

DRAFT

Housing Allocation Policy for Herefordshire 2016



***Herefordshire
Council***

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GLOSSARY

Accommodation of choice	Accommodation of choice is defined through legislation and case law in relation to homelessness decisions. It relates to establishing a local connection. If someone is living in accommodation not of their own choice then residence by virtue of simply living in an area will not count towards having a local connection. For further definitions of affordable housing please visit: http://www.herefordshire.gov.uk/housing/36077.asp
Advertising cycle	The period from Wednesday morning to midnight on a Tuesday when properties are advertised and applicants can bid for them.
Affordable Housing	Housing provided at below market prices and allocated on the basis of need to people who qualify for the housing register in Herefordshire as their only home and who are unable to purchase or rent properties generally available on the open market without financial assistance.
Affordable rented housing	Rented housing usually owned and managed by housing associations where the total rent charged (including service charges, where applicable) is no more than 80% of the open market rent.
Allocation policy	This is the policy document which explains the rules that Herefordshire Council and its partner landlords use to define those who qualify to register for social and affordable rented housing, to prioritise those applications.
Armed Forces	As detailed in s.374 Armed Forces Act 2006, this means the Royal Navy, the Royal Marines, the regular Army or the Royal Air Force.
Bedroom Standard	The bedroom standard is the commonly used standard to assess whether a household is overcrowded. The standard allocates a separate bedroom to each: Adult couple A person over 21 2 people aged 10-20 of the same sex 1 child under 10 years and 1 young person under 20 of the same sex 1 or 2 children under 10 years (any or both sexes) Any unpaired person aged 10-20 or unpaired child under 10
Bidding for a property	This is the method by which applicants show they have an interest in the property being advertised by Home Point.
Bidding platforms	These are the methods available for qualified applicants to express an interest in an available property.
Choice based lettings	A scheme that enables applicants to express an interest in a property of their choice, within the property types for which they qualify.
Eligibility	Nationally set requirements that applicants have to comply with as the first stage in the registration process.
Equality Act 2010	This act requires that 'due regard' is shown to the needs and rights of members of the community including the 'protected' characteristics, which are: Age Disability Gender Gender reassignment Marriage and civil partnerships

	<p>Pregnancy and maternity</p> <p>Race</p> <p>Religion or belief</p> <p>Sexual orientation</p>
Home Point	The name of the choice based lettings partnership in Herefordshire.
Homelessness Act 2002	Made amendments to the Housing Act 1996 and places a duty on local authorities to review homelessness in their area.
Housing Act 2004	Parts 1 and 2 introduced the Housing Health and Safety Rating System to improve standards in accommodation. The Bedroom standard (see above) was introduced as part of this system.
Housing Association	A not-for-profit landlord organisation providing a range of affordable housing. Also known as Registered Social Landlord (RSL) and, more recently, Registered Provider (RP) in the relevant legislation. They are generally regulated by the Homes and Communities Agency.
Housing Health and Safety Rating Standard (HHSRS)	The housing health and safety rating system (HHSRS) is a risk-based evaluation tool used to identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It includes a definition of bedroom requirements for households known as the 'bedroom standard'.
Housing Register	The Housing Register is the directory of applicants who have expressed an interest in, and qualified for, social housing in Herefordshire.
Local connection criteria	<p>These criteria relate firstly to the county and the level of preference an applicant has for housing in the county in the Allocation policy.</p> <p>Local connection criteria may also refer to the terms of a s.106 planning agreement which gives priority to applicants with a defined connection to the specific parish.</p>
Local lettings policy	Local lettings policies are agreed for the allocation and letting of properties in specific area to address particular issues in that area.
Localism Act 2011	The Localism Act 2011 gave flexibilities to local authorities in relation to qualification on the housing register.
Looked after children	A child who is being looked after the local authority is known as a child in care. They might be living: with foster parents, at home with their parents under the supervision of social services, in residential children's homes.
Low cost home ownership	Housing sold at a price lower than the open market value to households in housing need who could not otherwise afford to purchase, as determined by the Technical Data supporting the Planning Obligations SPD and updated annually.
Mutual exchange	A swap of homes by two social housing tenants moving permanently into the other tenants property. Tenants must be granted permission by both landlords.
Nomination	The term used for applicants who qualify for the register and whose name and details are provided to the landlord as part of the bidding process through Home Point.
Reasonable Preference	The Housing Act 1996(as amended) requires local authorities to give reasonable preference in their allocation policies to applicants who fall into specified categories of housing need. See section 2.1 of this policy for a full explanation of the categories.
Reduced Preference	The term used for applicants whose application has a lower priority than it would normally have if the applicant had either a local connection to Herefordshire or had not previously acted in a manner that was not acceptable for a tenant living in social housing.
Registered Provider	Registered provider is the current term for organisations that are registered with the Homes and Communities Agency to provide affordable housing.

Reserved Forces	AS detailed in s374 Armed Forces Act 2006, this means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army , the Royal Air Force Reserve or the Royal Auxiliary Air Force.
Restrictive advertising	This is a term used for adverts which indicate that available properties are restricted to specific categories of applicants.
Section 21 notice	A formal document giving tenants two months notice on an assured shorthold tenancy.
Section 106	This refers to s.106 Town and Country Planning Act 1990 under which developers may provide affordable housing on a specific site, with criteria which grant priority to applicants with a local connection to the parish or ward. .
Settled accommodation	Defined through legislation and case law in relation to homelessness decisions. Any accommodation that is precarious, short term or insecure is not considered settled. Examples of settled accommodation include, but are not limited to: <ul style="list-style-type: none"> · Freehold or Leasehold Ownership · A tenancy enjoying security of tenure (assured or assured shorthold tenancy) · An indefinite Licence or Permission to Occupy (Any occupation implying an indefinite time period) · Returning to long term occupation with parents · An indefinite stay with other relatives · Tied accommodation as a long term employee.
Shortlist	A list of applicants who have expressed an interest in a property advertised by Home Point at the close of the bidding cycle.
'Skipping' bids	This is the term used where a housing association landlord does not offer a property to the applicant next on the shortlist for reasons such as ineligibility for the property type, does not meet the housing association's Allocation policy requirements or has outstanding housing or housing related debt.
Social Housing	The term used in this policy document to mean social and affordable rented housing let through this Allocation policy.
Social Rented	Rented housing usually owned or managed by a housing association, let at below market rents, where the changes in rent levels are subject to government policy.
Specialist housing	Housing that has been specifically designed to meet the needs of people with particular needs. It can refer to housing that has been purpose designed or designated for a particular client group to assist tenants to live independently.
Statutory duty to homeless household	A term that refers to people or families to whom a local housing authority have a duty to make an offer of housing
Supported housing	Housing scheme where housing, support and sometimes care services are provided as an integrated package. The schemes can be long-term designed for people who need support to live independently, or short-term, designed to help people acquire the skills needed to move on into more mainstream housing.
Transfer	This is a term used for a permanent move by an existing social housing tenant within social housing stock.

INTRODUCTION

The Housing Act 1996 requires every local authority to develop and publish an allocations policy for determining the priorities and detailing the procedures to be followed in allocating housing. Recent legislation has allowed local authorities more freedom to determine policies that best meet local circumstances and priorities, within the constraints set out in the Housing Act 1996, as amended (“the 1996 Act”).

Herefordshire Council does not own any housing stock. Its statutory duties are delivered through arrangements with both stock transfer organisations and other housing associations operating in the county. This policy clarifies the roles and responsibilities of the local authority and the housing associations, and the legal responsibilities of each for delivering the local authority’s statutory responsibilities in relation to the allocation of housing. It details the arrangements for applying to register for, and the process by which the majority of, social and affordable rented housing (hereafter referred to as ‘social housing’) is let in Herefordshire.

The council and the major registered providers (hereafter referred to as partner housing associations) within the county operate a common housing register and allocate housing through a choice based lettings scheme known as Home Point. Although Home Point administers the system, specific allocation decisions are made by the housing association which owns or manages the individual property.

Details of the partner housing associations are available in Appendix A.

Partner housing associations use this policy as a means of allocating 75% of their available social housing within the county.

The remaining 25% of properties are let to existing tenants registered under band E in this scheme, to which the associations apply their own rehousing criteria.

The 1996 Housing Act (as amended) requires local authorities to make all nominations in accordance with their allocation policy. This policy will be used to make nominations to any housing association with stock in the county that is not a partner in Home Point.

In developing this policy Herefordshire Council has had due regard for legislation, government guidance and responses from consultation.

This policy sets out:

- The aims of the policy;
- Who can register;
- How applicant’s housing needs are assessed;
- How the housing register operates;
- How social rented homes across the county are let.

The key aims of this policy are to:

- meet the legal requirements for the allocation of social housing
- provide housing choice of affordable homes to meet applicants needs
- ensure that the housing allocation process is transparent to applicants
- maximise the best use of existing housing stock within the county
- help to prevent homelessness and minimise the use of temporary accommodation
- contribute to the development of sustainable communities
- let housing association's accommodation fairly and in an open and transparent way
- ensure consistency in the way in which applicants access affordable and social rented housing

We will deliver these aims by:

- Operating a housing allocation policy where applicants are placed in bands according to their level of need;
- Advertising all available homes weekly;
- Providing support and advice for vulnerable customers when they need it;
- Providing applicants with straightforward and realistic information on supply and demand and the prospect of re-housing;
- Ensuring that every application is dealt with fairly and consistently, so promoting equality of opportunity;
- Building confidence in the choice based lettings process;
- Facilitating mobility to meet household needs.

1. Legal framework

The primary legislation governing the allocation of social housing is the Housing Act 1996, (as amended), and the associated statutory codes of guidance and statutory instruments.

This legislative framework applies to Herefordshire Council directly although it requires housing associations to cooperate in offering accommodation to assist the council to discharge its statutory duties to homeless people and to meet its strategic housing functions and sustainable communities.

Where an allocation by a housing association follows the policy it will meet the requirements of the nomination agreement to let 75% of properties to applicants from the council's housing register.

Any housing association with stock in Herefordshire who is not a partner of Home Point will be subject to local nomination agreements in order to allocate accommodation. Nominations to these vacancies will be assessed in accordance with this policy.

The legislative framework restricts eligibility for social housing and enables local authorities to define those who qualify to be allocated housing in their areas. It allows financial resources, behaviour and local connection to be taken into account when defining qualification regulations. Herefordshire Council has chosen to make use of these flexibilities in this Allocation policy.

