

# Housing Allocations Policy



## Introduction

Herefordshire Council no longer holds any housing stock, having carried out a transfer of its entire housing stock to Herefordshire Housing Ltd, a not-for-profit registered provider (RP). In addition to Herefordshire Housing, there are a number of other RPs operating in Herefordshire.

The Home Point partnership is the means adopted by the Council and a number of Registered Providers (RPs) to determine allocation of housing stock through a jointly operated choice-based lettings scheme. The following are members of the Home Point partnership, which operates under a partnership agreement:

Bromford Housing Group  
Elgar Housing Association  
Gloucestershire Housing Association  
Herefordshire Council  
Herefordshire Housing Ltd  
Kemble Housing  
Marches Housing Association  
Sanctuary Housing  
South Shropshire Housing Association  
Two Rivers Housing

The partnership funds the operation of Home Point Herefordshire to maintain a housing register, determine priority amongst those seeking social housing in Herefordshire, and advertise properties of member RPs that become available for letting. Home Point does not actually allocate the housing. Once it is determined who has greatest priority for a property that has been advertised through Home Point, the relevant landlord will then decide, using their own eligibility criteria, whether to make an allocation.

## Aims of the Allocation Policy

The demand for, and indeed need for, social housing exceeds available supply in the county. Therefore this housing allocation scheme endeavours to meet the following aims:

- To allow for the greatest degree of choice possible in the allocation of public housing;
- To ensure that those who have the greatest need of housing have the greatest opportunity to secure it;
- To help contribute to the development of sustainable communities;

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- To help the Council meet other identified strategic aims – including those surrounding Supporting People, prevention of homelessness etc.
- To assist in achieving mobility for existing tenants;
- To make the best use of available housing resources;
- To ensure that local people have priority in the allocation of housing in the county;
- To contribute to mobility within social housing;
- To promote independence;
- To contribute towards tackling social exclusion and poverty by creating an open and accessible system for allocating social housing;
- To contribute towards tackling discrimination;
- To enable the authority to meet its statutory duties – including duties owed to homeless households under Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002;
- To ensure simplicity and transparency whilst minimising subjectivity;
- To contribute towards the meeting of strategic aims of partner RPs.

### Statement of Choice

Herefordshire Council and the partner RPs involved in the Home Point selection scheme are committed to offering the greatest choice possible in the allocation of social housing in the county, whilst ensuring that housing goes to those with the greatest need.

There will be certain situations where choice cannot be offered in the allocation of housing – such as where an RP needs to make a management move as a matter of urgency. These circumstances are detailed within the scheme.

With the exception of these very limited circumstances, housing will only be allocated to applicants who bid for a specific property, and all applicants have the opportunity to bid for properties they are entitled to be considered for, having regard to household size and other eligibility criteria.

This enables those seeking housing in Herefordshire to identify the level of priority they are awarded within the allocation scheme, to develop awareness of the availability of accommodation suitable to their needs within the county, and to make informed decisions balancing their need for accommodation with

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the availability of properties meeting their requirements. Consequently applicants can decide whether to wait until they have sufficient priority to obtain the ideal property, or whether to lower their sights and bid for properties they are more likely to have a chance of obtaining. It will also enable applicants to make an informed choice about whether they wish to seek alternative solutions to their housing needs.

It should be recognised however that there is a very high demand for affordable social housing in Herefordshire, and that this demand cannot currently be fully met from available resources. Consequently only those in the greatest housing need are likely to obtain social housing, which means that the degree of choice in housing will always be limited.

Whilst keen to encourage and facilitate mobility within social housing, Herefordshire Council will ensure that in determining priorities for housing, a higher degree of preference will be awarded to applicants who have a local connection with the county.

