical condition significantly affects their need for accommodation

The criteria to be considered relate to the extent that the health of an applicant, or an immediate member of the applicant's family, will significantly improve by a move to alternative accommodation. The assessment is not based on the seriousness of an applicant's condition, but is solely based on the impact of their current housing on that condition and whether this would improve significantly through a move to alternative housing.

Following assessment either Band A, Band B, or no priority will be awarded.

Following assessment, the Council will decide whether to award priority or not on the basis of the information provided in the medical form and where appropriate, any additional information requested from the GP, hospital consultant or Occupational Therapist.

Section 4 Part 4:

Retirement housing (Sheltered Housing)

Retirement housing comprises properties designed especially for older people. They offer independent living with security and peace of mind.

To be eligible for retirement housing applicants must be

- aged 55 or over or
- Be eligible for housing as per the published Allocations Scheme of Walsall Council and appear in the appropriate Band within the Allocations Scheme.
- Be assessed for support that is provided by the Scheme Manager during working hours where appropriate. Applicants must be deemed suitable for the scheme and confirm they do not have support needs that are unable to be met or would be detrimental to the Scheme itself or other tenants.
- Be made aware of the costs of moving into the Scheme before a letting is carried out. This is especially in regard to Supporting People costs where these are not covered by Housing Benefit.

Therefore restrictive letting (see section 3 part 5) will be applied to vacancies. It is a condition of all tenancies in sheltered housing schemes that tenants agree to take the Care Line and Warden Service. Separate charges are made for these services on top of the rent.

Extra Care

The purpose of Extra Care Housing is to provide older people with their own home and tenancy within a support and care environment ensuring that appropriate personal and housing support are available as required. All applicants will be registered and assessed for rehousing in line with Walsall Council's Allocations Policy.

A medical assessment will be requested as per Walsall Council's policy and procedures for housing applicants where an applicant says they have a medical need.

To be eligible for the scheme all potential tenants must:

- Be over 60 years of age.
- Be eligible for housing as per the published Allocations Scheme of Walsall Council and appear in the appropriate Band within the Allocations Scheme.
- Be prepared to agree to the scheme requirements and consider use of the care provider to meet any care needs either at the letting or if needed in the future.
- Be made aware of the costs of moving into the scheme before a letting is carried out. This is especially in regard to Supporting People costs where these will not be covered by Housing Benefit.

Extra Care will be approved by the Senior Social Worker manager for the Council who will require an up to date social care assessment in an appropriate format outlining the prospective tenants housing and social care needs and a medical/social history to enable he or she to arrive at an informed decision as regards whether their needs can be met within the scheme.

A potential tenant must meet all scheme criteria. These allocations will be made directly and will formally be made by the rehousing team following a pre offer interview with the Scheme Manager.

A potential tenant must also undertake a pre-offer interview with the Scheme Manager and be shown the facilities at the scheme to ensure that all parties are comfortable with the responsibilities and expectations of a tenancy within an Extra Care Housing scheme. This also gives the prospective tenants an opportunity to find out more about the scheme and to make an informed decision about moving.

Section 4 Part 5: How we determine the size and type of property for which applicants are eligible

Type of accommodation

Retirement housing and Extra Care housing will normally be available only for applicants aged 60 or over, or who are over 55 and in particular circumstances.

Accommodation that is designated as supported housing will be available only for applicants who are eligible for that particular accommodation. For example, some supported housing is provided exclusively for people with learning difficulties, or for young people leaving care.

Where accommodation is available only for applicants who satisfy such special criteria, this will be clearly labelled.

Size and type of property for which applicants are eligible

In order to make the best use of the available housing stock, it is essential to let vacancies to those who need that size and type of property. Examples include houses with two or more bedrooms to be let to families with young children, retirement housing to be let to older people and properties that have been built or adapted for a person with a physical or sensory disability.

When deciding the size and type of property for which applicants are eligible, the Bedroom Standard set out in section 3 part 1 will normally be used.

In exceptional circumstances the Council, delegated as appropriate, may exercise discretion in deviating from the Bedroom Standard. Examples are:

- For those applicants who are separated or divorced and sometimes care for their children, the Council officer will consider how often and for how long the children stay with them. If appropriate, that officer may exercise discretion and award additional bedrooms for the children in accordance with the code of guidance.
- Where applicants require larger accommodation on health grounds. This will be considered on a case by case basis, taking into account the advice of a qualified medical advisor.
- Where there is little or no demand for a particular vacancy and it is therefore difficult to let.
- Where no suitable applicants can be identified to make the best use of larger accommodation.
- Where there are child density issues and the landlord wishes to under-occupy the property in this instance for management reasons
- Where the applicant has been approved as a foster carer by Children's Services, and so will need a larger property than normally required by the household.
- Where the applicant or a member of the household needs the support of a carer who will need to sleep in the home and cannot reasonably be expected to share a bedroom with another member of the household. See paragraph below for more information about including a carer in a housing application.

Including a Carer in the application

A carer is someone who, with or without payment, provides help and support to a partner, relative, friend or neighbour, who would not manage without their help. This could be due to age, physical or mental health, addiction, or disability. In all cases the carer must have been identified by the applicant as the person who is primarily responsible for providing them with care and the need to live with them or near them.

Even if a carer is in receipt of Carer's Allowance this does not necessarily mean that it is necessary for them to reside with the person who is being cared for. An application to include a carer in a housing application will be considered if the carer has been assessed by Social Care and Health as needing to provide overnight support. In these circumstances the applicant must provide supporting evidence from other agencies e.g. Social Care or a Health professional.

In some limited circumstances it may be possible to consider cases where the carer is not in receipt of Carer's Allowance. Under these circumstances it will still be necessary for the applicant to demonstrate that the person looked after is in receipt of one of the following benefits:

- Carers Allowance
- Disability Living Allowance – paid at either the middle or higher rate for personal care.
- Attendance Allowance
- Constant attendance Allowance
- Disablement benefit.

Section 4 Part 6: How Lettings to Staff, Board Members of relevant organisations, Council Members, Co-optees and relatives of these groups are determined.

This policy is designed to ensure that Walsall Council and its housing association partners operate in an open and transparent manner and are seen to be acting properly when letting homes to staff, Council Members, RP Board Members or Co-optees and their relatives.

The Part VI Allocations Scheme is open to any eligible applicant and there are stringent checks in place that all applicants must follow.

