



Christchurch and East Dorset Councils  
*delivering services together*

# CHRISTCHURCH AND EAST DORSET JOINT HOUSING ALLOCATION POLICY

V 6  
April 2018



<b>CHRISTCHURCH BOROUGH COUNCIL AND EAST DORSET DISTRICT COUNCIL JOINT ALLOCATION POLICY. AMENDED APRIL 2018</b>
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## **1 INTRODUCTION**

- 1.1 Christchurch Borough Council and East Dorset District Council (known as the Councils in this document), have agreed a common approach for the allocation of social housing across the two local authority areas and have joined a wider Dorset Partnership to operate a choice based lettings scheme called Dorset Home Choice. The scheme is made up of 8 local authority partners operating 3 different allocation policies. This document outlines the allocation policy for the Christchurch and East Dorset Councils (known as CED in this document). Choice based lettings is a system for letting social housing which allows housing applicants more choice by advertising vacancies and inviting applicants to express an interest in being the tenant of any given property.
- 1.2 The Policy has been developed within the context of national policy particularly the freedoms and flexibilities granted to local authorities under the Localism Act 2011 and aims to make the best use of the available housing resources.

### 1.3 The main aims of the scheme are:

#### a) Strategic

- To meet statutory requirements of both Councils
- To help meet the housing needs of households within Christchurch and East Dorset in the most effective way
- To help to create and maintain sustainable local communities
- To provide incentives for members of the public to undertake paid work and make a positive contribution to the local community
- To assist social and economic mobility and access to employment where possible including the Right To Move for social tenants.
- To work in partnership with housing providers to deliver a common vision for a fair and accessible service. To promote good standards of tenancy and financial management by tenants and prospective tenants and assist in tackling anti-social behaviour.

#### b) Access and Customer Service

- To meet the needs of vulnerable people with support in partnership by referrals to other agencies
- To provide a single point of access for both Christchurch and East Dorset applicants
- To provide a simple to use, customer-friendly service for social housing vacancies
- To provide applicants with as much choice as possible.

#### c) Prioritisation.

- To give reasonable preference to those in greatest housing need
- To allocate scarce local housing resources in as consistent, fair and transparent a way as possible
- To give preference to those with a local connection to the relevant borough or district.

1.4 Both Councils are required to establish an Allocation Scheme for determining priorities between people who apply for housing and setting out the procedure to be followed in allocating housing accommodation. There will be a single Housing Register for each Council. The Councils are committed to actively reviewing and managing the Housing Registers in order to ensure that those most in need of the limited social housing vacancies receive it. This document explains the options available for those looking for a home in Christchurch and East Dorset and in particular sets out the details under which social housing is allocated and what other housing options may be offered.

1.5 There are large numbers of people looking for accommodation in Christchurch and East Dorset and we recognise that the availability of affordable rented accommodation will never fully meet the demand for it. This is why the Council can only offer practical help to a very limited number of households and must prioritise who gets priority for assistance with finding a home to those who are most vulnerable. The Councils have taken into

account the prevailing local conditions in drafting this Scheme. These are primarily the acute shortage of suitable available properties and the increasing demand for these properties.

1.6 Prior to this Policy being introduced, there were over 5,500 households on the two Housing Registers. The majority of these households were unlikely to ever be offered a social housing tenancy and yet they remained on the Housing Register, some under a false sense of hope that they would get an offer in time. Even where families have more children, which exacerbates an already overcrowding situation, there is little hope of early rehousing as most properties that become available contain only one or two bedrooms. This situation did not always prompt applicants to look for other, more timely housing solutions such as privately renting a property or looking further afield. In order to provide clarity and to manage people's expectations realistically, a decision was taken for this policy to exclude some households who would not have received an offer of social housing had they remained on the Housing Register. The Christchurch and East Dorset Partnership (CEDP) Housing Service can provide advice on other housing options.

1.7 Help may include:

- working to enable households to remain in their current homes (where appropriate)
- assist finding a home in the private rented sector
- helping towards home ownership
- nominating applicants for a tenancy of a home owned by a social landlord as both Councils do not own any social housing.

1.8 Fixed, assured, secure and introductory tenancies as well as properties let at affordable or social rents and some Assured Shorthold Tenancies are covered by this policy but lettings of temporary housing for homeless applicants and supported housing will normally take place outside of this scheme. (See Appendix 1 - Allocating Temporary Accommodation and Appendix 2 Allocating Extra Care Accommodation).

1.9 All applicants are assessed using the guidelines and criteria set out within this policy to ensure fairness and consistency.

1.10 This policy must be complied with by all CEDP Housing Service staff and social housing providers who have nomination agreements with the Councils.

## **2 STATUTORY BACKGROUND**

2.1 In accordance with section 167(1A and 2E) of the Housing Act 1996, this Allocation Scheme determines the Councils priorities and procedure to be followed in allocating housing accommodation. This includes how applications will be assessed, processed and how decisions will be made across the shared CEDP Housing Service.

2.2 The Councils have also had regard to the following in relation to this scheme:

- The Housing Act 1996 as amended by the Homelessness Act 2002;
- The Localism Act 2011 and other relevant legislation;
- The Code of Guidance on the Allocation of Accommodation published in June 2012;
- The Dorset Homelessness Strategy;
- The Dorset Tenancy Strategy;
- The Equality Act 2010:
- The Dorset Home Choice Allocation Policy;
- The Allocation of Housing (Qualification Criteria for Armed Forces) ( England) Regulations 2012
- Statutory guidance on Right to Move for social housing tenants 2015
- Homelessness Reduction Act 2017.

### **Eligible and qualifying persons**

- 2.3 The statutory provisions regarding eligibility and qualification are set out in the Housing Act 1996 as amended by the Homelessness Act 2002 and Homelessness Reduction Act 2017.
- 2.4 Allocations under the CED Allocation Policy can only be made to eligible persons. The Councils cannot nominate under this scheme to certain people from abroad with limited rights to remain in the United Kingdom or who are subject to immigration control. These groups of people are set out in the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (as amended). These are known as restricted persons. These regulations are set by Government and updated regularly.
- 2.5 Subject to section 2.4 above and any other relevant regulations made by the Secretary of State, the Councils may decide what classes of people are to be treated as qualifying persons who are able to join the CED waiting list/s to be considered for housing accommodation. Applicants deemed not to be qualifying persons by the Council will not be able to be considered for housing and will be notified in writing.
- 2.6 Households who are in doubt about whether they are eligible should seek advice from the CEDP Housing Service.

### **Reasonable Preference categories**

- 2.7 In establishing the priorities of applicants for allocating accommodation, the Councils are obligated to give reasonable preference under this scheme to eligible and qualifying:
- (i) Applicants who are homeless or threatened with homeless or owed a rehousing duty as defined by homelessness legislation.

- (ii) Applicants occupying insanitary or overcrowded housing or otherwise in unsatisfactory housing conditions
- (iii) Applicants who need to move on medical or welfare grounds (including grounds related to a disability)
- (iv) Applicants who need to move to a particular locality in the district, where failure to meet that need would cause hardship to themselves or others
- (v) People specified by the Secretary of State by regulations,  
*unless* the applicant only qualifies for reasonable preference by taking into account a restricted person.

- 2.8 Additional preference can be awarded to applicants who are in a reasonable preference group if their housing needs are serious and urgent.
- 2.9 Subject to 2.5 above, the Councils may decide on what principles the scheme is to be framed. Case law has determined that applicants in the reasonable preference groups do not need to be given absolute priority over all other applicants and therefore local authorities have scope to meet local needs and priorities. The scheme may contain provision about the allocation of particular housing accommodation to a person who makes a specific application for that accommodation and to persons of a particular description whether or not they fall within the above.
- 2.10 The CED Allocation Policy may contain provisions for determining priorities between people in reasonable preference groups. Applicants must first meet the requirement for local connection, or it has been agreed by the CEDP Housing Service that the applicants have an exception to the local connection criteria. Applicants with a local connection and entitled to reasonable preference will then be assessed against the following:
- a) The financial resources available to an applicant to meet his/her housing costs
  - b) The behaviour of an applicant (or a member of a household) which affects their suitability to be a tenant.

### **Housing Providers**

- 2.11 Registered providers of social housing have a duty under s170 of the Housing Act 1996 to cooperate with housing authorities to such extent as is reasonable in the circumstances in offering accommodation to people with priority under this scheme.

It should be noted that the CEDP Housing Service does not have nomination rights to all social housing accommodation in the borough or district. This means that not all vacant properties will be advertised and subsequently let through this

scheme.

### **Information sharing and data protection**

- 2.12 In accordance with our obligations under the General Data Protection Regulation (2018), all applicants will be made aware when they apply that their personal information will be held and may be shared across all Dorset Home Choice partners and housing providers and other relevant external agencies for the purposes of consideration of an offer of accommodation being made.
- 2.13 All personal information will be processed in accordance with the requirements of the General Data Protection Regulation (2018) Applicants have the right to inspect personal information held about them under Article 15 of the General Data Protection Regulation (2018). Applicants may also correct any inaccurate information held about them.
- 2.14 Personal information will not be shared with organisations external to the CEDP or Dorset Home Choice partnership unless this is for the purpose of assisting in meeting the applicants housing needs or to detect or prevent fraud in accordance with the applicants signed declaration.
- 2.15 Where an applicant may have difficulty communicating directly themselves, their informed consent will be obtained before using advocates or interpreters to communicate on their behalf.

## **3. INTRODUCTION TO THE CED ALLOCATION POLICY**

### **Statement of choice**

- 3.1. The Councils and its partner landlords are fully committed to enabling applicants to play an active role in choosing where, and in what property type and tenure in which they wish to live, while continuing to house those applicants in the greatest housing need and complying with all relevant legislation. There is very high demand for social housing and the provision of choice has to be balanced with the need to ensure that housing goes to those with the greatest need.
- 3.2 Under the CED Allocation Policy, applicants can apply (subject to eligibility and being a qualifying person/s) for vacancies which are advertised. In making this choice applicants need to consider the availability of properties in any given area. Applicants will be given advice and assistance to allow them to make informed choices about the type of accommodation which best meets their housing needs and aspirations. The property adverts will provide valuable information about properties available to enable applicants to make informed decisions about which accommodation they wish to be considered for.
- 3.3 Whilst the aim of the CED Allocation Policy is to provide choice in the allocation of social housing in Christchurch and East Dorset, there will be a number of exceptional situations where this will not be possible. This may

include where a housing provider needs to make an urgent management move or decant a tenant to complete emergency work on their existing property or make a direct offer to deal with an emergency case. In such cases the home will be let as a direct offer rather than being advertised through Dorset Home Choice. (See Section 8.3 Direct Offer).

- 3.4 The CEDP Housing Service is committed to ensuring that their approach to letting properties is fair, accountable, provides equality of opportunity and maximises the potential for making the best use of all the available housing. However, there may be cases where officers need to make decisions outside the policy and in these instances there will be delegated authority to the Strategic Housing Services Manager to make such decisions.

### **Homelessness**

- 3.5 The CED Allocation Policy scheme recognises the need for flexibility when addressing local priorities and pressures. Each Council will retain strategic control of the way social housing is allocated in its area and ability to manage its homelessness responsibilities.
- 3.6 Applicants who have been accepted under Part 7 of The Housing Act 1996 (as amended by Homelessness Act 2002 and Homelessness Reduction Act 2017) by one of the Councils and owed a full duty to house under the homelessness legislation will only be able to bid for properties in the Council area where the homelessness duty is owed.
- 3.7 Applicants who have been granted a S.195 (2) Prevention or S.189B (2) Relief duty, under homelessness legislation, will only be able to bid for properties in the Council area where the duty is owed.
- 3.8 Applicants who do not meet the local connection criteria, but have been given either a Prevention or Relief duty under homelessness legislation, will not be prioritised above applicants who do have a reasonable preference and a local connection.
- 3.9 Applicants who have been placed in temporary accommodation by the CEDP Housing Service will be expected to bid for suitable properties. If the applicant does not bid for suitable properties, then the CEDP Housing Service will bid on their behalf. If they are top of the shortlist for the vacancy the CEDP Housing Service will make a suitable nomination of a vacant property within their area.

### **Local Lettings Plans**

- 3.10 Section 167 (2E) of the Housing Act 1996 (as amended by the Homelessness Act 2002) enables Housing Authorities to adopt Local Lettings Policies and Plans (LLPs). The Code of Guidance states that these lettings plans could enable a Housing Authority to allocate to specific groups of people, whether or not they fall into the reasonable preference categories. However, it does also state that reasonable preference categories must be taken into account overall

and that local lettings plans should not discriminate either directly or indirectly on any equality grounds.

- 3.11 Once agreed these schemes will have their own allocations criteria. LLPs may be applied in addition to any local planning restrictions (contained in agreements made under Section 106 of the Town and Country Planning Act 1990), which may be in place, but will not override them.
- 3.12 LLPs can be put in place for a specific area or estate and will be set up in response to particular local circumstances. They will include a clear commitment to equality of opportunity, the provision of clear and accurate information to applicants and an appeals mechanism.
- 3.13 LLPs will be used to ensure, where possible, that there is a mixed and balanced community, working towards outcomes that reflect the wider community and address issues such as child density and the proportion of households in employment in any one area or estate. The precise approach to be adopted will reflect the particular problems/issues of an area or estate.
- 3.14 LLPs for some existing properties and initial lettings on new build schemes may specify different priorities for allocating properties such as keyworkers. Properties subject to such a policy will be clearly labelled in the property advert.
- 3.15 LLPs will be published on the Home Choice website and when a property is being advertised that is subject to a LLP this will be stated in the advert showing specific details according to the plan. Nominations will then be made to relevant properties according to the agreed plan.
- 3.16 These LLPs will be agreed by the respective housing provider and the Strategic Housing Services Manager. They will be agreed for a limited time, after which it will be reviewed, and lettings will revert to the main scheme if possible.

### **Sensitive Lettings**

- 3.17 There may be occasions when a housing provider requests that a vacant property is advertised as a sensitive letting; for example, where there is a history of anti-social behaviour and it is important to get the right mix of tenants in the area having regard to the needs of existing vulnerable or elderly tenants.
- 3.18 The landlord and the CEDP Housing Service may agree that the applicant in prime position for nomination is not suitable to be offered the property and instead agree to offer the property to a more suitable applicant. (See Appendix 3 - Sensitive Lettings Policy).
- 3.19 Priority may be given to working applicants taking into account all relevant factors in relation to the applicant's housing need, suitability of the property for that applicant and the needs of the community. In these cases the advert will clearly state the property is subject to a Sensitive Lettings Policy.

3.20 This will be agreed by a process between the CEDP Housing Service and the housing provider and where more than one property in an area is affected this will be set out in an agreed Local Lettings Plan. (See 3.10- 3.16).

### **Village Properties**

3.21 A proportion of social housing properties in the borough/district are located in rural/village areas. The availability of private housing is restricted by relatively high house prices and a high demand for second homes within the area together with a low wage economy for those actually living and working in the area.

3.22 The Councils therefore wish to ensure through the CED Allocation Policy that:

- Rural communities are supported in a sustainable way wherever possible
- Local people in housing need are given priority in the allocation of rural properties.

3.23 Special rules will apply when prioritising applicants who are being considered for housing in a village area. All such vacancies will be advertised with priority given to those with a **local connection** to the village (known as a village connection) where the property is located. (See 3.28 for details of areas included).

3.24 Some village properties are already restricted to certain applicants owing to the nature of the permission granted when the property was built – these are called section 106 agreements. These restrictions take precedence over any requirements set out within this section of the policy. If there is a S106 agreement in place this will detail the local connection criteria to be applied when nominating and there may be a cascading approach to surrounding areas.

