

Housing Allocation Policy for Herefordshire

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SECTION 1: INTRODUCTION

1.1 Introduction

Under the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011), every local housing authority in England must have an allocation policy for determining priorities and detailing the procedures that are to be followed in allocating housing. This policy document describes the criteria that Herefordshire Council uses to register and prioritise applications for affordable housing in Herefordshire.

The demand for affordable housing in Herefordshire is significantly greater than the number of homes available. This Allocation Policy describes how the local authority prioritises applicants to ensure that those with a recognised housing need, as described by the legal definition of 'Reasonable Preference', are given access to register for the allocation of Affordable Housing. This Allocation Policy sets out in detail who is, and who is not, eligible to become a member of the Housing Register and how this assessment is made.

This policy supports the vision set out in the Herefordshire and Shropshire Housing Strategy 2012 – 2015:

'The diverse housing and support needs of local communities in Herefordshire are provided for through a balanced supply of sustainable homes and services'.

Herefordshire Council no longer owns any housing stock, having carried out a transfer of its entire housing stock to Herefordshire Housing Ltd, a not-for-profit Housing Association (HA) in 2002. In addition to Herefordshire Housing Ltd there are a number of other HA's operating in Herefordshire.

Therefore to allocate any available homes to those registered, Home Point (a choice-based lettings agency) was set up in partnership between Herefordshire Council and the main HAs in Herefordshire. Home Point advertises properties on a weekly basis and enables those on the register to choose and bid for properties themselves. (Appendix 1 of this policy lists current Home Point Partners).

The Partnership funds the operation of Home Point Herefordshire to maintain the housing register, determine priority amongst those seeking affordable housing in Herefordshire, and advertise properties of member HAs that become available for letting. **Home Point does not actually allocate the housing**, it only provides the HA with nominations by way of a shortlist of those who are eligible to register and who have placed a bid. Once it is determined who has greatest priority for a property that has been advertised through Home Point, the relevant HA will then decide against the shortlist, using their own eligibility criteria, whether to make an offer leading to an allocation.

The Localism Act 2011 gives local authorities greater freedom to set their own policies about who should qualify to register for affordable housing in their area whilst still being obliged to ensure housing is allocated to those most vulnerable and those who need it most. In response,

Herefordshire Council has reviewed its housing allocation policy after the Localism Act 2011 made amendments to Part 6 of the Housing Act 1996 (as amended by the Homeless Act 2002). The objectives of the Localism Act include:

- Enabling housing authorities to better manage their housing register in determining who will or will not qualify for an allocation of affordable housing. This will allow great focus on local need and demand, and ensure that local housing authorities manage unrealistic expectations of being allocated affordable accommodation.
- Making it easier for existing tenants to move, a balance will be made between new and existing tenants to make better use of stock.
- Maintaining the protection provided by the statutory reasonable preference criteria ensuring that priority for affordable housing goes to those in greatest need.

Where the council has a full duty under the homelessness legislation to provide suitable accommodation, **the act includes measures which allow local authorities to end their main homelessness duty with a private rented sector offer, without the applicant's consent.** The duty can only be ended in the private rented sector in this way with a minimum 12 month assured shorthold tenancy. This policy supports that, where possible and appropriate, an offer of private rented sector accommodation will be made to homeless households to alleviate the length of time applicants have to wait for an offer of accommodation. It is essential that the link between being accepted as homeless (under Part 7 of the Housing Act 1996) and obtaining a HA property is broken and therefore gives other categories on the housing register a stronger chance of being successful with their bids.

During the review of this policy, a wide range of stakeholders, including members of the public, were consulted on their views on who should be eligible to register for housing and on what they would like to see included within the allocation policy. The policy has been developed within a legal framework whilst still reflecting the views and meeting the needs of the community who have contributed to its development.

1.2 Aims of the Allocation Policy

The demand for affordable housing exceeds available supply in the county and therefore this housing allocation policy endeavours to meet the following aims:

- To ensure that accommodation goes to those households who have a recognised housing need and who are unable to access the open market.
- To help contribute to sustaining communities
- To make the best use of available housing stock and resources
- To assist in achieving mobility for existing tenants
- To ensure that local people have priority in the allocation of housing in the county
- To contribute towards tackling social exclusion and to promote independence
- To ensure housing nominations are made within the legal framework contained in Part 6 of the 1996 Housing Act (as amended)
- To enable the authority to meet its statutory duties – including duties owed to homeless households under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002) and its duties under the Localism Act 2011

- To ensure the authority supports the changes under the Welfare Reform Act 2012.