The Allocation policy has been developed to be compatible with other relevant legislation and guidance including, but not restricted to:

- The Human Rights Act 1998
- The Data Protection Act 1998
- The Freedom of Information Act 2000
- Children's (Leaving Care) Act 2000
- The Equality Act 2010
- The Right to Move Guidance 2015

A summary of the Allocation policy must be published and made available free of charge to any person who asks for a copy. This document is the full version of the scheme and is available for inspection on the Home Point, Herefordshire Council, and any of the partner's, websites. If requested a hard copy can be provided on payment of a reasonable fee (to be confirmed at time of request).

1.1 Legal Responsibility

The Council will be responsible for the conduct and costs of any legal challenge relating to the Council's housing Allocation policy and general operation of the Home Point system.

A partner housing association will be responsible for the conduct and costs of any legal challenge relating to the individual partner housing association. This includes where an applicant has been refused a property because they do not meet the housing association's Allocation policy criteria, were subject to the housing association's exclusion policy or cannot provide rent in advance or payment by direct debit, if required.

2. Equality statement

This policy recognises and respects different and diverse housing needs.

The Allocation policy is drafted and framed to ensure that it is compatible with the council's equality duties including the duty to eliminate unlawful discrimination and to promote good relations between persons who share a relevant protected characteristic and those who do not. The protected characteristics are age, race, disability, sex, pregnancy and maternity, sexual orientation, religion or belief and gender reassignment.

The policy ensures that each applicant is assessed on the basis of individual need. In addition, the assessment will seek to identify and meet any special requirements.

Herefordshire Council expects all partners to ensure that they comply with the Equality Act 2010 and have their own Equality policies available.

3. Statement on choice and constraint

The Home Point partners are fully committed to enabling applicants to play an active role in choosing where and in what property type and tenure they want to live, whilst continuing to house those people in the greatest need, making the best use of the available housing stock and complying with all relevant legislation.

It is important to appreciate that the demand for accommodation is higher for some types of property and for some areas than others. In making a decision about the choices available, applicants need to consider their housing need priority against the availability of properties in any given area.

Applicants can determine whether they are likely to be successful as they are able to check their position on a shortlist at the time of placing a bid and when all bids have been made after the shortlist is closed. They are also able to check on historic bids. This enables an applicant to make an informed choice when deciding which property to apply for and whether social housing is a realistic option to secure housing.

Whilst the policy offers applicants choice, there will be a number of instances where this may not be possible, for example:

- the applicant does not meet the criteria for the scheme or the empty property (see page 28)
- there is a legal agreement restricting who can be offered the property (see page 29)
- there is a local lettings plan in place (see page 29)
- the applicant has been accepted under the full homeless duty (see section 6 page 30)

4. Officer roles and responsibilities

The Home Point team administers the housing register and the choice based lettings scheme on behalf of the council and the partner housing associations. Herefordshire Council is responsible for the operational management of the scheme.

Whilst the council and its partners aim to achieve clarity and transparency for the public, there will be discretion in relation to qualification, priority and property size rules for council officers to provide a degree of flexibility in the implementation of the policy when considering individual exceptional cases. Any use of this flexibility will be undertaken in agreement with the Head of Prevention and Support.

Certain functions within the scheme can only be undertaken by a senior officer or manager and, where this is the case, it has been identified in the allocations policy.

Applicants should note that the decision to make an offer of a property is made by the housing association, not the Home Point team.

5. Confidentiality, data protection & information sharing

All information received relating to a household's application for inclusion on the housing register will be treated as confidential in accordance with the Data Protection Act 1998.

Home Point will seek the consent of applicants joining the register to share personal information about the applicant and members of their household. Any information relating to the application, and the application itself, can only be viewed by staff members of the Home Point partners.

Information will not be shared with third parties unless consent has been given by the applicant. However, consent is not required in exceptional circumstances which include where there is a public safety interest or to prevent fraud.

The existence of an application from an individual will not be disclosed to any other member of the public without the consent of the applicant.

An applicant has the right to request details of the information held about them.

6. Advice and assistance

The council acknowledges that this Allocation policy requires the active participation of housing applicants and to reflect this, the council and its partners aim to provide advice and assistance as required by s.166(1) and s.168(1) of the Housing Act 1996. This will ensure that no person is disadvantaged by the way the policy operates.

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

- information about the procedures for applying to the scheme and for applying for advertised properties

- information about how applicants are prioritised under this policy
- how successful applicants will be selected
- rules on how properties will be advertised including bidding cycles and restrictive labelling
- information about the housing associations that have vacancies advertised through the Choice Based Lettings system

Applicants will also be provided with information regarding their own application which will include:

- what information they need to supply to complete registration and the **timescales** for providing the information
- if they do not qualify what they need to do to rectify this
- what their band is under this policy
- what size properties they are entitled to bid for

Applicants who have difficulty reading or understanding this policy may benefit from the following services:

- an interpretation service if their first language is not English
- signing if speech or hearing is impaired
- provision of documents in large print if an applicant is visually impaired
- an interview to explain the policy
- information about where independent advice is available

The council's Housing Solutions team can also provide information about other housing options. This will include:

- advice on housing associations operating in the county
- advice and help on renting in the private sector
- advice on available low cost home ownership options
- advice on how welfare benefits, employment, education and training may improve their housing options

Advice is also available through the the Housing Advice Questionnaire, a self-help tool available on the Home Point website www.home-point.info

7. Councillors, board members, employees and their close relatives

This Scheme is designed to ensure that Herefordshire Council and partner housing associations are transparent and equitable when letting homes to staff, Councillors or board members and their close relatives. Applicants must disclose any such relationship when applying for housing. Failure to do so may result in the application being suspended or closed.

The Allocation scheme is open to any qualifying applicant and there are stringent checks in place that all applicants must follow. Staff, Council members and their relatives are treated as any other applicant and must be seen to not be gaining any advantage or any preferential treatment in the course of their application, nor shall they be disadvantaged.

8. What is an allocation under this policy?

In this policy an 'allocation' occurs when an applicant within bands P to D (see pages 22-24) are nominated to be an Assured or an Assured Shorthold tenant of a property owned or managed by a housing association. It does not include the selection of an existing tenant of a social landlord where that tenant does not have a housing need as identified in the banding scheme priorities P to D.

8.1 Exempt Allocations

The following are not 'allocations' under this Scheme and not subject to the banding scheme above:

- Succeeding to a tenancy under s.89 of the Housing Act 1985;
- A mutual exchange with another tenant;
- Assigning a tenancy;
- Transferring a tenancy in accordance with a court order under Family Law provisions or under the Civil Partnership Act 2004;
- An introductory tenant becoming a secure tenant;
- Provision of temporary accommodation in discharge of any homelessness duty or power;
- Applicants for supported and adapted housing who are subject to alternative assessment procedures.

WHO CAN REGISTER

1. ELIGIBILITY

Herefordshire Council, through the Home Point partnership, operates a single housing register on behalf of the partnership. This means that applicants need to complete only one application to join the scheme and bid for properties made available by the housing providers participating in the scheme.

Social housing will only be allocated to those households who are eligible and qualify to register. The Housing Act 1996, as amended, defines the categories of people who are **not** eligible.

1.1 Ineligible households

- Applicants subject to immigration control as defined by Section 13(2) of the Asylum and Immigration Act 1996 and prescribed by the Secretary of State as ineligible;
- Applicants who are not habitually resident in the Common Travel Area (i.e. the United Kingdom of Great Britain and Northern Ireland, the Republic of Ireland, The Channel Islands and the Isle of Man);
- Applicants whose right to reside in the UK is from a status as a 'jobseeker' within the meaning of Regulation 6(1)(a) of the Immigration (European Economic Area) Regulations 2006 (SI 2006/1003) ("the EEA Regulations");
- Applicants whose right to reside in the Common Travel Area is an initial right to reside for a period not exceeding 3 months under Regulation 13 of the EEA Regulations.

2. QUALIFICATION

All applicants eligible to join the register will be considered, provided that the application is made in accordance with this policy. Applicants must have a housing need recognised by the Allocation policy in order to qualify for inclusion on the register.

2.1 Local connection

To qualify to join the Home Point housing register applicants should have a local connection to the county, as defined by s.199 of the Housing Act 1996. Applicants with a local connection to the county will be awarded greater preference than those who do not have a verified local connection. Applications received from those without a local connection who do not fall into one of the 'reasonable preference' categories (see page 20-21) will not be accepted on to the housing register.

Local connection in this context means that the applicant meets at least **one** of the following criteria:

- a) Currently living in the county (in settled accommodation or accommodation of choice) for at least 6 months out of the last 12 months or 3 years out of 5 years at the point of application;
- b) Have close relatives living in the county (parents, adult children, brothers or sisters) who have done so for at least the last 5 years at the point of application;
- c) Be employed and have worked in the county for at least 6 months or more and the work is for more than 16 hours a week.

For the purposes of determining eligibility on residency grounds, living in the local authority area will not include the following:

- Occupation of a mobile home, caravan or motor caravan where it is not their only or principal home;
- Occupation of a holiday letting for the purposes of a holiday;
- In-patient of a hospital or similar settings where the applicant has a connection elsewhere.

Under some special circumstances, such as where there may be an overriding housing need to be met or a duty to a statutory homeless person, then the qualification rules may be waived.

2.2 Armed Forces personnel

Local connection requirements will not apply to the following applicants:

- members of the Armed Forces and former Service personnel, where the application is made within five years of discharge;
- 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 serious injury, medical condition or disability sustained as a result of their service.

ADDITIONAL PREFERENCE FOR ARMED FORCE PERSONNEL

Applicants who meet the above Armed Forces criteria **AND** fall into any of the reasonable preference categories (see banding scheme section, page 20) will be awarded additional preference by means of backdating the effective date by six calendar months. For example, a qualifying applicant awarded priority within one of the reasonable preference categories on 1st December 2015 will have their effective date backdated to 1st June 2015.

2.3 Those who do not qualify

An applicant will not be accepted on to the register for social housing if: -

- a) They have sufficient financial resources to resolve their own housing need. Applicants with a combined annual household income of £45,000 or above and those with capital or assets of £50K (under 50 years of age) or £100K (over 50) will not normally qualify to join the housing register. Applicants over 60 years of age with capital or assets worth up to £150K may be accepted on to the register for sheltered housing only where they have a **proven** need for sheltered housing.
- b) They have unreasonably disposed of financial resources that could have enabled them to purchase/obtain their own accommodation.

