

Social Rehousing Policy in Britain: Needs, Rights, and Choices

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Abstract

When selecting among competing applicants for rehousing in social rented property, the perceived wisdom in Britain since the 1940s has been to award priority to households in the greatest housing need. “Need” is often defined in highly complex ways. However, a shift has occurred in local authority and housing association rehousing policies away from allocations made solely on the basis of need. This shift comes in response to the changing context in which social rented housing has operated in the past 15 years and to perceived weaknesses in needs-based systems. Present policies are designed to address wider objectives, including developing stable communities and minimizing housing management problems.

This article examines these policy changes and the extent to which local housing allocations are used to address not only individual household needs, but also the concerns of local communities and wider housing management issues.

Keywords: Low-income housing; Policy; Great Britain

Introduction

This article focuses on the process of rehousing in the social rented sector in Britain. It examines how local councils and housing associations (the two main forms of social landlord) allocate tenancies in a context in which demand usually exceeds supply, except in cases of what might be termed low-demand, difficult-to-let housing. Good-quality social rented housing in desirable neighborhoods is scarce. The allocation of rehousing opportunities in this environment may be influenced by decisions of housing managers and consumer choice—or lack of it. This article also highlights the outcomes of present allocations: segregation of households, polarization within the social rented sector, and concentrations of some of the most deprived, disadvantaged groups into low-quality housing on unpopular estates. These

outcomes may be an unintended consequence of policies that, at face value, are concerned with meeting priority housing needs.

This article begins by examining the role of the social rented sector in Britain. A discussion of the mechanics of the allocations process and the changing context for social rented housing follows. The duties and obligations of social landlords to assist in meeting housing needs are outlined. The article then looks at ways both landlords and tenants (or potential tenants) may exercise a degree of choice over not only who gets rehoused and with what degree of priority, but also what quality of rehousing may be offered. In closing, the article examines how outcomes may have contributed to processes of social disadvantage and exclusion by concentrating disadvantaged households, with limited bargaining power, in particular neighborhoods and on particular housing estates. Many of these neighborhoods and estates are in marginalized areas experiencing high levels of crime and vandalism, adding to the problems that households moving and living there already face. The conclusions suggest that the use of more sensitive allocation policies at a local level, coupled with a range of other initiatives designed to revitalize such areas, can be effective in arresting the decline of social housing estates.

Background

The social rented sector in Britain comprises council rented housing managed by local authorities (approximately 5 million dwellings) and social rented housing managed by nonprofit housing associations (approximately 800,000 dwellings). Despite active programs of privatization, which include sales of social rented housing (particularly council housing) under the Right to Buy and transfers of stock from local authorities to housing associations and other bodies, local councils are still the main providers of social rented housing in the United Kingdom.

Successive Conservative governments, from 1979 to 1987, sought to change the role of local authorities in housing. Councils have been encouraged to play an enabling role, organizing joint action among different housing providers. There are numerous reasons for this policy: (1) It was a central plank of the Conservative privatization strategy. (2) It is concerned with reducing public investment in, and public subsidy to, social rented housing. (3) It reflects a general view that local councils are not efficient, effective managers of rented housing. Following passage of the 1980 Housing Act, which promoted the sale of council housing to

existing tenants, measures have been introduced to (1) overhaul the capital and revenue financial regimes for local authorities, (2) stimulate the transfer of estates to housing associations and private investors, and (3) require councils to competitively tender the management of existing estates. As local councils are forced to discontinue providing additional public rented housing, housing associations are becoming the principal new providers. Successive governments have increasingly relied on housing associations to implement policies related to the social rented sector.

Local authorities have long had a general objective of meeting local housing needs. In recent years, however, this social role has increased considerably because of the changing nature of the client group housed. Housing associations have, to some extent, diversified their role in the past 20 years, providing low-cost homeownership opportunities as well as rented housing. These associations have also focused on providing housing for the poorest groups in society—the homeless, the unemployed, the elderly, the handicapped, the mentally ill, ethnic minority groups, and others excluded from the housing market. Deregulation in the private rented sector has led the social rented sector, which serves almost a quarter of all households, to develop along North American lines—that is, to become increasingly residualized, catering only to those in severest housing need who cannot obtain accommodation in the private market. At the same time that privatization has transferred social rented housing into the owner-occupied sector, there has been a reduction in new building. This dramatic contraction in social rented housing means that access has had to be severely rationed.