Herefordshire Council is committed to extending choice of housing to those who are accepted as homeless under the statutory duties contained within Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002, as far as is compatible with the effective use of Council resources and the provision of temporary accommodation. Consequently those accepted as being owed the full housing duty under Part VII of the Housing Act 1996 will be given sixteen weeks from notification of acceptance within which to bid for properties through Home Point. If at the end of sixteen weeks they have not been bidding appropriately for a property, administering staff may bid on their behalf for each suitable property that becomes available and may change bids when an applicant has applied for a property that they are ineligible for. When a bid is successful for a suitable property this will then constitute as a nomination for the purposes of discharging the homeless duty.

The Homelessness duty may also be discharged through the offer and acceptance of an assured shorthold tenancy with a private landlord where agreed.

### Free assistance

Home Point staff are able to provide assistance to applicants for the process of participating in the choice-based lettings scheme. In particular assistance will be provided to anyone who may have difficulty participating due to disability, learning disability, illness, age, not speaking English, or any other reason that might make it harder for them to fully participate within the scheme.

## Information about the allocation scheme

Anyone who wishes is entitled to a free summary of the allocation scheme, which can be obtained from Home Point. A copy of the full scheme will be available to anyone who wishes to read it free of charge at Home Point, and copies may be purchased at a reasonable charge.

Applicants to Home Point are also entitled to request details from Home Point of information that has been used to make a determination on their application.

All properties are advertised through Home Point, and the banding of the successful applicant is publicised for each property that is let. This information should be sufficient for applicants to determine their prospects of success in obtaining housing, and roughly how long they are likely to have to wait to obtain such housing.

## Appeals

Any applicant to Home Point has a right to make an appeal if unhappy with the decision made by Home Point, whether this be a decision to exclude from registration with Home Point, or whether it be to do with the degree of priority awarded by Home Point. If an applicant wishes to appeal against a decision made by a partner RP not to allocate a property to them when they have made a successful bid through Home Point, they will need to contact the RP and follow the individual RP's own appeals procedure.

With regard to decisions made by Home Point, the applicant should appeal in writing and submit the appeal to Home Point. An applicant can appoint an advocate, and once appointed, Home Point will deal directly with the advocate.

There are two stages to the appeal process:

- **Stage 1**  
The appeal must be made in writing within 21 calendar days, stating the grounds for the appeal. The appeal will be considered by the Home Point Manager, 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 will be notified in writing prior to expiry of the 21 day period.
- **Stage 2**  
If the applicant is unhappy with the decision made by the Home Point Manager they may request that a further review be carried out by the Home Point Board of Management or their nominated representative. This

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request must be made in writing within 7 days. Again a decision will normally be given in 21 days, subject to extension where necessary.

If still unhappy with the outcome of the appeal, the applicant may make a complaint to the Local Government Ombudsman.

A copy of the full appeals and complaints procedure is available from Home Point.

### False statements and withholding information

This scheme falls within the provisions of Part VI of the Housing Act 1996. Section 171 of the Act states:

- (1) A person commits an offence if, in connection with the exercise by a local housing authority of their functions under this Part –*
- (a) he knowingly or recklessly makes a statement which is false in material particular, or*
  - (b) he knowingly withholds information which the authority have reasonably required him to give in connection with the exercise of those functions.*

Home Point Herefordshire is the local housing authority's mechanism for discharging its functions under Part VI of the Act. Consequently where section 171 applies, Herefordshire Council may bring a prosecution.

Where false information is found to have been given, the applicant may also be excluded from registration with Home Point, and where false information has resulted in the applicant obtaining accommodation, the relevant RP may bring possession proceedings for recovery of the property.

### How the Scheme Operates

In order to apply for a home with a partner RP in Herefordshire, an applicant needs to register with Home Point. To register they must fill out an application form requiring relevant information about themselves and any household members whom they wish to have included in the application.

The application will then be assessed by Home Point and the applicant will be designated as falling within one of the bands indicated below.

Where there is a change in circumstances, the applicant must notify Home Point. Home Point will carry out an annual review of those registered with the scheme to ensure that details are current. Those who fail to respond to the review will have their registration removed.