Staff, Board Members, Council Members and Co-optees and their relatives are treated as any other applicant and must be seen to not be gaining any advantage or disadvantage or any preferential treatment in the course of their application.

Therefore, the following procedure must be undertaken to ensure that any letting can be subject to a high level of scrutiny.

- The applicant who is applying for housing or their relative must have no direct input into any decisions regarding their rehousing. This includes not inputting the original application onto the Register system or adding any priority at any time onto the application.
- Staff members must also not have any involvement in the inputting of the application or awarding of priority for any relative.
- Applications should be clearly marked on the housing management system that the application is that of a staff member, Board Member, Council Member, Co-optee or relative.
- When such an applicant is showing at the top of a queue, a 'record of interest' form must be completed and signed off before any offer of a property is made. The details of the offer must be scrutinised and detailed on the form and signed off by the appropriate Head of Allocation acting on behalf of the Council, or in the case of Council Members or their relatives being offered accommodation this form must be signed off by the Head of Customer Engagement for the Council.
- Attached to the form must be copies of the computer screens of all the appropriate information from the housing management system including the shortlist from which the applicant is being offered from, together with reasons for any applicants above them being not made the offer.

Section 5

In this section of the document we explain the administrative processes that support the application of the scheme.

Part 1: Walsall Council's Service Standards for administering this scheme.

Part 2: How to make an application, and how applicants are assessed

Part 3: Advice and Assistance

Part 4: How changes in circumstances are dealt with

Part 5: Additional legal duties, confidentiality and how to make a complaint

Section 5 Part 1: Walsall council's service standard for administering this scheme

Our Customer Commitment to all Applicants

The Council will act as both administrator and performance monitor of the scheme; to ensure;

- That legal obligations are met when allocating all accommodation including nominating people to accommodation owned by housing associations
- Provide free advice and information about the right to apply for accommodation.
- Provide free assistance to applicants who may have difficulty when making an application.
- Make sure any information provided is easy to understand and is readily accessible.
- Outline how we offer choice and the ability for applicants to express preference.
- Provide information to all applicants of what types of accommodation are available throughout the district.
- Provide information about how long applicants are likely to have to wait before being nominated to accommodation.
- Provide a full copy or a summary of this Allocation Scheme to all households who request them and will always provide a short summary of the scheme to all who are accepted as being owed a full duty as statutorily homeless.
- Treat each applicant equally in accordance with their need and where possible their choices, regardless of race, religion or creed, ethnic or national origin, nationality (subject to other provisions), disability, gender, sexual orientation or marital status.
- Regularly monitor ethnic origin and disability of applicants who apply for accommodation.
- In allocating to housing association accommodation made available to the Council pursuant to a Nomination Rights Agreement, the Council will deal with that nomination under a nominations and exclusions agreement with the Housing Association concerned.
- Ensure that all information provided by applicants will be treated in strictest confidence. The Council will comply fully with the Data Protection Act in relation to all information it holds about applicants.

Section 5 Part 2: How to make an application, and how applicants are assessed

Who will administer the Council's Allocations Scheme?

Walsall Council administers the Housing register and the Council's Allocation scheme.

There is no statutory requirement to maintain a Housing Register. However the Council believes there are significant benefits for the people of Walsall in maintaining a housing register that provides a single point of entry to homes where the Council has nomination rights from various social landlords.

Applications for Housing are made under the Council's Allocations Scheme using a standard form which is available in a paper format and online at each participating housing provider and council office. Having received the application in full, including required supported information then the assessment and awarding of any priority in recognition of the applicant's housing needs will be carried out by the Council.

The Council has "nomination" rights over housing association stock in the area. This confers the right to promote applicants from the Walsall Housing Register for the purpose of securing lettings with housing association landlords. The application of these rights will be undertaken strictly according to this Allocation Scheme.

Application Pack

Applications for this scheme can be made on line and support will be given to do this by all participating housing Associations.

Every applicant who requests an application pack will receive an application form with guidance notes on completing it and a summary of this Allocation Scheme, including the review and complaints procedure, and information regarding how to access available properties on line.

Completing the application form

Applicants are encouraged to complete the form themselves on line. However, if completed at any relevant Partner office, staff will go through the form with the applicant to ensure that the required information is collected. Staff will give support in completing the form if requested by telephone and translation services will be made available should they be needed.

Allocating properties

All properties will be allocated by making direct offers to applicants based on their respective banding priority and registration date, where the oldest registration date will determine the offer of accommodation for two applicants within the same priority band.

In circumstances where an applicant has refused 3 reasonable offers of accommodation within a 6 month period, their priority for re-housing will, be suspended for a 6 month period from the point of the third refusal (see section 5 part 4 'Moving Up and Down Bands'). The exception to these rules is for Homeless applicants owed a homelessness duty under the Housing Act 1996 where only one reasonable offer will be made (See section 4 part 1) and refusal of that offer will result in the discharge of the Council's homelessness duty.

It is recognised that the supply of social housing in the borough will rarely match demand leaving a shortfall in available properties. To ensure that the Council meets the needs of the local community, and in particular those in the most pressing housing need, it reserves the right to temporarily suspend making offers of accommodation to households who qualify for Band C.

Assessing Applications - our customer service standard

Once an Application for Accommodation under this Scheme has been submitted the Council will endeavor to:

- Allocate the applicant to a Band within 28 working days from either (a) receiving ALL the information required to process the application, or (b) reaching a decision that the Council owes the applicant a full homelessness duty. Where there is a need to visit an applicant or make further enquiries to confirm an applicant's circumstances, any Band awarded will be provisional pending that a successful visit or other full confirmation of circumstances.
- If there is a need to visit an applicant, or for an interview to be arranged to clarify details contained on the form, arrangements will be within 7 days of receipt of the application.
- Confirm any final allocation to a Band in writing within 28 days of any such interview, visit, or the completion of further enquiries.

Information Requests

An applicant will, on request, be shown and given a copy of his/her entry on the Allocations Scheme. The Council will also, on request from the applicant, provide such information that is practicable and reasonable to supply, to explain their position and priority on the Allocations Scheme in relation to when an offer of suitable accommodation might be made. An applicant has the right to be informed of any decision about the facts of their case which is likely to be taken into account when considering whether to allocate housing to them.

Section 5 Part 3: Advice and assistance

The Council acknowledges that (except in certain circumstances) this Allocations Scheme requires the active participation of housing applicants and to reflect this fact the Council aims to provide advice and assistance to ensure that no person is disadvantaged by the way the Scheme operates.