Waiting lists for rehousing are long. In 1994 to 1995 in England alone, an estimated 680,000 applicants were on local authority and housing association waiting lists. An additional 640,000 households, then living in social rented housing, were on a transfer list for a different house or flat (Green et al. 1996). Consequently, it is mainly people in “priority need” who are accepted for rehousing. However, because of regional and local differences in supply of, and demand for, desirable social rented housing, rehousing opportunities (newly provided housing or vacancies in the existing stock) are often insufficient, even for those who might be considered a high priority for rehousing. As a result, clients often are placed in temporary accommodation (e.g., hostels, leased properties, short-life housing, or bed-and-breakfast accommodation) prior to being rehoused in a permanent dwelling.

The mechanics of social housing allocations

Rehousing opportunities in the social housing sector come through two routes: (1) newly developed social rented housing (now provided mainly by housing associations) that is let and occupied for the first time, and (2) vacancies in existing council and housing association stock that are relet. However, councils and housing associations allocate their properties differently.

Local council allocations

On the whole, local councils are responsible for their own allocations policies. Councils are not legally required to set up a waiting list, although they usually do. In general, waiting lists are divided into sublists according to the size and type of housing required and the location desired (i.e., area or estate). Distinctions may also be drawn according to route of access, with sublists for the statutory homeless, existing council tenants seeking to transfer, and other priority groups. Homes are then allocated according to the individual council's rehousing policy. Priority may be based on relative need (using a points or category system to assess need), on quotas for particular categories of applicant, on time spent on the list, on the merit of the individual application, or on some combination of these factors. However, in crude terms, priority is often defined by a range of factors, including the insecurity of the applicants' current tenure, the physical conditions in which they live, medical and health factors, and social considerations. Income is not usually a major factor in determining allocation policy, although some local authorities do restrict the waiting list to households with assets below a given level and may reduce rehousing priority for those with capital or earnings above a certain threshold.

In addition to allocating vacancies from their own rented housing stock, local authorities have a right to nominate households to a proportion of vacancies in the housing association sector. This proportion is usually 50 percent of housing association vacancies. However, some local agreements have secured nomination rates as high as 100 percent, either for particular groups of properties (e.g., new homes built by associations on land provided at a subsidized cost by the local council) or for a given period of time. In this way, local councils are able to share the burden of their rehousing responsibilities.

Housing association allocations

Homes managed by housing associations are allocated in a number of different ways. As noted above, at least 50 percent of association-owned vacancies are allocated according to the requirements of councils under nomination agreements at a local level. However, each housing association may set its own allocations policy and criteria and allocate the remainder of its vacancies from a waiting list, as local councils do. Alternatively, associations may receive referrals for quotas of their own vacancies from a variety of statutory and voluntary agencies, such as council social services departments, the probation service, local housing advice centers, and special-needs groups. Housing associations have definite social objectives, as evidenced by the fact that 37 percent of lettings in 1994 were to homeless households, over a third were to unemployed people, and only 19 percent were to new tenants with full-time employment.

Despite an increasing effort to clarify the definition of housing need and to meet priority needs through social housing allocations, the problems of differential access to the social rented sector for individual households have not been solved. These problems have been exacerbated by (1) a statutory duty of local authorities to rehouse certain types of households deemed to be in housing need and (2) the internal polarization of the social housing sector into popular and unpopular estates, reinforced by processes of residualization (Forrest and Murie 1988).

Some groups have expressed concern about the failure to see housing allocations not just in terms of needs, but also in terms of rights, choices, and responsibilities. The Labour Housing Group (1985) suggested that fair allocation of scarce resources remained an insoluble problem in the face of an acute shortage of good social rented housing. It argued that, although social landlords should continue to operate needs-based allocation systems, these systems could be made more flexible and offer greater choice.

More recently, the Conservative government published its latest housing policies for England and Wales (Department of Environment [DoE]/Welsh Office 1995). Alongside proposals to reform homeless policies, this White Paper indicated the government's intent to establish a broad framework throughout which social rented housing should be allocated, with a single route (with minor exceptions) into permanent social rented housing. (Prior to the Housing Act of 1996, new applicants could be housed through different routes—for example, the homelessness route as opposed

to the general waiting list.) The government's proposals, now incorporated into the 1996 Act, reflect concerns about the fairness and effectiveness of local rehousing policies and practices. The 1996 Act notwithstanding, a suspicion remains that, on occasion, social landlords, despite using supposedly objective needs-based allocation systems, may manipulate allocations in the interest of managerial or political priorities rather than meeting priority needs or treating all applicants fairly.