- c) Applicants (or a member of their household) have been in breach of the conditions of their tenancy such that a social housing landlord would be entitled to outright possession and at the time of their application for housing they are still considered unsuitable to be a tenant by reason of that behaviour. For more details see Appendix B.
- d) Applicants have **significant rent or former tenant arrears** such that, if the applicant(s) was the tenant of a housing association, a social housing landlord would be entitled to outright possession. For more details see Appendix B.

2.4 Right to review

Applicants have the right to request a review of the decision made in the registration and allocation process. These include applicants who;

- are not eligible to join the register;
- are not a qualifying applicant due to unacceptable behaviour or housing debt;
- application has been cancelled;
- priority banding has been withdrawn;
- who wish to query the information being taken into account in considering whether to make an offer of accommodation.

The review in the first instance will be carried out by the partner organisation that made the decision. The person carrying out the review will be senior to the person who made the original decision and will have had no previous involvement in the original decision. For further details see Appendix C.

2.5 Young person aged 16- 18 years old

The register is open to applicants under the age of 18 unless they are specifically ineligible or do not meet the qualification requirements.

It should be noted, however, that a tenancy would not usually be granted to applicants under the age of 18. Consideration may be given to applicants where an adult or organisation acts as a trustee to hold the tenancy in trust for the applicant until they reach the age of 18. There may also be a requirement to obtain a rent guarantee.

Applicants aged 16 or 17 years old will be assessed for accommodation where one or more of the following apply:

- over the age of 16 where a referral for assistance has been made by Social Services authorities under Section 27 of the Children Act 1989;
- a young person who is deemed a relevant or eligible child under the Children (Leaving Care) Act 2000 as amended.

In each case, an assessment of the applicant's housing, care and support needs will be undertaken to ensure that adequate support is available to make sure that the applicant is capable of maintaining a tenancy.

ASSESSMENT OF HOUSING NEED

1. Property Size

The table overleaf shows the size of properties that applicants are eligible for based on their household composition.

Households claiming benefits should be aware that there is a limit on their eligibility for housing benefit payments based on the government's assessment of their household's bedroom need. For further details see Appendix D.

Single people under the age of 35 claiming benefits are normally only entitled to the 'shared room' rate. For further details see Appendix D.

Single people between the ages of 18 and 21 are not entitled automatically to any help with their rent payments if they are not working. For further details see Appendix D.

The government is changing the way that benefits are paid. Universal Credit is the name for the monthly combined payment that will eventually be paid to all working age residents who are on a low income or out of work. Universal Credit is made up of different amounts, called 'elements' depending on individual circumstances. The housing element of the Universal Credit payment helps tenants with their eligible rent and service charge costs. Further information is available on the website www.gov.uk and in Appendix D.

In circumstances where an applicant is offered a property that is deemed larger than necessary by the housing benefit regulations, the housing association will undertake a financial assessment with the applicant to ensure that the rent is affordable to the household.

A number of flats and bungalows are restricted to people over a specified age or on the basis of need /support to help them maintain their independence. It is sometimes possible in these schemes to offer a larger property than shown below, subject to an applicant being able to afford the rent.

Applicants for sheltered accommodation will be assessed as to whether they need this type of accommodation.

Pregnant applicants without other children will be eligible primarily for 2 bed 3 person accommodation to enable larger households requiring 2 bedrooms to be housed in the larger 2 bedroom properties.

PROPERTY SIZE ELIGIBILITY								
Household size	Suitable property size							
	Bedsit/ studio	1 Bed	2 Bed 3 Person	2 Bed 4 Person	3 Bed	4 Bed 6 Person	4 Bed	5 Bed
Single person	X	X						
Single person or couple without children		X						
Single person or couple without children (age restricted properties)	X	X	X	X				
Pregnant applicant (25 weeks onwards)			X	X				
2 adult siblings sharing			X	X				
Parent(s) and one child			X	X				
Parent(s) and 2 children regardless of gender aged 0- 8				X				
Parent(s) and 2 children same gender aged 0 -15, less than 10 years age difference				X				
Parent(s) with 2 children aged 0-15 with greater than 10 years age difference				X	X			
Parent(s) and 2 children different gender one over 8 years				X	X			
Parent(s) and 3 children any gender mix aged 0-15					X			

Parent(s) and 3 children, one child over 15, other children of different gender and one of other children over 8.					X	X		
Parent(s) and 4 children					X	X	X	
Parent(s) with 5+ children						X	X	X

1.1 Extra room allowed for non-resident carers

Applicants with a disability or a long term health condition who have a non-resident carer may be entitled to an extra bedroom if they can provide evidence that:

- they reasonably require overnight care and that this care is provided;
- one or more persons regularly stay overnight to provide care;
- there is a need for an extra bedroom that is used by a carer or carers for overnight stays as part of caring for the applicant or a household member.

A 'person who needs overnight care' is defined as someone who is:

- receiving Disability Living Allowance middle or higher rate care or who receives the Personal Independence payment (PIP) daily living component enhanced rate and/or the mobility enhanced rate or Attendance Allowance.

If not in receipt of Disability Living Allowance, PIP or Attendance Allowance evidence must be provided to show that overnight care is required e.g. letter of confirmation from a medical practitioner.

1.2 Children / access to children

For the purposes of this section of the policy a child is defined as someone who is either under the age of 18 or who is still dependant on the applicant e.g. due to continuing education.

Where parents who do not live together but have shared care of their children the children will be treated as living with the parent who provides their main home and receives child benefit in respect of the child(ren).

1.3 Fostering and adoption

Where a household has formal evidence that, subject to a suitable home becoming available, approval would be given to foster or adopt a child or children, they may be included in the

bedroom entitlement calculation. Verification of fostering and/or adoption arrangements may be carried out by the housing association before an offer is made.

1.4 Sharing siblings

The policy enables adult siblings to register for upper floor (1st floor and above) flats. Both parties must be eligible and qualify to go on the register.

2. Banding Scheme

The Home Point partnership operates a needs based banding scheme described below. The bands are arranged to reflect housing need with the highest band indicating the greatest need for housing. The table is organized in descending order of priority for bands P to D. For the allocation of social housing under this policy, applicants in band P have the highest priority and applicants in band D have the lowest priority.

The scheme consists of 8 bands, with one 'band' being reserved for existing social housing tenants who do not have a housing need within the allocation policy and are only able to bid for the properties advertised as 'withheld by landlord' or 'for existing tenants only' i.e. the 25% of void properties to be used for this purpose.

All eligible applicants are placed in bands in accordance with their housing needs assessment. Further information about each band is available in Appendix E. Applications are prioritised first by band, and secondly, within that band, by effective date.

Where applicants are placed in a band with a specific time limit this means that at the end of the period of the time limit the Home Point team will review the applicants' bidding history. For further information see paragraph 5.1.

2.1 Reasonable Preference

Herefordshire Council is required by law to determine the relative priority that housing applicants are awarded. This is particularly important when, as is the case in this county, the demand for affordable rented housing is generally greater than the availability of homes.

The law, as it applies to local housing authorities, requires that reasonable preference for housing must be given to those in the categories set out in the Housing Act 1996 (as amended).

Therefore, the allocation policy gives reasonable preference to the following categories of people (s.166A (3)) :

- (a) People who are homeless within the meaning of Part 7 of the 1996 Act;

- (b) People who are owed a duty by any housing 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 occupying accommodation secured by any housing authority under s.192(3);
- (c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- (d) People who need to move on medical or welfare grounds, including grounds relating to a disability;
- (e) People who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or to others).

This does not mean that households who fall into the reasonable preference categories are necessarily entitled to priority over all other applicants in all circumstances.

Herefordshire Allocation Policy Banding Criteria	
Criterion	Summary definition
Band P – Time limits apply	
Statutory or severe overcrowding (reasonable preference)	This is awarded where a household is three or more bed spaces deficient or where the household is statutorily overcrowded as defined by Part X of the Housing Act 1985 and has not deliberately worsened their housing situation. 26 week time limit followed by review process
Under-occupation by a social housing tenant (releasing 1 or more bedrooms)	Households presently under-occupying a rented home owned by a partner housing association that is situated in Herefordshire and the applicant wants to move to a property fewer bedrooms. 26 week time limit
Serious state of disrepair (reasonable preference)	Households will be placed in this band in the following circumstances: <ul style="list-style-type: none"> Where the hazard(s) are so severe or numerous that residential use of the property is prohibited. 26 week time limit followed by review process
Homeless households who are owed a full housing duty (reasonable preference)	Households who are owed a full housing duty under s. 193(2) (in priority need and unintentionally homeless), or s. 195(2) (in priority need and threatened with unintentional homelessness) of the Housing Act 1996, or ss. 65(2) or 68(2) of the Housing Act 1985. 12 week time limit followed by review process
Band A – Time limit 12 months (followed by review process)	
Care Leaver (reasonable preference)	This includes care leavers and relevant children as defined by the Children Act 2000, as amended.
End of Agricultural or service tied tenancy (reasonable preference)	This may apply to: <ul style="list-style-type: none"> households where an agricultural worker is being displaced to accommodate another agricultural worker and the farmer cannot provide suitable alternative accommodation; households in council service or related tenancies which are coming to an end.
Homeless, unintentional, not in priority need (reasonable preference)	Households assessed by the council's Housing Solutions team as being unintentionally homeless but not in priority need.
Lacking or sharing facilities with non-family members (reasonable preference)	Households who do not have access to a bathroom, kitchen or inside WC or whose accommodation lacks hot or cold water supplies, electricity supply or provision of adequate sources of heating. Households sharing a kitchen, bathroom/WC with non-family members who are not on the application. Family members would