3.25 If there is not a S106 agreement in place when a vacancy becomes available in a village area then the local connection for these properties will be defined as follows:

- Being permanently resident therein for at least four years immediately prior to such occupation
- Having currently resident close relatives (i.e. parents, children, brother or sister) who have lived therein for at least four years
- Having permanent employment and having been employed therein for at least 12 months prior to such occupation
- Other special circumstances which create a link to the given village (not including resident in a hospital, armed forces accommodation, holiday let, or prison) such special circumstances having first been verified and approved by the borough/district Council.

3.26 Applicants who do not meet any of the above criteria will not have a local village connection.

3.27 If there are no households with a local village connection in housing need for

the size and type of property available then the property will allocated to a household who does not have a local connection required to that village

3.28 The areas that this applies to are as follows:

**East Dorset**

Alderholt	Longham
Colehill	Shapwick
Corfe Mullen	Sixpenny Handley / Pentridge
Cranborne	St Leonards and St Ives
Furzehill	Sturminster Marshall
Gaunts Common	Three Legged Cross
Gussage All Saints	West Moors
Gussage St Michael	Wimborne St Giles
Hinton Martell	Witchampton
Holt	Woodlands
Horton	

**Christchurch**

Burton	Winkton
Hurn	

**4. QUALIFICATION FOR THE CED ALLOCATION POLICY**

**Qualification for inclusion on the CBC and/or EDDC Housing Register**

- 4.1 The Councils will consider all applications to join the CBC and/or EDDC Housing Registers for social housing in accordance with this Policy. This includes people who are already secure, assured, introductory or assured short-hold tenants of any of the member partner housing providers.
- 4.2 Applicants will be accepted onto the CBC or EDDC Housing Register(s) so that they can be considered for housing accommodation provided:
  - (i) They are aged 16 years or over *and*
  - (ii) They are eligible to be considered for housing accommodation. (See

2.3 – 2.6 above) *and*  
(iii) They are a qualifying person.

An applicant will (unless there are statutory exceptions) normally be a qualifying person and therefore qualify to join the Housing Register and for an allocation under the CED Allocation Policy, if they:

- Have a local connection with the borough/district and
- Have a housing need as defined in this Policy.

### **Local Connection**

4.3 Applicants will have a local connection with the Council it is applying to by meeting one of the following criteria:

a. Residency Qualification

Have been resident in the Council area for at least 2 years continuous at the time of application.

b. Employment

An applicant may be a qualifying person if he/she or his/her partner is in employment, which meets all of the following criteria:

- The office or business establishment at which a person is based or from where their work is managed is within the Council area and
- Is in paid employment and
- Works a minimum of 16 hours per week and
- Has been employed for a minimum of 12 months and is currently in employment and
- Has a permanent contract or is self-employed.
- If an applicant or their partner is self-employed further information may be required including but not limited to evidence that they are registered with HMRC for tax and National Insurance payments, tax returns, pay slips, accounts, etc.

4.4 Where applicants have zero hour contracts an assessment will be made to ensure that an average of 16 hours per week has been worked over the past 12 months.

4.5 For village applications **only** the following is also considered a local connection qualification. (See 3.23 above)

- Being permanently resident therein for at least four years immediately prior to such occupation
- Having currently resident close relatives (i.e. parents, children, brother or sister) who have lived therein for at least four years
- Having permanent employment and having been employed therein for at least 12 months prior to such occupation
- Other special circumstances which create a link to the given village (not including resident in a hospital, armed forces accommodation, holiday let,

or prison) such special circumstances having first been verified and approved by the borough/district Council.

- 4.6 In some village locations, further local connection restrictions may apply to properties subject to planning conditions restricting occupancy to applicants from a particular area (section 106 Town and Country Planning Act 1990). In addition, Local Lettings Plans (LLP) may also impose specific conditions for initial letting and/or on-going lettings. In these cases these specific requirements will take precedence over the general local connection requirement.

### **Exceptions to local connection criteria**

- 4.7 The following applicants will also be considered to have a local connection if at the time of their application:

- they are owed a prevention, relief or full housing duty by one of the Councils under the homelessness legislation (will only apply to the Council that has accepted the duty) *or*
- they need to move to the relevant local authority area to give or receive essential and critical support where failure to do so would cause significant harm *or*
- there are special circumstances such as health or support needs that are only available within the relevant borough or district *or*
- they are assessed as having an urgent (emergency) need due to imminent risk of abuse, harm or racial or homophobic harassment, extreme anti-social behaviour, vulnerable witnesses or any other significant and/or immediate need to move to more suitable alternative housing accommodation *or*
- due to institutionalisation, hospital admission or other regulation are not otherwise non qualifying persons due to lack of local connection to the borough/ district local authority being applied to (e.g. MAPPA, MARAC referral and witness protection cases and where social housing is determined as the only suitable accommodation option *or*
- they are a 'looked after child' as defined by Children's Services who were formerly resident in the borough/district and who have had to be placed into accommodation outside of these areas
- they are accommodated in designated supported housing within the borough or district and have been recommended for move on. In these cases the local connection will apply to the local authority area that the applicant came from unless there are exceptional circumstances that mean that the applicant has to remain in the local authority area they are now in e.g. permanent employment – being at least a fixed term contract lasting for at least 12 months or long term educational commitment lasting at least one academic year.
- they are considered to be a designated keyworker working in the borough/district
- they are applicants aged over 55 years who wish to be considered for difficult to let sheltered bedsits. Such applicants will qualify to join the register but will be placed in band 5.

## **Housing need**

4.8 Applicants who are assessed as having no housing need under this Allocation Policy will not be accepted onto a Housing Register. Housing need under this Allocation Policy is defined as meeting one or more of the reasonable preference groups or under occupying a social housing property, sharing accommodation or needing a management transfer. The following applicants will however be considered on the Housing Register/s if they are:

- A household type, which could be considered for housing which is normally difficult to-let only. This will normally be sheltered bedsit accommodation.
- A household type that is considered a designated keyworker who would be eligible for designated schemes in the borough/district only.
- A household type that has a local connection under the village connection criteria
- A household that wishes to be considered for intermediate affordable home ownership only e.g. shared ownership or shared equity schemes

## **Service Personnel**

4.9 Applicants falling within the following categories will be exempt from the requirement to prove a local connection to the area:

- serving or former members of the Armed Forces that have left the services in the last 5 years
- serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.
- former family members of Armed Forces/Reserve forces that have been separated/divorced not more than 12 months prior to the date of application.

## **Right to Move**

4.10 Existing social tenants, where the Council is satisfied that the “Right to Move” applies, will be exempt from the requirement to prove local connection. This exemption is only available for existing social tenants where the Council is satisfied that they are:

Seeking to transfer from another local authority district in England and are able to demonstrate “Reasonable Preference” (as defined in s166 (3) (e) of the Housing Act 1996, Part 6), because they:

- Need to move to the borough or district to avoid hardship; and
- They need to move because the tenant works in the borough or district ; or
- They need to move to take up an offer of work; and
- Where the Council is satisfied that failure to meet this need would cause hardship (to the tenant or to others).

4.11 For a social housing tenant to fulfil the criteria of this exemption, the Council must be satisfied that they need, rather than want or wish, to move for work related reasons. A number of factors will be taken into account in determining this including:

- The distance and/or time taken to travel between work and home.
- The availability and affordability of transport, taking into account level of earnings.
- The nature of the work and whether similar opportunities are available closer to home.
- Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move.
- The length of the work contract.
- Whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship.

The tenant will not qualify if work is short-term or marginal in nature, or if it is ancillary to work in another district. Voluntary work is also excluded. (In this context “voluntary work” means work where no payment is received or the only payment is in respect of any expenses reasonably incurred).

4.12 In determining short term, the Council will consider the following:

- Whether work is regular or intermittent - this is likely to be particularly relevant in the case of the self-employed.
- The period of employment and whether or not work was intended to be short-term or long-term at the outset. (Contracts of employment that were intended to last for less than 12 months could be considered to be short-term).

4.13 The Council will take account of the following in determining whether the work is marginal:

- The number of hours worked. (Less than 16 hours a week is likely to be considered to be marginal in nature).
- The level of earnings.

4.14 The employment must not be ancillary to work in another local authority’s borough or district. This means that, if the person works occasionally in the local authority’s borough or district, even if the pattern of work is regular, but their main place of work is in a different local authority’s borough or district,

the work is excluded from the definitions within this Allocation Policy.

- 4.15 The Council will also consider whether the tenant is expected to return to work in the original local authority borough or district. Verification will be sought from the tenant's employer.
- 4.16 A person who seeks to move into the borough or district to be closer to work in a neighbouring authority does not qualify.
- 4.17 The term 'work' includes an apprenticeship. This is because an apprenticeship normally takes place under an apprenticeship agreement which is an employment contract (specifically a contract of service).
- 4.18 Where the tenant has been offered a job and needs to move to take it up, they must be able to demonstrate to the Council's satisfaction that they have a genuine intention to take up the offer. The Council will ask to see a letter of acceptance and may wish to contact the employer to verify the position.
- 4.19 Tenants applying for this exemption will be required to complete the Statement in Support of Right to Move Application, either via the online questions or paper based form, and provide evidence to support their application. Supporting evidence will include:
- a contract of employment
  - wage/salary slips covering a certain period of time, or bank statements (this is likely to be particularly relevant in the case of zero-hours contracts)
  - tax and benefits information – e.g. proof that the applicant is in receipt of working tax credit (if eligible)
  - a formal offer letter and documentation showing place of work, hours to be worked contract terms and employment start date, if the need to move is to take up an offer of work.
- 4.20 Decisions on cases applying under this section will be made by a panel of officers (the CEDP Medical and Welfare Panel) who will make an assessment based on the criteria set out at 4.11, 4.12 and 4.13
- 4.21 Applicants who are assessed as having a Right to Move will be placed in Band 3 – Need to Move For Work. No further banding award will be considered or made.
- 4.22 It is the Council's intention to make 1% of all of its allocations to applicants who meet the Right to Move criteria, in line with guidance set out by the Secretary of State.
- 4.23 Applicants will no longer qualify for the local connection exemption if they fail to take up an offer of employment, or are no longer working within the borough or district. In these cases, applicants will be advised in writing that their application has been removed from the Housing Register.

### **Placement in the borough/district**

- 4.24 For the purposes of this section, residence in the borough/district will not be of a person's choice if it is a consequence of being detained under the authority of an Act of Parliament or by being placed in the area to receive treatment or rehabilitation of any kind for any kind of dependency.

### **Discretion**

- 4.25 There may be rare instances where discretion needs to be exercised when assessing whether an applicant has a local connection. For example, where applicants have moved out of the district for very short periods of time or because of housing emergencies then it may be appropriate to exercise discretion.

### **Applicants under the age of 18 years of age**

- 4.26 Applicants aged 16 or 17 years of age will be accepted onto the Housing Register, providing they are not otherwise ineligible.
- 4.27 It should be noted that a tenancy will not usually be given to applicants under the age of 18 years without a 'guarantor' (e.g. Social Services, parent, guardian, litigation friend). Partner housing providers may have different policies in dealing with persons under the age of 18.

### **Applicants who are not qualifying persons**

- 4.28 Applicants that fall into one of the following categories will be classed as non-qualifying persons and will be unable to join the Housing Register:
- a) Applicants assessed as being adequately housed as defined by this policy (subject to some exclusions regarding village connections, designated keyworkers and those that need to join the register because of an interest in shared ownership);
  - b) Applicants that have the financial means to meet and resolve their own housing needs. (See 4.32 - 4.36 for further details).
  - c) Owner occupiers unless they can show that their property is unaffordable and unsuitable for their needs. (See Appendix 4)
  - d) Applicants with no local connection to the borough/district they are applying to (subject to certain exclusions – please see 4.7).
  - e) Applicants assessed by the CEDP Housing Service as being responsible for unacceptable behaviour. (See 4.39 - 4.44 below for further details).
  - f) Applicants with significant (8 weeks or more) rent arrears where any of the rent has not been paid in full (in both social and private rented accommodation). (See 4.45 – 4. 49 for further details)
  - g) Applicants owing former rent arrears and debt to one of the Councils and / or housing provider
  - h) Applicants who give false information or deliberately withhold information.
- 4.29 Applicants deemed not to be a qualifying person by the Councils will not be eligible for the Housing Register and will not be considered for social housing.

The CEDP Housing Service will notify the applicant in writing.

4.30 Any applicant regarded by the Councils as ineligible to join the Housing Register may request a review of this decision. (See 7.48 – 7.50: Right to request a review).

4.31 In order to ensure that the Council does not unduly fetter its discretion, there may be rare exceptional circumstances where it is necessary to disapply the criteria for qualifying persons set out in section 4.28 above.

### **Financial Ability to meet own needs**

4.32 Social housing provided in the borough/district is for households who are considered to have insufficient resources to meet their housing need. If an applicant, or a member of their household, has sufficient financial resources to resolve their own housing need, they will not qualify to join the Housing Register. The following applicants will therefore not be accepted;

- Applicants who are owner-occupiers, whose home is not suitable for their needs and/those who have sufficient equity within the property to obtain suitable alternative accommodation. We will consider each application on an individual basis and consider the resources available to each household to determine whether they are sufficient to meet their housing need.
- Applicants with a household income and/ or capital and savings more than five times higher than the relevant Local Housing Allowance level prevailing at the time will normally be considered to be able to meet their housing need.

For applicants who wish to be considered for intermediate affordable home ownership only (and placed into Band 5) the above financial qualification will not be applied. However, any applicant with an income above £60,000 will not be eligible for these intermediate homes.

4.33 The following types of income are fully disregarded:

- Attendance Allowance
- Disability Living Allowance
- Personal Independence Payments

4.34 If the applicants, own a property, or a share in a property, and the value of their share is greater than the Local Housing Allowance level then the application will be assessed as having sufficient financial resources and will not qualify to join the Housing Register.

4.35 If the applicant, or a member of their household, own a share in a property but are unable to live there, for example, a relationship has broken down – then the Council will assess their financial circumstances on the basis of the money that could reasonably be expected to be released if the property were sold.

- 4.36 The Council will assess the income and savings of residents applying for difficult to let sheltered accommodation on a case-by-case basis and may apply discretion if the resident cannot reasonably use such resources to secure their own accommodation.

### **Capital, Savings and Equity**

- 4.37 The capital, savings and equity available to an applicant's household will be assessed using the same Local Housing Allowance criteria included in 4.32. If it is determined that, given:

- The household's capital, savings and equity
- The size and composition of the applicant's household
- The local housing market (for example prices to buy or rent privately) an applicant can resolve their own housing need within their local housing market they will be ineligible.

- 4.38 An exemption from the financial assessment will apply if the applicant or partner, where applicable, has an accepted duty under homelessness legislation. In addition, the financial assessment will not apply to those who are interested in intermediate affordable home ownership and placed into Band 5 under 4.37

### **Unacceptable behaviour**

- 4.39 Applicants will be unable to join the Housing Register if they or a member of their household are responsible for unacceptable behaviour.

- 4.40 The CEDP Housing Service will assess whether applicants are unsuitable to be a tenant because of their or members of their household, behaviour. This includes anti-social behaviour or poor tenancy or household management including rent arrears, unless at the time of their application they are owed a prevention, relief or full housing duty by one of the Councils under the homelessness legislation (this applies to the Council that has accepted the duty only).

These applicants will also need to show that they can demonstrate that they would be able to manage their tenancy with support which is available and they are prepared to engage with this support or the applicant needs to be considered for housing to assist in protecting the public from harm.