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All properties managed by the partner RPs that become available for letting (with the exception of those specified below) will be advertised through Home Point. Those who are registered through Home Point can then bid for properties that are advertised, and Home Point will determine which of those bidding has the highest priority, using the guidance laid out below. The successful applicant will then be put forward to the RP, and the RP will carry out a check to confirm that the circumstances at the time of application still apply. Home Point does not however, allocate the property, the RP will then determine whether to allocate the property in accordance with their own allocations criteria. The individual RP allocations criteria can be obtained directly from the RP concerned.

Subject to complying with existing agreements under Section 106 of the Town and Country Planning Act 1990 (as amended) or other pre-existing 100% nomination arrangements for specific schemes, RPs will be able to advertise 25% of all available properties as only being open to applicants who are existing tenants (or to specify that for these properties first priority will be given to existing tenants) either with the relevant RP or with any other participating RP.

RPs may also set aside 5% of properties as they determine appropriate, to be advertised as only available to applicants in Gold or Silver or Bronze bands and 5% of properties to those wishing to downsize to free up larger accommodation.

Where a property has been adapted, is suitable for those with medical needs, is a sensitive let or has a local lettings plan in place, RPs may advertise and give preference to the most suitable applicants.

When a property is allocated by the RP, notification will be given in the Admag and on the Home Point website identifying the preference band of the successful applicant.

The partner RPs reserve the right to hold back properties from the Home Point choice-based scheme when the property has been specifically built or converted for an applicant with an identified medical need/s or when needed for urgent management reasons, which could include: temporarily accommodating another tenant whilst urgent repairs are carried out to their home; public safety considerations under Multi Agency Public Protection Panel recommendations; witness protection; or providing an immediate move to protect the safety of an existing tenant. This is not intended to be an exhaustive list. These properties will normally still be advertised by Home Point, but the advertisement will state that the property has been withheld by the landlord.

RPs will also have the right to withhold from this scheme supported housing schemes if they consider it appropriate.

## Information required for Registration

Home Point, in consultation with partner agencies, will determine what information will be required from applicants in order to register. The application form will only request information that is relevant, but may request general information to assist with assessing housing needs within the county at a strategic level.

## Exclusion from Registration

Applicants can only be excluded from registration in two circumstances:

- 1) On the basis of their immigration status as detailed in Section 160A of the Housing Act 1996 as amended by the Homelessness Act 2002.

Where the application form indicates that this may be an issue, Home Point will investigate to determine whether the applicant is eligible.

- 2) Where the applicant, or a member of their household, has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant. Behaviour would only meet this criteria if it was so serious that, had the applicant been a tenant of the local authority, the authority would have been entitled to a possession order against them by virtue of the behaviour. This is a stiff test, relating to an entitlement to possession on the following grounds:

- rent arrears
- breach of tenancy agreement
- nuisance or annoyance to neighbours
- conviction of using for immoral or illegal purpose
- damage or neglect
- conviction for arrestable offence committed in the locality of the premises
- domestic violence causing other to leave
- false statement to induce grant of tenancy
- premium paid for assignment
- tied accommodation - dismissed for misconduct.

Home Point will investigate the behaviour to make a determination of whether these conditions are met for exclusion from the register. Where exclusion is considered on the basis of behaviour affecting suitability to be a tenant, Home Point will also take account of any change in circumstances since the behaviour being relied upon to determine whether the applicant remains unsuitable as a result of that behaviour.



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Applicants under Multi Agency Public Protection Panel Arrangements may upon the recommendation of the MAPP be excluded from registration and assisted separately.

Where an applicant is refused registration because of their behaviour, or that of a member of their household, they will be notified that they have a right to seek a review of this decision.

### Determining Priority amongst Applicants

Based upon the criteria detailed below, applicants will be placed in one of the following.

- Priority Status
- Gold Band
- Silver Band
- Bronze Band.