This policy will also assist in achieving a number of key priorities and outcomes detailed within the strategies listed in section 1.5 of this policy.

1.3 Scope of the Allocation Policy

The Housing Allocation Policy for Herefordshire will predominately apply to the process by which Herefordshire Council make nominations to properties which are rented to households by Housing Associations, or other Registered Providers, in the county as their only or principal home. This includes social/target, intermediate and affordable rents.

This policy will not be used to nominate households for Shared ownership schemes or for homes for sale but does provide guidelines to which households will be considered and what type/size of dwelling will be deemed acceptable. Low Cost Home Ownership schemes (LCHO) will give preference to:

1. existing HA tenants, with no rent arrears, who wish to release their current accommodation
2. those who cannot afford to resolve their own housing needs through the open market and have been accepted onto the housing register in Herefordshire
3. an applicant's waiting time.

All applicants will be subject to an affordability assessment, undertaken by the relevant Housing Association.

When consideration is given to those seeking home ownership, LCHO schemes will permit 1 additional bedroom to need for sustainability reasons and all sales will need to meet any local connection criteria set. Such schemes could be advertised through local estate agents and/or Home Point (as determined by S106 agreements) or other government agencies i.e. Orbit.

1.4 Legal context

Part 6 of The Housing Act 1996 (as amended by the Homelessness Act 2002) requires Local Authorities to make all lettings and nominations in accordance with a published Allocation Policy. A summary of this Allocation Policy will be published and made available free of charge to any person who asks for a copy. A copy of the full policy is available on Herefordshire Council's, Home Point and any of the housing partners websites and, if requested, a hard copy can be provided on payment of a reasonable fee (to be confirmed at time of request).

The Housing Act 1996 (as amended), requires Local Authorities to provide 'Reasonable Preference' in their Allocation Policy to people with high levels of assessed housing need. The Statutory 'Reasonable Preference' categories in Section 167 (2) (a) to (e) of the Housing Act 1996 (as amended) are:

1. all homelessness people as defined in Part 7 of the Housing Act 1996 (including those who are intentionally homeless and those not in priority need)

2. people who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act or who are occupying accommodation secured by any housing authority under s.192(3)
3. people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
4. people who need to move on medical or welfare grounds, including grounds relating to disability and;
5. people who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or others).

The Housing Act 1996 requires that Local Authorities state within their Housing Allocation Policy what its position is on offering applicants a choice of housing accommodation, or offering them the opportunity to express preference about the housing accommodation to be let to them.

This policy complies with the requirements of Section 167(2) of the Housing Act 1996 (as amended). In addition, the Council has embraced the changes to allocation legislation brought about by Sections 145-147 of the Localism Act 2011 by introducing an additional local reasonable preference – 6. Rural localities (sustaining communities).

This policy takes into account the Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2012 and reflects the recommendations made within the Allocation of Accommodation Code of Guidance for Housing Authorities 2012 which replaced all previous statutory guidance on Affordable Housing allocation.

This policy takes into account the changes, to amend the way in which the duty on local housing authorities to secure accommodation for homeless households under section 193(2) of the 1996 Act, can be brought to an end with an offer of suitable accommodation in the private rented sector. This will allow local authorities to end the main homelessness duty with a private rented sector offer, with a minimum of a 12 month assured shorthold tenancy.

As required by The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, this policy is framed to give additional preference to applicants who fall within one or more of the reasonable preference categories and are currently serving or who have served within the Armed Forces.

This policy is compatible with the Herefordshire Council's equality duties including the Equality Act 2010 and has been subject to a full published Equalities Impact Assessment available online <http://www.herefordshire.gov.uk/housing>.

1.5 Strategic context

The framework provided within the Housing Allocation Policy for Herefordshire supports the delivery of the following:

- Herefordshire Council Corporate Plan 2013/2015
- Herefordshire and Shropshire Housing Strategy 2012 – 2015
- Herefordshire Council's Tenancy Strategy 2012 – 2015
- Herefordshire Council's Homelessness Strategy 2008-2013 (under review)
- Herefordshire Council's Local Investment Delivery Plan 2011-2026
- Herefordshire Local Housing Market Area Assessment 2013 (draft)
- A Study of the Housing and Support needs of Older People in Herefordshire (January 2012)
- Herefordshire Council's Child Poverty Strategy 2011-2015
- Herefordshire Council Empty Property Strategy 2013-2016

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

SECTION 2: ELIGIBILITY AND REGISTRATION

Affordable housing will only be allocated to those households who are eligible and qualify to register, in accordance with this policy. To qualify for registration on the Home Point housing register all applicants must have:

1. a local connection (see section 2.1)
2. must not have sufficient financial resource (income, savings and/or capital assets, either in the UK or abroad) to resolve their own housing needs (see section 2.2), and;
3. must be able to demonstrate a housing need by having a reasonable preference (see section 2.3).