- 4.41 Behaviour is unacceptable if it is behaviour that would allow a landlord to apply to Court to obtain a possession order under section 84 of the Housing Act 1985 in relation to Grounds in Part 1 of Schedule 2 other than Ground 8.

- 4.42 Examples of unacceptable behaviour may include:

- A breach of tenancy obligations where no attempt is being made to remedy the breach.
  - Conduct likely to cause serious nuisance, annoyance or harassment to neighbours
  - Using accommodation or allowing it to be used for immoral or illegal purposes
  - Serious damage or neglect of a property by the tenant or other occupants
  - Committing domestic abuse
  - Knowingly giving false or misleading information or withholding information that has been reasonably requested
  - Threatening, or perpetrating violence or abuse against members of staff at CEDP or partner housing providers.
- 4.43 Applications will be assessed on their own merits, taking into account current and recent conduct along with relevant supporting information provided by partner organisations, support workers and the Police.
- 4.44 Applicants will have the right to review if they are not satisfied with the decision made. The following criteria will be applied in determining whether an individual or household should be assessed as non-qualifying for the Housing Register because of their behaviour:
- There must be reliable evidence of violent or anti-social behaviour, or domestic abuse.
  - The behaviour need not have led to possession, prosecution or other enforcement action by a statutory agency provided there is reasonable probability that, had the applicant been a tenant, an outright possession order would have been granted because of that unacceptable behaviour.
  - In normal circumstances the behaviour concerned should have occurred within the last two years. In cases of a more serious nature, for example, those involving criminal prosecution, a longer time-scale may be appropriate.
  - There must be reasonable grounds for believing that the behaviour could continue or be repeated. For example, the applicant may have issued threats or there might be a history of repeat offending or the applicant has failed to hold a tenancy/licence successfully since the behaviour/incident occurred.

### **Rent Arrears and Debt**

- 4.45 This section will not apply to those applicants to whom the Council's owe a prevention, relief or full housing duty under homelessness legislation.
- 4.46 Where an applicant and/or their partner owe money to a local authority or housing provider or a private landlord and
- a) where there is no payment arrangement in place, or
  - b) there is a payment arrangement in place which has not been adhered to for a period of 6 months and
  - c) continues not to be paid, their application may not qualify on a Housing

Register(s). Examples of money owed include:

- Current substantial rent arrears exceeding 8 weeks rent owed or more and/or
- Former tenant rent arrears and/or
- Repair costs/Rechargeable works orders and/or
- Claim against the Councils rent deposit/bond scheme for damage or rent arrears from December 2010 and/or
- Rent in advance and or deposit scheme costs owing to the Councils.

4.47 It is the responsibility of the applicant to provide evidence confirming that there is a payment arrangement in place and that payments have been adhered to for a minimum period of at least 6 months and continue to be paid, or evidence of where serious hardship would result if accommodation is not offered.

4.48 Application of these criteria will be considered on an individual basis for the following:

- Applicants who are considered to be eligible under this Allocation Policy due to hardship caused by affordability.
- Applicants who are under occupying a social housing tenancy.

4.49 The CEDP Medical and Welfare Panel will determine hardship priorities and eligibility. For existing social housing tenants discussions will need to be held with their landlord to determine whether they will consider the household for a transfer to an alternative property with their organisation. If they are in agreement with making an exemption then the applicant may only be eligible for a direct offer or a management transfer with their current landlord as other Registered Providers may exclude them under their own Allocation Policies.

### **Giving false information or deliberately withholding information**

4.50 It is a criminal offence for anyone applying for housing from a housing authority to knowingly or recklessly give false information or knowingly withhold information, which is relevant to their housing application (Section 171 of the Housing Act 1996).

4.51 Anyone found guilty of such an offence may be fined up to £5,000 and/or a possible prison sentence and could lose the tenancy if they have been re-housed as a result of providing false information or deliberately withholding information.

4.52 Applicants, who are found to have made fraudulent claims in this way, will be removed from the Housing Register and notified in writing. This decision will be subject to review and the applicant (or their named advocate) will be informed in writing of the decision and of their right to request a review of that decision in writing. (See 7.48-7.50 Right to request a review)

4.53 The Councils will consider taking action against a professional organisation

that knowingly or recklessly provides false information or deliberately withholds information on behalf of an applicant they are representing.

### **Deliberately worsening housing circumstances**

4.54 Households that have been assessed as having deliberately worsened their housing circumstances, by moving into accommodation that is unsuitable for their needs, and /or by taking no action to improve their circumstances, which can be evidenced, will have their housing application suspended for 12 months.

4.55 Deliberate worsening of circumstances will arise where the CEDP Housing Service decides:

- that an applicant has given up accommodation that was suitable for their needs where there was no requirement or obligation to do so or
- where applicants have taken deliberate action to cause a property to no longer be suitable or to be a risk to health.

4.56 Examples of deliberate worsening of circumstances might include:

- Selling a property that is affordable and suitable for an applicants' needs
- Moving from either a secure Assured Tenancy or Assured Shorthold Tenancy, to insecure, overcrowded accommodation with family or friends, where there is no good reason for this move
- Where there is evidence that it was reasonable that an applicant could have remained in their original accommodation.
- Causing deliberate neglect to a property so as to make it uninhabitable or a risk to health.
- Causing deliberate damage to a property so as to make it uninhabitable or a risk to health.

### **Refusal and Suspension Policy**

4.57 Applicants will be expected to accept offers of property that meet their specified needs. Suitable offers are those that are deemed as suitable and appropriate to meet the housing needs of the household concerned as assessed by the CEDP Housing Service. In considering what is reasonable, the Council will have regard to the overall supply of accommodation and the demands placed upon it by all priority groups.

4.58 An applicant, who successfully bids, or who is made a direct offer, but subsequently refuses a suitable offer on three occasions will not be able to bid for further properties for 2 years from the date of refusal of the third property unless there has been significant and material change to their housing circumstances. An exemption will be social housing applicants who are under occupying their tenancy to maximise the best use of the existing housing stock.

4.59 The Council will not consider preferences between a nomination of a social rented or affordable rented property unless it can be proven that the property is not affordable.

4.60 The number of available social housing properties in the borough/district is limited and an application for housing does not guarantee an offer of housing within the borough/district. Applicants will be expected to accept offers of accommodation, which are deemed as suitable by the CEDP Housing Service. The suitability of a property will normally take precedence over the location or type of property.

## **5. CED PRIORITIES**

5.1 Once a complete application has been received it will be assessed under the CED Allocation Policy. Applicants who are deemed to be eligible and qualifying households will be placed into one of the five bands which are set out below. The band given will depend on the applicant's level of housing need and whether or not they have a local connection.

5.2 The Councils must provide '**reasonable preference**' to certain applicants. (See 2.7 – 2.10 above which provides further details). This scheme provides reasonable preference to applicants through the banding scheme as follows:

### **Medical and welfare grounds**

5.3 An applicant or household member who has a significant health or welfare problem which is caused or substantially worsened by their existing accommodation and where it could be alleviated or resolved by re-housing, may be awarded priority on health and/or welfare grounds unless they have the means to resolve their own housing situation.

5.4 An applicant who currently is deemed to have no local connection under the Allocation Policy, but they need to move to the relevant local authority area to give or receive essential and critical support where failure to do so would cause significant harm. (See 4.7), may be awarded an exception to local connection - unless they (or other people to which hardship may be caused) have the means to resolve their own housing situation. If, exceptionally, we are satisfied that there will be such hardship, the CEDP Housing Service will place applicants in Band 3 Medium Medical/Welfare and no further or higher banding will be awarded.

5.5 When awarding priority on health and/or welfare grounds, the award of an Urgent Priority needs to be considered alongside the needs of other applicants who may be waiting a long time for re-housing.

5.6 Decisions on cases applying under this section will be made by a panel of officers (the CEDP Medical and Welfare Panel.) However, cases may not be referred to the Panel if it is clear that the applicant would not have grounds or no relevant supporting information has been provided. Similarly, if the Panel has considered a particular case previously and there has not been a significant change in circumstance then the case may not be referred to the Panel for further consideration.

### **Overcrowding**

- 5.7 Households will be regarded as overcrowded when they are assessed as needing at least one more bedroom than their current accommodation provides under the criteria within the CED Allocation Policy.

For the purpose of defining overcrowding under the CED Allocation Policy the following factors apply:

- A single person aged 16 or over requires one bedroom.
  - A couple (married or unmarried) requires one bedroom.
  - Children under 10 are expected to share regardless of gender
  - Children under 16 of the same gender are expected to share
  - Foster carers and adopters will be allowed one additional room
  - Where applicants state that they need a separate bedroom for a carer, the Council will assess whether the carer is part of the household.
  - Parents with adult children in the armed forces (or reservists) who normally live with them will be able to retain the bedroom for that adult when they are deployed in operations.
- 5.8 If a separate bedroom is required for household members who would normally be expected to share a bedroom, the CEDP Housing Service will make a decision on whether a separate bedroom is required. Decisions may be referred to the CEDP Medical and Welfare Panel if consideration of medical, social or welfare grounds is necessary.
- 5.9 Paragraphs 7.12 – 7.25 show the calculations for the number of bedrooms an applicant currently has and the size of accommodation needed under this Allocation Policy. Assessments made on overcrowding by Public Health are made under different legislation. This could mean that Public Health determine a household is one bedroom short, which may not be reflected under the CED Allocation Policy. Category 1 hazards determined by Public Health for overcrowding are considered in this Allocation Policy under 5.12 – 5.15.
- 5.10 Applicants who are overcrowded should consider all the options available, including whether any adult members of the household can move into separate accommodation to relieve the overcrowding.
- 5.11 Applicants who have deliberately made their household overcrowded are unlikely to be awarded priority or could be removed from the Housing Register.

### **Unsatisfactory housing conditions**

- 5.12 Where an applicant's home is assessed as being in an unacceptable condition and is considered by the Council to be a significant risk and conditions cannot reasonably be rectified within a reasonable timescale, the application will normally be awarded a reasonable preference. All applicants will be expected to make reasonable efforts to deal with poor housing conditions directly with their landlord before these are investigated by Public Health Officers as part of their application.

5.13 Where a home is lacking essential facilities and housing conditions can best be improved through re-housing, the applicant may be awarded priority unless they have the means to resolve their own housing situation. Essential facilities are defined as follows:

- Cooking facilities
- Bath or Shower
- Internal WC
- Potable drinking water supply
- Adequate supply of running hot and cold water
- Safe electricity supply
- Adequate heating

5.14 An important function of the Council is to improve poor housing conditions so that tenants can remain in occupation in their homes. The Council's Private Sector Housing (PSH) team can offer advice and support to tenants, owners and landlords on reducing hazards to make homes safer. Where circumstances dictate the PSH team can take formal action against landlords to remove or reduce significant health and safety hazards in homes referred to as category 1 and 2 hazards. Such action will, in the majority of cases, start with a formal inspection of the property under Part 1 of the Housing Act 2004 carried out by a Public Health Officer.

5.15 Assessments will be carried out by the Councils Public Health Officers having regard to Part 1 of the Housing Act 2004.

### **Homelessness**

5.16 Homeless people within the meaning of Part 7 of the Housing Act 1996 as amended by the Homelessness Act 2002 and Homelessness Reduction Act 2017.

### **Other CED priorities**

5.17 The Councils also consider the following groups to be a priority for housing assistance:

### **Social Housing applicants under occupying their tenancy.**

5.18 To make best use of the limited social housing stock in the borough/district the Councils will award additional priority to the following social housing provider tenants who:

- Have one or more bedrooms than they require.
- Are a successor tenant who is under-occupying a property.
- Are suffering severe financial hardship because of reduced welfare payments due to under-occupation.
- No longer need adapted accommodation suitable for disabled occupiers, which could be let to another household. It should be noted that not all adapted properties are suitable for all disabled applicant/s and there may

need in certain circumstances to have an Occupational Health assessment of a particular property for an individual household.

### **Emergency Management Transfers**

- 5.19 Existing housing provider tenants in need of an emergency management transfer will be awarded additional priority. This will need to be agreed by both parties – the relevant Council and the housing provider.
- 5.20 This priority will be time limited for 6 months. Applicants will be expected to bid for the next suitable vacancy. This period can be extended where no suitable property has arisen during the time period. If a suitable property arises and the applicant is successful in bidding but refuses the offer of accommodation then the priority will be reduced to their original band.

### **Move on from supported accommodation**

- 5.21 People placed in specific designated supported accommodation in the borough or district who are ready to move to independent living, may be awarded priority.
- 5.22 Most people leaving supported accommodation or care will not be rehoused into social housing because the Councils do not have access to enough accommodation to meet the needs of everyone. Most will be assisted into the private sector. The awarding of move-on priority is linked to a continuous assessment of an applicant's needs and therefore this priority may not be permanent. If an applicant who has been awarded move-on priority is not ready to leave supported accommodation due to a change in their circumstances, an assessment of their support needs or they are considered unable to sustain a tenancy, this banding can be temporarily suspended and will be re-instated once the person is able to move on from supported accommodation and sustain a tenancy. If the application is suspended for a period the priority application date will remain as the date move-on priority was first awarded to the application.
- 5.23 Applicants awarded a move-on priority that have accrued rent arrears may be suspended. (See section 7.33 for further details).

### **Foster carers and adoption**

- 5.24 Applicants recommended by Children's Services as suitable to foster or adopt one or more children, but need more appropriate accommodation in order to do so will be considered as having a need for an additional bedroom. Where a prospective foster carer or adopter indicates that they need an additional bedroom, the CEDP Housing Service will, when assessing housing need, consider the risk that the application to foster or adopt may be unsuccessful against the wider benefits which would be realised if a placement was successful.

### **Service Personnel**

- 5.25 The needs of personnel that have served within the Armed Forces will generally be assessed under the general provisions of the policy such that medical/welfare/other needs of such applicants would be looked at against the same criteria as any other applicant. However applicants that fall within one of the groups detailed in 4.9 will be placed in Band 3 subject to the overall financial assessment set out within the policy.
- 5.26 Members of the Armed Forces with urgent housing needs may also be awarded additional priority, for example those who need to move urgently because of a life threatening illness or sudden disability. Members of the Armed Forces who are homeless or threatened with homelessness will not normally be considered to be in urgent housing need as they may be eligible for immediate assistance under homelessness legislation.

### **Temporary or insecure accommodation**

- 5.27 Households living in non-secure or temporary accommodation will be awarded a priority unless they have the means to resolve their own housing situation. Examples of non-secure accommodation arrangements are as follows:
- Tenants/ licensees of hostels, refuges, B&B's, Private Sector Leased properties etc.
  - Households sharing with friends
  - Households sharing with relatives
  - Applicants with no fixed abode
  - Occupants living in supported accommodation where the occupancy is not on a permanent basis
  - Applicants who are not entitled to succeed to a tenancy and are living in 'use and occupation'. Additional priority may be granted if the applicant is residing in a housing provider property within the district or borough area.

### **Shared facilities**

- 5.28 Where an applicant is sharing essential facilities with other households' priority may be awarded unless they have the means to resolve their own housing situation. Essential facilities are defined under this section as follows:
- Bathroom/shower
  - WC
  - Kitchen
  - Living room

### **Household separation**

- 5.29 Where members of a potential household wish to live together, have done so previously and there is no suitable accommodation for them to occupy together, provided the CEDP Housing Service considers that it is reasonable for the household to live together and they do not have the means to resolve their own housing situation, they may be awarded priority. In assessing whether it is

reasonable for a potential household to live together, the CEDP Housing Service will particularly consider the availability of other accommodation for potential household members and the impact on local housing resources.