#### **1. Priority Status**

Unless specified otherwise in this policy, priority status will normally be valid for sixteen weeks from date of award as notified to the applicant by Home Point or the Homelessness & Housing Advice Team. If accommodation has not been secured in this period there will be a review carried out by Home Point staff. If no suitable properties have become available during that period the priority status will be extended for a further period at the discretion of Home Point. If the applicant has been bidding for suitable properties but has not been successful, the status may be extended for a further period at the discretion of Home Point. If however, the applicant has failed to bid for properties, or has been bidding for unsuitable properties, the reasons for this will be determined and if there are valid reasons the priority status may be extended for a further period at the discretion of Home Point, but where there are insufficient reasons the priority status will be withdrawn and the applicant will be placed in Gold band.

#### **1.1 Statutorily Homeless with a duty to re-house**

Where the Homelessness & Housing Advice Team has accepted a duty under Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002 to provide accommodation for an applicant who:

- Is eligible for assistance
- Is homeless
- Has a priority need for housing
- Is not intentionally homeless
- Has a local connection

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If statutory homeless applicants have not obtained accommodation using the priority status within sixteen weeks, the review outlined above will take place to decide whether to extend the sixteen week period. If it is decided not to extend the sixteen week period, priority status will be retained and waiting time will continue to accrue, but the Homelessness & Housing Advice Team will make bids on behalf of the applicant for any suitable properties that become available. When a successful bid is made for a property the applicant will be notified of this and, subject to rights of review under Part VII of the Housing Act 1996, this will constitute an offer of housing under Part VI as a discharge of the Council's homelessness duty. Should the applicant be rejected by the RP under their own allocations criteria, the homelessness duty will not be discharged and they will remain eligible for a further offer. If a suitable offer is refused the homelessness duty will be discharged and the applicant will cease to have priority status.

Under this heading only, priority status is awarded by the Homelessness & Housing Advice Team.

### **1.2 Agricultural Tied Accommodation is coming to an end**

The Rent (Agriculture) Act 1976 requires a local housing authority to use their best endeavours to provide accommodation for a qualifying displaced agricultural worker. Section 27 of the 1976 Act requires the authority to be satisfied:

- i) that the dwelling-house from which the worker is displaced is needed to accommodate another agricultural worker;
- ii) that the farmer cannot provide suitable alternative accommodation for the displaced worker; and,
- iii) that they ought to re-house him or her in the interests of efficient agriculture.

In reaching a decision, the authority may have regard to the advice of an Agricultural Dwelling-House Advisory Committee (ADHAC). The role of an ADHAC is to provide advice on the question of whether the interests of efficient agriculture are served by the re-housing of the worker, and on the urgency of the application. If the authority is satisfied that the applicant's case is substantiated, it is their duty under S.28 of the 1976 Act to use their best endeavours to provide suitable alternative accommodation for the displaced worker. In assessing the priority to be given to the application, the authority are also required to take into account the urgency of the case, the competing claims on the accommodation they can provide and the resources at their disposal.

Where the ADHAC recommends re-housing the applicant will usually be awarded priority status.

### **1.3 Young Person leaving care**

Where a young person who has been looked after, fostered or accommodated and has had a duty of care accepted by Social Care in Herefordshire and is close to being ready for independent living, they should be awarded priority status to enable a planned move on to independent accommodation. The priority status will be subject to the usual sixteen week rule, but if the care leaver has not obtained accommodation within sixteen weeks, the review carried out by Home Point into whether to extend the priority status will be sensitive to the need not to pressure care leavers into bidding for inappropriate accommodation.

### **1.4 Families referred by Social Care**

In rare circumstances Social Care will determine that there is an urgent need for a family to obtain alternative accommodation. Priority status will only be awarded in these circumstances where the referral is agreed jointly by Herefordshire Council's Head of Strategic Housing and the Head of Social Care Children's Services or the Head of Social Care Adult Services.

### **1.5 Move on from Supported Housing**

The Home Point partnership may enter into arrangements with specified supported housing projects whereby applicants who have been assessed as ready to move into settled accommodation will receive priority status. The project will contact Home Point when a resident is ready to move out through a managed process and an application will be taken from that resident who will then be awarded priority status banding. The normal sixteen week rule will apply to priority status awarded in this way.

