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People	Yes
Place	
Corporate	
In Constitution	Yes

**Common Allocations Policy: West Dorset District Council/Weymouth & Portland Borough Council/North Dorset District Council/Purbeck District Council/East Dorset District Council**

**Policy Details**

What is this policy for?	Dorset Home Choice is a choice-based lettings scheme that covers the whole of the geographical area of Dorset (including Bournemouth and Poole). Choice based lettings is a system for letting social housing, supported by the government, which allows housing applicants more choice by advertising vacancies and inviting applicants to express interest in being the tenant of any given property. These 2 policies - one for East Dorset District Council, and one for the other four councils - set out the housing allocation policies for the Dorset Home Choice CBL Partnership and explains how to apply for housing; who is eligible for housing; how applicants will be assessed and prioritised.
Who does this policy affect?	It aims to meet the housing needs of households within the Dorset Home Choice partnership area in the most effective way.
Keywords	Dorset Home Choice; Housing Allocations; Choice Based Lettings.
Authors	<ul style="list-style-type: none"> <li>Mandella Wisbey, Housing Solutions Manager, West Dorset District Council. No longer in post.</li> <li>Shelley Hayes, Deputy Strategic Housing Services Manager, East Dorset District Council.</li> </ul>
Dorset Council policy adopted from	Residents of the Dorset Council area will continue to use the existing Common Allocations Policies until January 2021 at the latest. Between now and then, Dorset Council will design its own Allocations Policy and procure a new service provider to deliver an IT solution.
Does this policy relate to any laws?	These policies link to many pieces of legislation and regulations, as set out in the document.
Is this policy linked to any other Dorset Council policies?	These link to any number of other policies and strategies, that are too numerous to list, but which are set out in the policy itself.
Equality Impact Assessment (EqIA)	An EqIA was completed during the development of the policies and was taken into account when the policies were being drafted. A new EqIA will be completed when the policies are reviewed and/or harmonised for Dorset Council.
Other Impact Assessments	None

**Status and Approvals**

Status	Live	Version	
Last review date		Next review date	
Approved by (Director)		Date approved	
Member/ Partnership Board Approval	Approved by West Dorset District Council/Weymouth & Portland Borough Council/North Dorset District Council/Purbeck District Council/East Dorset District Council full councils.	Date approved	



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.



# Dorset Home Choice Common Allocations Policy



V3.5.19  
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# 1. Introduction and Background

## 1.1 The Dorset Home Choice CBL Partnership

1.1.1 Dorset Home Choice is a choice based lettings scheme (sometimes referred to as 'the scheme' in this document) that covers the whole of the geographical area of Dorset (including Bournemouth and Poole).

1.1.2 Choice based lettings is a system for letting social housing, supported by the government, which allows housing applicants more choice by advertising vacancies and inviting applicants to express interest in being the tenant of any given property.

1.1.3 This document sets out the housing allocation policy for the Dorset Home Choice CBL Partnership (referred to as 'the partnership' throughout this document) and explains:

- How to apply for housing
- Who is eligible for housing
- How applicants will be assessed and prioritised

1.1.4 All applicants are assessed by partners using the guidelines and criteria set out within this policy to ensure fairness and consistency. Please note that some partner housing providers may have specific criteria that they have to adhere to when letting their homes (such as a household of a certain size in a property of certain size). Where this is the case the property advert will make this clear. Specific partner local authority criteria with regard to eligibility, banding and bedroom requirements for each household are set out within each relevant section of this policy.

1.1.5 The partnership is made up of 8 local authorities in the Dorset area and their partner housing providers. The 8 local authorities are:

- Borough of Poole
- Bournemouth Borough Council
- Christchurch Borough Council
- East Dorset District Council
- North Dorset District Council
- Purbeck District Council
- West Dorset District Council
- Weymouth & Portland Borough Council

Whilst Bournemouth Borough Council, Christchurch Borough Council and East Dorset District Council are partners within the overall Dorset Home Choice scheme they will retain their own allocations policy.

A listing of the partner housing providers that have signed up to the scheme can be found at Appendix 2.

## 1.2 **Aims of Dorset Home Choice**

1.2.1 The aims of the Dorset Home Choice CBL scheme are:

- To help meet the housing needs of households within the Dorset Home Choice partnership area in the most effective way;
- To maximise housing opportunities for households within the Dorset Home Choice partnership area by eliminating artificial boundaries;
- To meet the statutory requirements of the Local Authorities within the current legislative framework, whilst working genuinely in partnership with partner housing providers to deliver a common vision for a fair and accessible service;
- To have a common housing register assessment framework across all Dorset Home Choice partners party to the common policy;
- To provide a simple to use, customer-friendly lettings service for social housing vacancies within the partnership area;
- To investigate opportunities to maximise the efficiencies in the provision of services to customers and improve the customer experience of the service.
- To give preference to those with a local connection to the relevant Dorset Home Choice partner authority;
- To simplify processes and procedures for housing providers advertising their vacancies across Dorset;
- To take full advantage of the economies of scale available through joint working and commissioning and procurement services to generate savings.



## 1.3 The Scheme in Brief

- 1.3.1 All applicants for social housing across the Dorset Home Choice partners will complete the same application form and will be assessed against the criteria as set out within this policy (except Bournemouth Borough Council, Christchurch Borough Council and East Dorset District Council applicants who will be assessed against their own allocations policy). Depending on their circumstances applicants will be placed into one of three bands and in very small number of cases an Emergency Priority band.
- 1.3.2 Once an application has been registered, applicants will be advised of their banding, the reason for their banding, application date, the size of the property that they are eligible to bid for, together with a personal reference number which will enable them to bid for vacancies being advertised across the whole of Dorset for which they are eligible.
- 1.3.3 Homes available to let will be advertised every week. People with active applications on the housing register 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.
- 1.3.4 Applicants will be able to make bids in a variety of ways and can monitor the progress of their bids and bidding history by accessing their account on the scheme's website ([www.dorsethomechoice.org](http://www.dorsethomechoice.org)).
- 1.3.5 Once the bidding deadline has passed, the successful applicant will be selected from those that applied to the property based on:
- The band in which they have been placed which reflects their housing need (See section 3.5)
  - Their band start date within that band
  - Local connection to each partner Local Authority as set out within this policy
- 1.3.6 A nomination to a partner housing provider will be made subject to verification of the details supplied on the original application form. Incorrect information may result in the nomination to the housing provider being withdrawn and the application being re-assessed.
- 1.3.7 The banding and band start date of the successful applicant will be made available to all applicants via the recent lettings feedback. This will enable applicants to develop realistic expectations regarding their chances of success and likely waiting period.

## 1.4 Statement on Choice

- 1.4.1 The Dorset Home Choice partnership believes in offering people seeking housing as much choice as possible. There is very high demand for social housing in Dorset and the provision of choice has to be balanced with the need to ensure that housing goes to those with the greatest need.
- 1.4.2 Dorset Home Choice has been developed to enable applicants to view the details of available properties across Dorset, choose between them and bid for those properties for which they are eligible.
- 1.4.3 Whilst the aim of Dorset Home Choice partners is to provide choice in the allocation of social housing in Dorset, there will be a number of exceptional situations where this will not be possible. For example, where a housing provider needs to make an urgent management move or the requirement to 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.
- 1.4.4 The partnership will advertise the majority of their vacancies through the scheme. 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.
- 1.4.5 The partnership 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 relevant Head of Service in each partner authority to make such decisions.
- 1.4.6 The property adverts will provide valuable information about the property, together with links to information about the local neighbourhood, to enable applicants to make informed decisions about which accommodation they want to be considered for.

## 1.5 Equal Opportunities – Ensuring Access to Dorset Home Choice for all

- 1.5.1 There are many benefits of Dorset Home Choice to people seeking a home, but it does require them to be proactive. People will need to:
- Find information on available homes

- Choose between homes
- Bid for homes

1.5.2 The partnership will ensure its policies and practices are non-discriminatory and will aim to promote equal opportunity by preventing and eliminating discrimination on the grounds of gender, colour, race, religion, nationality, ethnic origin, disability, age, sexual orientation or marital status. The scheme will be accessible, responsive and sensitive to the diverse needs of individuals and officers will be trained to a high standard in valuing and promoting equality and diversity in the delivery of the lettings service. The partnership will take measures to ensure that people from potentially disadvantaged groups have equal access to housing opportunities with the population as a whole.

1.5.3 The impact of the policy will be monitored, to ensure that it promotes equality of opportunity to individuals and minority groups. In order to achieve this, all applicants will be asked to provide details of their ethnic origin and other demographic information when they apply to join the housing register.

1.5.4 The partners will ensure that all potential applicants have equality of information about the service and equal opportunity to apply, bid for and receive offers of accommodation. We will do this by:

- Advertising the service widely in a variety of accessible media;
- Providing practical assistance to those who may have difficulty in understanding the requirements of the system;
- Providing practical assistance, where the applicant may have difficulty completing the paperwork;
- Providing tailored assistance to those who may have difficulty bidding for properties, including placing bids on their behalf, if that is necessary; and
- Monitoring the profile of those who are applying and making bids to ensure that minority and hard to reach groups are actively engaged in the service.

1.5.5 Due to the high demand for housing in Dorset, we can only ensure fair access to Dorset Home Choice. Even though some applicants may be classed as 'vulnerable' and need support to participate in Dorset Home Choice, this will not necessarily reflect a high level of current housing need. Therefore, in reality, they may not have a high chance of securing a home.

1.5.6 An Equalities Analysis has been undertaken on the Dorset Home Choice scheme and its results have been taken account of within the final policy.

1.5.7 Each of the organisations involved in the Dorset Home Choice

Partnership has an Equal Opportunities Policy to ensure that:

- Everyone has equal access to services
- No one is discriminated against on the grounds of ethnic origin, disability, age, gender, sexual orientation, religion, or for any other reason

1.5.8 Any allegations or concerns that an organisation has not acted appropriately should be made directly to that organisation. All partner housing providers have a complaints policy and an independent Ombudsman.

## 1.6 Meeting our obligations

1.6.1 This policy has been developed with regard to the codes of guidance issued to local housing authorities in England, in exercising the functions under 167(1A) and 167(2E) of the Housing Act 1996.

1.6.2 The partnership will ensure that the policy is compatible with obligations imposed by other existing legislation, in addition to Part 6 of the Housing Act 1996 as detailed below; this list is not exhaustive.

- The Human Rights Act 1998
- The Freedom of Information Act 2000
- Children Act 1989
- Data Protection Act 1998
- Crime & Disorder Act 1998
- Homelessness Act 2002
- The Equality Act 2006
- The Equality Act 2010
- The Localism Act 2011

This policy also takes into consideration good practice guidance issued by the government, and external auditing bodies.

- 1.6.3 In addition, the partnership will ensure that the policy is, as far as possible, aligned with local, sub-regional and regional housing strategies, together with existing homeless strategies across the sub region and local authority partner corporate priorities.

## **1.7 Advice and Information**

- 1.7.1 A clear summary of the scheme will be made available to all applicants on registration. The full copy of this policy is available on request from any of the principal offices of the partners or it can be downloaded from the Dorset Home Choice website ([www.dorsethomechoice.org](http://www.dorsethomechoice.org)).
- 1.7.2 Information about the scheme will be provided in a range of formats and languages to applicants upon request, to ensure that all have equality of opportunity in accessing the service.
- 1.7.3 To ensure that everyone can access the service easily, advice and information will also be provided to applicants through a variety of means, including telephone, interactive website, user guide, targeted mail-shots and in person at any one of the partners' housing service reception points where available.
- 1.7.4 Applicants who do not have internet access can visit their local housing office or other locations offering internet facilities e.g. libraries, internet cafes etc.
- 1.7.5 A property list of weekly adverts, which provides details of the advertised vacancies in that partner's area, will be available at the partner organisations reception points where these are provided, or it can be downloaded from the website by applicants or professional organisations.
- 1.7.6 Our staff will at all times give impartial advice to all applicants needing help on how to use the service. Staff will also offer a sensitive service to those who are vulnerable and may need additional help. We also aim to provide targeted support to those applicants in the priority bands [Emergency and Gold] to help them resolve their housing needs.
- 1.7.7 For those applicants that may have to wait a considerable time before being successful in bidding for accommodation, information and advice about other social housing options will be provided e.g. other housing providers, private sector renting, low cost home ownership options and mutual exchanges.

## 1.8 **Monitoring**

- 1.8.1 To ensure that the aims and objectives of this policy are met and that overall, priority for accommodation is given to those in the reasonable preference categories (please see Appendix 1 for definition of reasonable preference) the partnership will ensure that robust monitoring arrangements are in place to monitor lettings outcomes.
- 1.8.2 Applicants' satisfaction levels will also be monitored in order to identify any improvements to the scheme in terms of ease of access to the service and the quality of information and advice they receive. This will include measuring the satisfaction of minority groups and others who are considered hard to reach, and taking action where necessary to ensure good levels of satisfaction are achieved.
- 1.8.3 The outcomes of lettings will also be monitored to ensure that all minority and hard to reach groups have equality of opportunity in accessing the scheme and that lettings are broadly proportionate to the profile of communities.

## 1.9 **Information sharing, confidentiality and data protection**

- 1.9.1 In accordance with our obligations under the Data Protection Act 1998, 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.
- 1.9.2 All personal information will be processed in accordance with the requirements of the Data Protection Act 1998. Applicants have the right to inspect personal information held about them under section 7 of the Data Protection Act 1998. Applicants may also correct any inaccurate information held about them.
- 1.9.3 Personal information will not be shared with organisations external to the 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 applicant declaration when making an application.
- 1.9.4 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.

## **2. Joining the Housing Register**

### **2.1 How to apply**

2.1.1 Anyone wishing to bid for a home must apply to join the Dorset Home Choice housing register. An applicant can register by any of the following methods:

- Online via our website at [www.dorsethomechoice.org](http://www.dorsethomechoice.org)
- By completing a paper application form, available from any of the Dorset Home Choice partner local authorities or partner housing providers.

2.1.2 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.

2.1.3 Applicants will be asked if they would like any support to complete the application form.

2.1.4 The form will include a question on whether applicants need any support to participate in Dorset Home Choice.

2.1.5 Advice and information on applying for housing is available from local authority housing offices. See the list in appendix 3 for contact details.

2.1.6 On registration, applicants will be written to and given:

- Their registration date
- The band they have been awarded
- The reason for their banding
- A summary of the scheme
- Details of their right to review

Applicants should check the accuracy of this information as it will be used to decide their priority for receiving an offer of housing.