Herefordshire Council **will require evidence** to prove eligibility **prior to acceptance** on the register. Registration will only be completed on receipt of all relevant supporting documents. **It will be the responsibility of the applicant(s)** to provide appropriate and relevant evidence as requested through the registration stages, including at review of registration or where needs change over time.

Applicants who do not qualify and are not eligible to register will receive confirmation of this in writing (within 28 days) and will be provided with appropriate advice and assistance. Any applicant has a right to make an appeal – please see section 4.2 for further information.

Applicants who have previously been deemed not to qualify may make a fresh application if they consider that they should now be treated as qualifying, but it will be for the applicants to show that circumstances have changed by providing up to date evidence.

Please note that any personal data held in relation to applicants will be held consistently with the Data Protection Act 1998 and shared with Home Point Partners and other appropriate agencies, as detailed on the application form.

2.1 Local connection

In order to be accepted onto the register you must firstly satisfy the local authority that you have a local connection, as defined by s.199 of the Housing Act 1996, by meeting 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.

Exceptional circumstances

Where applicants cannot evidence that they have one or more of the above local connections, they will not be able to register. However there are exemptions to this as follows:

- a) those fleeing domestic abuse and seeking assistance under the Homelessness legislation
- b) those subject to witness protection or Multi Agency Public Protection Arrangements (MAPPA) as determined by Herefordshire Council, in partnership with West Mercia Probation Trust and/or West Mercia Police.
- c) those with care plans in place that require they reside in the county or have a proven need to give support to or receive support from family members as determined by Herefordshire Council in partnership with joint agencies.
- d) Regulations specific to Armed Forces personnel, as outlined in The Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012 (SI 2012/1869).

This provides that, where local housing authorities decide to use a local connection requirement as a qualification criterion, they must not apply that criterion to the following persons:

- those who are currently serving in the regular forces or who were serving in the regular forces at any time in the five years preceding their application for registration
- bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to

reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service

- existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.

Applicants who fall into one of the criterion listed above will be asked to provide evidence of such prior to registration.

A local connection criterion is likely to disadvantage those who have recently been discharged from the regular armed forces, as well as serving personnel, because of the service requirement to be mobile. For this reason, the prohibition in the Regulations extends to applications from former service personnel, where the application is made within five years following discharge.

2.2 Income, Savings and Capital Assets

It is essential that affordable housing is made available to those who cannot access the open housing market, therefore it will be expected that any applicant or member of the household will maximise their resources to assist in securing appropriate housing.

To be eligible to register, both income and savings/capital assets (including those held abroad) will be taken into account. It will therefore be necessary for **every** applicant to provide details of all their income, savings and capital assets prior to registration.

Income

Applicants with a gross household annual income level of £45,000 or above are deemed to have sufficient resources to access alternative housing solutions, for example private rented sector or affordable home ownership and therefore are unlikely to be accepted onto the housing register.

Savings and Capital Assets

Applicants aged 49 years and younger with savings and/or capital assets of £50,000 or above may also be deemed to have sufficient resources to meet their own housing need and may not be eligible to register. If savings and/or capital assets are below this level applicants will be considered for registration.

It is recognised that obtaining a mortgage in later life can be more difficult and therefore applicants aged 50 years and over with savings and/or capital assets of £100,000 or above may be deemed to have sufficient resources and will not be eligible to register and will be offered advice and assistance on alternative options available.

The household's financial resources will be determined through a financial assessment carried out during the registration process. The assessment will have regard to both income and expenditure and will consider long term commitments to enable independent living.

If it is determined that an applicant or household has sufficient resources to meet their own housing need within the local housing market they will not be eligible to register on the Home Point scheme and will be offered advice and assistance on alternative housing options available.

In exceptional circumstances, when making the financial assessment, where capital/savings are available for specific reasons these may be disregarded. For example, this may include any lump sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active service which relates to ongoing care.