The agreement between the Home Point partnership and the supported housing provider will require that, where appropriate, arrangements will be made for post tenancy support, and also allowing for Home Point to implement a control on the issuance of priority status, for instance, by limiting the provider to a set number of allocations of priority status each year.

### **1.6 Homelessness inevitable**

Where the Homelessness & Housing Advice Team has determined that an applicant living in private rented accommodation has been served with notice seeking possession and will become homeless and will be owed the full accommodation duty under Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002 because they are:

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- eligible for assistance
- in priority need for housing
- not intentionally homeless; and
- have a local connection

but they are not yet threatened with homelessness within 28 days so the statutory duty does not yet arise. This would only apply where the Homelessness & Housing Advice Team has determined that they would have no defence to possession proceedings and there is other way of preventing the loss of their current accommodation.

The awarding of priority status would provide the opportunity to obtain housing prior to becoming homeless, thereby avoiding the need for temporary accommodation. The usual sixteen week rule would apply to the priority status. Should the applicant actually become homeless before they obtain accommodation they will not obtain a new priority status, if the sixteen week period has expired bids will be made on their behalf under the homelessness discharge of duty procedure.

### **1.7 Special Cases Panel**

A Special Cases Panel consisting of two representatives nominated by the Home Point partnership has the discretion to award priority status in exceptional circumstances where they are satisfied that although the applicant does not fall within any of the priority categories, their needs are sufficient to justify priority status.

Referral to the Special Cases Panel can only be made by the Home Point Manager, where it is considered that a management transfer is not an appropriate/available response, and the applicant has a significantly high level of housing need that is not accurately reflected in this banding scheme.

An applicant who is dissatisfied either with a decision of the Special Cases Panel, or with a decision of the Home Point Manager not to refer to the Special Cases Panel, can seek a review of that decision using the appeals procedure.

The normal sixteen week rule will apply to priority status awarded in this way, unless the panel decide the severity of the situation warrants a direct match to a suitable property.

## **2. GOLD BAND**

### **2.1 Homeless without statutory responsibility to re-house**

This status is only awarded by the Homelessness & Housing Advice Team following issue of S.184 decision letter, and is awarded where an applicant is deemed to be eligible for assistance, but does not qualify for the full housing duty because they do not have a priority need, or

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they have made themselves intentionally homeless, or they do not have a local connection with Herefordshire. The further rules relating to reduced preference for those who do not have a local connection or who (or members of whose household) have been guilty of behaviour that affects their suitability as a tenant will apply in addition to this criterion for Gold banding.

**2.2 The Private Sector Housing Team has deemed your home to have the presence of Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CANNOT be resolved or reduced to a Category 2 hazard within 6 months.** (Emergency cases will also be referred to the Homelessness & Housing Advice Team for further investigation).

**2.3 Verified high medical need, where a move will improve, or prevent deterioration of a condition**

This will apply where the applicant's condition is currently directly affected by their accommodation and a move is needed to have a positive effect on their condition, or where as a result of their condition their current accommodation is not suitable to their needs. An investigation will be carried out.

**2.4 A Notice to Quit or Repossession Order has been served**

Where any formal statement shows proof that the applicant's current accommodation is coming to an end; the applicant will be advised to make a homelessness application. The exception to this is for 16 - 17 year olds where the Homelessness and Housing Advice Team must first have completed a support assessment interview and investigation.

**2.5 Statutory Overcrowding**

If the applicant indicates a shortage of bedrooms, Home Point may investigate by making a home visit.

If the overcrowding is so extensive that Statutory Overcrowding is likely to be achieved, Home Point will measure the rooms when undertaking the home visit. Reference will then be made to the Housing Act 1985 regarding Statutory Overcrowding, with advice being sought from the Private Sector Housing team as necessary. Where Statutory Overcrowding exists, the GOLD band will be awarded.