## 2.2 Identification required

2.2.1 When they have received the application each local authority partner will request the evidence they need in order to verify and band the application:

- Proof of identification for every applicant on the register e.g. drivers licence, birth certificate, or passport
- Proof of address, E.g. Utility bill, bank statement council tax statement/bill, drivers licence dated within the last 3 months
- Proof of income dated within the last 3 months
- Proof of other circumstances that may affect your housing assessment
- Where relevant, proof of immigration status

2.2.2 Applicants will also be asked as part of the application process, to sign a declaration of consent to allow enquiries to be made about their eligibility for housing and level of priority.

2.2.3 Where applicants are unable to provide identification information, then their named advocates or support agency will be contacted. Applicants will be asked as part of the application process, to sign a declaration of consent to allow an advocate to act on their behalf.

2.2.4 Some partners may waive the identification requirements above except in cases where immigration status has to be established.

2.2.5 Proof of identification (original documents) will be required at point of nomination/offer/tenancy sign up – see section 6.3.1 for further details.

2.2.6 Applicants have 28 days in which to provide relevant evidence when requested. Applicants that do not provide the evidence requested within this timescale, will not be sent any further reminders, and their application will not be assessed.

## 2.3 Who can apply

2.3.1 Anyone over 16 years of age who is eligible and meets the required qualification criteria, may apply. This includes people who are already secure,



assured, introductory or assured short-hold tenants of any of the member partner housing providers.

- 2.3.2 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. For more details please contact the individual partner housing provider.
- 2.3.3 Applicants who are residing in HM Prison can apply to join the register within 1 month of their date of release (if they are eligible and qualify) and bid once accepted onto the register.
- 2.3.4 Serious offenders, including applicants who are the subject of MAPPA (Multi Agency Public Protection Arrangements) will only be able to be allowed onto the housing register and receive an offer of accommodation after an appropriate risk assessment of their eligibility in the first instance. This may restrict the choice of locations for which they can bid.

## 2.4 Who can join the register

In considering applications to join the housing register housing authorities must ascertain:

- if an applicant is eligible for an allocation of accommodation, and
- if an applicant qualifies for an allocation of accommodation

Only if these two criteria are met (subject to certain exceptions set out within this policy) can an applicant join the Dorset Home Choice Housing Register.

## 2.5 Who is not eligible?

- 2.5.1 The Housing Act 1996 (as amended by the Homelessness Act 2002) states that accommodation can only be allocated to people who are eligible.
- 2.5.2 **Certain people from abroad with limited rights to remain in the United Kingdom or who are subject to immigration control are not eligible** to be allocated housing. These groups of people are set out in 'The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006' (as amended). People who are in doubt about whether they are eligible should seek detailed advice from their local authority's Housing Advice Team.
- 2.5.3 Note that these eligibility criteria do not apply to applicants that already have a Secure or Introductory Tenancy, or an Assured Tenancy allocated by the

Local Housing Authority.

2.5.4 Applicants who are not eligible to register with Dorset Home Choice will be informed in writing of:

- The decision and the reasons behind it
- Their right to review and how to do this

## 2.6 Who does not qualify?

2.6.1 Housing authorities may only allocate accommodation to people who are defined as 'qualifying persons' (s160ZA(6)(A) Housing Act 1996 as amended by the Localism Act 2011).

2.6.2 Applicants that fall into one of the following categories will be classed as non-qualifying persons and will be unable to join the Dorset Home Choice housing register:

- a) Applicants assessed as being adequately housed as defined by this policy (subject to some exclusions regarding rural settlements with less than 3000 inhabitants and those that need to join the register because of an interest in low cost/shared ownership);
- b) Applicants that have the financial means to meet their own housing needs. See section 2.8 for further details. For those applicants wishing to apply to North Dorset District Council this will also include all owner occupiers unless they can show that their property is unaffordable or unsuitable for their needs;
- c) Applicants with no local connection (as defined by this policy) to the Dorset Home Choice Local Authority partner area(s) they are applying to (subject to certain exceptions – please see section 2.7).
- d) Applicants applying to North Dorset District Council and the Borough of Poole 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).
- e) Applicants assessed by Dorset Home Choice partners as being guilty of unacceptable behaviour. This means that the applicant, or a member of their household, have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant. This behaviour must normally have occurred in the previous two years.

2.6.3 Behaviour is unacceptable if it is behaviour that would, if the applicant had been a secure tenant, allow the housing authority to obtain an outright possession order under section 84 of the Housing Act 1985 in relation to Grounds in Part 1 of Schedule 2 other than Ground 8.

2.6.4 Examples of unacceptable behaviour may include:

- Significant (8 weeks or more) rent arrears (where any rent due has not been paid) or breach of tenancy obligations where no attempt is being made to repay the debt or 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 violence and 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 of a Dorset Home Choice partner organisation.

2.6.5 Cases will be considered on an individual basis and applicants will have the right to appeal if they are not satisfied with the decision made. The following criteria will be applied in determining whether an individual or household should be denied the right to register with Dorset Home Choice, because of their behaviour:

- There must be reliable evidence of violent or anti-social behaviour, or domestic violence and 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.

2.6.6 Partner local authorities in Dorset Home Choice will review applications to the register on request following the receipt of further information. This may include an applicant being able to demonstrate that there has been no further instance of such behaviour, and/or that they can show that they are engaged with support that will enable them to maintain a tenancy. In these cases further consideration will be given after a year, during which acceptable behaviour has been demonstrated, has elapsed. Each case will be treated on its merits and an applicant may appeal if not satisfied with the decision.

2.6.7 It should be noted that the allocation policy cannot cover every eventuality. In special cases where there are exceptional circumstances, each local authority partner has discretionary power to waive the requirement for a local connection, award reasonable preference and additional preference banding categories and approve offers of housing, taking into consideration all factors relevant to housing and social needs. Where this document refers to rules and criteria for determining priority, eligibility and qualification for housing, subject to any legal constraints, discretionary powers may be used to deal with special cases which may need to be treated as exceptional.

## 2.7 **Local Connection Qualification Requirement**

2.7.1 The following local authority partners require the applicant to have a local connection to their specific local authority area in order to be able to apply to join the register (as set out in 2.6.2 c)):

Purbeck District Council  
Weymouth & Portland Borough Council  
West Dorset District Council  
North Dorset District Council  
Borough of Poole

However exceptions to this will include where applicants:

- a) Have been accepted by a Dorset Home Choice local authority as statutorily homeless, and the requirement for a local connection has been waived for specific reasons such as the applicant is fleeing domestic violence and abuse;
- b) Local Authorities will only consider applicants who are able to demonstrate the need to move to their areas for essential and/or critical receipt of support where significant harm would result if this was not

provided. This is limited to applicants whose immediate family associations have resided in the relevant area continuously for the past 5 years and the applicant cannot receive this support from any service or relevant provider where they currently live. This does not apply to Purbeck District Council.

- c) There are special circumstances such as health or support needs that are only available within the relevant Dorset Home Choice local authority area (this does not apply to those applicants applying to Purbeck District Council);
- d) Applicants are assessed as having an urgent (emergency) need to move due to imminent risk of domestic violence and abuse, threats to life, racial or homophobic harassment, extreme anti-social behaviour, vulnerable witnesses or any other significant and/or immediate need for a move to more suitable alternative social housing accommodation;
- e) Due to institutionalisation, hospital admission or other regulation are not otherwise non-qualifying persons due to a lack of a local connection to the Dorset Home Choice Local Authority being applied to (e.g. MAPPA, MARAC, witness protection cases) and where social housing is deemed to be the only suitable accommodation option;
- f) Applicants to the Borough of Poole that are accommodated in supported housing and requiring move on to social housing recommended by Children's Services (including Care Leavers, foster carers) or Adult Services (including Learning Disability Team and Locality teams);
- g) Applicants to North Dorset District Council, Purbeck District Council, West Dorset District Council and Weymouth & Portland Borough Council that are accommodated in supported housing 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);
- h) Applicants to Purbeck District Council that have an exceptional housing need that cannot be met by other housing options and need to move to Purbeck District Council in order to meet that need. These applications will be assessed on a case by case basis;
- i) Are current or former members of the British Armed Forces that have left the services in the last 5 years;
- j) Are serving members of the British Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service;

- k) Are bereaved spouses and civil partners of members of the British Armed Forces leaving Services Family Accommodation following the death of their spouse or partner;
- l) Are serving or former members of the British Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service;
- m) Social housing tenants who apply to the Borough of Poole, North Dorset District Council and Purbeck District Council who can satisfy those authorities that they need to move to (or within) the local authority area to work or take up an offer of work within that local authority and would experience hardship if unable to move. For the purposes of this exception “work” will be defined as permanent work with a minimum of a 16 hour contract per week. The circumstance of self-employed applicants will be reviewed on a case by case basis.
- n) Applicants to Purbeck District Council self-build register for rural exception sites who are on the housing register only for self-build purposes.
- o) Applicants to North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council who are eligible for housing for older persons.

2.7.2 In such circumstances applicants will be banded in line with the policy, regardless of the fact that they have no local connection to the relevant Dorset Home Choice Local Authority.

2.7.3 **To demonstrate a local connection:**

**Borough of Poole applicants** are required to:  
 Have lived in the Borough of Poole continuously for the **last 2 years**.  
 (Residency in a property where treatment or rehabilitation of any kind whilst working will not count towards establishing a local connection)

**Purbeck District Council applicants** are required to:

- Be continuously resident in the Purbeck District Council area for the last 5 years where residence has been out of choice.
- Have family connections in the Purbeck District Council area. The Local Government Association guidelines define this as immediate family members (e.g. parents, siblings and non-dependent children) who currently reside in the relevant area and have lived there for at least 5 years and with whom there has been frequent contact, commitment or

dependency. Other categories of relationship may be considered including foster relationships, where clear evidence of frequent contact, commitment or dependency is shown.

**North Dorset District Council applicants** are required to:

- Be continuously resident in the North Dorset District Council area for the last 2 years where residence has been out of choice
- Have family connections in the North Dorset District Council area . The Local Government Association guidelines define this as immediate family members (e.g. parents, siblings and non-dependent children) who currently reside in the relevant area and have lived there for at least 5 years and with whom there has been frequent contact, commitment or dependency. Other categories of relationship may be considered including foster relationships, where clear evidence of frequent contact, commitment or dependency is shown.
- The need to move to the North Dorset District Council area to give or receive essential and/or critical support where significant harm would result if this was not provided. This is limited to applicants whose immediate family associations have resided in the relevant area continuously for the past 5 years and the applicant cannot receive this support from any service or relevant provider where they currently live.
- Work in the North Dorset District Council area. The Local Government Association guidelines define this as employment other than of a casual nature. For the purposes of this policy this will be defined as having had permanent work with a minimum of a 16 hour contract per week for the previous two years, and without a break in the period of employment for more than three months. Residency in a property where treatment or rehabilitation of any kind whilst working will not count towards establishing a local connection.

**Applicants to West Dorset District Council and Weymouth & Portland Borough Council** are required to:

- Be continuously resident in the West Dorset District Council or Weymouth & Portland Borough Council area for the last 2 years, where residence has been out of choice.
- Work in the relevant local authority area. The Local Government Association guidelines define this as employment other than of a casual nature. For the purposes of this policy this will be defined as having had permanent work with a minimum of a 16 hour contract per week for the previous 6 months, and without a break in the period of employment for more than three months. Residency in a property where treatment or rehabilitation of any kind whilst working will not count towards

establishing a local connection.

- Where an applicant needs to move to take up an offer of permanent employment (over 16 hours and evidence will be required) within the relevant local authority area and commuting to their new place of work from their existing home would be unreasonable.
- Have family connections in the relevant local authority area. The Local Government Association guidelines define this as immediate family members (parents, siblings and non-dependent children) who currently reside in the relevant area and have lived there for at least 5 years and with whom there has been frequent contact, commitment or dependency. Other categories of relationship may be considered including foster relationships, where clear evidence of frequent contact, commitment or dependency is shown.
- The need to move to the relevant local authority area to give or receive essential and/or critical support where significant harm would result if this was not provided. This is limited to applicants whose immediate family associations have resided in the relevant area continuously for the past 5 years and the applicant cannot receive this support from any service or relevant provider where they currently live..

2.7.4 Applicants will be required to provide proof of their local connection to the relevant local authority area being applied to before their application is assessed.

2.7.5 In some rural 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 may also impose specific conditions for initial letting and/or ongoing lettings. In these cases these specific requirements will take precedence over the general local connection requirement.

2.7.6 For the purposes of this section, residence in the Dorset area 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.

2.7.7 The local connection rule will not apply to applicants who are assessed as having an urgent (emergency) need due to imminent risk of violence or those who are part of a witness protection scheme.

**2.7.8 Specific Local Connection Requirements for Applicants applying to Purbeck District Council for a single plot rural exception site self-build only.**



2.7.8.1 In order to qualify for a single plot rural exception site self-build, you will need to demonstrate a local connection to Purbeck District Council and the parish the rural exception site is located. You are required to:

- a) Be resident in the Purbeck District area for the last 5 years where residence has been out of choice; or
- b) Have family connections in the Purbeck District Council area. The Local Government Association guidelines define this as immediate family members (e.g. parents, siblings and non-dependent children) who currently reside in the relevant area and have lived there for at least 5 years and with whom there has been frequent contact, commitment for dependency. Other categories of relationship may be considered, including foster relationships, where clear evidence of frequent contact, commitment or dependency is shown;

**AND**

- c) immediately prior to any planning application has had his/her only or principal home in the Parish, for a continuous period of not less than 3 years; or
- d) immediately prior to any planning application has had his/her only or principal place of permanent employment in the Parish, for a continuous period of not less than 3 years; or
- e) has immediate family members whose only or principal home or place of residence is in the Parish immediately prior to any planning application, for a continuous period of not less than 3 years, and needs to be near that relative; or has been ordinarily resident or employed in the Parish for a period of not less than 3 years immediately prior to any planning application.

Evidence to support the above criteria will need to be provided at the time of the planning application.

## **2.8 Applicants financial resources**

2.8.1 Social Housing provided throughout the Dorset Home Choice partner areas is for people who are considered to have insufficient resources to meet their housing need. Those considered to have adequate financial resources to meet their own housing needs will be disqualified from joining the register.

2.8.2 The resources available to each household will be assessed to determine whether they are sufficient to meet their housing need.

### **Household Income**

2.8.3 Applicants with a gross household income more than 5 times higher than the relevant Local Housing Allowance level prevailing in the relevant Dorset local authority area at the time will normally be considered to be able to meet their own housing needs, through either renting privately or owner occupation.

Local affordability issues will be taken into account given that some areas of Dorset have especially high property values and as such each Local Authority area may adopt additional financial criteria to assess household income. Such applicants will therefore be disqualified from joining the housing register.