General Information about the scheme will be made available as follows:

- Information about the procedures for applying to go onto the scheme and for applying for advertised vacancies;
- Information about how applicants are prioritised under this scheme;
- How successful applicants will be selected;
- Information about review procedures;
- What their prospects are in acquiring the property types and areas in which they are interested.
- What information they need to supply in regard to verification and when this information will need to be provided.
- If they are awarded reduced priority or are found to be ineligible what they need to do to rectify this.

When offers of accommodation are made, applicants will be informed of:

- Location
- Property type, size and floor level
- What type of heating it has and whether it has a heating charge payable that is not covered by housing benefit
- Whether such things as a garden or parking are available with the property
- The amount of rent and any other charges that are payable
- Where possible and available photos of the property and links to guides about the local area
- The level of adaptations to the property
- Whether the property is accessible to the disabled

Applicants who have any difficulty reading or understanding this Allocations Scheme will be offered the following services:

- An interpretation service if their first language is not English.
- Signing if speech or hearing is impaired.
- Provision of documents in large print, Braille or on computer disk or audiotape if an applicant is visually impaired.
- An interview to explain the content of this document and information about where independent advice can be obtained about the Council's scheme.

As there are likely to be many more applicants than properties available, the Council will also provide information about other housing options. This will include:

- Advice on Housing Associations and their non-nomination propertiesAdvice and help on renting in the private sector if there are few homes available in the areas where they wish to live.
- Advice on available low cost home ownership options.

Section 5 Part 4: How changes in circumstances are dealt with

Review of Applications

Each application on the Allocations Scheme will be reviewed annually and may be reviewed every 6 months; an applicant will be notified of the review. Failure to respond to correspondence in relation to the review may result in the applicant being deleted from the Scheme. Applicants who are deleted will be notified in writing. If good reason can be shown why there was a failure to respond to the review then the application will be reinstated.

Change of Circumstances

All applicants are required to notify Walsall Council immediately of any change to their circumstances which may affect their priority for housing. Applicants who are suspected to have had a change of circumstances and have not informed the Council may have their application status changed to 'application is pending' whilst an investigation takes place in order to determine eligibility.

Applicants should notify the Council of any change in their circumstances preferably by updating their application on-line, in writing or e mail. The e mail correspondence address is:

allocations@walsall.gov.uk

The postal address is Walsall Council, Civic Centre, Darwall Street,Walsall, WS1 1TP

Notification is required for:

- A change of address, for the applicant or any other person on their application.
- Any additions to the family or any other person they would wish to join the application (Please note it is for the Housing Association to decide whether they will allow a person/s to join the application).
- Any member of the family or any other person on the application who has left the accommodation.
- Any change in income, assets or savings.

Moving Up and Down Bands

The following rules will apply to applicants on the Allocations Scheme:

When an applicant first applies to the Allocations Scheme their application will be accepted once all information is received. They will be assessed and placed in a Band with the date of application as their 'queue' date. This is the date that will be used to determine the applicant's priority for any offers.

If the applicant subsequently has a change of circumstances the application will be reassessed and one of following four outcomes will occur:

- An applicant may gain greater priority on the scheme and enter a higher band.
- An applicant may lose priority or preference due to their circumstances and enter a lower band.
- An applicant may be assessed as being in the same band.
- An applicant may become ineligible for the Council's Allocations Scheme.

If an applicant provides information which places them in a higher band following assessment their queue date in the new band will be the date on which they were assessed and accepted for that band. *e.g.: if an applicant entered Band C on the 1st January 2018 and then is reassessed and placed in Band A on the 1st January 2020 their date in Band A will be 1st January 2020.*

If an applicant provides information which places them in a lower band following assessment their queue date in the new band will be the same as the queue date from the band they were in previously. *E.g.: if an applicant entered Band A on the 1st January 2018 and then is reassessed and placed in Band C on the 1st January 2020 their date in Band C will be the 1st January 2018.*

If an applicant stays in the same band their queue date does not change even if new information has been assessed. Exceptions to this are as follows:

- If an applicant has their priority reduced due to refusing 3 reasonable offers in a 6 month period then they will enter reduced priority Band D and their queue date will be the same as the queue date from the band they were in previously.
- If an application is placed back at "Application is Pending" stage during investigations into an applicant's circumstances but the result of the investigation is that the applicant is assessed as being in the same Band they were in prior to investigation they will be reinstated into the Band with the queue date they had previously.

Deletion of Applications

Applications will be deleted for one or more of the following reasons:

- An applicant requests cancellation;
- An applicant's circumstances change and they are no longer eligible under this Allocations Scheme;
- An applicant fails to respond to a review;
- An applicant has been housed in a secure or assured tenancy by another Local Authority, or a housing association in or outside of the Walsall area.
- The applicant has died and there was no other person on the application

Section 5 Part 5: Additional legal duties, confidentiality and how to make a complaint

Equality and Diversity

Our aim is to implement and maintain services which ensure that no potential or current applicant is treated less favourably on the grounds of gender, marital status, race, nationality, ethnic or national origin, disability, age or sexual orientation, nor is disadvantaged by the application of a rule, condition, or requirement, which has a discriminatory effect which cannot be justified by law. Allocations will only be made to those persons who are eligible.

This scheme will be subject to periodic equality impact assessments.

Confidentiality

The fact that a person is an applicant on the Allocation Scheme will not be disclosed (without their consent) to any other member of the public.

Data protection and information sharing

All information held is subject to the Data Protection Act 1998. The Council will seek the express consent of applicants joining the Allocation Scheme to share personal information about the applicant, and any member of their household.

Information sharing without consent

Information may be shared about the individual and their history irrespective of whether their consent has been obtained in exceptional circumstances which will include:

- In accordance with the provisions of the Crime and Disorder Act 1998 (Section 115).
- Where there is a serious threat to the other party's staff or contractors.
- Where information is relevant to the management or support duties of the proposed landlord or support organisation to ensure the health and safety of the applicant, a member of his or her household, or a member of staff.

False statements or withheld information

It is a criminal offence for applicants and/or anyone providing information to this Scheme to knowingly or recklessly make false statements or knowingly withhold reasonably requested information relevant to their application (s171 Housing Act 1996). This includes but is not limited to information requested on the housing registration form, in response to correspondence at the renewal of the application, or relating to any other review of the application. An offence is also committed if a third party provides false information whether or not on the instigation of the applicant. This would apply at any stage of the application process.