- 5.30 In situations where parents or carers would like children to live in two households at different times, the starting point for an assessment of need will be that, in most cases, children have an identifiable principal home (even when living arrangements are intended to be split on a 50/50 basis).
- 5.31 The CEDP Housing Service will determine the principal home or what should reasonably be the principal home. Issues to be taken into consideration in this determination are:
- Access of the children to other suitable accommodation
  - Previous living arrangements
  - Actual living arrangements
  - Preferred living arrangements
  - Child benefit claims
  - Schooling
  - Special circumstances
  - The impact on scarce housing resources of providing two family homes

### **Older persons' housing**

- 5.32 Applicants aged over 55 years of age who are deemed to have no local connection or who do have a local connection but no housing need may be considered for difficult to let sheltered accommodation. This will not be awarded if the applicant/s has/have the means to resolve their own housing situation.

### **Key-workers**

- 5.33 Applicants who fall into a group designated by the Councils as key-workers and who are otherwise unable to secure alternative settled housing may be awarded a band 5. The employer and the Council will identify and agree that there is a need for a key-worker to be re-housed to ensure the availability of an essential public service for the borough/district when considering awarding priority.

### **Extra-care housing**

- 5.34 Applicants with housing and assessed care needs who cannot resolve their own housing situation and need to be considered for vacancies of extra-care housing will be considered under separate criteria. (See Appendix 2 – Allocation of Extra Care Accommodation).

### **Social housing applicants living in a rural/ village accommodation**

- 5.35 Housing provider tenants with their tenancy in the borough/district that are living in a local connection area who need to move to a less isolated area, may be awarded a medical/welfare priority.

## **6. DETERMINING PRIORITIES OF APPLICANTS UNDER CED ALLOCATION POLICY**

6.1 Applicants who are eligible and qualify to be accepted on to the Council Registers will be placed into one of four bands:

- Band 1:
- Band 2:
- Band 3:
- Band 4:

6.2 The Housing Registers will also have a fifth Band that will contain details of those applicants who meet the agreed criteria and who have expressed an interest in being considered for schemes such as:

- intermediate affordable home ownership
- keyworker homes or
- applicants who have demonstrated a local connection with one of the village areas or
- applicants aged over 55 who wish to be considered for housing which is normally difficult to let.

6.3 Priority is awarded within each band by the date the application was placed in that band. This date is known as the effective date in band. If an applicant is moved up a band, the application will be given the date when the increased priority is awarded from. This then becomes the new effective date in band.

6.4 If an applicant has a serious housing problem that requires urgent consideration for rehousing, their application will be reviewed and awarded higher priority, if appropriate.

6.5 A summary of the banding is attached in Appendix 5.

### **Band 1**

6.6 Applicants who fall into this category will be households who need to move because of:

- a) Emergency Cases – Usually of significant health, wellbeing or welfare grounds. Very few cases are likely to be eligible for this category. It will apply to:
  - Applicants assessed as having a life-threatening health condition that is directly linked to unsuitable housing conditions and where the applicant has been awarded an urgent medical or welfare assessment. (See Appendix 6 - Medical and Welfare Assessment)
  - Applicants requiring urgent hospital discharge where their current accommodation is totally unsuitable for their permanent needs.
  - Applicants required to move for witness protection reasons, MARAC referrals, MAPPA and Child Protection issues.

- b) Emergency Management Transfers
    - Where an existing social housing tenant in the borough/district needs to be moved immediately because of substantiated serious violence or harassment, and management action against the perpetrator cannot resolve the situation.
- 6.7 Other cases recognised as emergencies are at the discretion of the Council. In exceptional, compelling circumstances and where no other suitable housing options are available, the Council may decide to use its discretion in order to resolve exceptional housing need. Having regard to the high and varied levels of housing need within the borough/district, such circumstances will be kept to a minimum and it is anticipated that there will be very few urgent priority cases each year.
- 6.8 Where Band 1 priority is awarded, it may be more appropriate to make a direct offer of suitable accommodation to the applicant to enable them to move as quickly as possible. Where this happens, the Strategic Housing Services Manager will agree this. Where this is assessed the following factors are brought into consideration:
- Whether other housing options are available and suitable. This includes consideration of a homelessness application.
  - The need to assess and treat residents from all tenures equally. This means, for example, that a household in the private sector will be assessed and advised in the same way as a household in the social housing sector when facing the same circumstances. Existing tenure should not influence an assessment of an Exceptional Priority.
  - The very high demand for social housing from applicants with a high priority for re-housing, compared to the low supply of social housing.
- 6.9 Band 1 priority will be time-limited for 6 months and will be reassessed at the Council's discretion in order to establish whether or not they should continue.
- 6.10 These priorities are awarded due to severity of a situation warranting an urgent move. It is therefore assumed that a household will wish to move quickly and direct offers may be made to expedite this. Applicants may also have the opportunity to bid for properties and are expected to do so. Inactive bidding may also lead to the case being reviewed. Where a suitable direct offer or successful bid is refused, the case will be reviewed and this priority may be removed and priority will be reduced to their original banding.

## **Band 2**

- 6.11 Applicants who fall into this category will be households who need to move because of:
- a) Existing social housing tenants under-occupying their current accommodation who
    - Will release a property required by the Councils to meet housing need.(e.g. - tenants in properties previously adapted who no longer require the adaptations)

- Are under-occupying their property by one bedroom or more and who wish to move to smaller accommodation
- Are under-occupying their property by one bedroom or more (including starter tenancies) and are suffering or may suffer financial hardship
- Are in financial hardship because of housing benefit restrictions due to excess bedrooms.
- Are being asked to move from a property where there is a legal right of succession but the property is too large for their needs.

Note: The Band for downsizing is only applicable where an applicant bids for a property with fewer bedrooms than they currently occupy. If an applicant bids for the same size of property currently occupied the Band which reflects their housing need will apply, if applicable, and not the Band 2 for downsizing.

b) Overcrowding

This band will only apply to those having been assessed as Category 1 hazards under Part 1 of the Housing Act 2004 and/ statutorily overcrowded under Part 10 of the Housing Act 1985. Public Health Officers will carry out these assessments.

c) Serious housing conditions

This band will only apply to significant hazard(s) identified through Part 1 of the Housing Act 2004 and where those hazard(s) cannot reasonably be removed or reduced to a satisfactory level and within a reasonable timescale. Public Health Officers will carry out assessments.

d) High medical or welfare grounds

An applicant whose current housing conditions are detrimental to health and interferes with their quality of life to a high degree resulting in the award of a high medical or welfare assessment.

e) Vulnerable applicants in supported housing ready for move on  
Multi-agency Supported Housing Panels (SHP) are established in the borough/district to assist applicants with a housing related support need. The Panels will assess, prioritise, agree movement from and between different supported housing schemes and facilitate move-on into independent accommodation and floating support.

f) Management Transfers

Where an existing tenant of a social housing provider in the borough/district needs to be moved urgently, but does not need to move into the next suitable available property as their situation does not require immediate re-housing. This includes decants where the Council has agreed the program.

g) Temporary accommodation

- Where the Council needs to release temporary accommodation in order to meet local homeless priorities and pressures.
- Where households are receiving housing support and are ready to move on.

h) Cumulative needs

Where an applicant has been awarded four or more Band 3 needs they will be placed into the higher Band 2. An exception would be those applicants that are found to be intentionally homeless under homelessness legislation.

- 6.12 Band 2 priority will be time limited for 6 months. Applicants will be expected to bid for the next suitable vacancy. This can be extended where no suitable property has arisen during the time period. If a suitable property arises and the applicant is successful in bidding but refuses the offer of accommodation, then their priority will be reduced to original band.
- 6.13 Applicants assessed as having a Band 2 priority can be moved to Band 1 if there are both urgent and exceptional circumstances.

### **Band 3**

- 6.14 Applicants who fall into this category will be households who need to move because of:
- a) Statutory Homeless Duties. Applicants who have been accepted by one of the Councils with a full duty to house under the homelessness legislation and who are placed in accommodation that is not suitable for their long-term needs. Statutory Homeless Households will only be able to bid for properties in the Council area where the homelessness duty is owed.
  - b) Prevention Duties. Applicants who have been accepted by one of the Councils with a Prevention Duty under homelessness legislation, for as long as this Duty is in place. These applicants will only be able to bid for properties in the Council area where the duty is owed. Applicants with a prevention duty who do not meet the local connection criteria will not be prioritised above applicants who do have a reasonable preference and a local connection.
  - c) Relief Duties. Applicants who have been accepted by one of the Councils with a Relief Duty under homelessness legislation, for as long as this Duty is in place. These applicants will only be able to bid for properties in the Council area where the duty is owed. Applicants with a relief duty who do not meet the local connection criteria will not be prioritized above applicants who do have a reasonable preference and a local connection..
  - d) Temporary accommodation. Applicants who have been placed by the CEDP Housing Service into the following temporary accommodation
    - A short stay flat/hostel under an Assured Shorthold tenancy or licence
    - A Private Sector Leasing Scheme (PSL) property
    - B&B or Refuge
  - e) Insecure accommodation.
    - Where the tenancy for a private rented property is ending through no fault of the applicant/s. Note: Applicants who have been awarded either a Prevention or Relief Duty, who meet this criteria, will not also be awarded this band.
    - Tenants and licences of hostels, refuges or Bed and Breakfast

accommodation but not placed there by the CEDP Housing Service.

- Applicants of no fixed abode.
  - Applicants who are sharing accommodation with family or friends and who have been asked to leave. Note: Applicants who have been awarded either a Prevention or Relief Duty, who meet this criteria, will not also be awarded this band.
- f) Overcrowding. Applicants living in overcrowded circumstances where they are lacking in one or, in some instances, more bedrooms.
- g) Service Personnel will generally be assessed under the general provisions of the policy but the following will be considered in this band:
- serving or former members of the Armed Forces that have left the services in the last 5 years
  - serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
  - bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
  - serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
  - former family members of Armed Forces/Reserve forces that have been separated/divorced not more than 12 months prior to the date of application.
- h) Housing conditions where an applicant is lacking the following essential facilities:
- Cooking Facilities
  - Bath or Shower
  - Internal WC
  - Potable drinking water supply
  - Adequate supply of running hot and cold water
  - Safe electricity supply
  - Adequate Heating

In these instances Public Health Officers will consider under Part 1 of the Housing Act 2004 and advise whether this is considered to be a serious risk and condition that cannot be rectified within a reasonable timescale.

- i) Medium Medical or Welfare Grounds  
An applicant whose current housing conditions are detrimental to health and interferes with their quality of life to a medium degree resulting in the award of a medium medical or welfare assessment.
- j) Household separation. Applicants who, not by choice, are living in separate

households due to the lack of suitable accommodation available, and cannot live together and wish to be re-housed together and have not been accepted by CBC or EDDC under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and Homelessness Reduction Act 2017). This includes those who may not have been living as part of the household at the time of the application, but whom it would be reasonable to expect to live with the applicant, as part of his/her household. An application form should be completed by the household living in the worst property out of the households applying, to ensure the application is placed in the correct banding

- k) Right to Move. This applies to existing social tenants where CEDP Housing Service is satisfied that the Right to Move applies. (See 4.10 – 4.23 for further details).

#### **Band 4**

6.15 Applicants who fall into this category will be households who need to move because of:

- a) Low Medical or Welfare Grounds  
An applicant whose current housing conditions is detrimental to health and interferes with their quality of life to a low degree resulting in the award of a low medical or welfare assessment.
- b) Applicants who are serving a prison sentences and who on release will have a housing need or be homeless and have a local connection to one of the Councils. The applicants will be reassessed a month before release.
- c) Households sharing the following essential facilities with another person or household who is not part of their application
- Kitchen
  - Bathroom/Shower
  - Internal WC
  - Living Room

#### **Band 5**

6.16 The following households are to be placed into Band 5

- a) Applicants who wish to be considered for intermediate affordable home ownership only e.g. shared equity or shared ownership. These applicants must be earning less than £60,000 and are not currently an owner or have a mortgage. The capital assets will also not be taken into consideration.
- b) Applicants who are a designated keyworker who are not awarded priority in Bands 1-4.
- c) Village connection applicants who are not awarded priority in Bands 1-4.
- d) Applicants who wish to be considered for difficult to let properties. This will normally be sheltered accommodation and applicants may not be in housing need or have a local connection.

## **7. ADMINISTERING APPLICATIONS**

### **How to apply**

7.1 Anyone wishing to bid for a home must apply to join a Housing Register. An applicant can register by any of the following methods:

- Online via our website Dorset For You – Dorset Home Choice
- By completing a paper application form. A form will only be provided for completion following an initial assessment by a member of the CEDP Housing Service that will consider if the applicant is eligible or considered a qualifying person under this policy. This is to avoid additional costs of processing applications and to manage expectations.

7.2 An advocate (for example family, friend or support agency) can complete the application form on behalf of a vulnerable person. The applicant's signature will always be required on manual forms. Where forms are completed online, the signature will be required when an applicant goes to view a property they are being offered.

7.3 Anyone requiring assistance to complete an application for housing can contact the CEDP Housing Service who will be able to offer them advice and support in making an application for housing.

7.4 Applicants will be asked if they would like any support to complete the application form. The application form will be available in different formats, for example large print upon request.

### **Individual Assessments**

7.5 Once a completed form or on-line application has been received, the CEDP Housing Service will then undertake an assessment of housing need against this Policy. The date of registration, health and welfare needs are taken into account in the assessment. If additional information is required, a Medical Assessment Questionnaire will be sent out to be completed.

7.6 New applications will be registered from the date they apply to be registered on Dorset Home Choice. This will be the date the online application is completed. For the purposes of a paper application form, this will be the date the application form is received by the CEDP Housing Service. This date is known as the registration date.

7.7 Providing the applicant is eligible and qualifies for a Housing Register and the application has been completed fully, it will be registered onto a Housing Register. Through the assessment process, each applicant's housing need will be considered and a level of priority awarded by placing the applicant in one of five bands.

7.8 If the applicant is considered to be ineligible or does not qualify for the Housing Register, they will be sent a letter confirming this and the reason for

this decision.

- 7.9 A letter will be sent to the applicant within 28 working days of receipt of all relevant information unless further information is required from other agencies then this may be a longer period, confirming:
- The date their application was registered
  - The band awarded and reasons for placing in this band
  - The date the band is awarded from
  - The reference number to be used when bidding
  - The assessed bedroom need
  - Details of their right to review
- 7.10 If an applicant wishes to apply to more than one Local Authority they will need to select one Dorset Council to manage their application as multiple applications will not be allowed. An applicant can then add other Local Authorities to the one who they selected as the managing Council. If an application is already registered, the applicant must decide which application they want to keep. All other applications will be deleted
- 7.11 Priority is awarded within each band by date the application was placed in the band. This date is known as the effective date. Please note the following;
- For emergency medical and welfare and exceptional needs the effective date is the date of receipt of relevant documentation for assessment for these categories.
  - For supporting fostering and adoption the effective date is the date of receipt of referral from social care if this alters the number of bedrooms required. (See 7.17).
  - For overcrowding: the effective date is the date at which applicants informed the CEDP Housing Service of the overcrowding (this may be the date of application or a more recent date when the household changed, e.g., through birth or adoption /fostering). For Band 2 overcrowding this will be the date that the CEDP Housing Service receives confirmation by the Public Health officer who has assessed that need.

### **Bedroom need assessment**

- 7.12 When applicants join a Housing Register, and whenever an application is reviewed or circumstances change, an assessment will be made of the make-up of the applicant's household. This assessment will normally be straightforward, but decisions may need to be made as to whether individuals included on an application form are accepted by the Councils as being part of the household who, in the event of re- housing, will be accommodated with the applicant.
- 7.13 A household is defined as "any other person who normally resides with the applicants as a member of his/her family or any other person who might reasonably be expected to reside with the applicant" (Housing Act 1996).