**2.6 The applicant is in specialist or supported housing and no longer requires that level of support**

Where an applicant is currently in accommodation with some level of support, and it is the stated opinion of the support provider that the applicant needs either more or less support to meet their needs. Examples of this may be:

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- Where a tenant is in designated accommodation, but needs or requires sheltered accommodation
- Where a tenant is in rehabilitation accommodation and their caseworker believes they are in need of independent, general needs housing.

This would apply to occupiers of supported housing not covered by the Priority status award.

### **2.7 A tenant of one or more of the RP partners is under-occupying by one or more bedrooms and wishes to move to a smaller property**

Checks should be made by Home Point with the partner(s) concerned to validate the application by reference to the RP's own lettings criteria and ensure the property is situated within Herefordshire

## **3. SILVER BAND**

### **3.1 People suffering from ongoing direct harassment who want to move.**

All applications should be taken seriously and in line with the Partnership's victim centred approach. The admission of anyone onto the register who cites harassment as the main reason for making the application should lead to full investigation of all the circumstances surrounding the application.

Home Point will investigate all claims of harassment, if investigation involves the local Police crime reference numbers should be sought and the circumstances substantiated. Where the harassment is of a racist nature, the advice of the Local Race Equality Development Officer should be sought. Where the applicant is a tenant of an RP there will be liaison with the RP as part of the investigation.

In some cases of harassment it may be appropriate to refer to the Homelessness & Housing Advice Team to determine whether a homeless application is appropriate.

### **3.2a The Private Sector Housing Team has deemed your home to have the presence of Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that can be resolved or reduced to a Category 2 hazard within 6 months.**

### **3.2b The Private Sector Housing Team has deemed your home to have the presence of Category 2 hazards, Band D, (Housing Health & Safety Rating System).**

### **3.3 Overcrowding - needing 1 or more additional bedrooms**

Subject to verification by Home Point staff, either via home visit or information from landlord.

Assessment will be based on Herefordshire Council's Bedroom Housing Needs Analysis Criteria.

### **3.4 The applicant is lacking essential facilities, or sharing them with non-family members**

Although the lack of a vital service and/or sharing a bedroom can be accommodated under other criteria (most notably, Unfit Property legislation), this category is designed to provide immediate access to the waiting list prior to official confirmation of the statutory nature of the responsibility. As a consequence, waiting time can accrue from first registration if there is a delay in establishing the statutory duty.

It will be the responsibility of the Home Point staff to validate that any services are lacking, or that sharing of the bathroom, toilet or kitchen with non-family members is occurring by home visit or verification from landlord.

### **3.5 A move is needed to give support to, or receive support from, family members**

This would only apply where NOT moving would cause physical, emotional or financial hardship to either party.

The address of each family member should be verified by Home Point and evidence will be required how the result of the move would provide the required support.

### **3.6 The applicant's family is forced to live apart**

Where a family that has previously lived together find themselves in circumstances where it is impractical to reside in the same house, due to financial, work or other commitments.

The address of each member of family should be verified, with confirmation from employers or relevant reasons sought. A medical assessment to be sought where applicable.

Where families are forced to live apart because there is no accommodation available for them to live together, they should be referred to the Homelessness & Housing Advice Team to determine whether a homeless application is appropriate.

### **3.7 The applicant or their family are in temporary accommodation (e.g staying with family or friends), are of No Fixed Abode, or where a homeless investigation is underway.**

Where a homeless investigation is underway, the applicant's status will be set to silver pending the outcome. This category is an attempt to reduce the workload on the homelessness department by giving some advantage to those who are being proactive within the system.

### **3.8 Supported Accommodation Required**

Where an applicant is currently in general needs accommodation, but has expressed a desire for accommodation with a greater level of support or where an applicant has been referred to Home Point by a social partner (Social Care, Mind etc.) and a particular level of supported housing has been recommended.