- 2.8.4 Further information on the financial assessment and the Local Housing Allowance rates that apply across Dorset are available from local authority housing teams (contact details provided in Appendix 3).

The following types of income are fully disregarded:

- Attendance Allowance
- Disability Living Allowance
- Personal Independence Payments

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

- 2.8.5 The capital, savings and equity available to an applicant's household will be assessed. If it is determined that, given:

- The applicant'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 fail to meet the qualification criteria to join the Housing Register.

- 2.8.6 Applicants can contact their local authority housing teams for details of how this assessment is made.

- 2.8.7 An exemption from the financial assessment will apply in the following circumstances:

- if the applicant or partner, where applicable, has been (or would be) accepted as unintentionally homeless and in priority need by a Dorset local authority;
- Any applicant that qualifies for sheltered housing or has a medical requirement for sheltered housing will be exempted from the financial qualification test and will be placed in bronze band (if they have no other housing needs) and will be eligible to only bid for and be offered sheltered housing (this does not apply to applicants to the Borough of Poole where the resources available to each household will be assessed to determine whether they are sufficient to meet their housing need);

- Applicants that are currently under-occupying social housing that is of a type that is in high demand and/or in an area that has high demand, may be exempted from the financial qualification criteria on a case by case basis provided they wish to remain in the Dorset Home Choice local authority area they live in;
- Applicants that have exceptional housing needs that cannot be met adequately via other housing options may be exempt from the financial assessment. Each case will be dealt with on its merits and the decision on exemption will be taken by the Local Authority Partner that they are applying to;
- Applicants that only wish to join the housing register for shared ownership will have their financial circumstances assessed by a housing provider when their application for a shared ownership property is being considered.
- The applicant that only wishes to join the Purbeck District Council housing register for self-build on single plot rural exception sites.

2.8.8 Partner housing providers within Dorset Home Choice have different policies relating to income levels and other assets of those households that they will accommodate. Whether a bid for home is accepted will therefore be subject to the policies of the each partner housing provider. More information is available from relevant housing providers.

2.8.9 Applicants may be required to demonstrate that they can afford the rent on any prospective tenancy before being allowed to sign for it.

2.8.10 Please note that that applicants that own their home that apply to North Dorset District Council will need to show that their home is unaffordable or unsuitable for their needs as well as being able to show that they do not have the financial capacity to meet their own housing needs in order to be accepted onto the housing register.

## 2.9 Which Dorset local authority will manage my application?

2.9.1 When an applicant applies to Dorset Home Choice one of the partnership local authorities will be responsible for assessing their application and managing their case. This will include:

- Issuing all correspondence
- Addressing any enquiries
- Assessing any health/ wellbeing or housing defect issues

- Managing any reviews

2.9.2 The local authority that will manage an application will be determined by the applicant expressing a preference for one of the local authority partners that they have applied to. It will be made clear that this will not restrict where applicants can bid, or their chances of being housed in other local authority areas that they apply to.

2.9.3 Where a Dorset Home Choice partner has accepted a homelessness duty towards an applicant they will manage their housing register application, regardless of which local authority area the applicant would prefer to live in.

## 2.10 Joint applications

2.10.1 Joint applications will be accepted, provided all applicants are eligible, aged 16 or over and intend to occupy the property together as their only or main home. The joint application will be assessed and placed in a band using the details of the household with the greatest housing need. The housing needs of all the household members that are registered on the application will be considered in assessing cumulative needs.

## 2.11 Multiple applications

2.11.1 Multiple applications will not be allowed. If an application is already registered, the applicant must decide which application they want to keep. All other applications will be deleted. This will also apply to people who are registered as the main applicant on more than one application, including any joint applications.

2.11.2 Where joint applicants are included on an application both will be entitled to claim the earliest banding start date for their current banding when applying in their own right.

## 2.12 Applications from employees/elected members and their close relatives

2.12.1 Applications can be accepted from employees, elected members, board members and employees of housing providers and their close relatives, provided they are eligible to apply. Applicants must disclose any such relationship at the time of applying. In order to ensure transparency and impartiality, employees, elected and board members and employees of housing providers must not attempt to apply any undue influence in the handling of their application or an application from friends or close relatives. In these circumstances approval must be given prior to an offer of

accommodation being made, in accordance with the procedures of the relevant partner organisation. Partner organisations will also comply with their own codes of conduct with regard to any such application.

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

2.13.1 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.

Anyone found guilty of such an offence may be fined up to £5,000 and/or receive 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.

2.13.2 Applicants, who are found to have made fraudulent claims in this way, will be removed from the Register for a period of 12 months, after which a fresh application can be made. 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.

2.13.3 The partnership 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.

### **3. Assessing Housing Need**

#### **3.1 How is housing need assessed?**

3.1.1 Once a complete application has been received it will be assessed and placed into one of the four bands which are set out below. The band given will depend on the applicant's level of housing need.

3.1.2 The scheme has been drawn up in accordance with existing government guidance, to reflect the pattern of housing need within the partnership area and with regard to the specific criteria that each partner local authority requires.

#### **3.2 How are bands allocated?**

3.2.1 Whilst offering choice to applicants wherever possible, allocation schemes must still ensure that reasonable preference is given to applicants (who are eligible and who qualify to join the register) who fall into 1 or more of the following groups over those who do not:

- People who are homeless (within the meaning of Part 7 of the 1996 Housing Act as amended by the Homelessness Act 2002). This includes people who are intentionally homeless and those who are not in priority need;
- People who are owed a (homeless) duty by ANY local authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are living in accommodation secured by ANY housing authority under section 192(3). The letter detailing the outcome of a homeless application will specify whether 1 of these sections applies;
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- People who need to move on medical or welfare grounds including a disability
- People who need to move to a particular locality in the relevant local authority partner, were failure to move would cause hardship to themselves or others.

3.2.2 The scheme can take into account those who qualify under more than 1 category when assessing housing need. However there is no requirement under the Housing Act 1996 to give equal weight to each of the reasonable preference categories.

- 3.2.3 In addition, section 167(2) gives housing authorities the power to frame their allocation schemes so as to give additional preference to particular descriptions of people who fall within the reasonable preference categories and who have particularly urgent housing needs.
- 3.2.4 To ensure that local priorities are met, the scheme may provide for other factors, other than those set out in section 167 (2) of the Housing Act 1996 in determining which categories of people are to be given preference for an allocation of accommodation within the scheme, providing they do not dominate the scheme at the expense over those listed in the statutory preference categories as listed in 167(2).
- 3.2.5 The partnership will ensure that monitoring arrangements are in place in order to monitor lettings outcomes and will review the policy in order to ensure that it meets our key aims and our legal duties.
- 3.2.6 Additional preference can also be given to people with an urgent housing need, such a victims of domestic violence and abuse, racial harassment, witnesses of crime and victims of crime at risk of intimidation amounting to violence and people with urgent medical reasons.
- 3.2.7 Housing authorities have the discretion to review each case on its merits and allocate banding in accordance with individual needs where appropriate.

### **3.3 Requests to transfer to another home**

- 3.3.1 All existing tenants of the partners or partner housing providers have the right to apply for a transfer, subject to any restrictions that apply to their tenancy. Tenants' housing needs will be assessed and placed in the relevant band on the register together with all other applicants.
- 3.3.2 Some advertised properties may be labelled giving preference to transfer applicants to ensure that each housing provider makes best use of their housing stock.
- 3.3.3 Some transfers are exempt from the requirements of the Housing Act 1996 Part 6 and will be dealt with separately. This includes assignment or succession by a relative and mutual exchanges.
- 3.3.4 At the point of nomination for a property, the relevant Local Authority may contact the housing provider and request that a housing provider reference is completed. The housing provider reference may include:
- Confirmation of right to transfer
  - Rent account history
  - Satisfactory condition of the property

- Anti-social behaviour
- Tenancy status

3.3.5 If an applicant is a joint tenant of a partner housing provider and wishes to give up their part of the tenancy to live elsewhere, they will be registered and eligible to bid for accommodation (if they fulfil the eligibility and qualification criteria previously stated). If they are successful in bidding and being nominated, they will be required to relinquish their interest in the tenancy before a formal offer can be accepted.



### 3.4 Banding

3.4.1 The following section provides details of the four bands. The band in which an applicant is placed will be determined by their housing need as set out in the paragraphs below. A summary of the banding scheme is provided here for information only.

Each case will be assessed on its own merits in order to assess the appropriate banding.

Emergency Band	Gold Band	Silver Band	Bronze Band
<ul style="list-style-type: none"> <li>• Exceptional housing need that takes priority over other applicants;</li> <li>• There is an urgent need to move the applicant for financial or operational reasons;</li> <li>• Escape violence, threat of violence, harassment or traumatic event;</li> <li>• Emergency disrepair issues;</li> <li>• Urgent health/wellbeing issue;</li> <li>• Witness protection scheme applicants;</li> <li>• Operational need to move applicant quickly (subject to certain provisions)</li> <li>• Applicants accepted as unintentionally homeless by North Dorset District Council after 3 months; 6 months in Purbeck District Council and West Dorset District Council and for Weymouth &amp; Portland Borough Council after 12 months, and Borough of Poole when the case is reviewed and emergency band is appropriate and accepted as unintentionally homeless (please see 3.5.2 for details). *</li> </ul>	<ul style="list-style-type: none"> <li>• Overcrowded by two or more bedrooms;</li> <li>• Under occupation;</li> <li>• Severe and/or persistent harassment;</li> <li>• Applicants in supported housing/care leavers ready for move on (except Weymouth &amp; Portland applicants);</li> <li>• High medical/welfare needs;</li> <li>• High disrepair needs;</li> <li>• Combined medical/welfare and disrepair needs;</li> <li>• Cumulative needs (4 or more silver band needs);</li> <li>• Decant applicants</li> <li>• Tenancy succession (subject to certain criteria)</li> <li>• Efficient management of housing stock</li> <li>• Fostering/Adoption (Subject to quota arrangements)</li> <li>• Proven Social Need/Support delivery of another Service</li> </ul>	<ul style="list-style-type: none"> <li>• Homeless/threatened with homelessness (Borough of Poole and Purbeck District Council only);</li> <li>• Homeless households owed the full duty (North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only);</li> <li>• Prevention Duty (North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only);</li> <li>• Prevention Duty no local connection (North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only);</li> <li>• Relief Duty (North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only);</li> <li>• Homeless households (North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only);</li> <li>• Weymouth &amp; Portland Borough Council applicants in</li> </ul>	<ul style="list-style-type: none"> <li>• Deliberate worsening of circumstances</li> <li>• Applicants with other housing related debts</li> <li>• Low Medical/Welfare/Disrepair needs</li> <li>• Accepting an offer that doesn't meet housing needs</li> <li>• Adequately Housed (West Dorset and North Dorset District Council only)</li> <li>• Sustainable rural housing</li> <li>• Sheltered housing Applicants</li> <li>• Shared/Low Cost ownership applicants</li> <li>• Unacceptable behaviour</li> <li>• Community Land Trust</li> <li>• Gypsy &amp; Travellers</li> <li>• Self-Build Rural Exception Site Register (Purbeck District Council only)</li> <li>• Supported Housing/Care Leaver Not Ready to Move On</li> <li>• Sheltered No Local Connection (North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only)</li> </ul>

		<p>supported housing/Care Leavers ready for move on;</p> <ul style="list-style-type: none"> <li>• Medium medical/welfare needs;</li> <li>• Medium disrepair needs;</li> <li>• Overcrowded by one bedroom;</li> <li>• Split families;</li> <li>• Need to move for support (this does not apply to Purbeck District Council applicants)</li> <li>• Need to move for work</li> <li>• Service personnel</li> <li>• Community Contribution (North Dorset District Council only)</li> <li>• Affordability (this does not apply to Borough of Poole)</li> </ul>	
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\*These timescales may be subject to change. Sections 3.5 to 3.8 below set out specific examples of circumstances that may fall within the four bands.

## 3.5 Emergency Housing Need

- 3.5.1 Applicants will be placed in the Emergency housing need band if their need for housing is assessed as so exceptional that they take priority over all other applicants or if there is an urgent need to allocate a property for financial or operational reasons.
- 3.5.2 Individual local authorities will each assess Emergency applications in accordance with paragraph 3.5.5 and the criteria set out below. Substantial evidence must exist and be provided by any relevant statutory or voluntary agencies before such priority is awarded.

The following are **examples** of the type of situations that may qualify:

- Urgent health/ wellbeing need
- Emergency disrepair
- To escape violence or threat of violence, serious harassment or a traumatic event. Where there is immediate and serious risk to a household living in a Dorset Home Choice partner authority. The Police or another appropriate agency will usually provide supporting evidence that the risk exists. The person at risk may be the applicant, or another person who might be reasonably expected to reside with them.
- There is an operational need to move the applicant quickly where the applicant is in a specific type of temporary accommodation such as a refuge, where they can no longer remain and further temporary accommodation is inappropriate.
- Applicants accepted as unintentionally homeless by North Dorset District Council after 3 months, by Purbeck District Council and West Dorset after 6 months and Weymouth and Portland Borough Council after 12 months. These timescales may be subject to change depending on local circumstances). In the Borough of Poole applicants who are accepted as unintentionally homeless will be assessed to determine whether emergency banding is immediately appropriate. This will be subject to separate Borough of Poole policy guidance.
- Where a Dorset local authority accepts a household being referred under the Witness Protection Scheme.

- 3.5.3 Applicants will be given this priority for 3 months. Applicants to the Borough of Poole who are accepted as homeless will be given this

banding for 8 weeks. If an Emergency housing need band applicant does not bid for suitable homes available through Dorset Home Choice (or refuses a suitable offer of a property) they will have their status reviewed and may be placed in 1 of the other bands dependent on their need. In the Borough of Poole, on acceptance of a homeless application, assisted bids will be placed for applicants in either east or west of the borough, dependent on the applicant's choice. At the end of their period of Emergency priority, applicants will be made a direct offer, where a suitable property is held back from the advert and offered. Alternatively auto-bids may be placed on behalf of applicants and/or direct offers made on suitable properties. In very exceptional circumstances an applicant will be allowed to remain in the Emergency housing need band for longer than 3 months.

3.5.4 The decision to extend or remove the Emergency housing need band status will be made by the local authority (subject to para 3.5.3 above 3.5.5 below) and will be based upon: -

- Whether a suitable vacancy occurred during the 3 month period that met the declared needs of the applicant.
- The reasons why the applicant failed to apply for the property and whether the reasons were valid.