The allocation of housing is not, of course, a simple process. It covers a range of issues: (1) selecting applicants for rehousing from a register or registers, (2) addressing the requirements of those in priority housing need and those seeking transfers, (3) coordinating relationships among different agencies (local authorities, housing associations, and statutory and voluntary agencies), (4) matching households with vacancies, and (5) addressing problems of difficult-to-let housing. The process includes the following stages:

1. Admission to the rehousing register (restrictions may apply on the basis of factors such as residence, local connection, age, or current tenure).
2. Determination of which properties applicants may be considered for, in terms of type and size of property and choice of location.
3. Identification of rehousing priority groups.
4. Assessment of priority within groups (e.g., on a needs basis, by date order, by the use of quotas or targets for particular categories of applicant, or, more subjectively, on a judgment of the merit of individual cases).
5. Matching of applicants with vacancies. Although a particular household may have top priority for a particular vacancy, the process of matching individual applicants with specific vacancies is often complex. Several rehousing opportunities may exist at any one time, and matching applicants with properties may involve other factors besides rehousing priority. These factors may include the applicants' preferences and choices and the need to balance meeting priority housing needs with other housing management considerations.

The final stage in the process—allocating applicants for specific vacancies—translates policy into action. Here housing allocators

interact, determining who should be offered which vacancy. Applicants exercise a degree of choice over whether to accept or refuse a specific vacancy, a topic considered later in this article. First we will consider the changed context in which social rehousing now operates in Britain.

The context for rehousing

While socially owned housing is usually managed by local councils or housing associations responsible for setting their own policies and procedures, both sets of organizations have long been subject to housing management advice and guidance. Between 1945 and 1969, the Housing Management Subcommittee of the now defunct Central Housing Advisory Committee (CHAC), building on the earlier work of CHAC's Housing Management and Housing Associations Subcommittee, published a series of influential reports on such topics as tenant selection and transfers and exchanges. An analysis of these reports reveals a long-held view that social rented housing should be allocated to households in the greatest need (CHAC 1949, 1959, 1969). The Housing Services Advisory Group's report, *Allocation of Council Housing* (DoE 1978), endorsed these earlier views. However, there have been other perspectives. In Scotland in the 1950s, it was argued that rehousing preference should be given to skilled workers needed by industry and to others whose rehousing would benefit the community (Scottish Housing Advisory Committee 1950). The New Town Development Corporations also followed policies of this nature in the 1950s and 1960s (Ministry of Housing and Local Government 1968).

During the 1970s and 1980s, the emphasis of central government policy was on defining needs (DoE 1977). This thinking endorsed the view of the earlier Cullingworth Report (CHAC 1969) that allocation systems should ensure that rehousing priority be given to those in greatest housing need (DoE 1978). Even in the 1990s, advice to social landlords has reinforced the importance of giving priority to those in need (Chartered Institute of Housing 1995; Welsh Consumer Council 1991). However, other policy objectives of rehousing have also been identified, including the following:

1. Treating all applicants legally and equitably
2. Being easy for officers, elected members, and consumers to understand

3. Meeting applicants' rehousing preferences (as well as their needs)
4. Offering flexibility in catering to special needs
5. Encouraging the best use of the housing stock
6. Operating efficiently and effectively
7. Promoting the development of "balanced" local communities and avoiding social polarization and neighbor clashes caused by lifestyle differences

While it is possible to construct policies and practices that appear to meet these objectives, it may be much more difficult to actually achieve them. In practice, some of the objectives may conflict with one another. For example, an effort to create or maintain communities may not coincide with an effort to allocate rehousing on the basis of priority need. Many of those in the greatest need are among the most disadvantaged in society. Giving rehousing preference to such households while offering a degree of consumer choice and seeking to engineer balance is a highly complex process. Tensions and conflicts arise among prioritizing need, promoting choice, and operating an efficient, effective housing management service.