Where there is suspicion or an allegation that a person has either provided false information or has withheld information, the application will be given the status 'application is pending' during the investigation and will be excluded from being considered for offers until an outcome is reached.

If the outcome of any investigation is that they did not provide false information or there was no withholding of information or such was not found to be withheld knowingly, then the application will be reinstated from the date of registration meaning the relevant applicant should not suffer prejudice. However, where the investigation shows that false information was provided on the application form, or was deliberately withheld, this may render the applicant ineligible.

Ground 5 in Schedule 2 to the Housing Act 1985 (as amended by the 1996 Act, s.146) enables the landlord to seek possession of a property where it has been granted as a result of a false statement by either the tenant or a person acting at the tenants instigation. Where this is the case the housing associations will pursue recovery of possession vigorously.

If the Council determines that an applicant directly, or through a person acting on his or her behalf, has given false information or withheld required information it may result in an applicant being removed from the Scheme and rendered Ineligible.

Reviews and Appeals

General Information

- Applicants have the right to request such general information as will enable them to assess:
- how their application will be treated and whether they will be given any preference
- whether housing accommodation appropriate to their needs is likely to become available and how long they may have to wait for an allocation of such accommodation

Information about decisions and reviews

Applicants have the following further and specific rights to information about decisions and rights of review of decisions:

- the right, on request, to be informed of any decision about the facts of their case which has been, or is likely to be, taken into account in considering whether to make an allocation to them
- the right, on request, to review a decision mentioned above, or a decision to treat them as Ineligible due to unacceptable behaviour serious enough to make them unsuitable to be a tenant
- the right to be informed of the decision on the review and grounds for it.

Applicants should request a review in writing within 21 days of being notified of a decision. The Council will determine the review within 56 days of the request or such longer period as may be agreed with the applicant. The Council will notify the applicant of the outcome of the review including the reasons if the original decision is confirmed. The Council's decision on review is final and any challenge to that decision can only be made through judicial review proceedings.

Reviews will be carried out by Walsall Council's Head of Customer Engagement, or will be delegated to an appropriate officer who was not involved in the original decision.

Review of Suitability – Homeless Applicants

Whether or not a homeless applicant accepts an offer of accommodation made under the scheme, they have the right to request a review of the suitability of the accommodation they have been offered. Homeless Applicants are therefore encouraged to accept the offer that has been made to them, even if they intend to request a review of its suitability. If the applicant has been accepted as being owed a statutory duty by the Council, this duty, subject to a right of review, will have ceased if the property is refused. In such circumstances an applicant will no longer be entitled to any duty, will have to leave any temporary accommodation provided and make alternative accommodation arrangements.

Complaints

An applicant who is not satisfied with the service that they receive may register a complaint with the Council's Complaint procedure by telephone, e-mail or in person. All complaints will be acknowledged and investigated.

The best way to make a complaint is to do it directly. Making a complaint locally to the department will give the quickest results and get a response from those who are fully aware of the issues surrounding the complaint.

A complaint can be made in person, by telephone, by post or by online form. The complaint will be answered within fifteen working days, or an explanation given if it will take longer.

The applicant can ask someone else or an organisation such as Citizen's Advice Bureau to make a complaint on their behalf. For those whose first language is not English, assistance can be obtained from the Council. To help you, key contact details of addresses, telephone numbers and an online form for each service are given below:

Translation

Equality and Diversity Team

Walsall Council
Room 16b
Council House
Lichfield Street
Walsall
WS1 1TP

Telephone 01922 653306
Textphone 0845 111 2910
Email: equality@walsall.gov.uk

Homelessness and Housing Advice Service

2nd floor
Civic Centre
Darwall Street
Walsall
WS1 1TP

Telephone 01922 653405
Fax 01922 653421
Minicom 01922 652637
Email housingadvice@walsall.gov.uk

If the applicant remains dissatisfied following the outcome of their complaint they may also make a complaint to the Local Government Ombudsman.

Appendix One:

Annual Lettings Plan

The Housing Act 1996 requires each housing authority to determine, and publish, an Allocations Scheme setting out how it will prioritise applications for social housing. In doing so, the Council must accord Reasonable Preference to specific groups of applicants including for example the homeless and overcrowded households. A key element of the Allocations scheme is the annual Lettings Plan that should be agreed, reviewed and published annually by the Council. Such a plan is a strategic tool that enables lettings practice to be linked to wider strategic issues.

Lettings made will be monitored against this. The annual lettings plan is devised to ensure that the Local Authority meets its statutory obligations. All lettings made under Part VI, are counted for the purposes of the lettings plan.

If monitoring shows that outcomes are not as per the lettings plan, the Council reserves the right to implement a quota system to ensure that it meets both its statutory obligations to those owed reasonable preference and its strategic objectives in enabling balanced, sustainable social housing communities.

Broad targets that are to be set and agreed can be monitored and adjusted (if necessary) to ensure that priorities are delivered, and the needs of those groups with Reasonable Preference are met. The lettings planned for the different Bands have been configured to reflect current priorities of the Council which include overcrowding and under-occupation (making best use of stock) and statutory homeless households (and reducing the need for temporary accommodation)

Actual lettings outcomes will be measured against the plan to monitor the effectiveness of the Allocations Scheme in meeting identified needs. This is not only for actual lettings to Bands but also, as far as is possible, a split of property types within lettings areas.

Future Lettings Plans

After the first year of this plan, accurate data will be available on lettings made under the new Scheme that will help to inform subsequent plans. This will include:

- Live applicants on the Council's Allocations Scheme – split by Band and ethnicity.
- The split of need within Band i.e. how many applicants have Reasonable Preference, for which reasons and how many applicants have increased priority for being a working household etc.
- How many properties are let through the Council's Allocations Scheme and to which Band, and to which Reasonable Preference group within a Band?
- The percentage of a particular Reasonable Preference group that has been rehoused within the year.
- The outturn of which properties across areas have been let to which Bands.

All of the above will be reported annually with a recommendation for the next years' plan and therefore ensure that the lettings process within Walsall is transparent.

Appendix Two:

Local Connection Criteria

Applicants must meet the local connection criteria in order to be able to join the Council's Housing Register (Section 199 Housing Act 1996).