3.5.5 Please note that awarding of 'Emergency Band' will be made by a senior officer within the Local Authority that has been applied to unless the banding is expected to apply across other Dorset Home Choice partners in which case the banding decision will be made by the Emergency Band Assessment Panel. Where an immediate decision is required on cross boundary emergency banding, the Senior Manager within the respective Local Authority administering the housing register application will consult two other members of the Assessment Panel, both of which must be from another partner organisation in order for a decision to be made within 48 hours. The consultation is to be carried out via email. The case, and subsequent decision, will be reported to the next full Assessment Panel.

3.5.6 Emergency status may also be awarded where the tenant of a 'sheltered' or 'adapted' property for the disabled has died leaving another family member in the property and the landlord wishes that family member to be moved quickly to enable the property to be let to an applicant who requires it.

3.5.7 In all emergency cases there is an expectation on the applicant, or their representative, to provide the information required to reach a decision.

3.5.8 In those cases where a 48 hour decision period is not suitable due to the urgency of the case, at least 2 senior managers within the relevant local authority will meet to discuss the case and will make a recommendation to the manager responsible for the Housing Register so that a decision can be made.

3.5.9 Cases considered to be urgent and serious enough to require an allocation to be made outside of the Council's normal policy and procedure are defined as follows:

- a) threats to life
- b) racial or homophobic harassment
- c) extreme anti-social behaviour
- d) vulnerable witnesses
- e) any other significant and/or immediate need for a move to more suitable, alternative accommodation

3.5.10 Housing providers will be expected to demonstrate that they have taken reasonable steps to deal with urgent cases before referring for an emergency banding request.

3.5.11 The relevant Local Authority will carry out risk assessments and consultation with the Community Safety team, Police and Probation as well as existing and potential housing providers where appropriate, to assess the appropriateness of any resulting allocation which may arise from the award of emergency banding to an applicant.

## 3.6 **Gold Housing Need**

3.6.1 Applicants may be placed in gold band if they fall within the categories set out below.

### **Lack of bedrooms / Overcrowding**

3.6.2 Applicants who lack 2 or more bedrooms, (Section 3.12 refers) or have been confirmed as overcrowded (defined as a category 1 hazard and/or Statutory overcrowded) by a Local Authority officer, UNLESS evidence exists that proves the overcrowding is deliberate and where all other housing options have been assessed as unreasonable.

### **Under-occupation**

- 3.6.3 The applicant is a tenant of a Dorset Home Choice partner who resides within the relevant Dorset Home Choice partner area and under-occupies their existing property and is looking to move to a smaller, more suitable property. Note: Where a tenant lives in specialist two-bedroom property this may not apply.

### **Harassment**

- 3.6.4 The applicant is a victim of severe and/or persistent harassment or violence (including racial harassment) at their current property within the relevant Local Authority area - providing evidence exists to substantiate the claim (e.g. from Police/Housing Officer), and re- housing is the most appropriate course of action. This band will last for three months and may be extended for a further three months if the harassment or violence is continuing and evidence is provided to confirm this.

### **Medical/Welfare**

- 3.6.5 The applicant is awarded a 'high' medical priority (see Appendix 6). Note that where public monies have been committed or works begun to adapt the applicant's property to meet the applicants housing needs the applicant may be moved to bronze band.

### **Disrepair**

- 3.6.6 Based on the conditions identified, the local authority has deemed the applicant's (your) home to have the presence of Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CANNOT be resolved or reduced to a Category 2 hazard within 6 months.

### **Supported Housing Move on**

- 3.6.7 The applicant resides within a short-term Supported Housing project (usually available for up to a maximum of two years) and is seeking to 'move-on' into independent accommodation. NB: The Project Manager of the scheme must confirm in writing that the applicant is ready for such a move and has acquired reasonable skills to sustain a tenancy. Until this time, the applicant will be placed within the Bronze Band. This will not apply to applicants to the Borough of Poole. The application date will be the date they entered the Supported Housing, or the date a homeless application was made. The earliest date will apply. This will be subject to quota arrangements which will be determined by individual local authority

partners and will not apply to Weymouth & Portland Borough Council applicants who will be banded silver.

Please note refuges are not classed as move on accommodation for this purpose.

### **Care Leavers Move on**

- 3.6.8 Where a young person who has been looked after, fostered or accommodated and has had a duty of care accepted under the Children Act in the relevant Dorset Home Choice area, and is ready for independent living, they should be awarded gold band to enable a planned move on to independent suitable accommodation providing a support plan is in place. This will be subject to quota arrangements which will be determined by individual local authority partners and will not apply to Weymouth & Portland Borough Council applicants who will be banded silver.

### **Combined Medical/Welfare and Disrepair**

- 3.6.9 The applicant has been awarded a 'medium' medical/welfare priority, combined with a 'medium' disrepair award from the Silver Band (See Appendix 6).

### **Cumulative need**

- 3.6.10 The applicant is awarded 4 or more silver band housing needs with the exception of those applicants that are found to be intentionally homeless by the relevant local authority and those applicants occupying temporary accommodation provided by the authority in discharging its homelessness duties.

### **Decants**

- 3.6.11 Social Housing Tenants whose existing properties are subject to major works for rebuilding/renovation/demolition or re-designation and need to move to another location, will be placed into the gold band to enable them to move quickly. Applicants will be placed into gold band up to 12 months before the proposed start date of the scheme/works (this date has to be confirmed by the landlord) and will be given an application date 1 year prior to their actual registration date.

## **Tenancy Succession**

3.6.12 Where the Local Authority receives written support from a Dorset Home Choice landlord that an applicant has been living in a social housing property but has no legal right to succeed to that property, and the landlord confirms that they intend to pursue possession of the property, the applicant may be placed into gold band. The applicant will be subject to the financial assessment set out within the policy. Where an applicant may or may not have a legal right to succession but wishes to downsize they may also be placed into gold band to facilitate the best use of housing stock. This does not apply to the Borough of Poole.

For the Borough of Poole the awarding of gold band will only be considered where;

- There is a statutory right to succeed and the applicant requires a move to smaller accommodation or sheltered housing.
- There is no legal right of succession but the partner housing provider's tenancy agreement or succession policy, in agreement with the local authority, dictates that a discretionary succession would be reasonable and proportionate, and the applicant has a need to move to alternative accommodation.

## **Effective management of social housing within Dorset**

3.6.13 This priority will be awarded in a number of situations set out below to aid the efficient management of social housing stock

- Under occupation of social housing
- Those moving from one bed general needs property to one bed sheltered accommodation
- As a management tool to resolve issues affecting a block or estate
- As a tool to help partner organisations address their housing responsibilities contained within employment contracts



### **Fostering/Adoption Quota**

3.6.14 Those applicants that are fostering or adopting children and who require an extra room in order to enable them to foster/adopt may be placed into this band provided they have fostered a child or become an approved foster carer in the last 52 weeks. This banding will be subject to any quota arrangements set out within each Dorset Home Choice local authority partner.

### **Proven Social Need/Support Delivery of another Service**

3.6.15 Applicants will also be placed in the Gold band if there is a proven social need or to support the delivery of another service. This applies to applicants who, for exceptional reasons, fall outside of the rest of Dorset Home Choice Allocations policy, and need to be found secure alternative accommodation. This may include children at risk issues where children would otherwise be accommodated by social services.

## **3.7 Silver Housing Need**

3.7.1 Applicants may be placed in the silver band if they fall into any of the following categories:

### **Medical/Welfare**

3.7.2 Applicant awarded a 'medium' medical priority (see Appendix 6). This would include an applicant sharing facilities where there was significant and ongoing harm and detriment to the applicant and this was supported by evidence from an external agency.

### **Disrepair**

3.7.3 Based on the conditions identified, the local authority has deemed the applicant's (your) home to have the presence of Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CAN be resolved or reduced to a Category 2 hazard within 6 months.

### **Lack of bedrooms**

3.7.4 Applicants who are assessed as lacking one bedroom in their current home.

### **Homeless/Threatened with Homelessness**

3.7.5 People who are homeless (within the meaning of Part 7 of the 1996 Housing Act as amended by the Homelessness Act 2002 and the

Homelessness Reduction Act 2017). This includes people who are intentionally homeless and those who are not in priority need.

People who are owed a (homeless) duty by ANY local authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are living in accommodation secured by ANY housing authority under section 192(3). The letter detailing the outcome of a homeless application will specify whether one of these sections applies.

Applicants accepted as homeless or threatened with homelessness by a Local Authority within the Dorset Home Choice area under Part 7 of the Housing Act 1996, (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017 including Rent (Agricultural) Act Cases will be placed in the silver band. Applicants will be placed into this band when they are within 56 days of their notice to quit expiring and following an intervention by Housing Options staff.

Applicants registered with Purbeck District Council accepted as unintentionally homeless and in priority need within this category will be moved to Emergency band if they remain un-housed after 6 months of being accepted as homeless.

Applicants registered with the Borough of Poole accepted as unintentionally homeless and in priority need will be moved to emergency band if they remain unhoused after 9 months of being accepted as homeless.

All of the above timescales relating to the period before which emergency band will be awarded are subject to change dependent on local circumstances.

This category applies to Borough of Poole and Purbeck District Council only.

### **3.7.6 Homeless Households owed the full duty**

Homeless Households who are owed the full homeless duty under section 193(2) of Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018) by North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council. This duty can only be owed by one council.

These households are likely to be made a direct offer of accommodation in any suitable area but if they remain unhoused within the timescales detailed below they will be moved to the Emergency Band

Households registered with North Dorset District Council that are accepted as unintentionally homeless and in priority need within this category will be moved to Emergency band if they remain un-housed after 3 months on the register.

Households registered with West Dorset District Council that are accepted as unintentionally homeless and in priority need within this category will be moved to Emergency band if they remain un-housed after 6 months on the register.

Households registered with Weymouth & Portland Borough Council that are accepted as unintentionally homeless and in priority need will be moved to emergency band if they remain unhoused after 12 months on the register.

All of the above timescales relating to the period before which emergency band will be awarded are subject to change dependent on local circumstances.

This category applies to North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only.

### 3.7.7 Prevention Duty

Households owed a duty under section 195 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018) by North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council.

This banding will be time limited and can be ended in the following ways:

- a) A final accommodation offer or final offer under Part 6 is accepted
- b) A final accommodation offer or final offer under Part 6 is refused
- c) No longer able to occupy property that applied from
- d) Becoming homeless intentionally from accommodation made available by the Local Authority
- e) Notification is received that this duty has come to an end due to deliberate and unreasonable refusal to co-operate
- f) Application is withdrawn by applicant
- g) Household ceases to be eligible

For households whose time in this band is ended for reasons other than a), f) or g) who become homeless will have their applications re-banded to **Silver-Relief Duty** unless any other banding reason is applicable.

For households whose time in this band is ended due to a) above will be re-banded to **Bronze-Adequately Housed** or removed from the register as housed if the accommodation accepted is from a Registered Provider. This does not apply to Weymouth and Portland Borough Council where the

application will be removed as housed regardless of tenure of property accepted unless any other banding reason is applicable.

For households who become homeless and whose time in this band is ended due to f) above their applications will be re-banded to **Silver-Homeless Households**. Otherwise households whose time in this band is ended due to this reason but who are not homeless will be re-banded to **Bronze-Adequately Housed**. This does not apply to Weymouth and Portland Borough Council where the application will be removed from the register as ineligible unless any other banding reason applies.

For households whose time in this band is ended due to g) above their applications will be removed from the register as ineligible.

This category applies to North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only.

### 3.7.8 Prevention Duty no local connection

Households owed a duty under section 195 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018) by North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council but have no local connection to the area they have applied.

Households in this band will be able to bid for properties but their bids will only be considered after all bids from households who do meet the local connection requirements have been dealt with in the same band.

This banding will be time limited and can be ended in the following ways:

- a) A final accommodation offer or final offer under Part 6 is accepted
- b) A final accommodation offer or final offer under Part 6 is refused
- c) No longer able to occupy property that applied from
- d) Becoming homeless intentionally from accommodation made available by the Local Authority
- e) Notification is received that this duty has come to an end due to deliberate and unreasonable refusal to co-operate
- f) Application is withdrawn by applicant

g) Household ceases to be eligible

For households whose time in this band is ended for reasons other than a) who become homeless will have their applications removed as lacking a local connection unless any other banding reason is applicable.

For households whose time in this band is ended due to a) above will be re-banded to **Bronze-Adequately Housed** or removed from the register as housed if the accommodation accepted is from a Registered Provider. This does not apply to Weymouth and Portland Borough Council where the application will be removed as housed regardless of tenure of property accepted unless any other banding reason is applicable.

This category applies to North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only.

### 3.7.9 Relief Duty

Households owed a duty under section 189B of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018) by North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council.

This banding will be time limited and can be ended in the following ways:

- a) A final accommodation offer or final offer under Part 6 is accepted
- b) A final accommodation offer or final offer under Part 6 is refused
- c) The 56 day timescale of this duty expires
- d) Becoming homeless intentionally from accommodation made available by the Local Authority
- e) Notification is received that this duty has come to an end due to deliberate and unreasonable refusal to co-operate
- f) Application is referred to another Local Authority under section 198(A1)
- g) Application is withdrawn by household
- h) Household cease to be eligible for assistance

For households whose time in this band is ended for reasons other than a), c), f) or h) above their applications will be re-banded to **Bronze-Deliberate Worsening of Circumstances** unless any other banding reason is applicable.

For households whose time in this band is ended due to a) above will be re-banded to **Bronze-Adequately Housed** or removed from the register as housed if the accommodation accepted is from a Registered Provider. This does not apply to Weymouth and Portland Borough Council where the application will be removed as housed regardless of tenure of property accepted unless any other banding reason is applicable.

For households whose time in this band is ended due to c) above their application will be moved to either **Silver-Homeless Households owed the full duty** or **Silver-Homeless Households** depending on their circumstances. The letter detailing the outcome of a homeless application will specify which one of these sections applies.

For households whose time in this band is ended due to f) above their application will be removed as lacking a local connection unless any other banding reason is applicable.

For households whose time in this band is ended due to h) above their applications will be removed from the register as ineligible.

This category applies to North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only.

### **3.7.10 Homeless Households**

Households who are homeless (within the meaning of Part 7 of the 1996 Housing Act as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018). This includes households who are intentionally homeless and those who are not in priority need.

Households who are owed a (homeless) duty by ANY local authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are living in accommodation secured by ANY housing authority under section 192(3). The letter detailing the outcome of a homeless application will specify whether one of these sections applies.

Households accepted as homeless by a Local Authority within the Dorset Home Choice area under Part 7 of the Housing Act 1996, (as amended by the Homelessness Act 2002 and the Homeless Reduction Act 2018) including Rent (Agricultural) Act Cases will be placed in this band.