These conflicts provide a clue as to why, despite continuing emphasis on classifying need and setting allocations priorities, problems associated with the polarization of the social rented stock into popular and unpopular areas have remained unresolved. Renewed calls for legislative change to define priority needs groups have resulted (DoE 1994, 1996). However, despite moves toward rational and equitable allocation systems, a suspicion remains that social landlords manipulate their allocation systems to reinforce social stereotypes, are obsessed with matching households and vacancies rather than being fair, and subjugate housing need to managerial demands, such as minimizing vacancies and maximizing rental income.

Social landlords and their rehousing obligations

We have noted that social landlords in Britain generally make their own decisions about how to address housing needs in their own areas and who should be given priority when they offer rehousing. At a local level there will be differences in the supply of available social rented housing (new provision and relets) and

different levels and types of needs to satisfy. Although individual social landlords are free to determine their own policies, and no two allocation policies will be exactly the same, similarities may exist in the systems used to determine priority and in the factors used to order rehousing priorities. In addition, social landlords may be required by law or regulation to recognize certain priorities.

Local authorities, for example, must ensure that, in the selection of tenants, they give reasonable preference for rehousing to (1) those living under unsatisfactory housing conditions, (2) those occupying unsanitary or overcrowded houses, (3) those in large families, and (4) those to whom the council has a duty under the homelessness legislation.

On this last issue, local authorities currently have a duty under part III of the Housing Act of 1985, as amended by the Housing Act of 1996, to help secure accommodation for those deemed homeless or threatened with homelessness. This provision applies to those “in priority need” (this term usually applies to family households and others considered vulnerable), those who are “unintentionally” homeless, and those who have a local connection with the authority from which they are seeking rehousing. In many areas, the number of priority homeless acceptances has been so high that a large proportion of available social rented housing has been set aside for homeless households. This adjustment has led to suggestions that some applicants use the homelessness route to “jump the queue.” Politicians, in particular, have expressed concerns about single women, for example, deliberately getting pregnant in order to obtain a council home. However, research has shown that there is little evidence to support these views (Prescott-Clarke, Clemens, and Park 1994). It is possible that, faced with long waiting lists, some applicants may collude with friends or relatives to present themselves as “threatened with imminent homelessness.” However, given the extensive use of temporary accommodation for homeless households and evidence of less generous treatment in terms of number or quality of rehousing offers, this approach would more than likely be used only by the most desperate applicants. Also, those who are rehoused may give up their tenancies within a relatively short time because the quality of independent living fails to match expectations.

Considerably fewer legal duties are imposed on housing associations than on local authorities. The constraints on housing associations are largely nonstatutory, although their access to public funding (to help finance the development of additional social housing) may depend, at least in part, on compliance with

standards set by their regulatory body. Under the Tenants' Guarantee (Housing Corporation 1994), housing associations are required to provide accommodation for those who are homeless or inadequately housed and for whom suitable housing is not available elsewhere in the local market.

Exercising choice

What degree of control does a social landlord have in determining the outcomes of allocation policies and practices? This is a crucial question when evaluating the outcomes of allocations. Attempts to understand and explain differences in social characteristics between areas (for example, in contributing to the emergence of difficult-to-let estates or in creating segregated communities) have emphasized the role of the landlord's policies and practices. Meanwhile, little attention has been paid to applicant preference and choice.

Individual choices may be restricted, but they do exist, and collectively they are bound to influence the outcomes of rehousing. Although much attention has been focused on the creation of estates with high proportions of socially disadvantaged and economically deprived people, little consideration has been given to the characteristics of applicants and tenants as a whole. These characteristics are an obvious constraint on a landlord's ability to create socially mixed communities.

Most social landlords in Britain allow applicants to specify the areas in which they would prefer to live, and many also permit applicants to refuse one or more reasonable offers (however defined) before penalizing their application. The drive toward a more customer-oriented service has encouraged this trend. It may be that increased availability of lettings in the private rented sector has made applicants more likely to refuse an offer, even if it is the only one they are likely to get.

The exercise of choice introduces an element of self-selection into the outcomes of the allocations process. Applicants vary in the minimum standards they are prepared to accept. Thus, individuals who decide they will accept an offer on, for instance, only four of the more popular estates within a given district are unlikely to be considered for vacancies in other areas. This situation has the inevitable effect of concentrating those prepared to accept a wider range of areas or estates into the pool of applicants considered for less popular, low-demand estates. The cumulative effects of self-selection are likely to be significant.