The following factors will be taken into account in determining whether or not an applicant has a local connection with the Walsall Council area. An application is awarded a local connection if an applicant or a member of their household included in their application:

- has lived in the Council's area continuously for the last 2 years and that residence was of their choice.
- Has close family living in Walsall who have lived in the area the previous five years; or
- has settled employment in the Walsall Council area. Employment is defined as paid employment for at least 16 hours or more per week for a continual period of at least 6 months and is not work that is considered to be temporary, casual or seasonal and to travel to work by public transport would take the employee in excess of 90 minutes each way and they do not have their own transport.

There are a number of exceptions to the 2-year residency rule. These are:

1. Applicant's owed a homeless duty by the Council.
2. Where Walsall Council has placed an applicant into temporary accommodation outside of the Council's area that period of time in temporary accommodation will count as residence in Walsall.
3. Where the Council agrees that there are exceptional circumstances requiring a move into an area. This will be decided on a case-by-case basis. Examples where circumstances may be considered to be exceptional include:
 - Reasons of safety, for example when an applicant is fleeing domestic abuse or hate crime from another area, or
 - An applicant is on a witness protection programme and the Council has agreed that a move to the Walsall area is essential.
4. The Council will consider any application from a gypsy or traveler household where the applicant may not meet the 2-year continuous period of residence rule, if the period has been broken by travelling. The facts of each case will be considered when deciding whether the rule should be waived.
5. Care Leavers below the age of 21 years (or 25 if they are pursuing a programme of education agreed in their pathway plan) who are owed a duty under section 23C of the Children Act 1989 by Walsall Council or another County or Unitary Council and have been looked after in accommodation outside of Walsall and wish to live in Walsall.
6. Applicants who satisfy the right to move criteria. The Right to Move qualification regulations 2015 states that local connection qualification rules must not be applied to existing social tenants who seek to move from another Council district in England, and who have a need to move for work related reasons to avoid hardship.
7. Where at the date of application the applicant is not currently resident in the Walsall area whilst:
 - a) receiving medical or respite care
 - b) serving a custodial sentence

The applicant will be considered to have a local connection for residence as long as they had been living in the Council's area for 2 continuous years prior to their current accommodation circumstances.

8. Applicants that satisfy the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 will be exempt from the local connection qualification rule.

The onus will be on the applicant to prove their continuous residence through official documentation as prescribed in a list published from time to time by the Council, demonstrating at least two years residency in Walsall.

Though not exhaustive, the following documentation may be used to form proof of residency:

- Housing Benefit records
- Council Tax Benefit and Council Tax Reduction records
- Council Tax records
- Housing Services system records
- Tenancy agreement
- Utility bills (gas, electric, water)
- Television license and telephone bills (landline only)
- Full bank statements showing name, address and date of issue
- Credit card statements
- Department for Work and Pensions benefit notification letters
- Educational establishment records
- Any Council records which can legally be used for this purpose

Note: Medical cards, mobile telephone bills/statements, catalogue bills/statements and confirmation (both written and verbal) from Members will not be considered under any circumstances.

Customer Engagement

Walsall Council
Civic Centre
Darwall Street
WS1 1TP

Email: allocations@walsall.gov.uk
Web: www.walsall.gov.uk

Scrutiny Overview Committee – Recommendation Tracker (23/24)

Committee Meeting Date	Agenda Item	Action/Recommendation	Officer responsible	Status	Target Completion Date	Notes
12 December 2022	Customer Engagement	That data be shared with Members regarding: <ul style="list-style-type: none"> a. A detailed breakdown on the time it takes calls to be answered across the Council. 	Elise Hopkins	In Progress	16 March 2023	
15 th June 2023	Areas of Focus	That Overview and Scrutiny Committees discuss working group topics at their next round of meetings and feedback be considered by the Scrutiny Overview Committee at its meeting due to be held on 28 th September 2023.	Clerk/Chair	In Progress	28th September 2023	Complete
28 th September 2023	West Midlands Police – Update on Policing within Walsall	That Cabinet are requested to: <ul style="list-style-type: none"> a. Ensure Walsall Council works with West Midlands Police to improve road safety and reduce road harm in the Borough. b. Consider the feasibility of co-locating the Council's 	Clerk	In Progress	December 2023	

		community protection teams alongside West Midlands Police to increase co-operative working.				
28 th September 2023	Section 106 monitoring report	That Councillor Nawaz be provided with information on Section 106 spend on 'urban open spaces'.	Alison Ives / Dave Brown	In progress		
28 th September 2023	Section 106 monitoring report	Officers arrange a meeting with Councillor Bott and Councillor Nawaz to discuss his concerns regarding the spending of Section 106 funds.	Dave Brown / Alison Ives	In progress		Meeting scheduled.
28 th September 2023	Areas of Focus 2023-24	Democratic Services assess the feasibility of collating all items related to police and judicial matters which could be considered by the Council's Overview and Scrutiny Committees.	Craig Goodall	In progress	April 2024	

28 th September 2023	Areas of Focus 2023- 24	Councillor Nawaz, Councillor Hicken and Councillor Bott work with Officers to set the housing allocation policy.	Elise Hopkins	Ongoing		
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Scrutiny Overview Committee – Area of Focus – 2023-24

	28 th September 2023	9 th November 2023	11 th December 2023	6 th February 2024	14 th March 2024	18 th April 2024
<p>Economic Growth, Enable greater local opportunities for all people, communities and businesses.</p> <p><i>Lead OSC: Economy & Environment</i></p>		WMCA Annual report.		Walsall Borough Local Plan		WMCA
<p>People Encourage our residents to lead more active fulfilling and independent lives. People maintain or improve their health and wellbeing.</p> <p><i>Lead OSC: Social Care & Health</i></p>						
<p>Internal focus, all Council services are customer focused, effective efficient and fair.</p> <p><i>Lead OSC: Scrutiny Overview Committee</i></p>	S106 monitoring	Recruitment and retention	Q2 financial monitoring Draft Budget & Capital Programme		S106 monitoring Electoral Services report (impact of new legislation)	Marketing and advertising
<p>Children have the best possible start and are safe from harm, happy, healthy and learning well</p> <p><i>Lead OSCs: Children's & Education</i></p>				School Gate Working Group recommendation monitoring.		
<p>Communities are empowered so that they feel connected and that they belong in Walsall. Create safe and healthy places whilst building a strong sense of community.</p> <p><i>Lead OSC: Scrutiny Overview Committee</i></p>	Violent crime – WM Police	Housing waiting list		Enforcement	Social Housing providers	



FORWARD PLAN OF KEY DECISIONS

**Council House,
Lichfield Street,
Walsall, WS1 1TW**
www.walsall.gov.uk

2 OCTOBER 2023

FORWARD PLAN

The forward plan sets out decisions that are termed as “key decisions” at least 28 calendar days before they are due to be taken by the Executive (Cabinet). Also included on the plan are other decisions to be taken by the Cabinet (“non-key decisions”). Preparation of the forward plan helps the Council to programme its work. The purpose of the forward plan is to give plenty of notice and an opportunity for consultation on the issues to be discussed. The plan is updated each month with the period of the plan being rolled forward by one month and republished. Copies of the plan can be obtained from Democratic Services, Walsall MBC, Council House, Walsall, WS1 1TW craig.goodall@walsall.gov.uk and can also be accessed from the Council’s website at www.walsall.gov.uk. The Cabinet is allowed to make urgent decisions which do not appear in the forward plan, however, a notice will be included on the agenda for the relevant Cabinet meeting which explains the reasons why.