	include parents, step parents, children, step-children, siblings, step- siblings and grandparents.
Major adaptations no longer required	Tenants of partner housing associations who no longer require a property where major adaptations such as a stair lift or level access shower have been installed.
Move on from supported/specialised accommodation (reasonable preference)	Tenants of supported or sheltered housing who have been assessed by their support provider as being ready to move into settled accommodation.
Overcrowding by 1 or 2 bed spaces (reasonable preference)	Households where the property is one or two bed spaces deficient and the household has not deliberately worsened their housing situation.
Right to move for social housing tenants	This applies to a social housing tenant who works in the county or has the offer of work in the county in accordance with the Right to Move guidance 2015.
Referral from Herefordshire Council's Adult Wellbeing or Children's Wellbeing Directorates.	Households who require urgent alternative accommodation on safeguarding or associated grounds, subject to referral to, and agreement from, Head of Prevention and Support, Adult Wellbeing Directorate.
Verified harassment, witness intimidation	Households where the police or relevant support agencies advise that there is a need for alternative accommodation to protect witnesses or prevent severe harassment and where prosecution of the offender is intended.
Verified urgent medical/welfare need (reasonable preference)	Households where there is an urgent need to move to prevent or improve significantly health or well-being by the provision of a different type of accommodation. Medical evidence will be required and will be used to assess banding. This banding will not be awarded where the need is temporary as a result of injury or surgery.
Verified urgent need to move to a particular area to avoid hardship (reasonable preference)	Households who need to move due to employment, where the household has no access to a private vehicle AND the use of public transport is not available or the journey would take over 1.5 hours in each direction.
Band B – Time Limit 12 months (followed by review process)	
Affordability	30% or more of gross income spent on housing costs, excluding child benefit, attendance allowance (or successor benefits).
Households with children aged 8 or under living above first floor (reasonable preference)	This applies to households where there is one child (or more) is aged 8 or under. Households must live above the first floor i.e. there are 2 flights of stairs to reach the front door of the home.
Intentional homeless (reasonable preference)	As defined by the Housing Act 1996, as amended. Households who are assessed as being intentionally homeless may have a reduced preference depending on the reason for their status as intentionally homeless.
Verified medical/welfare need (reasonable preference)	Households where there is a need to prevent or improve the health or well-being by the provision of a different type of

	accommodation. Medical evidence will be required. This banding may be considered where surgery is required for the period up to the surgery and during any recuperation period. Once an applicant has recovered and their housing need is resolved the banding will be removed.
Verified need to move to avoid hardship (reasonable preference)	Households who need to move due to employment, where the household has no access to a private vehicle AND the use of public transport is not available or the journey would take over 1 hour in each direction.
Band C	
Proven need for sheltered housing with assets up to £150K	Households over the age of 60 who have been assessed as in need of sheltered accommodation but whose ability to access open market provision is limited due to total capital assets of under £150K.
Relationship breakdown	Applies where there are children involved and insufficient financial resources to resolve their own housing needs as two separate households
Rural localities /s.106 local connection schemes	In order to promote sustainable communities, households that do not have a housing need under other criteria in this allocation scheme but have a local connection to a specific parish may qualify for section 106 affordable housing developments in the parish(es) to which they have a local connection.
Sharing siblings	Adult siblings, living in the family home or not in settled accommodation, who apply as joint tenants for properties on the first floor and above.
Band D –reduced preference	
Applicants/households who:	Are within the reasonable preference categories but who do not have a local connection to the county of Herefordshire.
	Have deliberately worsened their housing circumstances.
	Have housing related debts to the local authority or a housing association.
	Have committed acts of anti-social behaviour or other breaches of tenancy not severe enough to have been subject to an outright possession order, a demotion order, an injunction, criminal proceedings.
	Have provided false information on their application for social housing.
Band E – transfer band	
	Existing social housing tenants who are not in the reasonable preference or under-occupation categories above
Band F – low cost home ownership	
	Households who are interested in applying for low cost home ownership schemes.

HOW THE HOUSING REGISTER WORKS

1. Registration process

The Housing Register (referred to as 'the Register' throughout this document) is a key part of the Choice Based Lettings (CBL) scheme. The Register is a single list of all the applicants who have applied for and been accepted (on to) the CBL scheme. People who apply to join the register have the benefit of applying to all the partner landlords through one application. In order to bid for a property, an applicant must be on the register.

All applicants must complete the application process. Applicants can apply to join the register by completing an on-line form. This can be done through by going to the Home Point website www.home-point.info. Information on how to complete the form is available on the Home Point website, as is the list of the evidence that needs to be supplied in support of the application. Also on the website is a Housing Advice Questionnaire which will give you personal advice on the housing options available to you.

1.1 Joint applications

Joint applications are encouraged and can be made so long as at least one applicant is eligible. However, if only one party is eligible, should an offer be made by a housing association, only the eligible applicant will be offered a tenancy.

Joint applicants can only make one application. In the case where two sole applicants wish to become joint applicants one of the applications must be withdrawn and the other amended to reflect the joint circumstances.

1.2 Multiple applications

Multiple applications are not allowed.

If an applicant is already registered the applicant must decide which application they want to retain. The other application will be closed. This will also apply to people who are registered as a joint applicant on more than one application.

1.3 Providing information and documentation

During the application process, applicants will be asked to provide supporting evidence to verify their identity and personal circumstances e.g. their National Insurance number and proof of residency for themselves and anyone being housed with them. A list of documents which can be used to support an application is available on the Home Point website.

Without supporting information the application will not be assessed and made active. An applicant is not able to bid for any property until s/he is active on the register. A failure to respond to a request for information as part of the initial verification process within 28 calendar days will generally lead to cancellation of the application

Additional information and documentation must be provided if requested. It is the responsibility of the applicant to provide the information / documentation within the specified timescale.

Once an application is completed, all applicants are assessed for any factors that determine housing need. If the applicant qualifies for housing, the application will be made 'active' on the Register and given the appropriate band.

1.4 Giving false information or deliberately withholding information

It is an offence under s. 171 of the Housing Act 1985 for applicants to:

- knowingly or recklessly give false information relating to their application for housing or other elements of the process e.g. change of circumstances;
- knowingly withhold information that has been reasonably requested.

A person guilty of an offence under this section is liable on summary conviction to a fine.

Ground 5 in Schedule 2 to the Housing Act 1985 (as amended by s.146 of the 1996 Act) enables a housing association to seek possession of a tenancy granted as a result of a false statement by the tenant or a person acting at the tenant's instigation.

1.5 Confirming registration

Applicants will receive confirmation from the Home Point team that their application has been registered together with:

- their registration date;
- the band they have been awarded;
- confirmation of which type and size of properties they are eligible to bid for; and
- their username, unique reference number and password for the website.

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

1.6 Change of Circumstances

Applicants are required to inform Home Point if their personal circumstances change and it may reasonably be expected to have an effect on their housing Register application. This includes any change in their address or household composition.

Changes in circumstances that lead to re-banding will be dealt with in accordance with this policy. Home Point will re-assess an application where there has been a change of circumstances and will notify the applicant in writing that this has been done. Where this has led to a change in priority applicants will be informed in writing stating the reasons, any time limits in the new banding, the effective date for the change in priority and the right to request a review of the decision.

2. Annual Review

The Home Point team undertake an annual review of applicants on the Register. This helps to ensure that those on the register are still interested in applying for suitable properties. It is expected that all applicants will be for appropriate properties. At the time of the annual review the bidding history of applicants in the higher priority bands will be part of the review process.

Each applicant will be contacted, in writing, on the anniversary of their application to ascertain if they still wish to be registered. Should there be no response to this letter **within 28 calendar days**, the application will be suspended. Further written contact will be sent to the applicant notifying them their application is suspended and if they do not respond **within 14 days** their application will be cancelled.

Applicants who subsequently decide they wish to re-join the register will need to apply in the normal way and will have their current circumstances assessed. The application date will not be backdated under these circumstances.

3. Closure of Applications

The Home Point team will close applications where:

- an applicant is housed as a result of the application;
- an applicant has failed to provide supporting evidence in the given time period of 28 days (see above) or other time limits specified in correspondence;
- an applicant fails to respond to the annual review within the set timescale above;
- an applicant has moved and failed to notify the team,
- an applicant persistently fails to respond to communication or requests for information over a reasonable timescale.
- an applicant has made a request for the application to be cancelled

Should an applicant subsequently wish to re-join the scheme then they will be required to complete a new application which will be processed accordingly based on their current circumstances and with a new registration date.

4. Advertising

Properties are advertised primarily through the Home Point website. Property adverts are also available at:

- Franklin House, Hereford;
- All partner offices;
- Herefordshire Council Customer Service Centres; and
- Public libraries in Herefordshire.

In partnership with the housing associations, the Home Point team endeavours to ensure that all advertisements are as comprehensive as possible. The service promotes informed choices and will help guide applicants to bid for properties they can realistically expect to secure. Advertisements will include as many of the following as possible:

- location;
- property type, size and floor level;
- nature of tenancy on offer;
- what type of heating it has and whether it has a heating charge payable that is not covered by housing benefit;
- any restrictions such as s.106 schemes;
- whether such things as a garden or parking are available with the property;
- the amount of rent and any other charges that are payable;
- photographs of the property and links to guides about the local area.

4.1 What is restrictive advertising and how is it applied under this policy?

This refers to adverts for individual properties which are subject to specific restrictions on the types of households whose bids will be considered for that property.

These household types will be given preference for the advertised properties to meet local requirements. Examples include:

a) Age

Adverts will clearly state where offers are restricted to people over a certain age.

b) Property type e.g. Sheltered scheme

Certain types of properties are only available for specific types of households. Where bids will only be accepted from designated household types this will be clearly labelled on the advert.

c) Section 106 developments

Section 106 agreements are legal agreements between local authorities and developers which are linked to a planning permission. Where these exist they normally grant priority for affordable housing to applicants with a local connection to the ward, parish or village. Bidders with a local connection will be shortlisted in banding priority and offered properties based on this priority. Properties governed by s106 agreements will be advertised as 'Local Connection Required'.

d) Local lettings plans

Local lettings plans are normally introduced to meet a particular local need or to address an issue affecting the local area. There are a number of these policies throughout the county. To be considered for a property within one of these schemes the applicant would have to meet the criteria listed in the advert. For example, applicants may need to have children over a certain age.

e) Transfer applicants

Properties withheld as part of the 25% restricted for existing tenants will be marked as 'withheld by landlord' or 'for existing tenants of (relevant housing association(s))'.

5. Bidding

Once the application is active, an applicant has to place a bid to express an interest in available properties. Applicants are only able to be considered for properties for which they are eligible.

Properties are advertised from Wednesday morning until midnight the following Tuesday night. This period is known as the advertising cycle. On occasion a landlord may need to withdraw a property during or after it has been advertised. In this instance no bidders will be entitled to an offer.