Except in cases of new developments (now mainly provided by housing associations), social housing vacancies tend to be disproportionately concentrated in less popular estates, as an almost inevitable consequence of applicants' exercising choice. This situation exists because current tenants are likely to be seeking transfers away from these estates, while new applicants are likely to refuse an offer of rehousing there. Social landlords may attempt to contain transfers out of unpopular estates, but tenants will exert pressure against such policies. On less popular social housing estates, for which there may be little demand expressed through the waiting list or housing register, the number of tenants seeking a transfer to other housing is likely to be higher than on more popular estates. Housing allocators usually have more vacancies immediately available on unpopular estates, which they have to offer to applicants who would rather be rehoused elsewhere.

Many factors influence area choice, including (1) local ties, (2) knowledge of the area, (3) journey to work, (4) availability of facilities, and (5) age, type, and condition of properties. However, the reputation of an estate—whether it is perceived as “rough” or “respectable”—plays an important part, and applicant choice will usually have the effect of reinforcing this reputation.

Explanations of social differences between estates have emphasized the tendency for those with the most desperate rehousing needs and the least bargaining power to be allocated to the least popular vacancies. This is, however, only a partial explanation and does not explain differences between those in priority housing need and others in less priority in their propensity to present management difficulties. A more complete explanation may be that many households in priority need may have been adversely affected by the consequences of homelessness or poor housing, and their ability to cope with rehousing may be further undermined if they are given less choice than other applicants (i.e., only one reasonable offer).

Landlords obviously have the potential to influence the social patterns that result from the allocation process when they implement local policy. Most landlords, at least publicly, have placed greater emphasis on rehousing according to need than on creating socially mixed communities. Thus, it can be argued, differences between estates must arise largely as the consequence (unintended or otherwise) of policy implementation.

On the specific issue of applicant choice, landlords define the degree of choice allowed by (1) specifying how wide a choice of

area applicants may have and (2) restricting the number of reasonable offers applicants may refuse. These limits determine the extent to which the process of applicant choice can operate. The wider the degree of choice offered, the more potential there is for polarization between popular and less popular estates. The generosity (or lack thereof) of local policies toward those within the sector seeking a transfer and toward homeless households is likely to be highly significant in affecting polarization.

Since the late 1970s, considerable attention in Britain has focused on the potential for direct and indirect discrimination in allocation systems, policies, and procedures (Henderson and Karn 1987; Niner and Karn 1985; Simpson 1981). Pressure to promote equal opportunities has led to a general trend to make policies and practices more objective and clear. This trend also has been associated with moves to reduce allocator discretion and introduce written guidelines to cover as many eventualities as possible. The extent of this trend has varied and has developed more in areas with significant ethnic minority populations. Some social landlords pride themselves on allocating “blind”—solely on the basis of information recorded in the application, with allocations made on a strict matching of the highest-pointed applicant with the next vacancy. Most landlords, however, retain some discretion, and within this process there is obviously room to influence outcomes.

Housing allocators can influence outcomes in a number of ways. They are, of course, under management and political pressure to fill vacancies as quickly as possible, so they want acceptances of offers, not refusals. This reality may lead them to offer less attractive properties to applicants they think likely to accept them, and conversely to save the best offers for those they think will reject the less desirable ones. Allocators, and the home visitors who carry out applicant assessments, have some latitude to promote those perceived as “good” potential tenants and screen out potentially disruptive tenants from particular estates or areas (for example, by selectively encouraging applicants to make particular “choices”). Such practices may reflect the personal values of individual housing allocators, may be officially sanctioned by unwritten rules or procedures, or may represent an attempt to respond to the perceived views of current tenants.

Issues of supply and demand

Except in the simplest systems, waiting lists are rarely orderly queues, although this may be the popular conception. Applicants for rehousing qualify for offers through a combination of factors,

which may include assessment of need, grading by a housing visitor, matching, and time spent on the waiting list. Applicants also find themselves in a market where their ability to wait until their preference is met may dictate the quality of rehousing they receive.