7.14 The size and make-up of the household will determine the assessed bedroom need.

7.15 In all such cases, the Councils will make a decision on who should be considered to be part of the household and the following factors will be taken into consideration along with any other relevant facts:

- Access of people included on the application to other suitable accommodation
- Previous living arrangements
- Actual living arrangements
- Preferred living arrangements
- Evidence of longstanding residence and commitment to being part of the household
- Likely longer-term living arrangements
- Special circumstances
- The impact on scarce housing resources of providing additional bedrooms

7.16 The table below sets out the normal bedroom requirements for typical households.

<b>Family Size</b>	<b>Size of Accommodation</b>
Single person	Bedsit or one bedroom
Single person who has children who visit on a regular basis	One bedroom
Two adults living as a couple	One bedroom
Adult couple or single person, with one child	Two bedrooms
Adult couple or single person, with two children of the same sex under 16	Two bedrooms
Adult couple or single person, with two children of opposite sexes under 10	Two bedrooms
Adult couple or single person, with two children of opposite sexes over 10	Three bedrooms
Adult couple or single person, with three children under 16	Three bedrooms
Adult couple or single person, with four or more children	Subject to the age and gender of children

**1 bedroom is allowed for each of the following  
(up to a maximum of 4 bedrooms):**

A single person or an adult couple ( married or unmarried)

Any other adult aged 16 or over (non dependent, boarder, joint tenant)

A child who is aged 16 or over
2 children of the same sex until one of them reaches the age of 16.
2 children of opposite sex until one of them reaches the age of 10
A disabled tenant or partner who needs a non-resident overnight carer

These property sizes will not apply to existing tenants of a partner housing provider who are seeking to downsize. These applicants will be allowed to bid for properties which have one or more bedrooms less than their current accommodation regardless of their housing need. For example a single person living in a 4 bedroom home will be able to move into a 2 bedroom property. This is to make the most effective use of social housing and free up family accommodation.

7.17 Foster carers will be allowed one additional room, so long as they have fostered a child or become an approved foster carter within the previous 52 weeks.

**Please note:** This is not an exhaustive list. Applicants with a large number of household members may require larger properties. Large properties may not be available in both borough/district areas.

**In addition,** Individual partner housing provider letting policies or local planning policies may affect the size of households that may apply and are eligible for particular properties. Any such restrictions will be included in the property advert.

7.18 There may be cases where applicants are prepared to bid for homes which have less bedroom spaces than their family assessment determines. Provided this does not cause statutory overcrowding or a Category1 hazard and is permitted by the housing provider, consideration will be given to this request. The housing provider will have the final decision in these cases under their own Policies.

7.19 In properties where there are two living rooms, the CEDP Housing Service will count one of these as a bedroom due to the shortage of larger properties becoming available to let. These properties will be advertised as having an additional bedroom and will be prioritised to applicants who have been assessed as needing this additional bedroom i.e. A 3 bedroom property with a parlour would be considered as having 4 bedrooms.

7.20 If an applicant states that they need an extra room for a carer, the CEDP Housing Service will carry out an assessment of the applicant's needs and decide whether or not an extra room is required.

Due to the high demand for housing, such requests are only likely to be agreed in exceptional circumstances. The applicant will need to provide evidence from the relevant Adult Social Services Department of the need for a 'live in' carer

and confirmation, (where appropriate), that the applicant would qualify for funding for a 'live in' carer.

Where the Council is satisfied under the CED Allocation Policy that there is a need for a live-in carer who is not cohabiting with any member of the household, the household will be entitled to an additional bedroom.

To qualify for an additional bedroom for a carer, the applicant must demonstrate that this care is provided by someone who would not otherwise live with the applicant and that, if they are a relative or friend, they are in receipt of Carer's Allowance.

In exceptional circumstances, an extra bedroom may be awarded where a substantial amount of specialist medical equipment needs to be installed in the bedroom of the person needing care.

7.21 Each case will be dealt with on its own merits, and the following factors will be taken into consideration along with any other relevant facts:

- Whether there is an established need for live-in 24 hour care
- Availability of supported or extra-care housing which may meet the applicant's needs
- Current living and care arrangements
- Likely future living and care arrangements
- Special circumstances
- The impact on scarce housing resources of providing additional bedrooms

7.22 Other cases may arise where there are queries about households (e.g. where adult sons or daughters return home or where distant relatives or friends are included on the housing application.)

7.23 Because of the very high demand for properties within the borough/district additional bedrooms will not be awarded for children who do not normally live permanently with the applicant.

The CEDP Housing Service may award an additional bedroom to approved adopters/foster carers where this is needed to enable them to adopt/foster. Only one additional bedroom will be awarded in these cases.

Where there are access arrangements for a child or children, they will be expected to have a main residence with one parent and as a result the other parent will not normally have a bedroom entitlement for access visits.

Assessments will be made on a case by case basis and will be determined by the Council's decision as to which parent or guardian the child is dependent on in terms of their primary day-to-day care and with whom the child would therefore be expected to ordinarily reside.

Cases will be assessed on:

- Previous living arrangements
- Actual living arrangements
- Preferred living arrangements
- Evidence of longstanding residence and commitment to being part of the household
- Likely longer-term living arrangements
- Special circumstances, such as a recommendation from a health or Social Services professional
- The impact on scarce housing resources of providing additional bedrooms
- Court ordered living arrangements
- Which parent is in receipt of child benefit.

7.24 Where applicants state that a separate bedroom is required for household members who would normally be expected to share a bedroom, the CEDP Housing Service will make a decision on whether a separate bedroom is required. Decisions will be referred to the CEDP Medical and Welfare Panel who will consider the request under medical, social or welfare grounds. Consideration will also be given to affordability if the applicant was nominated to social housing.

7.25 The Councils do not allow an extra bedroom if the applicant, or a member of their household is pregnant. The bedroom need will be reassessed once the CEDP Housing Service receives a copy of the birth certificate.

### **Missing Information and Incomplete Applications**

7.26 If further verification is required, the applicant will be contacted in writing to provide the information necessary to assess their application. Any applicant who does not provide the requested information within 28 days will be assumed to no longer require housing and their application will be cancelled accordingly.

7.27 Following cancellation, applicants who wish to continue with their application will be required to contact the CEDP Housing Service and provide the requested information within 28 days of the date of cancellation. Requests for extension of this time will need to be approved by either the Principal Housing Solutions Officer (Lettings) or Senior Housing Solutions Officer (Lettings). Upon cancellation, applicants will lose their original registration date and this will change to reflect the date when all the requested information has been provided

### **Change in Circumstances**

7.28 Applicants who move to a new address or whose circumstances change significantly after they have been accepted onto a Housing Register will need to complete an online change of circumstances form. Following a change of circumstances, applicants will not be able to bid until their application has been re-assessed. Where the change is of a medical or welfare nature, applicants will need to complete the online medical questionnaire and provide supporting documentation from their GP or medical professional. Applicants who wish to add or remove somebody from their application are not required to complete a

change of circumstances form but will need to contact the CEDP Housing Service to provide details.

- 7.29 Eligibility and qualification for a Housing Register may be reconsidered when there is a change in circumstances. This may change the band an application has been placed in. Those moving to a lower band because their need for housing has reduced will keep the same band start date to determine how high up that new band they will be. Those moving into a higher band will have their effective band date changed to the date their change of circumstances request was received. This means that those applicants who have been in the higher band for a long time will remain above applicants who have recently joined the band.

Applicants have the right to apply for their priority to be reviewed if there is a material change of circumstances. (See 7.48 to 7.53 Right to Review)

### **Time limits and the removal of priorities or exceptions to local connection**

- 7.30 For some applications, the band awarded will have a time limit imposed during which the applicant is expected to actively seek accommodation. When the time limit expires, the CEDP Housing Service will reassess the needs and the attempts made to secure housing by the applicant, including properties advertised through Dorset Home Choice.
- 7.31 Priorities may be removed, or, if no suitable properties have been available in the period and the need still exists, the time period may be extended. These include applicants who have been granted Bands 1 and 2.
- 7.32 Time limited exceptions to local connection include Service Personnel and Prevention and Relief Duties. The exception to local connection will no longer apply once the time limit has expired and the applicant no longer meets the qualifying criteria.

### **Cancelling and Suspending Applications**

- 7.33 If information is obtained that gives reason to believe that an applicant who has already been accepted onto a Housing Register is, in fact, ineligible or no longer qualifies to be on the Register, or their circumstances may have changed, their application may be suspended or cancelled. The applicant will be informed in writing and they will be given 28 days to provide the requested information. If they do not reply within this period, or if they reply but the CEDP Housing Service still believes them to be ineligible or no longer qualify, they will be removed from the Housing Register.
- 7.34 Where an applicant has been highlighted as potentially vulnerable, the CEDP Housing Service will contact the applicant, or agency that they are working with if appropriate, to check their circumstances before cancelling the application.
- 7.35 Whilst this Allocation Policy is framed according to housing need, there are sometimes circumstances where applicants in housing need behave in a way that does not support it. The following categories of applicant may be suspended from the list:

- Applicants living in temporary accommodation or in supported accommodation placed by the Councils who have since their application accrued more than eight weeks' rent arrears, or the equivalent of eight weeks' charges, or who have accrued £1,000 arrears and have not made an arrangement to repay and maintained repayments for at least six months from the date of the arrangement
- Applicants (since application) against whom the Councils has initiated legal proceedings for non-payment of rent, Council Tax or overpaid Housing Benefit (other than where the applicant has entered into an agreement to repay the money owed and is keeping to this agreement).
- Registered provider and private sector tenants whose landlord has initiated legal proceedings as a result of rent arrears (other than where the applicant has entered into an agreement to repay the money owed and is keeping to this agreement).
- Any tenant whose landlord has initiated legal proceedings for a breach of tenancy other than rent arrears since the applicant applied.
- Applicants who are guilty of committing domestic abuse.
- Applicants who have been found to have knowingly given false or misleading information or withheld information which had been reasonably requested.
- Applicants who have used threatening language or behaviour towards, or perpetrated violence or abuse against members of staff at CEDP or partner housing providers.

7.36 In exceptional circumstances the Strategic Housing Services Manager may relax the requirement for the above where rehousing is urgent or to meet the needs of the Council.

7.37 Applicants, who successfully bid on a property or agree to a direct offer, and are then nominated to a housing provider, are expected to accept an offer of accommodation unless the CEDP Housing Service agree that there are acceptable reasons that it would not be appropriate for them to do so. Applicants who, following a nomination, unreasonably turn down the property will, in the first instance, lose their registration date and effective date in band. Their application will be re-set to live and their dates changed to reflect the date they refused the property.

7.38 Following 3 unreasonable refusals, an application will be cancelled for a period of 2 years unless there is a significant and material change in their housing circumstances.

7.39 Other reasons for suspending an application:

- Applicants request
- No recent contact
- No response to offer of suitable property
- Under investigation
- Applicant has not reviewed their application – letter sent.
- Applicants have been asked to complete a change of circumstances.
- Applicants circumstances have changed and they are not currently

considered able to move on from supported housing.

7.40 Other reasons for cancelling an application:

- Applicant gone or moved away / no contact or response to an application review within a specified time limit
- Mail returned as no longer at that address
- Cancelled at applicants request / no longer wishes to be on the Housing Register
- Data error
- Deceased
- Housed by a housing provider or other landlord
- Housed through shared ownership/shared equity scheme
- Housing annual review not completed by applicant or information submitted following a suspension letter
- Where a time limited priority has come to an end

### **Remaining on the Housing Register**

7.41 It is the applicant's responsibility to keep their application up to date and inform the CEDP Housing Service of any changes in their circumstances.

7.42 Applicants will be required to renew their housing application on a yearly basis, on the anniversary of their relevant application date – known as the "review date".

7.43 If applicants fail to voluntarily renew their application, they will be sent a letter advising them that their application has been suspended for 28 days. Any applicant who does not then renew their application within 28 days of receiving their suspended letter will be assumed to no longer require housing and their application will be cancelled accordingly.

7.44 If an applicant makes contact within 3 months of their original application being cancelled, this application will be reinstated. If contact is not made within 3 months and satisfactory evidence is provided of an incapacity causing the failure to renew, the application can be reinstated from the date of the original application.

7.45 Eligibility and qualification for the list may be reconsidered when an application is being renewed.

7.46 Where an applicant wishes to re-join the Housing Register at a later date their new registration date will be determined by the new date that they apply. Their housing need will be reassessed and they will be placed in the appropriate band as set out above.

### **Confidentiality**

7.47 Information regarding a person's application for housing will not be disclosed to any third party or member of the public without the applicant's express consent

unless the Council is required to do so legally. By signing the housing application form, an applicant gives consent for:

- the Council to contact current and/or former landlords, any of the agencies listed in the application and any other relevant persons, agencies or organisations.
- the Council and Registered Provider partners to contact data reference and credit agencies to check any information provided.
- the Council to use the information to compile statistics and reports to assess past and future demand for their housing services and to provide returns to Government departments and agencies.
- the information given, or which the Council obtains as part of the application process, including any sensitive personal information, to be used where the Council decides an applicant is homeless or threatened with homelessness or has provided housing advice, and that such information may be shared with the other Councils, Agencies and Registered Providers participating in the Dorset Choice-Based Lettings Scheme for the purposes of assessing eligibility for accommodation and where appropriate providing accommodation or housing-related support.
- the Council to verify information provided in a housing application(s) and approaches for housing assistance with the information held by the Council's Housing Benefits section. This will include information held for the purposes of processing my Housing Benefit/Council Tax Support claim to enable the Council to assist with and provide advice on your housing situation.
- any information, given to the Council, to be shared with other departments of the Council and with the people or organisations listed in the Council's notification under the General Data Protection Regulation (2018) for purposes of preventing and detecting fraud.

7.48 The fact that an applicant or tenant has applied for rehousing will not normally be disclosed to any other member of the public without consent.

### **Right to Review**

7.49 All decisions with regard to the CED Allocation Policy are subject to review should the applicant be dissatisfied with a decision. This right to a review includes decisions regarding eligibility, qualification, housing need assessments and the suitability of offers of accommodation. A request for a review should be made, in writing, to the CEDP Housing Service. An officer senior to the person making the original decision and who was not involved in making the decision will carry out the review.

7.50 A request for a review must be made, in writing, within twenty-one days of receipt of the decision providing the reasons for the review. The reviewing Council has discretion to extend the time limit if it considers this would be reasonable and in agreement with the applicant. If further information is needed, the applicant will be invited to write or, if unable to do this, make oral representation. The applicant may also appoint someone on his or her behalf to do this. The applicant will be notified of the review decision in writing within 56 days of the request review.

- 7.51 If an applicant is dissatisfied with a decision on review they will need to seek a judicial review on the relevant point of law.

**The right to review an offer of accommodation to applicants given a prevention, relief or full statutory homeless duty**

- 7.52 If the Council has accepted a duty under homelessness legislation Section 195(2) Prevention Duty, Section 185B(2) Relief Duty or full Section 193 Statutory Duty to assist the applicant secure accommodation and the applicant has refused a suitable property offered, the Council may end its statutory duty. The applicant can request a review of the decision to end the statutory duty and/or the Council's decision that the property is suitable – this is a right given by Section 202 of the Housing Act 1996. The applicant should request a review by writing to the Council within 21 days of receipt of the offer of accommodation, setting out why they think the property is unsuitable.
- 7.53 The Councils will aim to deal with a request under s.202 within eight weeks (56 days). All decisions will be given in writing.
- 7.54 Where a formal review is available under s.202, greater detail about the right to review will be provided to the applicant in the correspondence making the offer of accommodation. A formal review will be considered by a senior officer who was not involved in the original decision.