It is the responsibility of the agency to ensure that any support that will be required by the applicant after re-housing is appropriate to their level of need. It will also be necessary for the agency staff to assess, in conjunction with the appropriate support agencies, the circumstances of each case and decide if an appropriate alternative course of action (e.g. addition of a Home Visitor to current accommodation, application for disabled adaptations etc.) may prove a viable alternative to re-housing. A medical assessment may also be required.

### **3.9 The applicant is in, or is due to be in, full-time employment (16+ hours per week) which will mean excessive travel (over 1 hour each way)**

The employer must be contacted to verify hours and full time employment. Home Point should also verify home address, method of travel and duration.

### **3.10 Relationship breakdown**

Where a couple that have split are forced to remain living in the same home due to financial or other limiting factors (e.g. a need to live in a particular area, but a lack of available homes in the private sector).

### **3.11 The applicant has a child under 10, or is pregnant, *and* lives in a flat above ground floor**

Certificate from doctor to confirm pregnancy and or birth certificate of child to be sought. It will be necessary to establish that the property is not on the ground floor by contacting housing professionals or seeking landlord's confirmation.



### **3.12 The applicant has difficulty accessing vital services including public transport**

Where vital services include public transport, shop (general grocers), post office, bank, school (if applicable to family composition), pharmacy, doctor's surgery or hospital (if a pre-existing condition that requires hospital treatment).

### **3.13 Level access / improved level access accommodation required and there is no prospect of adaptations to property within 12 months**

Suitable proof will be required, i.e. confirmation from local occupational therapist and landlord. The applicant may be referred to other local authority departments for alternative assistance.

### **3.14 16-17 year olds facing homelessness whilst waiting for a support assessment interview.**

The applicant's status will be set to Silver band, this category is an attempt to encourage 16 -17 year olds to seek housing advice, mediation and support through the Homelessness and Housing Advice team and through Herefordshire's Social Care Department. If a duty of care is accepted by Social Care, a referral will be made to Home Point and Priority Status may be awarded.

## **4. BRONZE BAND**

**This to include all applicants who do not meet any of the criteria to fall into one of the other bands.**

## Preference within bands

Properties will be advertised through Home Point as they become available, anyone registered with Home Point will be entitled to bid for properties, unless there is a restriction placed upon those entitled to bid. For example some properties may be restricted under agreements pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) imposing conditions on who is able to bid, or RPs may adopt specific lettings criteria in relation to particular developments or areas in order to address identified problems. Partner RPs will also be entitled to advertise 25% of properties as available only for existing RP tenants in order to facilitate transfers.

If more than one person bids for a property, it will go to an applicant with priority status; if no priority applicant bids it will go to a Gold applicant; if no Gold applicant bids it will go to a Silver applicant; and if no Silver applicant bids it will go to a Bronze applicant. A bid for a property will not be considered if the applicant's household does not meet the size requirements for that property.

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If more than one person from the same band bids for a property, it will go to the person who has the longest waiting time.

RPs may also set aside 5% of properties as they determine appropriate, to be advertised as only available to applicants in Gold or Silver or Bronze bands and 5% of properties to those wishing to downsize to free up larger accommodation.

Where a property has been adapted, is suitable for those with medical needs, is a sensitive let or has a local lettings plan in place, RPs may advertise and give preference to the most suitable applicants.

### **Those with no local connection with Herefordshire**

The Home Point choice based letting scheme aims to provide opportunities for anyone to obtain housing within Herefordshire, whilst providing a degree of preference to people who have a local connection with the county.

Consequently, those who have no local connection will be given reduced preference and will only be successful in a bid for a property where no-one else from the band that they are in (or a higher band), has bid for the property. Date of application will only be relevant if a choice is necessary between more than one applicant falling within the reduced preference category.