This category applies to North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council only.

### **Split Families**

3.7.11 Applicants that have previously lived together but 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 Dorset Home Choice Partners under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002). 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.

### **Need to move for Support**

3.7.12 Applicants who are able to demonstrate the need to move for essential and critical receipt of support where significant harm would result if this was not provided and this support is not available where they currently live. This does not apply to applicants to Purbeck District Council. Applicants must need to move to the area to **receive** essential and critical support where significant harm would result if this was not provided.

### **Need to move for Work**

3.7.13 Applicants who are able to demonstrate the need to move nearer their place of work within, the Dorset Home Choice partner area because they have secured or have permanent employment (over 16 hours) in the area (evidence of the employment must be provided) and are currently a social housing tenant. Applicants who are social housing tenants who work or have an offer of work in another local authority area and can demonstrate to that local authority that they would experience hardship if unable to move to that local authority area.

3.7.14 **Move on from Supported Accommodation/Care Leaver Move On in Weymouth & Portland Borough Council**

To enable the best use of Supported Accommodation within the Borough applicants with a local connection who have resided in a Supported Housing Project for a minimum period of 1 year and are seeking to move to independent accommodation will be awarded silver band.

The Supported Housing Provider must confirm in writing that the applicant is ready for such a move with details of any relevant support required to assist/enable such a move. Until this time, the applicant will be placed within the Bronze Band. If the applicant falls into other reasonable preference categories they may be awarded a higher band to reflect that additional preference.

Please note refugees are not classed as move on accommodation for this purpose.

### **Service Personnel**

3.7.15 The needs of personnel that have served or are serving within the British 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 following groups will be placed in silver band (if no other identified housing need exists) when they have provided proof of their date of discharge, subject to the overall financial assessment set out within the policy:

- (a) current members of the British Armed Forces
- (b) Former members of the British Armed Forces that have left the services in the last 5 years
- (c) Serving members of the British Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- (d) bereaved spouses and civil partners of members of the British Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- (e) Serving or former members of the British Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service



## **Community Contribution**

- 3.7.16 Applicants applying to North Dorset District Council where applicants are undertaking voluntary work for 16 hours or more per week in the North Dorset District Council area. Proof will be required at point of application.

## **Affordability**

- 3.7.17 Where a property becomes unaffordable due to a change in the applicants circumstances, applicants may be awarded silver band to reflect this hardship and prevent homelessness. This will be subject to a financial assessment. This will not apply to applicants to the Borough of Poole.

## **3.8 Bronze Housing Need**

### **Deliberate Worsening of Circumstances**

- 3.8.1 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 may be placed into bronze band.

Deliberate worsening of circumstances will arise where local authorities decide that an applicant has given up accommodation that was suitable for their needs where there was no requirement or obligation to do so. To reduce the likelihood of applicants moving into poorer accommodation in order to qualify for higher priority and quicker re-housing, applicants who are deemed to have deliberately worsened their circumstances will normally be placed in the Bronze band.

This decision can be reviewed on request.

Examples of deliberate worsening of circumstances might include:

- Selling a property that is affordable and suitable for an applicants' needs
- Moving from a secure Assured 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

Where an applicant has little or no control over their move to alternative accommodation, this should not be considered as a deliberate worsening of circumstances.

### **Sheltered Housing**

- 3.8.2 Applicants who may otherwise be assessed as adequately housed but with a local connection to the relevant Dorset Home Choice local authority being applied to with a requirement for sheltered housing. This band will be subject to certain age restrictions which vary dependent on the local authority partner being applied to and the registered provider offering accommodation. Applicants to the Borough of Poole will still be subject to the overall financial assessment.

### **Other Housing Related Debts**

- 3.8.3 Applicants that have other housing related debts (such as outstanding service/support charges, rent in advance or rent deposit payments, storage and removal costs, housing benefit debts, property repair and cleaning costs, outstanding temporary accommodation or bed and breakfast debts and any legal costs associated with debt recovery) to social landlords or local authorities with no payment plan in place may be placed in bronze band. Those applicants in high medical/welfare need or those fleeing abuse/harassment/violence may be exempted from this requirement.

### **Accepting an offer that does not meet housing needs**

- 3.8.4 Note that if an applicant accepts an offer of housing that does not fully meet their housing needs and then subsequently reapplies to the housing register with no change in their circumstances, it is likely that they will be placed in the bronze band.

### **Low Medical/Welfare/Disrepair**

- 3.8.5 Applicants with minor medical, welfare or disrepair needs. See Appendix 6 for further details.

### **Rural Sustainability**

- 3.8.6 If an applicant has a local connection (as defined in section 2.7 above) to a rural parish (defined as a settlement with a population of under 3000 (unless subject to a statutory instrument enabling a rural exception or are subject to a specific request within a section 106 agreement) and no other housing need they will go into bronze band rural sustainability. Applicants within this band

will only be able to bid on properties in the rural parishes (and adjacent rural parishes) that they have a local connection to. Applicants must have lived in a parish in North Dorset District Council and West Dorset District Council's areas continuously for the past 2 years. Does not apply to applicant of Purbeck District Council.

### **Unacceptable behaviour**

- 3.8.7 People who engage in, or have been found responsible for, unacceptable behaviour. In this case further consideration will be given after a year, during which acceptable behaviour has been demonstrated, has elapsed. Each case will be treated on its merits and an applicant may seek a review if not satisfied with the decision.

### **Adequately Housed**

- 3.8.8 Applicants who, at the time of their application, live in a property which is adequate for their needs in terms of size and facilities. This applies to applicants who live in social housing, are owner-occupiers and tenants of private landlords who apply to West Dorset District Council and North Dorset District Council.

### **Supported Housing/Care Leaver not yet ready for Move On**

- 3.8.9 Applicants who are residing within a short term supported housing project (usually available for up to a maximum of 2 years) but who are not yet assessed as ready to move on. This band does not apply to applicants to the Borough of Poole or Weymouth & Portland Borough Council.

### **Shared/Low Cost Ownership Not Eligible to Bid**

- 3.8.10 Applicants that wish to take advantage of shared ownership / low cost home ownership offers will be allowed onto the register and placed in a Not Eligible category. The bidding process is not available to those seeking low cost home ownership products.

### **Community Land Trust**

- 3.8.11 If an applicant has a local connection (as defined in section 2.7 above) to an parish or in the case of Weymouth and Portland Borough Council an area where a Community Land Trust is in operation and have no other housing need they will go into bronze band for Community Land Trust.

### **Yarrow Close Gypsy and Traveller Site (Borough of Poole only)**

- 3.8.12 Applicants will be considered in accordance with the local lettings plans that are in place. The pitches are allocated by a panel of professionals.

### **Sheltered No Local Connection**

- 3.8.13 Households eligible for housing for older persons who are deemed to have no local connection may be considered for difficult to let sheltered accommodation.

Households in this band will be able to bid for properties but their bids will only be considered after all bids from households who do meet the local connection requirements have been dealt with in the same band.

Any bids placed for properties other than housing for older persons will be considered as ineligible bids and not considered for nomination.

Due to the specific purpose of this category no other band categories will apply.

## Self-Build

- 3.8.13 Applicants to Purbeck District Council that wish to join the self-build register for self-build on rural exception sites must meet the local connection requirements for Purbeck District Council and the exception site itself.

Please see section 2.7.8 for details on the specific local connection criteria that apply for single site rural exception self-build applicants. The bidding process is not available to those joining the register for self-build purposes.

## 3.9 Changes in Circumstances

- 3.9.1 Applicants must provide information about their current housing situation so that the following can be assessed:
- The band they are placed in
  - What size, and where appropriate, what type of property they can bid for
- 3.9.2 Applicants must inform their local authority housing team of any changes in their circumstances **within 28 days**. This includes any change that may affect the priority which has been given to their application. Applicants must notify their local authority of any change of address or change in the composition of their household **as soon as the change occurs and must complete a change of circumstances form within 28 days of the change occurring**. Evidence of these changes (where applicable) must also be provided within the same 28 day period. Failure to comply with these timescales will result in the applicant being removed from the Housing Register.
- 3.9.3 Applicants have the right to apply for their banding priority to be reviewed if there is a material change of circumstances.
- 3.9.4 If a person successfully bids for a property and it is later found that the housing situation was different from the details provided when the application was made the offer may be withdrawn.

## 3.10 Moving bands following a change in circumstances

- 3.10.1 Applicants whose housing need changes will have their application reassessed. This may change the band their application has been placed in.
- 3.10.2 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.

3.10.3 In exceptional circumstances where keeping the same band start date would cause serious detriment to the applicant, an officer may use their discretion to give an applicant changing bands their original application date.

3.10.4 Those moving to a higher band because their need for housing has increased will have their band start date changed to the date their change of circumstances request was received. This is so that applicants who have been in this high level of need for a long time will remain above applicants who have recently joined this band.

3.10.5 If it is accepted by the relevant local authority (or an organisation working on their behalf) following a review that an applicant should have been placed in a higher band, their band start date will be backdated to the date of the change of circumstance or the date of the review depending on the circumstances of the case .

### **3.11 Notification**

3.11.1 Once an application form has been entered online or received by a Dorset local authority housing team it will be assessed and the information entered onto the Dorset Home Choice register system. Once the local authority managing the application is in receipt of all the required information from the applicant the application can be fully assessed. The applicant will be notified in writing within a maximum of 20 working days of any decision that has been made on their housing register application.

3.11.2 This notification will include:

- The 'band' in which the applicant has been placed and brief details of why this decision has been made
- The size of the property that the applicant is eligible to bid for
- Their 'band start date'
- A unique reference number
- Information on how Dorset Home Choice works, including where to find information on available homes and how to bid
- Information on sources of further advice and assistance

- A reminder of the need to notify any change in circumstances immediately
- Information on the review procedure

3.11.3 Applicants will also receive notification of any reassessment of their application within a maximum of 20 working days if they have provided details about their change of circumstances to their relevant local authority.

## 3.12 Size of property for your household

3.12.1 Applications will be assessed to determine the size of property that their household requires and this assessment will be different depending on the housing authority that you apply to. A household is defined as “the applicant and 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).

3.12.2 Household members living together as a couple will be assessed as requiring 1 bedroom, unless there are exceptional circumstances. For single applicants and couples where the applicant is pregnant, an additional bedroom will be granted when the due date for the baby is within 12 weeks. This applies to the first child only or if the pregnancy results in the requirement for an additional bedroom and will not be reflected in the applicant’s banding until the baby is born.

### **Size of Property - North Dorset District Council, West Dorset District Council and Weymouth & Portland Borough Council Applicants**

3.12.3 The following assessment (known as the maximum bedroom entitlement) will normally be made for those applicants applying to West Dorset District Council, Weymouth & Portland Borough Council and North Dorset District Council about the ages and sex of children (who are under 18) who can share a bedroom, or who need separate bedrooms (except in exceptional circumstances):

- Children that are of different sexes and are more than 7 years apart – **separate room**
- Children of different sexes where one or more is over 7 years – **separate room**
- Two Children of the same sex under 18 years – **share 1 bedroom**

- Additional adults (defined as being 18 years old or over) living permanently in a household will require an extra bedroom.
- A disabled tenant or partner who needs a non-resident overnight carer will be allowed an extra room.
- Foster carers will be allowed one additional room, so long as they have fostered a child or become an approved foster carer within the last 52 weeks.

Please note that an additional bedroom would be allowed for household members in full time education where they are away from the home for term periods but have a need to return during holidays – this allocation would be subject to the overall financial assessment process.

3.12.4 There will also be a minimum bedroom assessment for all applicants which allows one bedroom for each person or couple living as part of the household with the following exceptions:

- Two Children under 16 of the same gender are expected to share
- Two Children under 10 are expected to share regardless of gender
- A disabled tenant or partner who needs a non-resident overnight carer will be allowed an extra room.
- Foster carers will be allowed one additional room, so long as they have fostered a child or become an approved foster carer within the last 52 weeks.

### **Size of Property – Borough of Poole and Purbeck District Council Applicants**

3.12.5 For those applicants applying to the Borough of Poole and Purbeck District Council the size criteria allows one bedroom for each person or couple living as part of the household with the following exceptions:

- Two Children under 16 of the same gender are expected to share
- Two Children under 10 are expected to share regardless of gender
- A disabled tenant or partner who needs a non-resident overnight carer will be allowed an extra room.
- Foster carers will be allowed one additional room, so long as they have fostered a child or become an approved foster carer within the last 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 all Dorset Home Choice areas.

**Please note:** Individual partner housing provider letting policies or local planning policies may affect the size of households that may apply for particular properties. Any such restrictions will be included in the property advert.

3.12.6 These property sizes will not apply to existing tenants of a partner housing provider who are seeking to move to a home that is at least 1 bedroom smaller. 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. **This will not apply to applicants to the Borough of Poole.**

3.12.7 Where households have particular needs (for example due to health issues) these will be taken into account in determining the size of property that they are eligible to apply for. For example, where the local authority agree that an applicant requires a regular overnight carer they may be eligible for an additional bedroom.

3.12.8 With the demand for properties far exceeding the supply, landlords are required to make best use of the housing they have available. Where there are access arrangements for a child or children, they will be expected to have a main residence with one parent, as a result the other parent will not normally have a bedroom entitlement for access visits. We 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.

3.12.9 Such decisions will be made on a case-by-case basis and will be determined by the local authority'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. One indication may be drawn, for example, by checking circumstances such as which parent receives the Child Benefit.

### 3.13 Review Procedure

3.13.1 Any applicant has the right of review of the following decisions:

- They have been denied the right to register
- The priority and band start date they have been awarded
- They have had their priority reduced
- A decision not to allocate a property for which the applicant has

bid and has the highest priority and earliest band start date

- Their application has been cancelled
- They have been assessed as having deliberately worsened their own circumstances

3.13.2 Once an applicant has been notified in writing of the band in which they have been placed, or their ineligibility, they will have a right of review against the assessment. Requests for reviews must be submitted in writing, to the local authority housing office within 21 days of the date that the applicant receives the notification letter and include the reason why the applicant believes their banding or ineligibility is wrong together with any additional information that the applicant believes is relevant.

3.13.3 Requests for a review of a decision not to allocate a property for which the applicant has bid and has the highest priority and earliest band start date should be submitted to the local authority or partner landlord that has taken the decision.

3.13.4 All requests for reviews for any of the other reasons listed above must be submitted in writing to the relevant local authority that determined the applicants original banding.