Please note that the decision dates are indicative and are subject to change. Please contact the above addressee if you wish to check the date for a particular item.

The Cabinet agenda and reports are available for inspection by the public 7 days prior to the meeting of the Cabinet on the Council’s website. Background papers are listed on each report submitted to the Cabinet and members of the public are entitled to see these documents unless they are confidential. The report also contains the name and telephone number of a contact officer. These details can also be found in the forward plan.

Meetings of the Cabinet are open to the public. Occasionally there are items included on the agenda which are confidential and for those items the public will be asked to leave the meeting. The forward plan will show where this is intended and the reason why the reports are confidential. Enquiries regarding these reasons should be directed to Democratic Services (craig.goodall@walsall.gov.uk).

“Key decisions” are those decisions which have a significant effect within the community or which involve considerable expenditure or savings. With regard to key decisions the Council’s Constitution states:

- (1) A key decision is:
 - (i) any decision in relation to an executive function which results in the Council incurring expenditure which is, or the making of savings which are, significant, having regard to the Council’s budget for the service or function to which the decision relates or
 - (ii) any decision that is likely to have significant impact on two or more wards within the borough.
- (2) The threshold for “significant” expenditure/savings is £500,000.
- (3) A decision taker may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of this Constitution.

**FORWARD PLAN OF KEY DECISIONS
NOVEMBER 2023 TO FEBRUARY 2024 (02.10.2023)**

1	2	3	4	5	6	7
Reference No./ Date first entered in Plan	Decision to be considered (to provide adequate details for those both in and outside the Council)	Decision maker	Background papers (if any) and Contact Officer	Main consultees	Contact Member (All Members can be written to at Civic Centre, Walsall)	Date item to be considered
26/23 (5.6.23)	<p>Draft Revenue Budget and Draft Capital Programme 2024/25 to 2027/28</p> <p>To provide an updated medium term financial outlook, draft revenue budget and capital programme for 2024/25 to 2027/28, including savings proposals, and to set out the process and timescales for setting a legally balanced budget for 2024/25.</p>	Cabinet Non-key Decision	Vicky Buckley Vicky.Buckley@walsall.gov.uk	Rate payers, voluntary and community organisations, Internal Services	Cllr Bird	18 October 2023
32/23 (3.7.23)	<p>Council Plan 2022/25 – Q1 23/24</p> <p>To note the Quarter 1 2023/24 (outturn) performance against the Markers of Success in the Council Plan 2022/25</p>	Cabinet Non-key Decision	Elizabeth Connolly Elizabeth.Connolly@walsall.gov.uk	Internal Services	Cllr Bird	18 October 2023
27/23 (5.6.23)	<p>Corporate Financial Performance 2023/24</p> <p>To report the financial position based on 6 months to September 2023.</p>	Cabinet Non-key Decision	Vicky Buckley Vicky.Buckley@walsall.gov.uk	Internal Services	Cllr Bird	18 October 2023

48/23 (2.10.23)	Armed Forces Covenant To approve the new Walsall Armed Forces Covenant.	Cabinet Non-key Decision	Katie Moreton Kathryn.Moreton@walsall.gov.uk	Internal Services	Cllr Bird	18 October 2023
40/23 (4.9.23)	Biodiversity Net Gain (BNG) To seek approval for the adoption and publication of guidance on BNG, the publication of the Black Country Local Nature Recovery Map and Strategy, and its use as a working document	Cabinet Key Decision	The Black Country Local Nature Recovery Map and Strategy Sammy Pritchard Sammy.Pritchard@walsall.gov.uk David Holloway David.Holloway@walsall.gov.uk	Internal Services	Cllr Andrew	18 October 2023
41/23 (4.9.23)	Willenhall Framework Plan: Phase 1 Developer Partner Procurement Outcome and Award To provide an update on the outcome of the developer partner procurement <i>This will be a private session report containing commercially sensitive information.</i>	Cabinet Key Decision	Kauser Agha Kauser.Agha@walsall.gov.uk	Internal services, Legal (external)	Cllr Andrew	18 October 2023
42/23 (4.9.23)	Sale of the Former Allens Centre, Hilton Road, Willenhall To seek approval for the sale of the former Allens Centre in Willenhall. <i>This will be a private session report containing commercially sensitive information.</i>	Cabinet Key Decision	Nick Ford Nick.Ford@walsall.gov.uk	Internal Services	Cllr Andrew	18 October 2023

43/23 (4.9.23)	Integrated sexual and reproductive health services and the Healthy Child Programme 0-19 Section 75 Agreement Extensions To seek approval for the extension of the Section 75 agreement for the delivery of integrated sexual and reproductive health services and the Healthy Child Programme 0-19.	Cabinet Key Decision	Esther Higdon Esther.Higdon@walsall.gov.uk	Internal Services Walsall Healthcare Trust	Cllr Flint	18 October 2023
33/23 (3.7.23)	Winter Service Operational Plan 2023- 2028 To approve the winter service operational plan.	Cabinet Key Decision	Paul Leighton Paul.Leighton@walsall.gov.uk Graham Wallis Graham.Wallis@walsall.gov.uk	Internal Services	Cllr Murphy	18 October 2023
44/23 (4.9.23)	Street Lighting Post-PFI Arrangements To approve the service delivery model for the street lighting service from April 2028.	Cabinet Key Decision	Katie Moreton Kathryn.Moreton@walsall.gov.uk	Internal Services	Cllr Murphy	18 October 2023
45/23 (4.9.23)	Food Law Enforcement Service Plan 2023/24 The Food Standards Agency (FSA) requires all local authorities to prepare an annual service delivery plan to reflect the work required of food authorities by the FSA, under the requirements of the Food Standards Act 1999 and the framework agreement on local authority	Cabinet Council Non-key Decision	Paul Rooney Paul.Rooney@walsall.gov.uk	Internal Services	Cllr Perry	Cabinet 18 October 2023 Council 6 November 2023