## **8. ALLOCATIONS AND LETTINGS**

### **Available Properties**

- 8.1 100% of social lettings to which the Councils have nomination rights will be made available through the scheme. Both Councils may agree some specific exceptions.
- 8.2 Examples of lettings, which may be excluded, are as follows:
- Decants to allow repairs to be carried out
  - Temporary accommodation for households who are homeless or may be threatened with homelessness
  - Supported housing
  - Extra-care housing. Applicants need to be registered and nominations are made by a Panel through a Local Lettings Plan. (See Appendix 2 – Allocation of Extra Care Accommodation).
  - Management cases for an existing social tenant.

A nomination under the Dorset Home Choice scheme takes place in the following circumstances:

- When a person is nominated by the CEDP Housing Service to be an

assured tenant of a social housing provider in the borough or district. This includes introductory and probationary tenancies as well as fixed term tenancies.

- When there is a transfer of social housing accommodation where a social housing tenant is in a reasonable preference group or where the transfer has been made on the basis of a person's eligibility under this Policy.

### **Direct Offer**

8.3 In certain circumstances, the CEDP Housing Service will allocate a property directly to an applicant who has not bid for it which is known as a direct offer. This is designed to help a household to find social housing if they need to do so urgently, or have been unable to find a home themselves using choice based lettings. The Councils have the power to make direct offers to anyone registered on the CEDP Housing Registers.

Direct offers may be made to anyone who has qualified on the Housing Register, but in particular households in Band 1 and 2 or other exceptional priority whose severe needs mean that they are not readily able to bid. Wherever possible, applicants will be encouraged to bid and to exercise choice, but if reasonable direct offers are refused, their priority may be reduced.

The Council may use direct offers to assist those households who have been waiting the longest, or to move people from temporary accommodation that needs to be vacated, or for other management reasons. Sheltered housing applicants may also be made a direct offer, particularly those who may find it difficult or are unable to use the choice based lettings system.

- Supported Housing scheme applicants waiting for move on may be made a direct offer.
- Applicant requiring a specifically adapted property.

8.4 In all cases, the applicant should continue to bid under Dorset Home Choice, Choice Based Lettings Scheme whilst waiting for a direct offer. Any direct offer will meet the applicants assessed need and be suitable for their occupation. The decision on suitability will be based on the information the Council has so it is important that applicants inform the CEDP Housing Service of any changes.

8.5 To ensure that the Allocation Policy is open and transparent, vacancies excluded from the choice based allocations process should be kept to a minimum.

### **Advertising Properties**

8.6 Vacant social housing to which the Councils have nomination rights will be advertised through Dorset Home Choice Adverts.

8.7 The Councils and housing providers will arrange for each vacancy to be advertised and will specify the requirements for each property.

8.8 Homes available to let will be advertised every day. People with active applications on the Housing Registers will be able to view details of the homes that are available and will be able to ‘bid’ on those homes for which they are eligible. The bidding cycle is as follows:

Day property available to bid on	Day property advert will close at 11:59pm	Number of days advertised
Monday	Sunday	7
Tuesday	Sunday	6
Wednesday	Monday	6
Thursday	Tuesday	6
Friday	Wednesday	6

### Labeling of properties

- 8.9 The labeling of vacancies is an essential part of the allocations process as the Councils are able to set parameters on which type of households can apply for vacancies and whether any particular types of households will be given preference over others when being considered for specific vacancies. This allows the Council to act flexibly to meet local needs and local priorities in addition to the statutory reasonable preference criteria.
- 8.10 When labeling properties, regard should be had to the aims of the Dorset Home Choice scheme including the need to make the best use of stock, the requirement to house those in the greatest need and the aim of giving applicants as much choice as possible to help create sustainable communities. Labeling should generally be as inclusive as possible to maximise choice whilst allowing preference to be given to certain household types to make the best use of stock, meet local priorities and to ensure good management of housing.
- 8.11 Depending on the Councils’ strategic needs, the labelling of properties may include certain restrictions, e.g. some social housing may only be offered to people who have an assessed support need or for transferring social housing tenants. .
- 8.12 If it is known that there are a large number of applicants with urgent or particular need for a vacancy, the labeling of the property may be more specific to reduce the number of applicants who may apply when they have no realistic chance of being offered the property.
- 8.13 Where sensitive lettings are required because of the needs of other vulnerable or elderly tenants, labeling may stipulate that successful applicants will need to be able to demonstrate that they will be able to manage a tenancy successfully. (See Appendix 3 – Sensitive Lettings)
- 8.14 The advertisement will usually include details such as the following:

- The housing provider
- The weekly rent, including all other service charges

- Whether the property is a social or affordable rent
- Whether the property is let on a fixed term tenancy
- The anticipated date the property will be ready for occupation
- The recommended number of permitted occupants
- Any age limits e.g. for households with children, for sheltered accommodation, for older/disabled persons or any landlord specific requirement. Some properties in the borough/district are only available to older people. Where this applies, properties will be advertised with an age restriction clearly shown on the advert. Not all properties for older people are sheltered housing. These are available to anyone who meets the age criteria.
- Whether the property is restricted by a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 where offers of tenancies may only be made to applicants with a strong local connection to an exception site.
- Whether the property is subject to a Local Lettings Plan or Sensitive Lettings Policy. (See 3.8 – 3.18 above).
- Village vacancies subject to local connection restrictions.
- Accessible housing e.g. wheelchair adapted.
- Whether pets are allowed.

8.15 For new developments, the same property types will be covered by one advert. Applicants only need to place one bid to be considered for all the property type covered by the advert.

## **Bidding**

8.16 All eligible and qualifying applicants can make bids for suitable properties advertised by online via the website once they have received notification that they are registered on Dorset Home Choice. Applicants can also bid for properties they are interested in by text, postal cards or by contacting the CEDP Housing Service.

8.17 Full details of how to bid are set out in the Dorset Home Choice CBL Scheme User Guide. This can be found on the Dorset for You and the Dorset Home Choice websites.

8.18 The bidding cycles are shown at 8.8 although these may change subject agreement with main housing providers.

8.19 Applicants can only bid for up to 6 properties they are eligible per bidding cycle.

8.20 CEDP Housing Service staff will be able to provide advice on how to bid. They will also encourage applicants to make use of all the bidding options available to them, so if their circumstances change, and one method will no longer be available to them, they will be able to use another.

8.21 Advocacy bidding will be allowed to make use of existing networks of support from family, friends, neighbours, and support agencies. To bid an advocate will

need the applicant's reference number and their consent to make a bid.

### **Assisted bidding**

- 8.22 All applicants are expected to make bids themselves but in limited circumstances those who are unable to bid for properties may receive assistance through a process called assisted bidding.
- 8.23 Since service user participation is a critical part of choice based lettings, the Councils recognise that some vulnerable applicants may require assistance in making bids. To ensure that vulnerable households have fair access to the scheme, applicants with support needs and those who have language difficulties will be supported by the Councils, which may include assisted bidding.
- 8.24 Applicants who are unable to bid will be offered the opportunity for bids to be placed automatically on homes they are eligible for. The following may also be included with assisted bidding:
- Households that the Council has a statutory duty to under Homelessness Legislation. Where possible homeless applicants or those whose homelessness has been prevented by the CEDP Housing Service will be entitled to the same degree of choice as other applicants but the level and choice of bidding for vacancies will be monitored. If such households are not applying for suitable properties for which they would have a reasonable chance of success, then they will be contacted to encourage them to bid. If they continue to exhibit a low level of bidding for suitable properties then bids may be completed and submitted on their behalf. Any subsequent direct offer will constitute a reasonable offer of housing. If the applicant refuses a reasonable and suitable offer the Council will have discharged its homelessness duty to the applicant. Applicants will be advised of the implications of refusing a direct offer.
  - If there is a shortage of temporary housing for households who may be homeless or facing homelessness and where the Council may be obligated to assist them under homelessness legislation, then the element of choice may be restricted. This will mean that such applicants are required to consider or be considered for vacancies for which they may not normally express a preference. The effect of this action is to widen the types or locations of properties the applicants are applying for. This may expedite re-housing and enable the Council to create vacancies of temporary housing or allow the Council to resolve the homelessness issues of applicants.
- 8.25 Whilst choice is a very important part of the scheme the severe shortage of available properties means that applicants who want to move need to be as flexible as possible when bidding about where they will live, and what type of property they will live in (e.g., on which floors and area). As new types of tenancies have now been introduced it is important that applicants are aware of the different types of tenancy lengths and rent levels of social housing and they are flexible about what decisions they will make in regards to this. It should also be noted that most vacancies occur on estates and in Christchurch the majority of housing stock is based in Somerford. Street type properties in the

borough/district are less often available.

### **Shortlisting and prioritising bids**

- 8.26 After the deadline for bids, bids are shortlisted and prioritised.
- 8.27 Bids for properties that are considered too large for the applicant's household under this Policy or do not meet advertised criteria will not be accepted.
- 8.28 Where an advert stipulates that certain applicant types will be given preference over others (e.g. to keyworkers, disabled households or transfer applicants), then all applicants within those groups will be considered above those who are not in the group to which preference is being given.

Ground floor flats, or bungalows, will usually be labelled to give priority to those applicants who require level access on the grounds of age, disability or medical need. In these cases, applicants requiring this type of accommodation will be shortlisted above other applicants regardless of their position on the list at close of bidding.

Any property which is within one of the villages set out in 3.28 of the Policy will be advertised with priority being given to applicants who have been assessed as having a connection to that village. In these cases, applicants who meet the village connection criteria will be shortlisted above those without the village connection.

In properties where there are two living rooms the Council will count one of these as a bedroom. These properties will be advertised as having an extra bedroom and will be prioritised to those applicants who have the need for this extra room. These applicants will be shortlisted above other applicants regardless of their position on the list at close of bidding.

Where a property has been labelled to allow under occupation the Councils will give priority to those applicants whose bedroom needs meet those of the property. These applicants will be shortlisted above other applicants, regardless of their position on the list at close of bidding.

In all cases, where a property is advertised as having a village connection, this priority will take precedence over any other shortlisting priorities.

The Band for downsizing is only applicable where an applicant bids for a property with fewer bedrooms than they currently occupy. If an applicant bids for the same size of property currently occupied the Band which reflects their housing need will apply, if applicable, and not the Band 2 for downsizing.

- 8.29 Any applications received after the advert deadline has been reached will not be considered.
- 8.30 Applicants who have been given a Prevention or Relief duty under Homelessness Legislation but who do not meet the local connection criteria will be shortlisted below those who do meet the criteria.

- 8.31 For each property advertised the successful applicant will be the one who is in the highest band and has the earliest effective band date, except where the property has been labelled to give priority to a particular type of applicant.
- 8.32 If there are applicants with the same Band and effective Band date then priority will be given to the applicant with the earliest registration date.
- 8.33 Housing providers taking part in the scheme will have access to the shortlist of applicants who have made a bid for the property. The applicant with the highest priority and who meets all of the advert and preference criteria and who is therefore at the top of the shortlist will be nominated to the housing provider.

### **Verification**

- 8.34 Before an offer of accommodation is made, applicants who may be offered the vacancy will be contacted by the CEDP Housing Service for verification of all relevant information concerning their housing application and personal circumstances. Applicants will be expected to provide documentary evidence that all persons included on the application are resident at the address applied from. Applicants will also be required to provide any additional proof considered appropriate to confirm the applicant's circumstances e.g. proof of income, local connection. The CEDP Housing Service may check information with other sources.
- 8.35 The applicant's priority and / or eligibility for the Housing Register may also be re- examined as information established at the verification stage may have an impact. If a reassessment establishes that the Band and/or effective date is reduced the applicant will not be offered the property if they no longer have the highest band and effective date. The applicant will be advised in writing of the decision and the reasons why.
- 8.36 Verification will also include gathering information on suitability to be a tenant. If it becomes clear at the verification stage that an applicant:
- as demonstrated behaviour which may make them unsuitable to be a tenant (e.g. nuisance, criminal or anti-social behaviour or behaviour where they have deliberately or recklessly worsened their circumstances) or
  - has accrued rent arrears or owes a debt to the Council/s and are not regularly repaying these debts then they will not normally be nominated for the vacancy. This may also result in removal from the Housing Register. Details are set out in 4.39 – 4.49.
- 8.37 Housing providers may carry out their own verification processes and these will be in addition to those carried out by the CEDP Housing Service. These will be subject to the policies of the individual organisations.
- 8.38 Housing providers will undertake an affordability check when allocating properties to ensure that applicants are able to afford the rent for the property.

- 8.39 If it is not possible to complete verification of the application, or the applicant does not provide required information within 48 hours of the request, the applicant will be overlooked and the applicant next in line will be contacted.

### **Reasons why a housing provider may refuse a nomination**

- 8.40 If for any reason the housing provider wishes to refuse an applicant, the housing provider is required to notify the CEDP Housing Service. The CEDP Housing Service will re-nominate the next suitable applicant on the shortlist. If there are no eligible bids or the shortlist has been exhausted the property will be re-advertised.
- 8.41 If a housing provider rejects a nomination, they must inform the applicant of their reasons for rejection and of their Review Process.
- 8.42 Housing providers may also prevent an offer going ahead where the property is not considered to be suitable for the applicant. This may include issues of public safety, risk, or sustainability of the tenancy. An offer may not be made or may even be withdrawn if the support needs of the applicant are such that the housing provider, in consultation with the CEDP Housing Service, deems that the applicant will be unable to maintain an independent tenancy. This decision may also be informed by the input from other partner agencies involved in a case.
- 8.43 In these circumstances there must be a sufficient care or support package available to ensure that the tenancy is likely to be successfully maintained.

### **Offer of Tenancy**

- 8.44 Once all verification processes are completed, the housing provider makes an offer of the vacancy to the successful applicant.

### **Publishing details of the allocation**

- 8.45 Feedback on allocations provides applicants with information to exercise choice and to gain information on the likely waiting time for re-housing. Details of the allocation will be published on the Dorset Home Choice website as soon as possible. Whilst the successful applicant's name will not be published, their Band, the number of bids for each property and the length of time waiting will be published.

### **Difficult Lets**

- 8.46 If there are no eligible bids for a property, it may be re-advertised through Dorset Home Choice. In some cases the eligibility criteria may be changed.

## **9. ADMINISTRATION**

### **Fair Allocations**

- 9.1 The Councils are committed to providing equality of opportunity to all

applicants who apply for housing. The monitoring of allocations under the Policy will take place to ensure that everyone is treated fairly.

## Equality

- 9.2 The Councils are subject to the general public sector equality duty in the Equality Act 2010. The Councils and its partner housing providers are committed to providing equality of opportunity to all individuals who apply for re-housing. Monitoring of applications and lettings may take place to ensure that everyone is being treated fairly.
- 9.3 All applicants may be asked to provide details of age, gender, ethnic origin, religion and sexual orientation. This is to allow the Councils to assess the application properly as well as to monitor who is allocated housing, and to ensure that properties are being offered and allocated fairly.

## Responsibility for decisions made under the Scheme

- 9.4 The majority of decisions will be made by the Housing Solution Officers working in the Lettings team within the CEDP Housing Service. For decisions required above normal assessments (usually exceptional circumstances) these are detailed in the Policy and these will be the responsibility of the named position or an officer at a higher level within the CEDP Housing Service if they are unavailable.