3.13.5 The local authority will acknowledge the review request within 7 days. A Senior Officer who played no part in the original assessment will carry out a review of the case and respond in writing to the applicant within 56 days of the receipt of the request for review letter. Following the review, the applicant will be informed in writing of the outcome together with the reasons for the decision.

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

3.13.7 Any complaints regarding the operation of the scheme should be directed initially to the relevant local authority housing office and if applicants remain unsatisfied to the Local Government Ombudsman. Details of applicants, allocations and complaints will be monitored in relation to diversity to ensure equality of access.

3.13.8 The partnership reserves the right to review any decision affecting an application with regard to other issues not covered in 3.13.1 above

The review to be carried out by the managing partner organisation for that application. Discretionary reviews will be undertaken by a Senior Officer who was not involved in the original decision; this could be in conjunction with information provided by other statutory or voluntary advice agencies.

## **4. The Dorset Home Choice Housing Register**

### **4.1 Review of the Dorset Home Choice Register**

4.1.1 All local authorities in Dorset will review the applicants on the housing register at least once every 3 years in order to:

- Confirm that the details on the register (including the applicants banding) are still correct
- Check whether there have been any changes in an applicant's circumstances
- Confirm that the applicant wants to stay on the housing register.

4.1.2 If an applicant not identified as being vulnerable does not reply to a review it will be assumed that housing is no longer required and the application will be cancelled within 28 days of the original review request letter being sent. The applicant will have to apply again if they later want re-housing. In such cases an applicant will lose their previous band start date and application date and their band start date will be determined by their fresh application date.

4.1.3 Where applicants who have been identified as vulnerable, do not reply to a review request, the local authority will seek to contact them again and/ or any advocate (e.g. family, friend or support agency) working with them. This is so that that vulnerable people are not removed from the register inappropriately. If this final attempt to contact the applicant and/ or their advocate fails their application will be cancelled.

4.1.4 Only in exceptional circumstances will an application be reinstated with the previous band start date. For example an applicant was in hospital and missed the review letters.

4.1.5 Applications will be reviewed periodically for accuracy of banding.

### **4.2 Cancelling applications**

4.2.1 An application will be cancelled from the Dorset Home Choice register in the following circumstances:

- At the request of an applicant
- Where an applicant does not respond to an application review, within the specified time limit
- Where a local authority or a housing provider has housed the

applicant

- Where an application is incomplete and un-submitted for a period of 28 days
- When a tenant on the housing register completes a mutual exchange
- Where the applicant moves and does not provide a contact address
- Where the applicant has died
- Where the applicant has not supplied the relevant information requested in support of their application within 28 days of a request being made for that information.

4.2.2 When an application has been cancelled, the applicant or their representative will be notified in writing.

4.2.3 Where an applicant has been highlighted as potentially vulnerable, the local authority will contact the applicant, or agency that they are working with if appropriate, to check their circumstances before cancelling the application.

4.2.4 Any applicant whose application has been cancelled has the right to ask for a review of the decision.

### 4.3 **Meeting Applicants Housing Needs**

4.3.1 An applicants housing needs will have been deemed to have been met if they are housed within the definitions of this policy.

### 4.4 **Rejoining the Dorset Home Choice Register**

4.4.1 Where an applicant wishes to rejoin the Dorset Home Choice register at a later date their new band start 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.

## **5. Applying for Properties**

### **5.1 When can you start?**

5.1.1 Once applicants have received notification that they have been registered with Dorset Home Choice they can start applying for homes for which they are eligible.

### **5.2 Property Adverts**

5.2.1 Homes will be advertised each week in the following ways:

- Online at Dorset Home Choice
- On property sheets that will be available widely across Dorset. Details of where the property sheets are available from can be obtained from local authority housing teams
- Personalised information will be sent to applicants who have been identified as vulnerable and who are in either the Emergency/Gold/Silver housing need bands

5.2.2 All documentation, adverts and the website will be fully accessible.

5.2.3 Homes will be advertised on a weekly cycle. Properties will be available for bidding from Wednesday at 4.00pm until Monday at 11.59pm when the bidding cycle will close.

5.2.4 Properties advertised will include a photograph of the home wherever possible and a full description of the property. The description will include:

- Type of property
- Number of bedrooms
- Any age restrictions
- Any special criteria associated with the property (e.g. local letting plans/sensitive lets)
- Location of property
- Floor level (if appropriate)
- Any adaptations

- Access to the property (for example number of steps, ramp or lift)
- Type of parking (if any)
- Heating type
- Property energy rating
- Whether pets are allowed
- Rent charged per week (and number of rent weeks per year)
- Any service charges
- Type of tenancy
- Any services provided to the property (caretaker, sheltered housing officers)
- Information on the surrounding area
- Estimated tenancy start date (which may be subject to change)

5.2.5 Properties will be advertised in as many locations and through as many sources as possible.

### 5.3 Labelling of properties

5.3.1 The general effect of labelling can be seen to compromise the extent to which vacancies will be let to the highest priority applicant as described under the banding system. It is therefore important for each housing provider to only use labels to manage the stock in the most effective way order to maintain transparency to the allocation system.

5.3.2 To enable the positive management of stock some homes may be advertised to certain groups of applicants, or to provide preference to certain groups. For example:

- Where a home has been adapted for disabled people only applicants who require this type of home will be allowed to bid for it
- Where, due to planning restrictions or this allocations policy, applicants are required to have a local connection to a particular area within Dorset
- Existing tenants who wish to transfer, including those who wish to

move to a smaller property.

- Households who have been accepted as homeless by a specific Dorset local authority.
- Families with children 14 or under for properties with gardens.
- Priority for households with children for certain property types.
- Applicants in specific bands to address a specific housing need e.g. those in bronze band.
- Applicants with a medical/welfare requirement for ground floor accommodation.
- Priority for those with rural local connection and/or rural housing need.
- To enable applicants with a bedroom need that is less than the maximum bedroom size of a property to bid. These bids will only be considered after applicants who meet the bedroom size requirement of the property have been exhausted.

In addition to the preference labels Dorset Home Choice partners may choose to allocate to groups of applicants using an allocations plan to address specific needs/issues.

## **5.4 Local Lettings Policies**

5.4.1 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. 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.

5.4.2 The partnership, in accordance with Part 6 of the Housing Act 1996 (as amended by the Homelessness Act 2002), has a clear Allocations Scheme which is required by law to allocate all secure, assured and introductory tenancies. The partnership is reluctant to make allocations which do not comply with this scheme unless there is a clear and robust justification for doing so.

5.4.3 Sites which the partnership will consider appropriate for Local Lettings Plans are as follows;

- Sites with provision of a specific nature (e.g. Eco Homes developments, Live Work etc.)
- Sites where the location of the scheme presents limitations in terms of the type of nominations which can be accepted
- Sites where there are issues with hard to let properties
- Sites where management issues are of significant impact

5.4.4 Housing providers should identify the requirement for Local Lettings Plans upon commencement of the development and should begin discussions with the relevant local authority housing team at this time to allow proposals to take shape.

5.4.5 Housing providers will be required to provide clear justification and evidence for requesting a Local Lettings Plan, along with the detail of the plan, at least six months in advance of completion/advertising date. In considering the detail of the plan, the housing provider will need to show that consideration has been given to the following factors;

- Meeting identified housing needs
- Assisting the partnership in dealing with its homelessness duties
- Steps which the housing provider can take to mitigate risks

5.4.6 The partnership will consider the request and will work with the housing provider to reach agreement one month from the original request.

5.4.7 The final decision in terms of Local Lettings Plans will be made by the senior officer responsible for Housing within the relevant local authority.

5.4.8 The detail of Local Lettings Plans will be publicised on the Dorset Home Choice website and in partner housing newsletters, at the earliest opportunity.

5.4.9 Where a housing provider can provide evidence of a particular scheme or estate where difficulties are experienced with demand and therefore, lettings, the partnership will consider requests for Local Lettings Plans which directly deal with this, within the guidelines set out above.

5.4.10 Where a housing provider can provide evidence of a particular scheme or estate where management issues are having a significant impact on the



quality of life of their tenants, the partnership will consider Local Lettings Plans as set out above.

5.4.11 Once Local Lettings Plans are agreed, properties will be advertised through Dorset Home Choice, showing specific details according to the plan. Nominations will then be made to relevant properties according to the agreed plan.

## **5.5 Sensitive Letting/Local Letting Plans**

5.5.1 Occasionally there may be a requirement to assist in dealing with issues that impact on a small, specific location that may be only 1 dwelling within an estate. This may be to:

- Reduce the concentration of certain needs groups which is impacting on housing management
- Promote a more balanced community by seeking to select/not select households with particular characteristics

5.5.2 This will be agreed by a process between the local authority housing department and the housing provider (where the local authority is not housing provider itself) and where more than one property in an area is affected this will be set out in an agreed local lettings plan.

## **5.6 Allocation of rural properties**

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

5.6.2 Dorset Home Choice partners therefore wish to ensure through the policy that:

- Rural communities are sustained wherever possible
- Local people in housing need are given additional priority in the allocation of rural properties
- There is a reduction in the reliance on new housing association development to meet housing demands from local people by giving priority in the allocation of existing social housing.

5.6.3 Some rural 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.

- 5.6.4 Properties in rural areas which are not subject to section 106 agreements will be allocated such that all the properties will be prioritised and labelled for applicants with a local connection to the parish where the property is located. In the absence of any eligible bids from applicants with a local connection to the parish where the property is located, eligible bids from applicants in the adjacent parishes will be considered. Note that within Purbeck District Council 75% of these properties will be allocated in this way.
- 5.6.5 The Dorset Home Choice property advert will make clear that this preference is in place.
- 5.6.6 If there are no eligible applicants for that specific property type with a local connection to the relevant settlement and adjacent parishes in that bidding cycle, the shortlist will be re-ordered with no specific priority for local connection to that area.
- 5.6.7 If there are still no bids from suitable applicants in that bidding cycle the shortlist will be re-ordered again to give priority to households with a local connection to the relevant settlement and adjacent parishes who would under occupy the property by one bedroom.
- 5.6.8 These provisions do not apply to applicants to North Dorset District Council, West Dorset District Council and Weymouth and Portland District Council who are in the Silver – Prevention Duty No Local Connection.

## 5.7 Bidding for a home

- 5.7.1 Where an applicant meets the criteria for a home set out in the advert they may bid for that home within the deadline given.

Applicants may bid for homes:

- Online at the Dorset Home Choice website [www.dorsethomechoice.org](http://www.dorsethomechoice.org)
- In person at the offices of any of the Dorset local authorities
- Using SMS text messaging

- 5.7.2 The staff within the Local authority housing offices will be available to explain to applicants 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. For example, if an applicant goes abroad on holiday, they may not want to use the text bidding as usual,

but will be able to bid online through the website.

- 5.7.3 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.
- 5.7.4 Applicants who are unable to bid will be offered the opportunity for bids to be placed automatically on homes they are eligible for. These applicants will be identified in a number of ways:
- through the application process
  - analysis of bidding patterns amongst high priority applicants
  - a request from the applicant themselves who is unable to bid
  - representation from an agency.
- 5.7.5 Applicants can apply for up to 6 homes each week. Please note that the normal advertising cycle may be altered over Christmas and New Year and during other bank holiday periods. This will be clearly advertised on the Dorset Home Choice website.
- 5.7.6 However in the event that they have the highest band and earliest effective band for more than 1 home in any 1 week, applicants will be required to choose which home they wish to view. In order to ensure effective housing management applicants will not be able to view more than 1 home in any 1 advertising cycle.
- 5.7.7 Applicants who apply and are put forward for sheltered housing will have their support needs assessed by a member of the local authority's or the housing providers' sheltered housing team.

### **Assisted Bidding list**

- 5.7.8 It is recognised that some people who may have very specific needs when considering suitable properties may not be in a position to submit their own Home Choice bids.
- 5.7.9 In most cases people in such a position will be identified via their Housing Register application form. In most cases, we will consider whether the applicant can be supported by someone appropriate before they are added to the Assisted Bidding List. People considered to be appropriate to provide assistance will be a professional person, such as a Social Worker, Housing Officer, Housing Adviser, Advocacy Worker etc. or a family member, or any other representative. If someone is unable to submit their own bids, and is not in receipt of any support, it may be the case that other support needs are also not being met. In these circumstances, it may be appropriate to make a referral for floating

support (with the permission of the applicant).

5.7.10 There may be other instances where an applicant may be in need of this type of assistance. Application forms include a question relating to an applicant's potential difficulty in applying for properties themselves and asking if they have a Social Worker etc. who could help them. It may be that they receive support from a relative or a friend who could be contacted.

5.7.11 The main purpose of maintaining the Assisted Bidding List will be for a member of staff to monitor the progress of people requiring assistance and to ensure that bids are being submitted on their behalf when suitable properties in their areas of choice become available.

5.7.12 Applicants may also have bids placed automatically by the system (auto-bidding) where this has been requested and in accordance with applicant wishes on property and area preferences.

## **5.8 Deadline for property bids**

5.8.1 Homes will be advertised daily (Monday –Thursday). The advert will indicate the deadline by which time applications for homes (bids) must be received. Any applications received after the deadline has been reached will not be considered.

## **5.9 Automatic Bidding**

5.9.1 Where applicants have been placed in Emergency or Gold band and are not bidding for suitable properties, local authorities may place bids on their behalf using the automatic bidding facility in order to ensure suitable accommodation is allocated to high priority applicants.

## **5.10 Applicants Not Bidding**

5.10.1 Applicants on the housing register that have not placed any bids in a 12 month period when suitable properties were available, where no good reason exists will be removed from the register; this will apply from 3 months from the implementation of this Policy. Applicants may reapply to join the register but will lose their initial application date and effective date in band with regard to their applications.

## 5.11 **Homeless Applicants**

5.11.1 Applicants to North Dorset District Council, West Dorset District Council and Weymouth and Portland Borough Council who are owed any homeless duty by one of the councils may have bids placed for suitable properties. This is to ensure that these duties are discharged at the earliest opportunity.

## 6. Selection procedure – Shortlisting and offers

### 6.1 Prioritising applications

6.1.1 Applicants who have bid for properties will be prioritised:

- Firstly by their band. For example those applicants in the Gold housing need band will be listed above applicants in the Silver housing need band, and
- Secondly **within** each band in order of their band start date, with the applicant with the earliest band start date at the top.

6.1.2 For each home advertised the successful applicant will be the one who is in the highest band and has the earliest band start date.

6.1.3 Each successful applicant's details will be verified before the applicant is accepted for a property to ensure they are eligible for the home and that there has been no material change of circumstances since their banding was assessed. Only those applicants who meet the criteria can be offered the home.