	enforcement. In accordance with this requirement a Food Law Enforcement Service Plan 2023/24 has been prepared and a decision is required from members to obtain authority to approve this plan.					
34/23 (3.7.23)	Early Years Funding Formula 2023/24: That Cabinet approves changes to the Early Years Funding Formula for 2023/24 following notification of an increase in the hourly funding rates.	Cabinet Key Decision	ESFA – Early Years funding operational guide Richard Walley Richard.Walley@walsall.gov.uk	Schools Forum Internal Services	Cllr M. Statham	18 October 2023
35/23 (3.7.23)	Schools Mainstream Local Funding Formula 2024/25: That Cabinet approves the Mainstream Local Funding Formula, to be used for the allocation of mainstream funding to schools in Walsall.	Cabinet Key Decision	ESFA – Schools revenue funding operation guide Richard Walley Richard.walley@walsall.gov.uk	Schools Forum Internal Services	Cllr M. Statham	18 October 2023
46/23 (4.9.23)	SEN Place Requirement To approve finance for additional special educational needs school places.	Cabinet Key Decision	Alex Groom Alex.Groom@walsall.gov.uk	Internal services	Cllr M. Statham	18 October 2023
37/23 (7.8.23)	Autumn Budget and Spending Review, and feedback from Overview and Scrutiny Committees on draft revenue and capital budget proposals 2024/25 to 2027/28 To provide an update on the impact of the Autumn Budget and Spending Review on the medium-term financial outlook, and to consider feedback from	Cabinet Non-key Decision	Vicky Buckley Vicky.Buckley@walsall.gov.uk Page 116 of 126	Council tax payers, business rate payers, voluntary and community organisations. Internal services	Cllr Bird	13 December 2023

	Overview and Scrutiny Committees on the draft revenue and capital budget.					
38/23 (7.8.23)	<p>Treasury Management Mid Year Position Statement 2023/24</p> <p>To note and forward to Council, for consideration and noting (and in line with the requirements of the Treasury Management Code of Practice (2017), the mid year report for treasury management activities 2023/24 including prudential and local indicators.</p>	Council Non-key Decision	<p>Treasury Management Code of Practice.</p> <p>Richard Walley</p> <p>Richard.Walley@walsall.gov.uk</p>	Internal services	Cllr Ferguson	13 December 2023
49/23 (2.10.23)	<p>Technology Strategy 2023/24 – 2027/28</p> <p>To approve the Technology Strategy, which outlines the Council's approach to investing in and implementing technology, which will support the delivery of the Council Plan and enable transformation change</p>	Cabinet Key Decision	<p>Sharon Worrall</p> <p>Sharon.worrall@walsall.gov.uk</p>	Internal services	Cllr Ferguson	13 December 2023
39/23 (7.8.23)	<p>Strategic Leisure Review</p> <p>To update on the performance and impact of the four leisure facilities. To approve recommendations around the current and future facility stock.</p>	Cabinet Key Decision	<p>Stuart Webb</p> <p>Stuart.Webb@walsall.gov.uk</p>	Internal services	Cllr Flint	13 December 2023
36/23 (7.8.23)	<p>Healthy Eating for Children and Young People Programme</p> <p>To seek approval to procure a new healthy eating and weight management</p>	Cabinet Key Decision	<p>Esther Higdon</p> <p>Esther.Higdon@walsall.gov.uk</p>	Internal Services Walsall Healthcare Trust	Cllr Flint	13 December 2023

	programme for children and young people in Walsall.					
14/23 (6.2.23)	Growth Funding for Schools: To enable the Local Authority to fulfil its duty to secure sufficient primary and secondary school places, through the adoption of a policy for the application of revenue funding for school growth.	Cabinet Key Decision	Alex Groom Alex.Groom@walsall.gov.uk	Internal services, Schools Forum	Cllr M. Statham	13 December 2023
50/23 (2.10.23)	Corporate Financial Performance 2023/24: To report the financial position based on 9 months to December 2023.	Cabinet Non-key decision	Vicky Buckley Vicky.Buckley@walsall.gov.uk	Corporate Management Team and Internal Services	Cllr Bird	7 February 2024
51/23 (2.10.23)	Corporate Budget Plan 2024/25 – 2027/28, incorporating the Capital Strategy and the Treasury Management and investment Strategy 2024/25: To recommend the final budget and council tax for approval by Council.	Cabinet Council Key decision	Vicky Buckley Vicky.Buckley@walsall.gov.uk	Council tax payers, business rate payers, voluntary and community organisations, Corporate Management Team and Internal Services	Cllr Bird	Cabinet 7 February 2024 Council 22 February 2024
52/23 (2.10.23)	Council Plan 2022/25 – Q2 23/24: To note the Quarter 2 2023/24 (outturn) performance against the Markers of Success in the Council Plan 2022/25.	Cabinet Non-key decision	Elizabeth Connolly elizabeth.connolly@walsall.gov.uk	Internal Services	Cllr Bird	7 February 2024

<p>54/23 (2.10.23)</p>	<p>Adult Social Care Commissioning Strategy 2023 - 2026</p> <p>To approve an interim commissioning strategy.</p>	<p>Cabinet Key Decision</p>	<p>Nigel Imber – Nigel.Imber@Walsall.Gov.uk</p> <p>Market Sustainability and Improvement Fund 2023 to 2024 - Capacity Plan</p> <p>Health and Wellbeing Strategy</p> <p>Walsall Wellbeing outcomes framework</p>	<p>Internal consultees</p> <p>Local and regional partners</p>	<p>Cllr Pedley</p>	<p>7 February 2024</p>
<p>53/23 (2.10.23)</p>	<p>Determination of the Scheme for coordinated admissions, and the Admission Arrangements for Community and Voluntary Controlled Primary Schools for the 2025/26 academic year:</p> <p>To determine the scheme of admissions and admission arrangements for community and voluntary-controlled primary schools for 2025-26.</p>	<p>Cabinet Key Decision</p>	<p>Alex Groom Alex.Groom@walsall.gov.uk</p>	<p>Internal consultees</p> <p>Public</p> <p>Local Authorities</p> <p>Schools</p> <p>Faith Groups</p>	<p>Cllr M. Statham</p>	<p>7 February 2024</p>