The list below provides an example but is not exhaustive:

<b>Decision</b>	<b>Responsible Person</b>
Band 1 applicants	Principal Housing Solutions Officer (Lettings)
Decisions on specific village connection criteria under 3.23	Strategic Housing Services Manager
Decisions on key-worker status	Strategic Housing Services Manager
Discretion/exceptional including direct lets	Strategic Housing Services Manager
Local Lettings Plans	Strategic Housing Services Manager
Management transfers	Principal Housing Solutions Officer (Lettings)
Owner Occupiers	Principal Housing Solutions Officer (Lettings)
Properties excluded from the letting process	Principal Housing Solutions Officer (Lettings)
Reducing the category of applicants	Principal Housing Solutions Officer (Lettings)
Reviews and appeals	Deputy Strategic Housing Services Manager
Suitability of offers and refusals a) Housing Register b) Accepted duty homeless cases	a) Principal Housing Solutions Officer (Lettings) b) Principal Housing Solutions Officer (Prevention)

9.5 Other decisions will be taken by officers at an appropriate level.

### **Changes to the Scheme**

9.6 The Allocations Policy will be reviewed annually and updated where necessary. Minor changes will be agreed with the Strategic Housing Services Manager and the designated Housing Portfolio Holders. This will help to ensure that the Policy meets legislative and best practice requirements as well as service requirements.

### **Monitoring**

9.7 Dorset Home Choice produces quarterly reports which are discussed at the Dorset Home Choice Management Board Meetings.

### **Complaints**

9.8 If an applicant is dissatisfied with any aspect of their application, other than where a review can be made, they should follow the Councils published complaints procedure, available on the Dorset For You website or on request.

### **The Local Government & Social Care / Housing Ombudsman**

9.9 If an applicant is not satisfied with the action taken by the Council and has exhausted the complaints procedure available, they can send a written complaint to the Ombudsman. The Local Government and Social Care Ombudsman can be contacted at:

Phone: 0300 061 0614

Text 'call back' to 0762 481 1595

Website: [www.lgo.org.uk](http://www.lgo.org.uk)

9.10 If an applicant is not satisfied with the action taken by the Council or a Housing Provider and has exhausted the relevant complaints procedures available they can send a written complaint to the Ombudsman. The Housing Ombudsman Service can be contacted at:

Housing Ombudsman Service

Exchange Tower

Harbour Exchange Square

London

E14 9GE

Telephone: 0300 111 3000

Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Website: <http://www.housing-ombudsman.org.uk/home/>

### **Access to Personal Information**

9.11 In accordance with the Data Protection Act 1998, applicants have a right to see what information is kept about them on written records (please note a fee may be charged). As far as possible, the Council will make this available, subject to certain restrictions. Applicants wishing to view their records should contact the

CEDP Housing Service:  
Civic Offices  
Bridge Street  
Christchurch.  
BH23 1AZ  
Telephone: 01202 495213

### **Who to contact for further advice**

9.12 For advice about housing options, contact should be made with a Housing Solutions Officer on 01202 795213 or email [housing@christchurchandeastdorset.gov.uk](mailto:housing@christchurchandeastdorset.gov.uk)

9.13 For applicants who are or think they may become homeless, contact should be made with a Housing Solutions Officer (Prevention) on 01202 795213 or email [housing@christchurchandeastdorset.gov.uk](mailto:housing@christchurchandeastdorset.gov.uk)

9.14 If you want to ask for a review of a decision, please write to:

Deputy Strategic Housing Services Manager  
CEDP Housing Service  
Civic Offices  
Bridge Street  
Christchurch  
Dorset  
BH23 1AZ

## **Appendix 1 – Allocating Temporary Accommodation**

For allocations of temporary accommodation to homeless people or to prevent homelessness, direct nominations in accordance with the agreed Allocations Policy, will be made jointly by the Principal Housing Solution Officers. The Strategic Housing Services Manager has the discretion to allocate accommodation in and between both Councils in appropriate circumstances.

The main aims of allocating temporary accommodation are to resolve homelessness, meet statutory requirements and to minimise the use of bed and breakfast accommodation.

There are a number of situations in which applicants can be waiting for temporary housing. The most common ones are:

- Accepted homeless applicants who have been placed in bed and breakfast accommodation.
- Accepted homeless applicants in other forms of emergency housing.
- Households being assisted to prevent homelessness.
- Households already in temporary accommodation where the household is going back to the owner or can only be occupied for a specific period.
- A household already in temporary accommodation but the

accommodation is not fully suitable for their needs.

Allocations of temporary accommodation are a question of judgement for each individual vacancy as the Principal Housing Solutions Officers will have to balance the needs and requirements of a number of different individuals in different circumstances. The matters which must be taken into account include:

- The length of time a household has been in bed and breakfast. Bed and breakfast is not suitable accommodation for applicants with family commitments unless used in an emergency and then for a maximum of six weeks as determined by the Government.
- The length of time a household has been in other forms of emergency housing awaiting temporary accommodation.
- Where temporary accommodation is going back to the owner and delays may cause families to be placed in bed and breakfast or significant difficulties to landlords.
- The length of time that a client in temporary housing has been waiting for alternative temporary accommodation, and the extent of the problems that the applicant is experiencing in their current accommodation.
- Where the CEDP Housing Service has been trying to prevent homelessness - the length of time that a household has been waiting for accommodation and the possibilities that they will become homeless if not offered housing.
- The areas of choice of each applicant and the availability of accommodation in or close to their preferred areas of choice.
- Whether the applicant is under offer for alternative temporary or social housing.

## **Appendix 2 – Allocating Extra Care Accommodation**

Allocations of extra-care housing will normally be managed outside of the choice based lettings process due to the vulnerability of applicants for extra-care schemes and the required partnership working with Dorset County Council, the housing landlord and care and support providers.

A separate agreement with Dorset County Council has been entered into to set out detailed allocations processes for extra care, so this section of the CED Allocation Policy will only set out broad principles. At the time of writing the only scheme allocated in this manner relates to Bure House in Christchurch.

Extra-care housing is not advertised on Dorset Home Choice.

The CEDP Housing Service will assess housing needs in accordance with the CED Allocation Policy scheme. An Extra-Care Panel (ECP) will assess support and care needs after an assessment from Adult Services.

For each applicant, the ECP will determine whether the applicant has High, Medium or Low care and support needs.

Each vacancy will be allocated to the most suitable applicant with priority given to high cases first. When allocating, the following principles will apply:

- Applicants will require a local connection to the borough/district where the vacancy arises.
- Other factors may be taken into consideration as well as the level of housing need. These will include the needs and preferences of individuals (e.g. wheelchair needs, preferences for floor level and scheme preferences etc.)
- In line with the CED Allocation Policy, if there is a vacancy of a two bedroomed flat, preference will be considered for couples.

## **Appendix 3 – Sensitive Lettings Policy**

Occasionally there may be a requirement to deal with issues that impact on a small specific location that may only relate to one property. This may be to reduce the concentration of certain needs groups or to seek or not seek households with specific characteristics.

### **Purpose**

The purpose of the Sensitive Lettings Policy is to create sustainable and cohesive communities in relation to individual lettings where there may be need to redress the balance of the community.

### **Objectives**

In these cases the housing provider is departing from the routine allocation process. Instead of allocating a property to the applicant at the top of the shortlist with the most housing need the landlord considers the suitability of the applicant for the vacancy, on the basis of the information they have about the applicant and the knowledge they have about the property, its location or the neighbours.

In allocating housing the housing provider needs to balance a range of factors:

- the individual's housing need;
- the suitability of the property for that applicant; to
- create a community that is sustainable;
- to ensure current and future tenants feel safe;
- to protect the public and residents from nuisance and anti-social behaviour;

Preference will be given to applicants who are able to demonstrate that they will be able to manage a tenancy successfully and using the following cascading mechanism:

- a) Applicant or partner is resident within the local authority area and employed in paid work.
- b) Applicant or partner is employed in paid work and has a local connection to the local authority area.
- c) Are registered on a CED housing register

### **Exclusions**

Applicants will not be considered for a property advertised as a sensitive let where there is evidence of known history for the following;

- Criminal behaviour
- Antisocial behavior
- Drug abuse
- Drug dealing
- Breaches of any tenancy with any landlord
- Rent arrears

The landlord may request additional information from other partner agencies such as

the Police, Probation Service, Primary Care Trust, Drug and Alcohol Services and former Landlord in determining suitability for a property subject to the Sensitive Lettings Policy.

### **Process**

If a landlord wants to advertise a property as a sensitive let, they will need to provide evidence to the CEDP Housing Service on the reasons why the property is required to be let on a sensitive let basis. The CEDP Housing Service will have to agree to any property being advertised as a sensitive let.

The property advert will clearly state the property is subject to a Sensitive Lettings Policy.

Once the shortlist has closed, the Council will nominate in accordance to the preference criteria within the Sensitive Lettings Policy. If for any reason the housing provider wishes to refuse an applicant the Council may re-nominate to the next applicant on the list.

### **Right for Review**

An applicant has the right on request to be informed of any decision about the facts of their case which has been taken into account in deciding whether to make an allocation of a sensitive let to them.

### **Equality Impact Statement**

This Sensitive Lettings Policy does not discriminate directly or indirectly and has given regard to the Equality Act 2010 to ensure no one is treated unfairly and has equal opportunities to access to housing.

The Councils are using their powers under the Localism Act 2011 to enable applicants who are working to access housing, by framing their allocations scheme so as to enable specific properties to be allocated to those in employment through the use of Local Lettings Policies.

### **Monitoring**

The effectiveness of properties being advertised as sensitive lets will be monitored on a regular basis. A property should only be advertised as a sensitive let if this is absolutely necessary to address the situation and any housing management issues.

## Appendix 4 – Owner Occupiers

An owner occupier who applies to join the Housing Register would not qualify unless there are exceptional circumstances or they wish to be considered for a difficult to let property designated for those aged over 55 years.

In considering those exceptional cases the Council will need to be satisfied that the applicant is in housing need and is unable to resolve their own housing circumstances. Applications will be assessed case by case, taking all relevant information into account.

In assessing whether an applicant is in housing need the following will be considered:

(a) the suitability of their present accommodation – whether their current accommodation is adequate for their situation taking into account the state of repair, health, employment, family support and whether that situation is likely to deteriorate.

(b) The applicant and household's financial circumstances – whether their income, savings or the equity within any property they own is sufficient to secure alternative suitable accommodation. The Council may take into account current house prices in making its decision.

In some cases the Council may consider it reasonable for the applicant to be able to secure accommodation in the private sector. However, this may not be appropriate in all cases.

(c) For difficult to let sheltered schemes an applicant must be aged 55 years or over with a housing support need and would benefit from sheltered housing.

Sheltered housing is usually designated for those aged over 55 years. In some cases the scheme may only be available for those aged over 60 or 65 years of age. The housing provider may carry out a needs assessment to assess if an applicant is eligible for their scheme.

Where an applicant who is an owner-occupier has been assessed as a qualifying person for a difficult to let sheltered scheme they will only qualify for an offer of sheltered housing and will not be offered a general needs property.

If an applicant is assessed as qualifying for an allocation this does not guarantee they will be allocated a property. An applicant will have to also meet the criteria set by the housing provider especially in cases where the landlord may have charitable status.

## Appendix 5 – Summary of Bands

<p><b>Band 1</b></p>	<p><b>Emergency cases</b> usually of significant health, wellbeing or welfare grounds , for example;</p> <ul style="list-style-type: none"> <li>• Applicants with a life threatening health condition linked to their housing conditions.</li> <li>• Applicants requiring urgent hospital discharge where their current accommodation is unsuitable for their needs.</li> <li>• Applicants required to move for witness protection reasons, MARAC, MAPPA and Child Protection issues.</li> </ul> <p><b>Emergency Management transfers.</b> Where an existing social housing tenant in the borough/district needs to be moved immediately because of substantiated serious violence or harassment <u>and</u> management action against the perpetrator cannot resolve the situation.</p> <p><b>Discretion of the Council</b> To resolve exceptional housing needs where no other suitable housing options are available.</p> <p><i>This priority banding will be limited for 6 months before being reviewed to establish whether they should continue.</i></p>
<p><b>Band 2</b></p>	<p><b>Existing social housing tenants under- occupying their current homes who</b></p> <ul style="list-style-type: none"> <li>• Will release a property required by the Councils to meet housing need.(e.g. - tenants in properties previously adapted who no longer require the adaptations)</li> <li>• Are under- occupying their property by one bedroom or more and who wish to move to smaller accommodation Are under- occupying their property by one bedroom or more(including starter tenancies) and are suffering or may suffer financial hardship</li> <li>• Are in financial hardship because of housing benefit restrictions due to excess bedrooms.</li> <li>• Are being asked to move from a property where there is a legal right of succession but the property is too large for their needs.</li> </ul> <p><b>Overcrowding.</b> Will only apply to those having been assessed as Category 1 hazards under Part 1 of the Housing Act 2004 and/or statutorily overcrowded under Part 10 of the Housing Act 1985.</p> <p><b>Serious housing conditions.</b> Will only apply to significant hazard(s) identified through Part 1 of the Housing Act 2004 and where those hazard(s) cannot reasonably be removed or reduced to a satisfactory level within a reasonable timescale.</p> <p><b>High medical or welfare grounds</b> Applicants whose current housing conditions are detrimental to health and interferes with their quality of life to a high degree resulting in the award of a high medical or welfare assessment.</p> <p><b>Vulnerable applicants in supported housing</b> who are ready to move onto alternative accommodation.</p> <p><b>Management Transfers</b> Where an existing tenant of a registered provider in the borough/district.</p>
<p><b>Band 3</b></p>	<p><b>Statutory Homeless</b> Applicants who have been accepted by the Council with a full duty to secure accommodation under the homelessness legislation.</p>

**Prevention Duty Accepted**

Applicants who have been accepted by the Council with a prevention duty to assist them secure accommodation under homelessness legislation.

**Relief Duty Accepted**

Applicants who have been accepted by the Council with a relief duty to assist them secure accommodation under legislation.

**Temporary accommodation** Applicants who have been placed by the Council into the following temporary accommodation

- A short-stay flat/hostel under an Assured Shorthold Tenancy or licence.
- A Private Sector Leasing Scheme (PSL) property

**Insecure accommodation.**

- Where the tenancy for a private rented property is ending through no fault of the applicant/s and we have not awarded a Prevention or Relief Duty..
- Tenants/ licensees of hostels, refuges or B&B's who were not placed there by the Council.
- Applicants with no fixed abode.
- Applicants sharing with friends & family who have been asked to leave and we have not awarded a Prevention or Relief Duty.

**Overcrowding** Applicants living in overcrowded circumstances where they are lacking in one or in some instance more bedrooms.

**Service Personnel.** Will be assessed generally under the policy but the following will be considered in this band

- serving or former members of the Armed Forces that have left the services in the last 5 years  
serving or former members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.
- Former family members of the Armed Forces/ Reserve Forces that have been separated/divorced not more than 12 months prior to the date of application.

**Housing conditions** where applicants are lacking the following essential facilities

- Cooking Facilities
- Bath or Shower
- Internal WC
- Potable drinking water supply
- Adequate supply of running hot and cold water
- Safe electricity supply
- Adequate Heating and the condition cannot reasonably be rectified within a reasonable timescale.

**Medium Medical or Welfare Grounds**

An applicant whose current housing conditions are detrimental to health and interferes with their quality of life to a medium degree resulting in the award of a medium medical or welfare assessment.