Applicants can place bids at any time during the advertising cycle via the following platforms:

- www.home-point.info ;
- an automated telephone number 0845 270 2550;
- by text on 0778 148 2312;
- contact a partner organisation in person.

Applicants can bid for up to 2 properties in each cycle and must indicate whether the bid is their 1st or 2nd choice. Depending on their method of bidding applicants can find out their position on the shortlist **at the time** they bid, together with the total number of bids **already** placed against the property. Position on the shortlist can change as additional bids are received. Applicants are able to see their queue position on current and historic bids via their online application.

The Home Point team can offer support with the bidding process, including making bids on the applicant's behalf if the applicant, for instance, is not able to use the bidding platforms effectively due to age, health or easy access to the bidding options.

5.1 Time-limited priority bidding

Applicants who are awarded priority in recognition of their urgent housing need will be awarded this priority on a time-limited basis. This acknowledges the urgency of the situation, both for the applicant and for the council. The time limits are stated in the banding table.

Time-limited priority can be reviewed and cancelled at any time if the applicant's circumstances change.

Priority applicants will be monitored throughout the initial time-limited period. During this time applicants should bid for any suitable advertised properties. This means that applicants will sometimes need to compromise on their ideal choice of housing in order to achieve the urgent move they need. It will not always be possible to meet all their preferences within the time available.

If the initial time-limit is reached and the applicant has not been housed, the Home Point team will review the priority and may cancel it. In conducting the review the team will take into consideration the following factors:

- Have there been any properties advertised that would have met the applicant's need?
- If so, why did the applicant choose not to bid or why were they unsuccessful.
- Has the applicant received appropriate support and help in accessing the bidding system?
- Have the applicant's circumstances remained the same or has the need for priority gone?

Having considered the above factors, the Home Point team may upon review:

- extend the priority for a further designated period (e.g. 12 or 26 weeks);
- place on auto bidding;
- arrange for a direct offer to be made.

6. HOMELESS HOUSEHOLDS WHO ARE OWED THE FULL HOMELESSNESS DUTY

Homelessness assessments are determined by a Housing Solutions Officer on behalf of Herefordshire Council and where the council accepts a duty to provide secure accommodation, under the Housing Act 1996 s. 193(2), s 195(2) or other statutory duties, time-limited priority bidding for 12 weeks applies.

Applicants who are awarded Band P because of this duty must bid on **all** properties that would constitute a reasonable offer during that period. Assisted bidding will be offered to all applicants to enable them to receive an early suitable offer. At the end of their time-limited priority the award will be reviewed and one, or more, of the following actions will be taken:

- Auto bidding;
- Direct offer;
- Extension of priority status for a further 12 weeks.

6.1 Auto bidding

The Home Point team may arrange for automatic bidding on suitable properties on behalf of the homeless household. Properties that are bid on may be outside the areas of choice where the applicant would prefer live. Areas can be excluded by agreement if they are shown to be unsuitable for an applicant and a bid will not be made in these areas.

6.2 Direct offers

The majority of available properties will be advertised and open for eligible households to place bids through the Choice Based Lettings Scheme. However, there are circumstances where a property may be let outside the scheme by a direct letting. This may be done where households accepted as homeless have failed to bid for properties that were available and suitable for their needs.

6.3 Extension of priority status for a further 12 weeks

In exceptional circumstances the priority status can be extended for a further 12 weeks. On these occasions assisted bidding will be undertaken as part of the agreement to extend priority.

6.4 Refusal of Offers by Households Owed the Statutory Homelessness Duty

If a homeless household refuses an offer of suitable accommodation Herefordshire Council may decide that its duty under the homelessness legislation has been discharged and the household banding will be re-assessed. Applicants will be advised of the consequences of refusal and of their right to request a review of this decision. The applicant has this right whether they refuse or accept the offer of accommodation.

6.5 Discharge of Homelessness Duty to the Private Rented Sector

The Localism Act 2011 allows local authorities to discharge their full housing duty by an offer in the private rented sector, provided the offer is for an Assured Shorthold Tenancy with a minimum fixed term of one year. Herefordshire Council has chosen to use this power to discharge the full duty when appropriate.

Applicants should not decline an offer made as a final discharge of the homelessness duty. If they do so Herefordshire Council may decide that its duty has been discharged and the household banding will be re-assessed. The applicant will retain the right to request a review of the suitability whether or not they accept the offer.

Where the homelessness duty is discharged to the Private Rented Sector, applicants who are subsequently given a section 21 notice to leave within two years of the offer being accepted, where the applicant is eligible for assistance and not intentionally homeless, the homelessness duty to secure further suitable accommodation is revived. The duty revives even if the applicant no longer has a priority need, but it only applies to the first incidence of homelessness within the two year period.

HOW PROPERTIES ARE LET

1. Nominations

An allocation is a nomination of applicants to a housing association where the council has nomination rights. The 25% of void properties that are available to existing tenants without a housing need recognised in this policy are not allocations within the meaning of the policy.

When a vacancy arises in the rented stock of a housing association within the county, and the property has been made available for allocation through the housing register and choice based letting scheme, an allocation will normally be made to the applicant with the highest priority for the property type available.

Where a nomination is made, the housing association concerned will consider if the applicant is acceptable under their own lettings policy.

As part of their allocation policies, individual housing associations usually have exclusion policies which can affect whether an applicant is offered a property. Applicants should be aware of the potential for these policies to adversely affect the likelihood that they will receive an offer of accommodation.

While the Council acknowledges the right of their housing association partners to formulate their own allocation and exclusion policies, it is expected that these will be fair and reasonable, minimising the risk of exclusion from social housing by ensuring that they are applied to reflect the spirit of published allocation policies, including this overarching allocation policy.

The Council expects exclusion policies to be flexible, with cases being considered on an individual basis. The following criteria should be applied:

- there must be reliable evidence of unacceptable behaviour;
- there should not be inflexible specific time periods as far as possible;

- partners should communicate effectively with the applicant and the Home Point team;
- there should be provision for discretion;
- there should be a recognition where special circumstance arise e.g. people with learning disabilities, mental health issues, statutory homelessness duties arise.

Each case would be considered upon its own merits and subject to the spirit of the Rehabilitation of Offenders Act 1974 according to individual circumstances.

Housing associations individual lettings policies may be viewed through their own websites which can be accessed from the Home Point website.

2. Shortlisting

At the end of the advertising cycle the bidders are shortlisted by housing need which includes property size required. Priority is indicated by band and, within the band, by date. `

The housing association is able to view the shortlist and will then carry out their selection processes.

Shortlist position does not guarantee an offer from the housing association.

A bid for a property will not be considered by the association if the applicant's household does not meet the size, age or disability requirements for that property unless there are exceptional circumstances which should be taken into account.

A property may not always be offered to the applicant at the top of the shortlist if there are reasons to skip the applicant. Skipping bids can be done in defined circumstances and this is monitored and reported to the partnership.

Partner landlords may require further information from bidders before making a decision to offer the property.

Landlords are entitled to carry out an affordability assessment to ensure that the tenancy is viable. Where the assessment shows that the tenancy would not be sustainable the landlord may withdraw the offer. This should only be done where the assessment has included reviewing the options to maximise the prospective tenant's income.

2.1 Offers

Applicants should note that all offers of housing are made by the relevant housing association not the Home Point team.

Further verification of circumstances may be undertaken to ensure the applicant is still eligible for the property prior to an offer being made. Applicants will be required to provide information within a specified timescale.

Before offering a property to a customer the following checks will be made:

- The band award is correct;
- Circumstances have not changed;
- Household composition matches the property size;
- Any other restrictions placed upon the property or customer that would prevent them from receiving an offer.

Offers may be made in writing, by phone or in person. Applicants should be made aware of the timescale in which they must respond. This should not be less than 2 working days.

Applicants should be given 2 working days to respond to an offer after viewing the property.

2.2 Refusals of offers

When an applicant refuses an offer, they will be expected to provide the reasons for the refusal. This information is necessary to identify why the property was not acceptable and to ensure that future offers are more likely to be accepted.

Applicants who refuse 2 or more reasonable offers will have their application reviewed. Landlords should advise applicants at the time of their refusal if they consider it to be unreasonable and explain why.

Applicants will be advised in writing of the outcome of the re-assessment. If the refusals are found to be unreasonable the application will normally be closed and the applicant will not be eligible to re-apply for 12 months from the date the application is closed. Applicants have the right to appeal against this decision. For further details see Appendix C.

3. Withdrawal of Adverts and Offers

Occasionally, a housing association may be required to withdraw a property advert, circumstances for this may include:

- if it becomes apparent that the property will be let through direct lets in accordance with this policy ;
- the current tenant of the property being advertised has withdrawn their notice terminating their tenancy of that property, so the property is no longer available;
- Significantly incorrect information had been advertised in respect of the property or applicants eligibility for that property.

3.1 Reasons for the withdrawal of any property adverts will be publicly available.

In exceptional circumstances a senior officer of a partner housing association may authorise the withdrawal of an offer. Circumstances may include, but are not limited to:

- where it is clear that an applicant is not capable of understanding the responsibilities associated with being a tenant or they do not clearly understand what they are signing when we ask them to sign a tenancy agreement or associated paperwork;
- the current tenant of the property being advertised has withdrawn their notice terminating their tenancy of that property, so the property is no longer available ;
- Where an applicant has failed to respond to contact from a partner housing association after 2 working days.

4. Publishing feedback on let properties

Home Point will publish lettings results on the website and will include the following information:

- The street address;
- The closing date of the bidding cycle;
- The total number of bids made for the property;
- The successful applicant's priority band and date.

This feedback helps applicants understand the likelihood of success in obtaining housing when making future bids.

Individual applicants can view the outcome of their personal bids through the website.

Lettings are monitored by the Home Point partnership to ensure that the partners' aims are being achieved and to provide a basis for improvement of the choice based lettings service.