Black Country Executive Joint Committee
Forward Plan of Key Decisions

Published up to February 2024

Date Created	Key Decision	Contact Officer	Main consultee	Date of meeting
	Black Country Executive Joint Committee Governance			
04/09/2023	<p>Change Control and Delegated Authority</p> <p>Approval of BCJC Delegated Authority to the Single Accountable Body Section 151 Officer (SAB s151 officer) and approval of the revised Black Country Local Enterprise Partnership (BCLEP) Assurance Framework Change Control and Delegated Authority delegations, as detailed in the attachment of the report (BCLEP Assurance Framework Appendix 23).</p>	<p>David Moore david.moore@walsall.gov.uk</p> <p>Mark Lavender mark.lavender@walsall.gov.uk</p>	Walsall Council	01/11/2023



West Midlands Combined Authority

Forward Plan

Forthcoming key decisions

Title of key decision:	Decision to be taken by and date:	Open or Exempt:	Portfolio Lead	Employee to contact:
Regional Activity & Delivery Update To provide an update on recent activity of the WMCA.	WMCA Board 13 October 2023	Open	Andy Street Mayor	Laura Shoaf Chief Executive of the West Midlands Combined Authority
Deeper Devolution Deal To formally ratify the 'trailblazer' deeper devolution deal between the WMCA and HM Government.	WMCA Board 13 October 2023	Open	Councillor Sharon Thompson Levelling Up Portfolio Lead	Ed Cox Executive Director of Strategy, Integration & Net Zero
New Stations Package 1 Project Update To provide an update on the impact on the West Midlands Rail Programme (New Stations Package 1 Project), following Buckingham Group Contracting Ltd being placed into administration.	WMCA Board 13 October 2023	Open	Councillor Mike Bird Transport Portfolio Lead	Liz Baker Strategic Sponsor
Regional Activity & Delivery Update To provide an update on recent activity of the WMCA.	WMCA Board 17 November 2023	Open	Andy Street Mayor	Laura Shoaf Chief Executive of the West Midlands Combined Authority
Financial Monitoring Report To provide a summary of the WMCA's financial position as at 30 September 2023.	WMCA Board 17 November 2023	Open	Councillor Bob Sleight Finance Portfolio Lead	Beverly Sullivan Financial Planning and Coordination Manager

<p>Single Assurance Framework Update To agree the updated Single Assurance Framework.</p>	WMCA Board 17 November 2023	Open	Councillor Bob Sleigh Deputy Mayor	Joti Sharma Corporate Assurance Manager
<p>Single Settlement To provide an update on the latest developments regarding the single settlement arrangements.</p>	WMCA Board 17 November 2023	Open	Councillor Bob Sleigh Finance Portfolio Lead	Jonathan Gibson Head of Policy & Public Affairs
<p>Investment Zone Governance To consider governance arrangements supporting the region's Investment Zones proposals.</p>	WMCA Board 17 November 2023	Open	Councillor Stephen Simkins Economy & Innovation Portfolio Lead	Jonathan Gibson Head of Policy & Public Affairs
<p>Investment Zones Funding and Finance Plan To consider the funding and finance plan relating to the region's Investment Zones proposals.</p>	WMCA Board 17 November 2023	Open	Councillor Stephen Simkins Economy & Innovation Portfolio Lead	Jonathan Gibson Head of Policy & Public Affairs
<p>Air Quality Framework To approve the draft framework that reviews all of the measures possible to accelerate improvements to regional air quality, following public consultation and consideration by the Environment & Energy Board.</p>	WMCA Board 17 November 2023	Open	Councillor John Cotton Environment, Energy & HS2 Portfolio Lead	Jacqueline Homan Head of Environment
<p>Homelessness Taskforce Update on the work of the Homelessness Taskforce</p>	WMCA Board 17 November 2023	Open	Councillor Kerrie Carmichael Inclusive Communities Portfolio Lead	Claire Dhami Head of Systems Change and Inclusion
<p>WMCA's Overview & Scrutiny Committee and Transport Delivery Overview & Scrutiny Committee - Progress Update To provide a quarterly summary of the activity of work of the WMCA's overview and scrutiny function, as required by the Deeper Devolution Deal.</p>	WMCA Board 17 November 2023	Open		Lyndsey Roberts Scrutiny Officer

<p>Bus Franchising Update To provide a further update on work to support the consideration of any future bus franchising decision.</p>	<p>WMCA Board 12 January 2024</p>	<p>Part exempt</p>	<p>Councillor Mike Bird Transport Portfolio Lead</p>	<p>Pete Bond Director of Integrated Transport Services</p>
<p>WMCA's Overview & Scrutiny Committee and Transport Delivery Overview & Scrutiny Committee - Progress Update To provide a quarterly summary of the activity of work of the WMCA's overview and scrutiny function, as required by the Deeper Devolution Deal.</p>	<p>WMCA Board 15 March 2024</p>	<p>Open</p>		<p>Lyndsey Roberts Scrutiny Officer</p>

The Forward Plan

This document sets out known 'key decisions' that will be taken by the West Midlands Combined Authority (WMCA) over the coming months.

Forthcoming key decisions are published online to meet the statutory 28 day notification rule for each meeting where a key decision will be taken. Where it has not been possible to meet the 28 day rule for publication of notice of a key decision or an intention to meet in private, the relevant notices will be published as required by legislation as soon as possible.

What is a key decision?

A 'key decision' means a decision of the Mayor, WMCA or officer which is likely:

- (a) to result in the WMCA incurring expenditure, making savings or generating income amounting to £1m or more; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the WMCA

The report relating to a decision, together with any other documents being considered, will be available five clear working days before the decision is to be taken (unless the documentation contains exempt information).

The forward plan also provides notice of when the WMCA may decide to exclude the press and public during consideration of a particular matter due to the potential for disclosure of confidential or exempt

information. The grounds upon which local authorities can exclude the press and public are specified by law and details of the exempt categories are available on request from the Governance Services team (governance.services@wmca.org.uk).

Councillors or members of the public wishing to:

- make a representation about why a matter should be heard in public, or
- submit information to the decision-making body about an item in the forward plan, or
- request details of relevant documents, or
- seek advice about the WMCA's decision-making arrangements,

should contact the Governance Services team: governance.services@wmca.org.uk