



Consultation response – The Royal British Legion

Caerphilly County Borough Council - Draft Common Allocations policy

Wales Area team response

1. The Royal British Legion was created as a unifying force for the military charity sector at the end of WWI, and still remains one of the UK's largest membership organisations. We are the largest welfare provider in the Armed Forces charity sector, providing financial, social and emotional support, information, advice, advocacy and comradeship to hundreds of thousands of Service personnel, veterans and their dependants every year. In 2013, we provided services and grants to over 200,000 Service personnel, veterans and dependants – more than ever before – and spent £1.4m every week on welfare support. For further information, please visit www.britishlegion.org.uk

General comments

2. The Legion enjoys an excellent relationship with Caerphilly County Borough Council (CBC) and since August 2014 the council has provided the Legion's welfare team with a space at the council offices to enable us to run our outreach service on a fortnightly basis. This has allowed the Legion to meet beneficiaries from the area in a location that is closer to their own communities, improving accessibility of our services. It has also provided the local authority with a clear signposting opportunity for members of the Armed Forces community who require support. This relationship is set to continue during 2015 with a new location identified within the borough for further outreach.
3. Caerphilly CBC have been supportive of the Legion's "What's Next?" Policy document which calls for tangible changes to housing allocations policies to provide additional priority for the Armed Forces Community.
4. The Legion welcomes the opportunity to contribute to this consultation. Access to secure, affordable housing is a vital issue for members of the Armed Forces Community. The mobile nature of their work has historically put Service personnel at a disadvantage as they move frequently, often being stationed abroad with their families. This mobility means they can be disadvantaged by the design of housing allocation schemes and are unable to build up waiting time or local connection priority like their civilian peers.
5. The Legion welcomes provisions already in place to help reduce disadvantage faced by members of the Armed Forces Community. The Welsh and UK governments have taken steps in recent years to recognise the sacrifice members of the Armed forces community (including family members) have made and these have been welcome. For example, those injured in Service should have preferential access to appropriate

housing schemes. These enhanced provisions meet the Armed Forces Covenant principle of 'special treatment' for those who have given the most such as the injured or bereaved.

6. Nationally in Wales and across the UK, the Legion supports the recommendation in Lord Ashcroft's 'Veterans' Transition Review' for an MOD-commissioned, publicly available database detailing the ways in which every local authority's housing allocation scheme deals with Service personnel and veterans. There is far too much variation with regard to housing allocations, resulting in a postcode lottery between some areas in Wales and the UK. Anecdotal feedback from our beneficiaries also suggests that some personnel in the sector are unaware of any particular initiatives designed to support the Armed Forces Community which can be a concern, especially given every local authority has signed an Armed Forces Community covenant.
7. The Legion notes the current Welsh Government consultation on the Code of Guidance to Local Authorities on the Allocation of Accommodation and Homelessness 2015 and will be submitting a response to that in due course.

Specific points

8. The Legion welcomes the inclusion of applicants who are a "member in the Armed Forces or who [were] serving in the Armed Forces at any time in the five years preceding their application for housing and has previously lived in the county borough" in the residential criteria. However, whilst we recognise the rationale to time limit the application for housing to five years from leaving the armed forces, we believe that this policy should be amended to remove the time limit or include leniency where there is justifiable reason. Armed forces leavers can be unsure at the point of transition back to civilian life where in the country might be most suitable for them in regards to various factors including family life, employment opportunities or housing. As families and individuals can sometimes make a few moves and change circumstances in the first years after leaving the Armed Forces, there may be multiple contributing factors to a delay before an application for housing is submitted. Therefore as a minimum we would like to see flexibility included in the policy to enable a waiving of the 5 year time limiting on a discretionary basis.
9. For the reasons outlined above we believe the need for inclusion of flexibility should be true for criteria relating to bereaved spouses or civil partners as well.
10. We welcome the fact that those injured as a result of Service in the Armed Forces will receive additional priority. We hope this applies to access to affordable housing and where a need arises to move to more suitable accommodation within the affordable sector.
11. We welcome the intention that people needing accommodation as a result of leaving the Armed Forces and therefore the loss of military accommodation will continue to receive 'additional priority' status. However as with the residential criteria above, we do not feel this should be time limited. The removal of the time limit would be in line

with Welsh Government guidance which states when considering Priority Need: *'When considering degree of permanence, in addition to considering suitability of accommodation, regard must be made of the original intention of the arrangement when the applicant took up occupation of the accommodation. For example, if the applicant moved in with friends into accommodation which became overcrowded as a result and where this was only ever intended to be a temporary measure until they found alternative accommodation, then this may not be considered as 'settled'. No time limit should be placed on eligibility following discharge, if no suitable permanent accommodation has been found in the interim'*.

12. We call on all local authorities to continue to take note of Welsh Government housing guidance which states that *'Some groups of people are likely to be more at risk of homelessness than others. These may include: people with an institutionalised background, for example where they have spent time in care, in hospital, in prison or in the armed forces'*. This may impact on the ability of individuals to maintain a tenancy and therefore it is vital that tenancy support teams are available. The Legion is keen to work with such teams if at all possible for the best interests of the client.
13. Finally, in response to part (n) of 2 in the questions set out in the Caerphilly CBC consultation document, the Legion believes that all compensation payments paid to members of the Armed Forces should be fully disregarded from financial assessments. This includes both the lump sum gratuities of the War Pension Scheme and the Armed Forces Compensation Scheme (AFCS) and those schemes' ongoing pensionable awards or Guaranteed Income Payments. The designs of the two military compensation schemes available for injury in service mean that War Pensions and AFCS are themselves not aligned in their distribution of compensation between lump sums and ongoing payment. The War Pension, available to those injured on or before the 5th April 2005 only awards lump sum compensation to more minor injuries with the majority receiving ongoing payments, however AFCS awards issued for injury after 5th April 2005 constitute lump sums with ongoing compensation payments for the most seriously injured. Despite the differences in structure, both compensation schemes are intended to compensate for pain and injury sustained in service and therefore should not be treated differently in financial assessments.
14. The exclusion of compensation payments from financial assessments is central to the Legion's view of how authorities can meet both the letter and the spirit of the Military Covenant. Correspondingly, our ongoing "Insult to Injury" campaign is seeking to amend Welsh Government guidance to ensure compensation payments are fully disregarded under the social care means tests and we are pleased to note that this principle will apply for means testing under Universal Credit. Leaving ongoing compensation payments in the financial assessment of the Common Allocations policy would be contrary to this hugely positive trend.

For further information or clarifications, please contact Peter Evans, Campaigns And Public Affairs Manager, Royal British Legion on 0333 011 4382

February 2015