6.1.4 Before making a final decision on the offer, the applicant will be able to view the property. As set out above, where an applicant has the highest band and earliest effective band date for more than 1 home in any 1 week, they will be required to choose which home they wish to view. In order to ensure effective housing management applicants will not be able to view more than 1 home in any 1 week.

6.1.5 Partners in Dorset Home Choice will be able to offer advice to applicants to help them make an informed choice. It will be important however that any guidance offered does not override an applicant's own choices.

### 6.2 Viewing properties and accepting offers

6.2.1 Applicants offered a home will normally be expected to make a decision on whether to accept the offer within 2 working days. Where an applicant requires additional support or time to make such a decision this can be offered by the local authority and/ or housing association, or a support agency depending the circumstances.

6.2.2 The relevant housing provider will arrange an opportunity to view the property. In some circumstances more than one applicant may be invited to view the property, particularly in areas of low demand or in the case of

properties that are frequently refused by applicants.

- 6.2.3 Where applicants have indicated that they are working with a support agency and are happy for information to be shared with the agency, the support agency will be informed if they are being put forward for a property. This will enable the agency to offer support to the applicant in deciding whether to accept an offer.

### **6.3 Verification of eligibility**

- 6.3.1 The following documentation will be required to verify an applicants' eligibility prior to receiving an offer of accommodation (or nomination to a landlord):

- Proof of identity
- Proof of household makeup (including children)
- Proof of any disabilities
- Proof of income/benefits (bank statement, wage slips, DWP documentation)
- Proof of savings/stocks and shares (bank statement, relevant paperwork)
- Local connection evidence

Please note that original documents will be required and applicants will have 2 working days from the date they are contacted by the local authority regarding the nomination. Where landlords are dealing directly with shortlisting properties the 2 working days will begin when the landlord contacts the applicant.

- 6.3.2 Local authorities will undertake a check and verification of the information supplied by an applicant when they apply to join the Dorset Home Choice register. Original documents will need to be checked prior to a tenancy being offered.
- 6.3.3 When an applicant has bid for a home and they are in the highest priority band and have the earliest band start date, there will be a further check on their application to ensure that they are eligible for the home. If the applicant is considered to be eligible they will be notified that they are being considered for the property and asked to confirm whether their circumstances are still the same as those recorded on the Dorset Home Choice register.

- 6.3.4 There will be clear grounds for refusals or bypassing applicants by

housing providers agreed with partner housing providers. A housing provider will inform an unsuccessful applicant of the reason behind their decision. This may include suggested action that the applicant take in order to improve their chances of successfully finding a home through Dorset Home Choice.

6.3.5 All offers of accommodation with housing providers will be subject to the policies of the individual organisation. The housing provider may require additional criteria to be met. Any additional criteria will be clearly set out in the property advert.

6.3.6 Where it is found that an applicant's circumstances have changed from the information held on the Dorset Home Choice register, their application will be re-assessed. If this re-assessment finds that their priority band is reduced they will not be offered the property if they are no longer the applicant with the highest priority band.

6.3.7 The detailed verification check will include assessing whether applicants have been guilty of unacceptable behaviour since applying to a Dorset Home Choice partner (or before if this was not identified at the initial verification). Applicants found to have been guilty of unacceptable behaviour since registering with a Dorset Home Choice partner will be removed from the register, and will not be offered the home. Details of unacceptable behaviour are set out above in Section 2.6.4

6.3.8 Applicants with rent arrears to a private landlord will be considered on a case- by-case basis by Dorset Home Choice local authorities. Applicants who have rent arrears to a private landlord who have been (or would be) assessed as having accrued these rent arrears intentionally may be placed in the bronze housing need band. 'Intentionally' means that the applicant deliberately did something (or failed to do something) that resulted in the rent arrears. An act or omission in good faith on the part of the applicant will not be treated as deliberate if they were unaware of any relevant fact.

6.3.9 Applicants who have their priority reduced within Dorset Home Choice will be informed in writing of:

- The decision and the reasons behind it
- Their right to appeal and how to do this

6.3.10 Each applicant's circumstances will be considered on a case-by-case basis, for example if an emergency move is needed or serious harm would result their priority may be maintained, enabling the move to progress. The tenant would be charged and expected to pay back the cost of any work needed to put right wilful damage or neglect.

6.3.11 Transfer applicants need to check with their housing provider on the



criteria they should meet before being offered a transfer to alternative accommodation.

- 6.3.12 Partners in Dorset Home Choice reserve the right to prevent an offer going ahead where the home is not considered to be suitable for the applicant.
- 6.3.13 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 local authority 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.
- 6.3.14 In these circumstances there must be a sufficient care or floating support package available to ensure that the tenancy is likely to be successfully maintained.
- 6.3.15 Housing providers will ensure that the property being nominated to is the applicants sole and principle home and that any other property that the applicant has is sold prior to the tenancy starting.
- 6.3.16 Housing providers will undertake an affordability check when allocating properties to ensure that applicants are able to afford the rent for the property.

## **6.4 Multi-Agency Public Protection Arrangements**

- 6.4.1 Most housing providers within the scheme have entered into an agreement with Dorset Police to exchange information on any applicant convicted under the Sex Offenders Act 1997. Any applicant who has previous convictions of sex offences/is on the Sex Offender register, will be subject to the provisions set out in the information exchange protocol and will be subject to a risk assessment.
- 6.4.2 Before any known offender is offered housing, full consultation will be undertaken with the relevant support agencies to assess the risk involved of placing that individual in the given property.
- 6.4.3 All applicants falling within this protocol will be subject to the qualifying persons criteria previously stated within the policy.

## **6.5 Refusals**

- 6.5.1 A refusal of a property is considered to have occurred if the applicant has viewed the property and an offer has been, or would have been, made had the applicant not refused the property.

- 6.5.2 If an applicant decides to refuse an offer of a home it will be offered to the applicant who is eligible and has the next highest band and/or earliest band start date.
- 6.5.3 Applicants who have been accepted as statutorily homeless by a Dorset local authority are still able to exercise choice through Dorset Home Choice, to apply for those homes they feel meet their needs. However, if they refuse an offer of accommodation, the refusal will be referred to the local authorities Homelessness Team. They will investigate whether or not the refusal is 'reasonable' and inform the Dorset Home Choice team within 24 hours. If the refusal is 'reasonable' then the second placed applicant will be made an offer of the home. However, if the refusal is deemed 'unreasonable' then the applicant will be advised by the homeless section that their duty will be discharged and the applicant re-offered the home.
- 6.5.4 Homeless applicants will also be advised that if they refuse an offer, the home will be offered to another household with the next highest band and/or earliest band start date who applied. Rather than refusing an offer of accommodation, homeless households will therefore be advised to accept the offer and request a review of suitability once they have been accommodated. Further advice and information is available from each of the Dorset local authorities.
- 6.5.5 If an applicant refuses, without good reason, 2 properties after bidding for them in any 12 month period, they will be contacted by a member of the Council's staff to discuss their bidding. This may lead to their application being reassessed and placed into a lower band.
- 6.5.6 Applicants will be offered advice and assistance to take part in Dorset Home Choice effectively. If it is found that they continue to refuse what are considered to be suitable homes they may have their priority reduced to the bronze housing need band.

## **7. Feedback and Monitoring**

### **7.1 Feedback**

7.1.1 An important part of any choice based letting scheme is to provide applicants with feedback on who has recently been allocated properties. Accompanying each advert cycle will be a feedback section giving details of the properties allocated in previous cycles.

7.1.2 An applicants' personal details will not be included. The feedback will include:

- Property size and type
- Property location
- Number of applicants who bid on each property
- Band of successful applicant
- Application/Band date of successful applicant
- Date property was advertised

7.1.3 The feedback provided will help to inform applicants future choices when bidding for homes and will be closely monitored by the partnership.

### **7.2 Difficult to let properties**

7.2.1 If a vacancy cannot be filled through Dorset Home Choice then the property can be let in any way deemed appropriate by the housing provider in agreement with local authority. This may include re-advertising the property and removing any restrictions or preferences previously attached or making a direct offer.

### **7.3 Excluded properties**

7.3.1 All the partner housing providers are committed to advertising as many of their vacant properties as possible through the Dorset Home Choice scheme. There will be occasions when certain properties will not be advertised and these exclusions will be closely monitored.

7.3.2 All secure tenancy properties will be advertised on Dorset Home Choice but there may be circumstances where they have to be excluded at the discretion of the local authority.

7.3.3 For the purposes of Part 6 of the Housing Act 1996, a local housing authority allocates housing accommodation when they:

- (a) Select a person to be a secure or introductory tenant of housing accommodation held by them,
- (b) nominate a person to be a secure or introductory tenant of housing accommodation held by another person, or
- (c) nominate a person to be an assured tenant of housing accommodation held by a housing provider.

In addition the provisions of Part 6 do not apply to the allocation of housing accommodation by a local housing authority to a person who is already:

- (a) a secure or introductory tenant,
- (b) an assured tenant (otherwise than under an assured shorthold tenancy) of housing accommodation held by a housing provider, or
- (c) an assured tenant of housing accommodation allocated to him by a local housing authority.

## 7.4 Policy Review

7.4.1 The Dorset Home Choice scheme may be reviewed annually. Any proposed significant changes will be consulted upon as required by relevant legislation.

## 7.5 Monitoring

7.5.1 Effective monitoring will be put into place and will be regularly reviewed to ensure that Dorset Home Choice is accessible, and that the scheme is working as fairly and effectively as possible.

7.5.2 The comprehensive monitoring system will include information on:

- The participation and outcomes for vulnerable groups
- The number of applicants stating that they wish to be supported (for example with completing the application form or with bidding), why, and how this support was provided
- Applicants who have been awarded a high priority (for example Emergency, High or Medium Housing Needs Bands)

but have not been bidding or have not been bidding effectively. This will be followed up to assess the reasons why and whether any additional support is required

- How applicants have accessed information on available homes
- How applicants have bid for homes
- How long applicants who have been accepted as statutorily homeless take to move into permanent accommodation
- The number of applicants who have been bypassed or refused by partner housing providers, and the reasons for these decisions
- The occasions when, and reasons why local authorities have used their residual discretion to depart from of the Policy due to exceptional circumstances
- The number and type of homes diverted by partner housing providers for lettings outside Dorset Home Choice, and the reasons for this
- Equality and diversity monitoring

7.5.3 A range of questions will be included on the application form that will enable equal opportunities monitoring. This information will help reveal whether there are certain groups within the community who are not accessing information about Dorset Home Choice and not participating in the scheme.

7.5.4 As with any monitoring it will only serve a purpose if the results are used effectively to develop and further improve Dorset Home Choice to ensure that applicants who are vulnerable do not lose out. Similarly good practice from other schemes and guidance from central government will be incorporated into Dorset Home Choice.

## **Appendix 1 Definition of Terms**

### **Active application**

An application status that enables applicants to bid for properties on the Dorset Home Choice system.

### **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.

### **Adequately Housed**

Applicants who, at the time of their application, live in a property which is adequate for their needs in terms of number of bedrooms and facilities (kitchen/toilet). This applies to applicants who live in social housing, are owner-occupiers and tenants of private landlords.

### **Advocate**

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

### **Affordability**

The affordability of accommodation will be assessed following a financial assessment.

### **Applicant**

A person who applies to register on the choice based lettings scheme, including tenants of a local authority or a housing provider.

### **Application date**

The date the application is assessed by a partner local authority having received all relevant information from the applicant.

### **Auto-bid**

A bid placed automatically at the end of an advert cycle by the housing register system on properties that the applicant is eligible for and that match a certain set of criteria.

### **Bands**

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

### **Band start date**

The date an applicant is placed into a band.

**Bedroom Entitlement**

The number of bedrooms that an applicant will be considered for.

**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.

**Bidding cycle**

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

**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.

**Common allocation policy**

A housing allocation policy that covers all partners within the Dorset Home Choice area with the exception of Bournemouth Borough Council, Christchurch Borough Council and East Dorset District Council.

**Community Land Trust**

Community Land Trust (CLTs) are non-profit, community based organisations run by volunteers to develop housing, workspaces or other assets that meet the needs of the community. CLTs are often created to develop affordable homes which are available to local people who cannot afford open market housing.

**Cumulative Need**

More than one housing need has been identified in the reasonable preference categories.

**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.

**Decant**

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

**Direct Let**

An allocation of a property made without a full advertisement to a specific applicant that meets a set of criteria required by the landlord of the property.

**Dorset Home Choice**

Dorset Home Choice is a partnership of the following authorities:

Bournemouth Borough Council  
Borough of Poole  
Christchurch Borough Council  
East Dorset District Council  
Purbeck District Council  
North Dorset District Council  
West Dorset District Council  
Weymouth & Portland Borough Council

**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 housing provider, arm's length management organisation or stock holding local authority.

**Local connection**

A defined connection to a settlement or area obtained through living, working or having family in that settlement/area (how the connection is obtained is dependent on the authority being applied to).

**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 policies**

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

**Normally be resident**

Normally resident for the purposes of this policy means that an applicant is if they are normally 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 that an applicant has bid for.

**Partner organisation**

A housing provider that advertises 100% of their vacancies in the Dorset Home Choice sub region through the choice based lettings scheme.

**Personal reference number**

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

**Property label**

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

**Reasonable preference**

The phrase used in the Housing Act 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.

**Rural Parish**

Settlements with a population of less than 3,000 as at most recent Census count.

**Shortlisting**

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

**Social Housing**

Housing provided for people on low incomes or with particular needs by government agencies or non-profit organisations.

**Statutory Overcrowding** - See Appendix 4**Under Occupying**

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

**Urgent management move**

The need for a housing provider to urgently move an existing tenant to make best use of their housing stock.

## **Appendix 2 Partner Housing Providers**

List here of all partner housing providers that will be taking part in the scheme.