APPENDICES

APPENDIX A: List of partners and contact details



Bromford Housing Group
11 Miller Court, Severn Drive
Tewkesbury Business Park
Tewkesbury
Gloucestershire
GL20 8ND
Tel: 0330 1234 034

Email: customerservices@bromford.co.uk
Website: www.bromford.co.uk



Stonewater
Benedict Court, Southern Avenue
Leominster
Herefordshire
HR6 0QF
Tel: 01568 610 100

Email: leominster@stonewater.org
Website: www.stonewater.org



Festival House
Groewood Road
Enigma Business Park
Malvern
WR14 1GD
Tel: 01684 579 579

Email: info@fortisliving.com
Website: www.festivalhousing.org



Sanctuary Housing Association
164 Birmingham Road
West Bromwich
B70 6QG

Email: contactus@sanctuary-housing.co.uk
Website: www.sanctuary-housing.co.uk



Housing Solutions Team
Franklin House
4 Commercial Road
Hereford
HR1 2BB
Tel: 01432 261 600

Website: www.herefordshire.gov.uk



Herefordshire Housing Ltd
Legion Way
Hereford
HR1 1LN
Tel: 0330 777 4321

Website: www.hhl.org.uk



Kemble Housing
44 Berrington Street
Hereford
HR4 0BJ
Tel: 01432 377 900

Email: herefordcst@wmhousing.co.uk
Website: www.kemblehousing.co.uk



South Shropshire Housing Association
The Gateway
Auction Yard
Craven Arms
Shropshire, SY7 9BW
Tel: 0300 303 1190

Email: enquiries@shropshirehousing.co.uk
Website: www.shropshirehousing.co.uk



Two Rivers Housing
Rivers Meet
Cleeve Mill Lane, Newent
Gloucestershire
GL18 1DS
Tel: 0800 316 0897

Email: customerservices@2rh.org.uk
Website: www.tworivershousing.org.uk



The Guinness Partnership
Gloucester Officer
2 St Michael's Court
Brunswick Road
Gloucester, GL1 1JB
08456 044 529

Website: www.guinnesspartnership.com

APPENDIX B: Exclusions from the Register and Reduced Preference

1. What is meant by exclusion and reduced preference?

1.1 Exclusions

These occur when an applicant has been assessed but, due to their behaviour they are excluded for a period of 6 months during which time the applicant should address the cause of their exclusion. Generally the applicant will be expected to take specific action such as making payments to reduce arrears.

1.2 Reduced Preference (see below)

This occurs when an applicant has been assessed for and accepted onto the housing register and is informed that their priority for housing has been reduced because of their behaviour and they have been placed into a lower band. They will remain in the lower band until their conduct or their debt has improved or there has been a change in circumstances. Generally the applicant will be expected to take specific action to address such as making payments to reduce arrears.

2. Exclusions: Unacceptable Behaviour

The Code of Guidance (Allocation of Accommodation June 2012) and the Localism Act 2011 enable local authorities to adopt criteria which disqualify individuals who satisfy the reasonable preference grounds on the grounds of poor behaviour. Herefordshire Council has retained the principles of the previous 'unacceptable behaviour' test in this regard.

In summary an applicant will not qualify for the register if the applicant or a member of his/her household has been guilty of 'unacceptable behaviour' that is serious enough to have entitled a landlord to outright possession.

Unacceptable behaviour can include:

- Significant rent arrears at a tenancy or former tenancy;
- Causing nuisance and threat to neighbours;
- Being violent towards a partner or family member;
- Conviction for committing offences in or near the property.

Each case will be judged on its own merits and efforts will be made to resolve any issues which prevent applicants from joining the Register as denying access to social housing can result in broader social exclusion for the households involved, and have adverse effects for the community as a whole.

2.1 Exclusion periods and other conditions associated with behaviour

Applicants who fail the 'unacceptable behaviour' test may be excluded from applying to join or remain on the register for 6 months unless the applicant can demonstrate they meet other conditions.

Where eviction has occurred on the grounds of anti-social behaviour, the applicant may need to show that they are addressing the issues before qualifying for inclusion on the register. This may include undertaking programmes with support agencies to show their understanding and commitment to behaviour improvement.

Where the applicant has significant rent/former tenant arrears the applicant must make arrangement to pay the debt and must maintain the arrangement from the date of its commencement for the full remaining time the applicant is excluded. This would need to be for a minimum of 13 weeks. The payment arrangement needs to continue once the applicant is made active on the register. Failure to do so is likely to adversely affect the chances of being housed.

It should be noted that an application is likely to be placed in a reduced preference band after the exclusion 'term' has elapsed.

2.2 Applicants with special needs

Where Home Point has reason to believe that unacceptable behaviour is due to a physical, mental or learning disability, the person will not be excluded from the Register without considering whether they would be able to maintain a tenancy satisfactorily with appropriate care and support.

Home Point will consult as appropriate with any relevant agencies, including Health and Social Services, the Medical Advisor or other medical advisors, and local providers of support services.

2.3 Exceptional circumstances

This exclusion policy may be varied in exceptional case. For example, the applicant or tenant's need to move on social welfare or medical grounds is considered a sufficiently high priority to override their history of unacceptable behaviour.

3. Reduced Preference bands

Applicants whose behaviour is not serious enough to be excluded under these provisions may be awarded a **reduced preference** when the application is assessed

and also may be overlooked for offers of accommodation by the housing association which will not accept applicants who, for instance, have a significant housing debt.

It is not intended that a person's behaviour at one time in their life should permanently exclude them from social housing. Applicants who are placed in a reduced preference band due to anti-social behaviour or damage to property will only receive reduced preference if the incidents or convictions occurred within the previous 12 months.

If, at the time of application, there has been no repeat of the behaviour in that time the applicant will not be given reduced preference.

With regards to former or current rent arrears and money owed to the local authority, if the applicant has made an arrangement to pay the debts and has been maintaining this arrangement for a 26 week period, the reduced preference will be removed as long as the payment arrangements are maintained.

Anyone wishing to appeal should refer to Appendix C of this policy.

APPENDIX C: Right to review decisions on applications or offers

All applicants have the right to ask for a review of a decision, if they consider they have been unfairly or unreasonably treated having regard to the provisions of this policy. For example, a decision about:

- exclusion or removal from the Register;
- type of property the applicant is eligible for;
- suitability of accommodation offered;
- information that has been taken into account when assessing the application;
- the band into which they have been placed;
- instances of an application being 'skipped';
- any decision taken in relation to their registration.

Initial requests for reviews will be dealt with by the organisation within the partnership that has been mainly dealing with that application .i.e. the organisation that has notified the applicant on the issue they would like reviewed.

For reviews of decisions about the register including banding, property eligibility and decisions in relation to homeless applicant's requests should be addressed initially to Housing Solutions and Home Point Team Leader at Herefordshire Council unless the manager was previously involved in the decision.

For decisions regarding 'skipping' or offers of accommodation, unless from an applicant owed the full homelessness duty, the Housing Manager of the relevant partner housing association should be contacted. See Appendix A for contact details.

Stage 1

The appeal must be made in writing within 21 calendar days of the date of the decision letter, stating the grounds for the appeal. The appeal will be considered and a decision will normally be given within 21 calendar days. In complex cases it may not be possible to give a decision in 21 days and it may take longer. Where this is the case the applicant/advocate will be notified in writing prior to expiry of the 21 day period

If an applicant is unhappy with the initial review decision they should notify the relevant organisation, in writing, within 21 days of receipt of that decision, requesting a second review.

Stage 2

If the applicant is unhappy with the decision made, they may request that a further review be carried out by the Home Point Board of Management (or their nominated representative). This request must be made in writing within 14 calendar days of the date of the stage 1 decision. A decision will normally be given in 21 calendar days, subject to extension where necessary. If the applicant remains unhappy with the outcome of the appeal, the applicant may make a complaint to the Housing Ombudsman.

APPENDIX D: Housing Benefit

Households on low incomes or out of work may be able to claim housing benefit, or the housing element of its replacement, Universal Credit (see below) for help with the payment of housing costs. Housing Benefit can pay for part or all of your rent. How much you get depends on your income and circumstances.

The Universal Credit system is being rolled out across the country now and will affect all claimants in Herefordshire in the next few years. Applicants should be aware that new claimants are likely to be those affected first.

Applicants should also be aware that there are significant changes being made to benefit entitlements and should ensure they understand what their entitlements are and how they might change. It is not clear whether there will be any amendment to the proposed changes or whether further changes are likely to be introduced at this time. Applicants should be aware that further changes to the benefit system may affect the Allocation policy and Herefordshire Council retains the right to make amendments to reflect alterations to the benefits system.

Young or single households

If you are single and under 35, you can generally only get Housing Benefit for bed-sit accommodation or a single room in shared accommodation. There are some exceptions to this rule, notably for looked after children.

As part of the Sumner Budget 2015 the Chancellor announced the removal of entitlement to the housing element of Universal Credit (currently Housing Benefit) from young people aged 18-21, with some exceptions, from April 2017.

Sharing bedrooms

Your Housing Benefit could be reduced if you live in social housing and have a spare bedroom. The reduction is:

- 14% of the 'eligible rent' for 1 spare bedroom;
- 25% of the 'eligible rent' for 2 or more spare bedrooms.

For housing benefit claims the following are expected to share:

- an adult couple;
- 2 children under 16 of the same sex;
- 2 children under 10 (regardless of sex).

This Allocation policy enables households to apply for additional bedrooms at an earlier age (8 and 15) but applicants should be aware that, if in receipt of benefits, they will have to prove to the housing association that they can afford to pay the rent that will not be covered by housing benefit or the housing element of Universal Credit.

The following can have their own bedroom:

- a single adult (16 or over);
- a child that would normally share but shared bedrooms are already taken, e.g. you have 3 children and 2 already share;
- children who can't share because of a disability or medical condition;
- a non-resident overnight carer for you or your partner (but only if they must stay overnight).

One spare bedroom is allowed for:

- an approved foster carer who is between placements but only for up to 52 weeks from the end of the last placement;
- a newly approved foster carer for up to 52 weeks from the date of approval if no child is placed with them during that time.

For further information see the webpages at <https://www.gov.uk/housing-benefit>

Universal Credit

Universal Credit is a benefit for people who are on a low income or are out of work.

In the majority of cases Universal Credit will be a single, monthly payment which is paid in arrears directly into the claimant's account. Payments will include all eligible housing costs. Couples living in the same household will receive one monthly payment between them. Any other adults living in the household will receive their own separate payment.

The housing element of the Universal Credit payment is based on the eligible rent and service charge costs. In the majority of cases eligible housing costs will be paid directly to the claimant as part of the single Universal Credit (UC) payment. For social housing tenants the housing element of the UC payment should be their actual housing costs. This will not include service charges that are not covered by UC or charges for utilities, such as water or electricity.

If a social housing tenant has any **under-occupied bedrooms** their housing element will be reduced by

- 14% for one spare bedroom;
- 25% for two or more spare bedrooms.