We have already noted that for each social landlord there may be a multiplicity of queues for different parts of the housing stock, perhaps organized by access routes. These queues move at different rates, and in some cases households may never reach the head of the queue, as others in greater need may overtake them. Queues for the most desirable and shortest-supply accommodation will be slowest to progress. Households with the least bargaining power may join the fastest-moving queues, often for the least desirable accommodation. Thus, access to social rented housing is a process that selects and segregates, with those in the weakest bargaining position often having to accept whatever they are offered.

The problems of matching applicants with dwellings in a situation of high demand, limited supply, and variable popularity are also influenced by the relative levels of demand from priority groups. These groups may include decants (tenants being temporarily rehoused during major renovation of their homes), applicants with medical and social priorities, transfer applicants, the homeless, and general waiting list applicants. Over time, there have been significant shifts in what applicants require (and will accept) and what housing is available. Often the rules of “fit,” which do not generally allow for underoccupation of dwellings, have compounded the problems. However, in a situation of a declining social rented sector, this may be an inevitable consequence of rationing a scarce resource.

Allocations and difficult-to-let housing

Difficult-to-let and difficult-to-manage estates are seen as the by-products of policies that segregate applicants for social rehousing and the result of the interactions between housing allocators’ decisions and applicants’ choices. Some commentators have suggested that “ghetto estates may be seen as a form of punishment, a device for the disciplining and the social control of tenants” (Gray 1979, 226).

It is arguable whether or not allocations policy and its implementation are the cause of the problem. Much of the literature

on difficult-to-let estates is concerned with the need to improve their physical and social conditions, rather than the need to change the process of allocations (DoE 1981; Power and Tunstall 1995). However, some reconsideration of allocations policy may be appropriate, within a context of more intensive housing management and initiatives to improve the physical and socioeconomic environments.

Many social landlords face increasing problems with difficult-to-let and difficult-to-manage estates. Research shows a number of causes of unpopularity in the council housing sector that lead to high turnover of tenancies on estates, low demand for vacancies, and difficulties in letting and managing (DoE 1981). More recently, others have shown that a similar process of decline can apply to housing association estates as well as local authority stock (Page 1993). Once an estate or neighborhood becomes stigmatized, all but those households in the most desperate rehousing need, with little or no choice, are likely to refuse offers of accommodation there. Allocations policies are widely believed to have played a part—though only a part—in the creation of these problems and may exacerbate them, reinforcing concentrations of low-income households, the unemployed, those who are benefit dependent, and those with social problems.

In an attempt to solve the inextricably linked physical, structural, social, and managerial problems on such estates, initiatives have been taken to provide more localized and responsive housing management, often by encouraging tenant involvement. Decentralization of service delivery and resident participation have been significant trends in British social housing over the past 20 years. In particular, the Priority Estates Project approach has been developed to establish estate-based management on difficult-to-manage estates (Power and Tunstall 1995).

While not a panacea, allocations do play a part in either preventing or tackling the problems of difficult-to-let and difficult-to-manage estates. A number of social landlords in Britain have experimented with formal local lettings policies at an estate or neighborhood level, outside their normal (organizational) allocation policies. Research by the authors and others has identified four categories of local lettings schemes (Griffiths et al. 1996):

1. Those introduced as part of a package of measures designed to improve hard-to-let estates
2. Those designed to prevent future problems on new estates and blocks of properties relet after modernization

3. Those introduced to protect existing communities and minimize intergenerational lifestyle clashes
4. Those introduced for broader community considerations

The research concluded that, at a local level, allocations can play a role in improving and maintaining the quality of life on housing estates, although their contribution should not be exaggerated. While local policies can be used to encourage the development of more socially mixed communities, there is a limit to what can be achieved in terms of social balance because of the nature of the customer base for social housing and the way applicants for rehousing exercise choice. There will always be popular and less popular neighborhoods, although they may change and the gap between extremes may narrow. However, it is both sensible and desirable for social landlords to consider the impact of their rehousing policies, not just in terms of meeting individual household needs, but also on the social fabric of estates and local communities.

Conclusions

In an environment of scarce resources, some tension between the needs of housing providers and those of potential tenants is inevitable. The ideal aims of social policies will be affected by the practical concerns both of those who must apply them and those to whom they are applied. Rehousing policies may need to become more flexible to adapt to local circumstances while still providing systems that are accountable to consumers, government, regulatory bodies, and the public.

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