Ability HA  
Anchor Trust  
Bournemouth Borough Council  
Bournemouth Churches HA  
Bournemouth YMCA  
East Boro Housing Trust  
Synergy Housing  
Guinness Trust  
Hanover HA  
Hastoe HA  
Home Group  
Housing & Care 21  
Magna Housing  
Mill Street Housing  
Places for People Homes  
Poole Borough Council (Poole Housing Partnership)  
Sandowne Housing Association  
Sanctuary Housing Group  
Stonewater  
Sovereign Housing  
Radian Housing  
Yarlington Housing Group

## Appendix 3 Local Authority Contact Details



Housing Options Team - Strategic Housing Services  
Environmental Health & Consumer Services  
Bournemouth Borough Council  
Town Hall, St Stephen's Road  
Bournemouth  
BH2 6LL  
Tel: 01202 451467  
Email – [housing1@bournemouth.gov.uk](mailto:housing1@bournemouth.gov.uk)



Borough of Poole, Civic Centre  
Poole  
BH15 2RU  
Tel: 01202633805  
Email – [homechoice@poole.gov.uk](mailto:homechoice@poole.gov.uk)



Christchurch & East Dorset Housing Service, Civic Offices  
Bridge Street, Christchurch  
Dorset BH23 1AZ  
Tel:01202 795213 Email –  
[housing@christchurchandeastdorset.gov.uk](mailto:housing@christchurchandeastdorset.gov.uk)



Christchurch & East Dorset Housing Service,  
Civic Offices  
Bridge Street, Christchurch  
Dorset BH23 1AZ  
Tel:01202 795213 Email –  
[housing@christchurchandeastdorset.gov.uk](mailto:housing@christchurchandeastdorset.gov.uk)



North Dorset District Council  
Nordon  
Salisbury Road  
Blandford Forum  
Dorset  
DT11 7LL  
Tel: 01258 454111  
Email – [homechoice@north-dorset.gov.uk](mailto:homechoice@north-dorset.gov.uk)



Purbeck District Council  
Westport House, Worgret Road  
Wareham  
Dorset  
BH20 4PP  
Tel: 01929 557370  
Email - - [homechoice@purbeck-dc.gov.uk](mailto:homechoice@purbeck-dc.gov.uk)



West Dorset Housing Advice Centre  
South Walks House  
South Walks Road  
Dorchester  
DT1 1 UZ  
Tel: 01305 251 010  
Email – [housingadvice@westdorset-dc.gov.uk](mailto:housingadvice@westdorset-dc.gov.uk)



Weymouth and Portland Borough Council Council  
Offices  
South Walks House  
South Walks Road  
Dorchester  
DT1 1 UZ Tel: 01305 838000  
Email – [housingadvice@weymouth.gov.uk](mailto:housingadvice@weymouth.gov.uk)

## **Appendix 4 – Statutory Overcrowding Definition (Housing Act 1985)**

Overcrowding can be caused by too many people living in a dwelling, and depends on the size of the habitable rooms.

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

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

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

### **The amount of space in each room**

Rooms that are counted as space for sleeping include living rooms, dining rooms, bedrooms and the living area of an open-plan kitchen/living room. For the space and floor area calculations:

- children under one year old are ignored
- children aged from one to 10 count as a half
- anyone aged over 10 counts as 1.

As a general rule:

1 room = 2 people  
2 rooms = 3 people  
3 rooms = 5 people  
4 rooms = 7.5 people  
5 or more rooms = 2 people for each room.

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

- floor area 110 sq feet (10.2 sq metres approx) = 2 people
- floor area 90 - 109 sq ft (8.4 - 10.2 sq m approx) = 1.5 people
- floor area 70 - 89 sq ft (6.5 - 8.4 sq m approx) = 1 person
- floor area 50 - 69 sq ft (4.6 - 6.5 sq m approx) = 0.5 people.

### **Crowding and Space Hazard – The Housing Health and Safety Rating System (HHSRS)**

The HHSRS provides an additional tool for local authorities to tackle overcrowding.

Introduced in April 2006, the HHSRS assesses the deficiencies of a home in terms of the impact on the occupiers. Local authorities use the system to assess properties for 29 health and safety hazards, one of which is crowding and space. The HHSRS operating guidance

[<http://www.communities.gov.uk/publications/housing/hhsrsoperatingguidance>], outlines the ideal where, depending on the gender mix:

“a dwelling with one bedroom is suitable for up to two people regardless of age; two bedrooms for up to four people; three for up to six people; and four for up to seven people. Living rooms and kitchens are also considered. Whether a dwelling is actually overcrowded depends on the age and circumstances of the family in it.”

A dwelling may not match the ideal, but unless the hazard is a high-scoring Category 1, the authority’s decision to act is discretionary.

## Appendix 5 Disrepair Guidance

Level	Description	Banding
<b>High</b>	<p>Serious Disrepair Issue</p> <p>Based on the conditions identified the Private Sector Housing Team has deemed your home to have the presence of Category 1 hazards, Bands A - C (Housing Health &amp; Safety Rating System) that <u>CANNOT</u> be resolved or reduced to a Category 2 hazard within 6 months.</p>	<b>Gold</b>
<b>Medium</b>	<p>Moderate Disrepair Issue</p> <p>Based on the conditions identified the Private Sector Housing Team has shown that your home has Category 1 hazards, Bands A - C (Housing Health &amp; Safety Rating System) that <u>CAN</u> be resolved or reduced to a Category 2 hazard within 6 months.</p>	<b>Silver</b>
<b>Low</b>	<p>Minor Disrepair Issue</p> <p>Has shown that your home has Category 2 hazards, Band D (Housing Health &amp; Safety Rating System).</p>	<b>Bronze</b>

## Appendix 6 Medical & Welfare Considerations

When ill health, disability or old age is aggravated by housing conditions and would improve if other accommodation were offered. The award for medical consideration is a range from Emergency to Bronze Band.

<b>Level</b>	<b>Description</b>	<b>Banding</b>
<b>Urgent</b>	Urgent Medical need which is life threatening or which is causing bed blocking with hospital/care facility	<b>Emergency</b>
<b>High</b>	Serious Problems Medical issue(s) which have a serious impact on your housing need or make it unreasonable to remain in your current accommodation.	<b>Gold</b>
<b>Medium</b>	Moderate Problems	<b>Silver</b>
<b>Low</b>	Minor Problems	<b>Bronze</b>

In the case of stress this will be reflected when deciding on banding. The two crucial factors that are looked for in any awards of medical conditions are:

1. The physical link between the identified medical complaint and the current housing accommodation/situation.
2. That there is a realistic expectation that the identified medical condition would improve if alternative, more suitable accommodation was made available.

The Housing Team will carefully consider any representation received and check the circumstances outlined with any banding award that may have previously been made. Where there is a need, a change to banding will be made.

Support evidence for the medical condition must always be provided to the relevant lead authority to enable the banding to take place.

When determining what banding to award, staff should approach the matter from the standpoint of assessing what degree of need exists and, secondly, what adverse effect this has on the lifestyle of the household as a whole?

The following case examples are provided for guidance only.



### Urgent Problems – Emergency Band.

This band is reserved for applicants where the issue of life threatening or it is causing bed blocking.

Emergency Band	Example Case Detail
Example 1 Emergency	An elderly applicant who the medical specialists will not allow to be discharged from hospital back to a second floor split-level flat which necessitates the climbing of stairs both to gain access and also within the flat itself. This person suffers from a chronic heart condition and the only accommodation available to them would place their life at risk. This view is amplified when further research reveals that the applicant lives alone, has virtually no contact with any neighbours, becoming in effect, a prisoner within the flat should the medical authorities decide to discharge him/ her from hospital
Example 2 Emergency	Mr Stevens, a frail, elderly gentleman, lives on his own in an old caravan in the grounds of a house in a country area. The only mains service is electricity. He fetches his water from an outside cold water tap and must use an Elsan bucket toilet situated some distance from the caravan. Mr Stevens suffers from dizzy spells, arthritis and was admitted to hospital as a result of the cold during the winter and the danger of falls when collecting water or using the outside toilet.

**Serious Problems – Gold Band.** This band will be reserved for those cases where an applicant's or tenant's housing need is seriously affected by their medical issue(s) or make it unreasonable to remain in their current accommodation.

Please note that gold band will only be made where the property cannot be adapted to meet the applicants needs or funds are not available for such adaptations or landlord permission cannot be obtained.

Gold Band	Example Case Detail
Example 1 Gold	Mrs Smith, an elderly widow, lives on her own in a first floor flat. She suffers from severe rheumatoid arthritis, and is unable to climb stairs. As a consequence she is housebound. This is clearly not putting her life at risk, but is having a serious effect on her lifestyle, which a move to ground floor accommodation would resolve. [Note the key fact here is that the applicant is housebound because of their condition – were the applicant able to move around more freely this case would likely to be banded in silver]

<b>Gold Band</b>	<b>Example Case Detail</b>
Example 2 Gold	Mr and Mrs Brown, are both aged 70, are the owner-occupiers of a large Victorian property. Mrs Brown also suffers from osteoarthritis and now finds mobility painful, which is aggravated by this large dwelling, where only the WC facilities are on an upper floor. Mr Brown has a blood disorder and has considerable problems keeping warm, which is aggravated by this old property with its large rooms and high ceilings. The GP is concerned on both accounts and has advised the Housing Team accordingly.
Example 3 Gold Band	Mr Jones is a 30 year old single man who has just had his right leg amputated because of an accident. He is currently living in a 2nd floor flat with no lift.

NOTE: It is expected that any medical award, which is assessed to be a serious problem, will be linked to medical or social service recommendations that have been received by the Housing Team.

**Medium/Moderate Problems – Silver Band.** This again is a high banding award and should only be used to reflect moderate medical difficulties that have a clear relationship to existing housing circumstances.

<b>Silver Band</b>	<b>Example Case Detail</b>
Example 1 Silver Band	Mrs Coles is living with her common-law husband in a rented property. Mrs Coles considers that their relationship has broken down, although her common-law husband refuses to accept this fact. Whilst she has not been subjected to physical violence, there is a great deal of mental cruelty which has led to Mrs Coles seeking the help of a Consultant Psychiatrist and being unable to work for several months. She has been advised that her mental health is being affected by her relationship with her common-law husband. In a case such as this, it would be essential for the Housing staff to consult the Community Physician before making a banding award.
Example 2 Silver Band	Mrs Coles and her daughter are living in a property where Mr Coles (husband and father) died of cancer. The young child (7 years old) is now constantly looking for her father in the property and this is causing considerable upset.

**Low/Minor Problems – Bronze Band.** The degree of the problem is minor.

<b>Bronze Band</b>	<b>Example Case Detail</b>
Example 1 Bronze Band	A couple in their early 60s have signs of generalised arthritis and rheumatics. There are some difficulties with the accommodation because it is difficult to maintain a constant temperature during winter months. The garden is also becoming an increasing chore, but out of a sense of pride the occupants continue to try and keep on top of it.

Example 2 Bronze Band	Minor problems relating to recurring colds/asthma or regular depression or unusual allergies could be pointed under this heading providing a link to the existing accommodation could be demonstrated.
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These examples are provided for guidance only – each case will be reviewed by housing staff on its own merits. Please note that any assessment will also take account of learning disability.

The Housing Team will carry out the majority of assessments under the Medical Consideration element. However, there will be occasions when external expert advice will need to be sought or a referral made to the medical Assessment Panel. For example, where an applicant’s housing circumstances are affecting their mental health, or where a GP considers a patient requires over-riding priority as a result of a medical problem.

We may seek an independent medical opinion whenever an applicant does not normally fall within one of the priority categories under part VI and VII of the Housing Act 1996 (as amended by the homelessness Act 2002) and/or experiences health problems which are likely to make them vulnerable in a homeless situation. This information will be used to inform the relevant local authority officer to decide the Local Authority obligations.

The important aspect is to make a decision on what banding should be awarded and when. The Visiting Officer’s report (where applicable) should set out in the rationale as to why bandings have been pitched at that particular level.

The following list covers some of the main factors, which can be reflected in a banding award under medical considerations.

1. Mobility - Inability to manage stairs/control-heating (e.g. put on extra clothing or adjust fire), size of accommodation, garden.
2. Applicants or tenants who are more or less confined to their existing accommodation, or where they depend on others to enable them to leave the dwelling.
3. Where present accommodation is causing the applicant’s mental or physical disability, which could be overcome by a move to more suitable accommodation. The approach in this instance is to focus on how the applicant or tenant’s circumstances could be improved by a move to alternative accommodation - banding will be awarded accordingly.

## Welfare Banding Assessment Guidance

Level	Description	Banding
<b>Urgent</b>	Severe and persistent welfare risk to the applicant	<b>Emergency</b>
<b>High</b>	Serious and persistent welfare risk to the applicant	<b>Gold</b>
<b>Medium</b>	Moderate and/or intermittent welfare risk to applicant	<b>Silver</b>
<b>Low</b>	Minor and or occasional welfare risk to applicant	<b>Bronze</b>

These examples are provided for guidance only – each case will be reviewed by housing staff on its own merits. Please note that any assessment will also take account of learning disability.

Band	Example Case Detail
Emergency Band	A family living in Sherborne. Son has severe illness that requires access to Dorchester hospital. Family car is in use for work, mother looking after children doesn't drive and isolation from medical care is causing problems for other children.
Gold Band	A child within an applicant's family has been abused outside of the family home. The child is now seeing the abuser regularly in the local community and this is causing serious hardship to the child.  An applicant has a terminal illness and the management of their condition would be improved if they could move to a different property.
Silver Band	An applicant is isolated in a rural area with no family to provide support and no transport to enable them to visit Doctor regularly.
Bronze Band	Applicant has a low level medical condition which requires periodic (quarterly trips to the hospital for check-ups and lives in a rural location with only limited public transport.

Staff will need to assess the whole situation in terms of the way in which welfare can impact on medical considerations and vice versa.

## Appendix 7 – Eligibility Guidance

Dorset Home Choice partners will exclude from the scheme people who are not resident in the United Kingdom at the date of their application. In line with Government legislation the Dorset Home Choice partnership will also exclude people who are subject to immigration control or who are not habitually resident in the Common Travel Area or who only have limited rights of residence in the Common Travel Area under European Union law, unless they have been prescribed as eligible by regulations, or unless they are already secure, introductory or in certain cases assured tenants. The Dorset Home Choice partnership will have due regard to any future changes to European Union law / Rights to Reside legislation.

Please see

[http://england.shelter.org.uk/get\\_advice/homelessness/eu\\_and\\_eea\\_nationals](http://england.shelter.org.uk/get_advice/homelessness/eu_and_eea_nationals) and annex 2-4 of <http://www.communities.gov.uk/documents/housing/pdf/2171391.pdf> for further guidance.

## **Appendix 8 – Statement on Decision Making Process**

All applications are banded and given a bedroom eligibility by a member of the Registration Team of the managing partner for the application based on the information provided at the time of registration by the applicant or applicant's representative and the applicant's household make-up. The applicant is notified in writing of the Registration Teams decision.

If an applicant wants the band or bedroom eligibility awarded by the Registration Team reviewed a written request they must be made within 28 days of being advised of the decision. The decision will be reviewed by another Officer who was not involved in making the original decision.

If additional information is received with the review request a review may not be required as the new information will be treated as a change in circumstances and in the first instance the banding/bedroom allocation will be reconsidered by the Registration Team.

If the applicant is not satisfied with the other Officers decision the Local Authorities complaints procedure may be followed.