You have to pay rent to your landlord directly if you get Universal Credit. For further information see the website at <https://www.gov.uk/universal-credit>.

All claimants should be aware that the benefit cap puts a limit on the total amount of benefit that most people aged 16 to 64 can get.

APPENDIX E: Banding detail

Statutory or severe overcrowding (reasonable preference)	<p>This is awarded to tenants who are statutorily overcrowded as defined by Part X of the Housing Act 1985, or where a household is three or more bed spaces deficient under the HHSRS, and has not deliberately worsened their housing situation.</p> <p>Applicants may need to provide bedroom sizes in order for household bedroom space requirements to be assessed.</p> <p>A room intended for use as a bedroom but used for another purpose will still be classified as a bedroom, subject to it meeting the space standards for bedrooms.</p>
Under-occupation by a social housing tenant (releasing 1 or more bedrooms)	Households presently under-occupying a rented home owned by a partner housing association that is situated in Herefordshire and the applicant wants to move to a property with fewer bedrooms.
Serious state of disrepair (reasonable preference)	<p>Households will be placed in this band in the following circumstances:</p> <ul style="list-style-type: none"> Where the hazard(s) are so severe or numerous that residential use of the property is prohibited. <p>The assessment of hazard(s) will be carried out by Environmental Health and Trading Standards team using the Housing Health and Safety Ratings System.</p>
Homeless households who are owed a full housing duty (reasonable preference)	Households who a household that has been accepted as homeless by Herefordshire Council under part 7 of the Housing Act 1996 and who is owed the 'full duty' under s. 193(2) (in priority need and unintentionally homeless), or s. 195(2) (in priority need and threatened with unintentional homelessness) of the Housing Act 1996, or ss. 65(2) or 68(2) of the Housing Act 1985.
Care Leaver (reasonable preference)	This relates to referrals from Children's Wellbeing under s.27 Children Act 1989 or where the young person is deemed to be a relevant of eligible child under the Children Leaving Care Act 2000, as amended.
End of Agricultural or service tied tenancy (reasonable preference)	<p>This may apply to:</p> <ul style="list-style-type: none"> households where an agricultural worker is being displaced to accommodate another agricultural worker and the farmer cannot provide suitable alternative accommodation; <p>The Rent (Agriculture) Act 1976 requires a local housing authority to use their best endeavours to provide accommodation for a qualifying displaced agricultural worker subject to the provisions of s.27. If the authority is satisfied that the applicant's case is substantiated, it is a duty to endeavour to provide suitable alternative accommodation for the displaced worker;</p> <ul style="list-style-type: none"> households in council service or related tenancies which are coming to an end.

Homeless, unintentional, not in priority need (reasonable preference)	Households assessed by the council's Housing Solutions team as being unintentionally homeless but not in priority need.
Lacking or sharing facilities with non-family members (reasonable preference)	Households who do not have access to a bathroom, kitchen or inside WC or whose accommodation lacks hot or cold water supplies, electricity supply or provision of adequate sources of heating. Households sharing a kitchen, bathroom/WC with non-family members who are not on the application. Family members would include parents, step parents, children, step-children, siblings and step siblings and grandparents.
Major adaptations no longer required	Tenants of partner housing associations who no longer require a property where major adaptations such as a stair lift or level access shower have been installed.
Move on from supported/specialised accommodation (reasonable preference)	Tenants of supported or specialised housing who have been assessed by their support provider as being ready to move into settled accommodation. Formal assessment and confirmation of that assessment will be required.
Overcrowding by 1 or 2 bed spaces (reasonable preference)	Households where the property is one or two bed spaces deficient and the household has not deliberately worsened their housing situation. Applicants may need to provide bedroom sizes in order for household bedroom space requirements to be assessed. A room intended for use as a bedroom but used for another purpose will still be classified as a bedroom, subject to it meeting the space standards for bedrooms
Right to move for social housing tenants	This applies to a social housing tenant who works in the county or has the offer of work in the county in accordance with the Right to Move guidance 2015.
Referral from Herefordshire Council's Adult Wellbeing or Children's Wellbeing Directorates.	Households who require urgent alternative accommodation on safeguarding or associated grounds. Award of this priority is subject to referral to, and agreement from, Head of Prevention and Support, Adult Wellbeing Directorate.
Verified harassment, witness intimidation	Households where the police or relevant support agencies advise that there is a need for alternative accommodation to protect witnesses or prevent severe harassment and where prosecution of the offender is intended.
Verified urgent medical/welfare need (reasonable preference)	Households where there is an urgent need to move to prevent significant deterioration in, or improve significantly, the health or well-being by the provision of a different type of accommodation. Rehousing must achieve a significant health gain. Medical evidence will be required and will be used to assess banding. This banding will not be awarded where the need is temporary as a result of injury or surgery.
Verified urgent need to move to a particular area to avoid	Households who need to move due to employment, education or training, where the household has no access to a private vehicle

hardship (reasonable preference)	<p>AND the use of public transport is not available or the journey would take over 1.5 hours in each direction.</p> <p>Applicants who need to move urgently to give or receive support will need to provide confirmation of the support provision available, and a health and well-being assessment may be required to determine the most appropriate type of property for the person's needs.</p>
Affordability	30% or more of gross income of the household is spent on housing costs, excluding child benefit, attendance allowance (or successor benefits). Applicants will need to provide evidence for an income/expenditure assessment to be completed.
Households with children aged 8 or under living above first floor (reasonable preference)	This applies to households where there is one child (or more) aged 8 or under. Households must live above the first floor i.e. there are 2 flights of stairs to reach the front door of the home.
Intentional homeless (reasonable preference)	As defined by the Housing Act 1996, as amended. Households who are assessed as being intentionally homeless may have a reduced preference depending on the reason for their status as intentionally homeless.
Verified medical/welfare need (reasonable preference)	<p>Households where there is a need to prevent deterioration in, or improve, the health or well-being by the provision of a different type of accommodation. Medical evidence will be required.</p> <p>This banding may be considered where surgery is required for the period up to the surgery and during any recuperation period. Once an applicant has recovered and their housing need is resolved the banding will be removed.</p>
Verified need to move to avoid hardship (reasonable preference)	<p>Households who need to move due to employment, education or training, where the household has no access to a private vehicle AND the use of public transport is not available or the journey would take over 1 hour in each direction.</p> <p>Applicants who need to move to give or receive support will need to provide confirmation of the support provision available, and a health and well-being assessment may be required to determine the most appropriate type of property for the person's needs.</p>
Proven need for sheltered housing with assets up to £150K	Households over the age of 60 who have been assessed as in need of sheltered accommodation but whose ability to access open market provision is limited due to total capital assets of under £150K.
Relationship breakdown	One partner is remaining in the 'family' home and the partner leaving the home does not have the financial resources to resolve their own housing need.
Rural localities /s.106 local connection schemes	In order to promote sustainable communities, households that do not have a housing need under other criteria in this allocation scheme but have a local connection to a specific parish may qualify for section 106 affordable housing developments in the parish(es) to which they have a local connection.

Sharing siblings	Adult siblings living in the family home or not in settled accommodation who apply to share as joint tenants for properties on the first floor and above.
Applicants/households who:	Are within the reasonable preference categories but who do not have a local connection to the county of Herefordshire.
	Have deliberately worsened their housing circumstances.
	Have housing related debts to the local authority or a housing association.
	Have committed acts of anti-social behaviour or other breaches of tenancy not severe enough to have been subject to an outright possession order, a demotion order, an ASBI or other injunction, criminal proceedings.
	Have provided false information on their application for social housing.

APPENDIX F: Monitoring and review

In order to ensure that the scheme is achieving its aims of being as open and accessible as possible to all members of the community the Partnership will monitor the following:

- a) The number of applicants on the register by band each quarter.
- b) The number of allocations in the financial year (cumulative) each quarter:
 - By property type (and bedrooms),
 - Separate listings for general needs and sheltered housing,
 - Whether restricted (i.e. criteria used in advert),
 - Bids overlooked,
 - How many allocations by banding,
 - Properties let outside of the scheme,
 - Local connection.
- c) Applicants who have made a bid and been “skipped” due to a i) housing related debt;
ii) Anti-social behaviour.
- d) Property Feedback for each allocation as follows monthly:
 - Address of property,
 - No of beds,
 - Type,
 - General / Sheltered,
 - No of bids,
 - Refusals,
 - Successful applicant bid,
 - Application/banding dates,
 - Local connection
- e) List of all properties let by the scheme for current financial year each quarter.
- f) Refusals and number of complaints about the scheme each quarter.
- g) Non bidders, customer satisfaction & performance against service standards annually,

APPENDIX G: Service standards for the Home Point team

The following outlines our intended approach in working with people who use Herefordshire Council services:

We will treat people with dignity and respect, and expect the same consideration in return.

We will respect people's privacy and confidentiality.

We will listen and respond to concerns, and act to resolve queries where we can and have the powers to do so.

We will prioritise our resources to deal with areas of high risk, specifically danger to the public and where the most vulnerable in the community may be affected.

We can provide an interpreting service for customers who do not speak English or where English is not sufficient.

We can provide information in large print, audio and Braille on request.

We will design services so that they are accessible by disabled people and ensure reasonable adjustments are made where needed.

We will evaluate our practices to make sure we are offering the best service possible next to the resources we have available.

We will always wear ID badges and identify ourselves when responding to phone calls and written correspondence.



APPENDIX H: Complaints about the Home Point service

If you are not happy

We welcome positive feedback when you are happy with the service provided as it lets us know what we are doing right.

If you are unhappy, we will work with you to resolve your query or issue at a service level, and if you are not happy with the outcome we will explain why we've taken that particular course of action or find an alternative remedy.

If you are still not happy with the outcome the following routes can be taken.

Formal complaint

A formal complaint is an expression of dissatisfaction about the standard of service, action or lack of action by Herefordshire Council, our staff or contractors.

This could be based on stated standards not being met or not what the customer thinks is reasonable:

- We are doing something the customer did not want;
- We carried out duties in an unsatisfactory way or our staff or contractors behaved in an unacceptable way;
- We failed to do something which was asked for;
- We should have taken some action;
- Generally, a complaint has to be made within 12 months from the day the matter occurred or came to the notice of the complainant.

Formal complaints to the Council will be dealt with only through the Information Access team and we will not reinvestigate the same complaint. For further information visit the Council's [make a complaint](#) page.