**Household separation**

- Where members of a potential household wish to live together, have done so

	<p>previously and there is no suitable accommodation for them to occupy together. The Council will consider that it is reasonable for the household to live together and the availability of other accommodation for potential household members and the impact on local housing resources.</p> <p><b>Right to Move – Need to Move For Work</b> Existing social housing tenants seeking to transfer from another local authority district in England and are able to demonstrate “Reasonable Preference” (as defined in s166 (3) (e) of the Housing Act 1996, Part 6), because they:</p> <ul style="list-style-type: none"> <li>- Need to move to the borough or district to avoid hardship; and</li> <li>- They need to move because the tenant works in the borough or district ; or</li> </ul> <p>They need to move to take up an offer of work; and Where the Council is satisfied that failure to meet this need would cause hardship (to the tenant or to others).</p> <p>The Council must be satisfied that they need, rather than want or wish, to move for work related reasons. A number of factors will be taken into account in determining this including:</p> <ul style="list-style-type: none"> <li>• The distance and/or time taken to travel between work and home. The availability and affordability of transport, taking into account level of earnings.</li> <li>• The nature of the work and whether similar opportunities are available closer to home.</li> <li>• Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move.</li> <li>• The length of the work contract.</li> <li>• Whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship.</li> </ul>
<p><b>Band 4</b></p>	<p><b>Low Medical or Welfare Grounds</b> An applicant whose current housing conditions is detrimental to health and interferes with their quality of life to a low degree resulting in the award of a low medical or welfare priority</p> <p><b>Prison Applicants</b> who are serving a prison sentences and who on release will have a housing need or be homeless will be re - assessed a month before release.</p> <p><b>Shared housing</b> Where an applicant is sharing the following essential facilities with another person or household who is not part of their application:</p> <ul style="list-style-type: none"> <li>• Kitchen</li> <li>• Bathroom</li> <li>• Internal WC</li> <li>• Living Room</li> </ul>
<p><b>Band 5</b></p>	<p><b>Intermediate affordable home ownership</b> Applicants who wish to go on the housing register for intermediate home ownership schemes only.</p> <p><b>Designated Keyworkers</b> who are not awarded priority in bands 1-4.</p> <p><b>Village connection applicants</b> who are not awarded priority in bands 1-4.</p> <p><b>Difficult to let sheltered properties</b> This will normally be sheltered accommodation and applicants may not be in housing need or have a local connection.</p>

Note: The Strategic Housing Services Manager has the discretion to allocate accommodation in and between both Councils in appropriate circumstances.

## Appendix 6 – Medical and Welfare Assessment

This Policy explains how and when a medical or welfare award can be given to applicants and what evidence is needed in order to support priority under medical or welfare grounds.

The health and welfare of an applicant or a member of their household will be assessed on the basis of the effect of their current property on their condition, and how a different property would improve their. A health or welfare issue in this context means a physical or mental illness, disability or incapacity, including behavioural syndromes, problems of physical or mental development and disorders related to drugs and / or alcohol. The assessment is based on a holistic approach, which takes account of psychological and social factors alongside physical issues.

The Council will consider whether such applicants are unable to access essential facilities **AND** whether a move to a more suitable property would enable independence or access to essential facilities within their home.

Priority is not awarded simply because the applicant or a member of their household has ill health: many applicants have serious medical conditions, but not all of these can be **significantly** improved by moving to another property. For those applicants, the solution lies in treatment, not re-housing. Generally, the awarding of priority is not considered for common medical problems which rarely have a sufficiently large impact on independence to warrant priority.

**To qualify for an award the condition must be made worse by the applicant/s present housing and the applicant/s health or welfare must also be likely to be improved by moving to alternative accommodation.** The determination of the effect of the applicant/s condition will be determined by the CEDP Medical and Welfare Panel or a reviewing officer as part of a statutory review request.

A key aim for the CEDP Housing Service is that everyone should have a home, which enables them to live independently. Where a property has a negative impact on someone's health or independence, the CEDP Housing Service will try to resolve those problems. A solution might be to move to a more suitable home, or the CEDP Housing Service might work with the relevant Social Services department to make adaptations or provide equipment if these are assessed by Social Services as being necessary and appropriate.

In the case of poor housing conditions affecting applicants' health or a member of their household, the applicant should seek to resolve this with their landlord in the first instance. The CEDP Housing Service can give advice about doing this. The Councils do not prioritise residents for re-housing where their health is affected by housing conditions unless this cannot be remedied. The assessment on housing conditions will be made by the Council's Public Health Officers.

Re-housing may offer a better solution than adapting an applicant's home. Re-housing may involve moving to alternative social housing within the borough/district or it could be suitable and affordable private rented accommodation. The CEDP Housing Service can offer advice to help to decide the best option for applicants.

The CEDP Housing Service may seek an independent medical opinion to inform the assessment of medical and welfare needs.

Generally, applicants to whom the Council has accepted a duty under Homelessness Legislation will usually only be awarded a Band 3. Only in exceptional cases will a high or urgent medical priority be awarded.

Ordinarily, the CEDP Housing Service will not subsequently reassess health or welfare needs unless it can be diagnostically proven that they have changed significantly within the previous three months. For example, applicants will need to show that they have been diagnosed with a significant new health problem which is adversely affected by their housing or that their independence has been permanently reduced following a hospital admission.

Requests for re-assessment that do not match these criteria as determined by the CEDP Medical and Welfare Panel will be acknowledged but will not be subject to a re-assessment and the information will be placed on the applicant/s housing file.

Please note that a medical or welfare award does not necessarily mean that an applicant will move into a higher band.

The following table shows which awards are available and which band an application will be placed into if the award is made:

#### **Medical and Welfare Table**

<b>Priority level</b>	<b>Definition</b>	<b>Priority Band</b>
<b>Urgent</b>	There is a critical need to move. The current housing situation is seriously detrimental to health and interferes with quality of life to an intolerable degree.	<b>Band 1</b>
<b>High</b>	There is a high medical/welfare need to move. The current housing situation is detrimental to health and interferes with the quality of life to a high	<b>Band 2</b>

<b>Medium</b>	There is a moderate medical/welfare need to move. The current housing situation is detrimental to health and interferes with the quality of life to a moderate degree.	<b>Band 3</b>
<b>Low</b>	There is a slight medical/welfare need to move. The current housing situation is detrimental to health and interferes with the quality of life to a low degree.	<b>Band 4</b>
<b>None</b>	There is no medical need to move or a move would offer no improvement. The current housing situation is not detrimental to health and does not interfere with the quality of life.	<b>No Priority</b>

The CEDP Medical and Welfare Panel will also assess and consider applications due to:

- a) Hardship including affordability.
- b) The need to move into the borough/district to give or receive support where an applicant has no local connection. In cases where an exception to Local Connection to give or receive support is agreed, the only award that can be given is a Band 3 medium medical/welfare.
- c) A request from an existing social housing tenant in the borough/district who needs to move to a less isolated area.

### **Medical and Welfare Assessment Form**

Applicants only need to tell the CEDP Housing Service about problems if they think that their health or welfare is being made worse by their housing and that it would improve if they moved.

Housing options may be offered to assist applicants in resolving any issues they may be experiencing in the first instance.

If the health condition is made worse by present housing and the applicants health or welfare is also likely to be improved by moving to alternative accommodation the applicant will be sent a Medical and Welfare Assessment Questionnaire to complete by their GP or health professional. This is required as it asks specific questions about the suitability of the property and confirmation that an identified medical condition would improve if alternative accommodation was made available.

Please note that the CEDP Housing Service will not pay any costs associated with provision of supporting medical evidence

Only one medical/welfare award can be given to a household. Where more than one household member has a health condition an assessment will be made taking into account everyone's health or welfare needs and the highest award applicable will be made.

## **Medical and Welfare Assessment Process**

The CEDP Medical and Welfare Panel is made up of two officers of the CEDP Housing Service who will assess an applicant's medical or welfare situation against the criteria shown within the table above.

If further information is necessary before a decision can be made, the CEDP Housing Service will write to the applicant, their general practitioner or any other agency regarding additional information required relating to the application.

The CEDP Housing Service may in review cases may contact an independent medical advisor regarding an application if this is considered necessary.

The CEDP Medical and Welfare Panel will usually meet on a 2 weekly basis.

## **Additional Bedrooms**

Applicants can apply for an additional bedroom due to their medical needs. Evidence for an additional bedroom will be requested. Usually the only circumstances in which an additional bedroom will be awarded are where an applicant or a member of their households requires a full-time live-in carer who is not part of the normal household. (See section 7.21).

## **Adapted properties**

Applicants who need a home suitable for wheelchair users will need to provide an Occupational Health before an offer can be considered.

When allocating properties suitable for wheelchair users or with any other adaptations for disabilities, priority will be given to applicants who have an assessed housing need for these properties and evidence of this has been confirmed.

## **What to do if you disagree with the decision**

All decisions with regard to the Allocations Policy are subject to review should the applicant be dissatisfied with a decision. A request for a review should be made to the CEDP Housing Service. An officer senior to the person making the original decision and, who was not involved in making the decision, will carry out the review. Details of the right to request a review is detailed in 7.48 – 7.53.

It is important to remember that it is for the Council to make decisions in the administration of housing applications. Only the Council will be able to determine priority in line with the Allocations Policy.

Councils may, where necessary, take into account medical professional's information but the CEDP Housing Service will make the final decision under the Allocation Policy.

## **Appendix 7 Definitions**

### **Additional preference**

The phrase used in the Housing Act to allow local authorities to prioritise applicants with the greatest need in the reasonable preference categories.

### **Advocate**

A responsible person who has been given approval to 'act' on behalf of an applicant  
E.g. support worker, family member.

### **Applicant**

A person who applies to register on the Dorset Home Choice lettings scheme, including tenants of a local authority or a housing provider. References to 'applicants' throughout the Policy will normally also refer to all members of the household.

### **Application date**

The date the application is received by CEDP Housing Service.

### **Bands**

A way of prioritising applications within the housing registers that places those of a similar need within the same band and places bands in a hierarchy.

### **Bedroom Need Assessment**

The number of bedrooms that an applicant will be considered for under this Allocation Policy.

### **Bidding**

To be considered for an available home, applicants are required to 'make a bid' or 'express an interest' in a property. No money is involved in making a bid or expressing an interest in a property nor is the successful applicant the first person to bid for the property.

### **Bidding cycle**

The number of days in which an applicant has the opportunity to 'place a bid' or 'express an interest' in a property once it is advertised.

### **Category 1 and 2 hazards**

The Housing Act 2004, Part 1 enforcement provisions are concerned with the assessment of hazards in a property and this entails the potential effect of those conditions on the occupiers. These hazards are then scored with the highest scores being those likely to cause most harm and categorized as Category 1 hazards and others being categorized as Category 2 hazards. These assessments are carried out by Public Health Officers.

### **CEDP Housing Service**

The shared housing service for Christchurch Borough Council and East Dorset District Council. This service has a shared officer team maintaining the housing registers but with a separate budget for each Council.

**Change in circumstances**

When a household make up or property details change e.g. Where a household size increases or reduces: if the applicants move home, get married/divorced and change names or health/medical circumstances significantly alter their situation.

**Choice Based Lettings**

A system which enables applicants for social rented housing the choice of where they would like to live from a list of available properties based on their eligibility for those properties.

**Codes of Guidance**

Relevant government guidance provided to local authorities to use when drawing up allocations policies.

**Current legislative framework**

Housing Act 1996 Part 6, Code of Guidance on Choice Based Lettings, Fair and Flexible guidance on Housing Allocations, Homelessness Act 2002, Homelessness Reduction Act 2017.

**Decant**

The need to move an existing social housing tenant out of their accommodation to enable building works to be done on that property.

**Difficult to let**

These are properties which the Councils ordinarily find difficult to let due to low demand. In the majority of cases this relates to sheltered bedsits in the East Dorset District Council area.

**Effective Date**

The date an applicant is placed into a band.

**Employment**

Applicants will be defined as being in work if they are in jobs where they hold explicit (written or oral) or implicit employment contracts which give them a remuneration which is declared for tax purposes, or are self-employed in meaningful employment and declare income for tax purposes. In establishing whether an applicant is in work, evidence may be required including written information such as tax returns, pay slips, accounts etc. or evidence of tools of trade.

**Housing need**

An applicant who needs to be rehoused because their current living arrangements are detrimental to their (or a member of their household's) health and welfare.

**Housing provider**

A registered / social housing provider. The main providers in the borough/district are Sovereign Housing Association and Aster Housing to whom both Councils previously transferred their housing stock.

**Joint allocation policy**

A housing allocation policy that is applicable to both Christchurch Borough Council

and East Dorset District Council who share a Housing Service.

### **Local connection**

A defined connection to a settlement or area obtained through living or working in that settlement/area. There is a separate set of local connection criteria for villages outlined in the Policy.

### **Local Housing Allowance**

The Local Housing Allowance (LHA) arrangements are a way of working out Housing Benefit (HB) for people who rent from a private landlord. Local authorities use LHA rates based on the size of household and the area in which a person lives to work out the amount of rent, which can be met with HB.

In the Bournemouth area (which covers both Councils) the LHA is currently set at:

<b>Bedroom rate</b>	<b>Per week</b>	<b>Per year</b>	<b>5 x LHA</b>
One Bedroom Rate	£123.38	£6,426.12	£32,130.60
Two Bedrooms Rate	£153.02	£7,957.08	£39,785.40
Three Bedrooms Rate	£188.79	£9,817.08	£49,085.40
Four Bedrooms Rate	£253.14	£13,163.76	£65,818.80

### **Localism Act**

A piece of legislation enacted in November 2011 to provide: new freedoms and flexibilities for local government, new rights and powers for communities and individuals, reforms to make the planning system more democratic and more effective and reforms to ensure that decisions about housing are taken locally.

### **Local Lettings Plans (LLP)**

Policies that allow certain properties in certain areas to be let against specific criteria.

### **Management move**

The need for a housing provider to move tenants to make best use of their housing stock.

### **Normally be resident**

Normally resident for the purposes of this Policy means that an applicant is living in the area (apart from temporary or occasional absences), and their residence there has been adopted voluntarily and for settled purposes as part of the regular order of their life for the time being.

### **Offer**

An offer of accommodation by a registered provider that an applicant has bid for.

### **Partner organisation**

A housing provider that advertises their vacancies in the Dorset Home Choice choice based lettings scheme.

**Personal reference number**

A unique number that will be provided to an applicant once their application is accepted and registered on Dorset Home Choice.

**Poor tenancy management**

Poor tenancy or household management arises where there is evidence that applicants have failed to appropriately manage their occupation of accommodation, including significant arrears or other housing debts or problems with damage and dilapidation. In all cases, the individual circumstances of the applicant will be taken into consideration.

**Property label**

A description of a property being advertised as available to let.

**Reasonable preference**

The phrase used in the Housing Act 1996 to describe those types of housing need that should be given priority in a local authority's allocations Policy.

**Registration date**

The date an application is received by a local authority.

**Restricted person**

A restricted person is a person subject to immigration control who is not eligible for homelessness assistance because they do not have leave to enter or remain in the UK or has leave which is subject to a no recourse to public funds condition.

**Sensitive Lettings Policy**

Policies that allow certain properties to be let against a specific criteria. Usually only relates to 1 property and is sought to redress the balance of a community.

**Shortlisting**

The process by which bids received on a property are prioritised so that the applicant with the highest housing need and the earliest effective date in band is at the top of the list of bidders.

**Unacceptable behaviour**

Unacceptable behaviour is defined as a behaviour where a person acts in a manner that causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household as themselves or has caused nuisance or annoyance to neighbours, or has been convicted of using their dwelling house or allowing it to be used for immoral or illegal purposes.

**Under Occupying**

A person under occupies when they occupy accommodation that has more bedrooms than their bedroom needs assessment.

**Village Connection**

A defined connection to a village obtained through living, working or having immediate family residing in that specific village.

**Work base**

A work-base is defined as the main office or business establishment at which a person is based.