Local connection is defined in Part VII of the Housing Act 1996 as:

- Those who are normally resident in the area. Local Government Association guidelines define this as having resided in the area for six of the last twelve months, or three of the last five years, where residence has been out of choice;
- Those who are employed in the area– the Local Government Association guidelines define this as employment other than of a casual nature;
- Those who have family connections – the Local Government Association guidelines define this as immediate family members who have themselves lived in the area for five years;
- Special circumstances at the discretion of the local authority – this would enable Home Point to accept a local connection for those who live close to the border with Herefordshire but not quite inside it; those who grew up in the area but moved away and no longer meet the normal residence conditions; those who need to move to Herefordshire for urgent social reasons such as to receive/give support or to escape violence. This is not a definitive list and Home Point will be able to exercise discretion under this heading.

Homelessness requirements aside, applicants currently living in Herefordshire will normally be automatically assessed as having a local connection to the county.

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Some properties may also require a local connection to the parish / town the property lies within, or if there is no one suitable, to the neighbouring parishes. It is recommended that the RP is contacted directly for specific information on each property.

### **Those whose behaviour affects their suitability to be a tenant**

Where there is evidence that an applicant has been guilty of behaviour that will make them less suitable as a tenant, but the behaviour is not so severe as to exclude them from registration, they can still register with Home Point but with reduced preference. This will need to be clearly notified to anyone who is affected by it.

This would include, but is not limited to:

- Those who have been previously evicted from RP or local authority housing for nuisance behaviour or for using the premises for unlawful purposes;
- Those who are, or have been, subject to anti-social behaviour orders or injunctions for anti-social behaviour;
- Those who have been convicted of criminal offences that involve behaviour linked to their accommodation – such as assaults on neighbours, serious anti-social behaviour, drug dealing from the premises or storing stolen goods on the premises (this is not an exhaustive list);
- Those who have been evicted from RP or local authority housing for rent arrears;
- Those who have left RP or local authority housing owing rent arrears.

Where there are former tenancy arrears, the reason for the arrears will need to be investigated and where they have arisen as a result of events beyond the control of the applicant they will be awarded preference. Equally, if the applicant has made an arrangement to clear former tenancy arrears and is maintaining this arrangement they will also be awarded preference for as long as the arrangements are adhered to.

It is not intended that a person's behaviour at one time in their life should permanently exclude them from social housing, therefore applicants who fall within the above anti-social behaviour or criminal conviction categories will only receive reduced preference if the incidents or convictions occurred within the previous twelve months. Where the incidents, court orders or convictions are more than twelve months old and there has been no repeat of the behaviour the applicant will not be given reduced preference, unless the incidents were of such an extreme nature that Home Point determine it is appropriate to do so.

## HEREFORDSHIRE ALLOCATIONS POLICY

### **Those with financial resources sufficient to secure alternative accommodation**

Reduced preference will be given to applicants who are considered to have sufficient financial resources to secure alternative accommodation as per set limits, reviewed annually. Financial resources will be taken to include income, capital and equity in an owner occupied property.

This will be determined through an assessment carried out by Home Point, having regard to the financial resources of the applicant and the cost and availability of alternative accommodation. The assessment will also have regard to special circumstances e.g where an older person is committed to paying for care or support costs in order to remain living independently - Income from Disability Living Allowance etc would be disregarded.

As with all other decisions made by Home Point under this policy any applicant who is deemed to have such resources will have a right of appeal against that decision.

### **Medical Assessment Procedure**

Where there is a verified high medical need which is directly affected by the applicant's accommodation and a move is needed to have a positive effect, Home Point may be able to assess them for the Gold banding.

Home Point has a 3 step approach for assessing medical needs. Information is initially taken from the application with any supporting evidence, then a home visit is carried out if necessary and then finally an independent medical assessment if required.

### **Local Lettings Policies**

Local lettings policies may be used to achieve a wide variety of policy objectives. For example, they could be used to deal with concentrations of deprivation or to create more mixed communities by setting aside a proportion of properties for applicants who are in employment or to enable existing tenants to take up an offer of employment. This is not intended to be an exhaustive list.

### **Equal Opportunities Statement**

The Home Point partnership believe that it is a fundamental right for everyone to be treated equally, with respect and dignity; in the implementation of this policy it will ensure that this right is promoted and upheld.