Complaints about the service provided by partner housing associations

These should be dealt with through the specific housing association's Complaint Policy which is available on their websites. See Appendix A for contact details.

APPENDIX J: Herefordshire Council Tenancy Strategy 2015 - 2018

1. Introduction

Herefordshire council developed the first Tenancy Strategy, 2012 – 2015 in accordance with the duty placed on local authorities by The Localism Act 2011 (s.150) to “*publish a strategy setting out the matters to which the registered providers (Housing Association’s) of social housing for its district are to have due regard to in formulating policies relating to:*

- (a) the kinds of tenancy they grant,*
- (b) the circumstances in which they will grant a tenancy of a particular kind,*
- (c) where they grant tenancies for a certain term, the length of the terms and*
- (d) the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.*

The flexibilities provided by the Localism Act 2011 provided an opportunity to address the following issues:

- (a) Better use of social and affordable housing to more effectively address housing need,*
- (b) Better use of social and affordable housing to reduce costs for the housing sector as a whole,*
- (c) Increased local and customer accountability for the use of social and affordable housing,*
- (d) Better use of social and affordable housing to contribute to sustainable community outcomes.*

The Act also brought about a revised Regulatory Framework and Tenancy Standard, (Homes and Communities Agency, 2012), which requires housing association’s to let their homes in a fair, transparent and efficient way. They shall take into account the housing needs and aspirations of tenants and potential tenants. Housing associations shall demonstrate how their lettings:

- (a) Make the best use of available housing,*
- (b) Are compatible with the purpose and the nature of the housing offered,*
- (c) Contribute to the local authorities’ strategic housing function and sustainable communities.*

Whilst Herefordshire has no council housing stock, the impact of the proposals in the Housing and Planning Bill 2015, to end council’s issuing lifetime tenancies, may eventually impact on housing associations. The Bill proposes that all new council tenancies granted will be of between two and five years duration, with a review of circumstances being carried out before deciding whether to renew the tenancy, offer alternative social housing or terminate the tenancy.

Links are provided below, to the four largest housing association’s websites currently operating in the county:

1. Herefordshire Housing Ltd

<http://www.hhl.org.uk/news-leaflets/all-our-documents/#toggle-id-2>

2. Stonewater

<https://www.stonewater.org/for-residents/housing-and-residents-policies/>

3. West Mercia Housing

<http://www.wmhousing.co.uk/help-advice/Publications>

4. Fortis Living

<https://www.fortisliving.com/home>

The Tenancy Strategy has due regard to the Housing Allocation Policy 2016 for Herefordshire and Homelessness Prevention Strategy 2015-18.

These documents can be found at www.herefordshire.gov.uk/housing/

2. Local context, vision and priorities

Herefordshire is a predominately rural county of 842 square miles situated in the south-west corner of the West Midlands region. The city of Hereford is the major location in the county for employment, administration, health services, education facilities and shopping. The principal locations are the five market towns of Bromyard, Kington, Leominster, Ledbury and Ross on Wye. Overall (census data 2011) the total housing stock comprises of 53,800 owner occupation, 10,903 social housing and 13,600 private rented sector.

A particular feature of the county is a very high proportion of detached housing, which represents 42.4% of the housing stock compared to 23.7% across the West Midlands and 22.3% across England.

Current data indicates that Housing in Multiple Occupation represents less than 1% of the total housing stock in Herefordshire.

Partner housing associations follow the overarching Housing Allocation Policy and have due regard to the Tenancy Strategy, when developing their own policies, to assist this council in meeting its priorities and statutory duties. The main aim of both documents is to meet the housing need of those eligible to register for social housing.

All the policies should have consideration to the main themes from Herefordshire's council Plan.

These priorities are explained in more detail on the [2014/15 budget consultation page](#).

3. Housing Affordability

Affordable housing is allocated to those in the greatest housing need. It can be a challenge, for low income households, to access suitable affordable housing in Herefordshire. There is a limited supply of appropriate accommodation, particularly in the county's rural areas. Trying to access the private-rented sector can present challenges, due to the large deposit often required and Local Housing Allowance (LHA) rates lower than the private rental levels that have changed very little, in Herefordshire, since September 2011.

Local Housing Allowance Rates for 1st April 2015 to 31st March 2016.

Room Size	LHA rates for Herefordshire
Shared Accommodation	£57.64
1 Bedroom	£92.05
2 Bedroom	£117.37
3 Bedroom	£135.19

The chart below is a current estimate, by Herefordshire Council Research Team, of the cost of private rental-weekly. Private rental levels have been monitored and changed very little since September 2011.

Room Size	Estimated cost of private rental-weekly
1 Bedroom	£102
2 Bedroom	£127
3 Bedroom	£150

The chart below shows the average housing association rental-weekly in 2014.

Room Size	Average housing association rental-weekly
1 Bedroom	£71.00
2 Bedroom	£82.10
3 Bedroom	£93.20

As the charts above show, rent levels for housing association accommodation are significantly lower than rent levels in the private rented sector, making housing association accommodation more affordable for low income households. The provision of affordable housing is a priority for the county and is a common theme through key strategic documents. This is due to the combination of low earnings, the median earnings for 2014 is £21,160, and high house prices, the median house price April 2014-March 2015 is £192,000, which creates significant barriers to accessing the housing market for residents of the county.

For more details the Herefordshire Council Key Housing Fact Sheet details the housing stock, affordability and need in Herefordshire see link below.

<https://www.herefordshire.gov.uk/housing/advice/strategic-housing-information>

The July 2015 budget introduced a reduction in housing association rents of 1% for the next four years. This could have an impact on the future number of new homes being built in Herefordshire. Housing associations have already had to make estimated adjustments to their business plans. Revised business plans were sent to the Homes and Communities Agency by the end of October 2015 before the enactment of the Housing Bill or Welfare Reform Act.

4. Use of Fixed Term Tenancies

In Herefordshire the majority of social tenancies granted are still assured tenancies. Whilst the benefits of offering fixed term tenancies are recognised, the practical ability for low income families to be in a position to move on into alternative accommodation is a challenge. From April 2016 a benefit cap reduction will reduce the income of families on benefits to a maximum of £20,000.

Introductory, starter and probationary tenancies will be supported where issued to new tenants and used in conjunction with fixed term tenancies. Once an introductory tenancy period, (normally 12 months), is successfully completed, (i.e. with no breaches of tenancy conditions), a further tenancy may be created or alternative housing options advised within the private and social sectors.

Where housing associations use their discretion to grant fixed term tenancies it is requested that they consider the following:

- A minimum five year fixed tenancy, wherever possible, excluding any introductory period.
- Longer tenancies five to ten years for specialist, adapted properties, limited stock larger properties or families with dependent school-aged children attending a specialist local school.
- Lifetime tenancies are used for sheltered housing or extra care housing.
- Fixed term tenancies are not used to address breaches of tenancy, where there are existing legal remedies.
- Two year tenancies should only be used where someone is expected to move on to more permanent accommodation or requires short term housing.
- Where a fixed tenancy is used, housing associations should give tenants appropriate advice and information to tenants about their housing options at the time of letting and when their tenancy review will be carried out.
- It is expected, that tenancies will be renewed following a review, provided that the tenant's circumstances remain the same.

5. Secure and Assured Tenancies

Secure and Assured tenancies must be retained for housing association tenants whose tenancy commenced before 1 April 2012.

Whilst lifetime tenancies will be more appropriate in some cases, this does not suggest this is linked to a particular property and tenants will be encouraged to move to more suitable property as their needs change over time.

6. Reviewing a Fixed Term Tenancy

Housing associations are required to formulate policies that will govern the process under which tenancies will either be renewed or terminated at the end of a fixed-term. Within this process the impact on the following should be considered:

- Tackling worklessness and promoting financial inclusion.
- The household's current and future likely income.
- Addressing overcrowding and under-occupation.
- The prevention and alleviation of homelessness.
- The purpose of the accommodation and any subsequent changes since the commencement of the tenancy.
- The needs of individual households and any subsequent changes since the commencement of the tenancy. Housing associations are encouraged to work closely with other agencies where appropriate in understanding the needs of the household.
- The sustainability of the community.
- The efficient use and availability of housing stock.
- The stability of family life and education where children are part of the household.

Where a decision has been taken by a housing association not to renew a tenancy at the end of a fixed-term, the provider should:

- Reviews should be undertaken at least six months prior to the end of the Fixed Term Tenancy.
- Seek to inform the tenant at the earliest possible opportunity, no less than five months, to make them aware of the housing associations intentions.
- Provide households affected by the termination of a tenancy with any relevant advice and assistance that will support them in successfully relocating to alternative accommodation and prevent homelessness.

- Formally notify and actively work with the council's Housing Solutions Team to prevent homelessness occurring as a result of ending a fixed term tenancy.

All housing associations are expected to have an appeal process in place through which the tenant is able to appeal the decision taken.

Herefordshire Council will work with local housing associations to monitor the use of fixed term tenancies, including their review, renewal and termination.

Committed is required from housing associations to ensure that any decision to terminate a tenancy, does not lead to an increase in levels of homelessness in Herefordshire. In the majority of circumstances, affordable housing providers should seek to renew a tenancy at the end of a fixed-term period or seek to secure alternative and more appropriate accommodation across the housing stock within the county.

When conducting reviews, housing associations should consider the current circumstances of the household including the financial capability of the tenant to secure alternative market accommodation or other affordable tenures, in terms of earned income and the need of the household for the property type and size.

7. Affordable Rents

The council recognises that many new fixed term tenancies for social housing are at affordable rather than social rents. It will monitor the extent to which affordable rents are actually affordable to those in housing need, particularly in the light of national welfare reforms. In some cases or geographic areas the Council will encourage the letting of social homes at social rents.

Social Rent – rents in line with guideline target rents which are determined through the national rent regime.

Affordable Rent – the housing provided will have the same characteristics as social rented housing except that it is outside the national rent regime, but is subject to other rent controls that require it to be offered to eligible households at a rent of up to 80% of local market rents.

8. Governance Arrangements

Housing associations in Herefordshire are required to have regard to the principles set out in this policy and work within the Localism Act 2011, when developing their organisations tenancy policies and when granting and terminating tenancies.

The implementation of the tenancy strategy will be monitored through the Housing Partnership Sub Group (Housing Practice).

The tenancy strategy will be reviewed on an annual basis and considered alongside the potential impact of planned welfare reforms.