2.3 Housing need – Reasonable Preference

As detailed in The Housing Act 1996 (as amended) housing authorities **must ensure that reasonable preference is given to the following categories of people (s.166A):**

1. **all homelessness people as defined in Part 7** of the Housing Act 1996 (including those who are intentionally homeless and those not in priority need)
2. **people who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act** or who are occupying accommodation secured by any housing authority under s.192(3)
3. people occupying **insanitary or overcrowded housing** or otherwise living in **unsatisfactory** housing conditions
4. people who need to move on **medical or welfare grounds**, including grounds relating to disability and;
5. people who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause **hardship** (to themselves or others).
6. **Rural Localities** (Sustaining Communities)

Central government is clear that allocation policies must be framed so as to give reasonable preference to applicants who fall within the categories set out above (1-5), over those who do not. Therefore, in Herefordshire, only those applicants who are able to evidence that they can meet one or more of the reasonable preference categories, thus evidencing a recognised housing need, will be eligible to register under this policy.

In addition to the statutory reasonable preferences listed above (1-5), Herefordshire will also apply an additional reasonable preference to applicants who are bidding for properties where applicants can evidence a local connection for a specific parish and where there is evidence of the applicant wishing to move or remain in a parish/village where the population is below 3,000 and the applicant has a local connection to a locality (6). For example where the household is currently living in the parish/village and wishes to remain, the Housing Allocation Policy for Herefordshire will give this applicant reasonable preference in relation to bidding on a property in their specific locality

Please see Appendix 2 for a list of the rural localities which will be included within this Reasonable Preference criterion.

2.3.1 Additional Preference

Section 166A(3) of The Housing Act 1996 (as amended) gives the local authority the power to frame an allocation policy to **grant 'Additional Preference' to particular descriptions of people who fall within the statutory 'Reasonable Preference' categories.**

Prioritisation within each band will be based on the length of time that need has been assessed or date of registration if need hasn't changed over time. **Applicants who are awarded Additional Preference will receive an additional 6 months in waiting time at the point that need has been assessed or date of registration (if need hasn't changed over time).**

2.3.1.1 Armed Forces:

The Housing Act 1996 (Additional Preference for Armed Forces)(England) Regulations 2012 provide that local housing authorities **MUST** frame their allocation policy to give additional preference to the following persons if they fall within one or more of the statutory reasonable preference categories and are in urgent need:

- serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- former members of the regular armed forces
- bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently deceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.
- existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service

If an 'Armed Forces' applicant is able to meet the local connection criteria (or is exempt from this), does not have sufficient resource to meet their own housing need and falls into one or more of the statutory reasonable preference categories, the Housing Allocation Policy for Herefordshire will award the applicant an additional 6 months in waiting time at the point that need has been assessed or date of registration (if need hasn't changed over time).

Bereaved spouses and civil partners of service personnel who are required to leave service families accommodation following the death of their spouse or partners are likely to experience similar issues to service families on discharge from the forces. The Regulations are intended therefore to protect bereaved spouses and civil partners from the time they are required to leave service families accommodation until they are able to obtain alternative settled accommodation.

The Regulations also apply to members of the reserve forces who suffer from a serious illness, injury or disability as a result of their service, recognising that they may find that their current accommodation is no longer suitable for their needs or affordable, or that they may have to move to access care or support.

The **Herefordshire Armed Forces Community Covenant**, established as part of a government initiative to promote greater understanding between the general public and the military was signed on 29th May 2012. The agreement aims to encourage all parties within a community to offer support to the local Armed Forces community and make it easier for Service personnel, families and veterans to access the help and support available. This policy is framed to recognise and remember the sacrifices faced by the Armed Forces Community and considers opportunities to support the housing needs of Service and ex Service personnel.

2.3.1.2 Volunteering:

In Herefordshire, volunteering is defined as “an activity that involves spending time, without payment, doing something that aims to benefit individuals (other than close relatives), groups or the environment” (Herefordshire Compact). This policy aims to recognise people who make their communities strong, stable and healthy places to live so that they will remain in that community and continue to contribute to sustaining the local area.

This policy will give applicants that contribute through regular voluntary work a level of additional preference.

If an applicant is able to meet the local connection criteria (or is exempt from this), does not have sufficient resource to meet their own housing need and falls into one or more of the statutory reasonable preference categories and **is able to demonstrate that they have been volunteering in Herefordshire for a continuous period of at least 6 months up to the point of application**, the Housing Allocation Policy for Herefordshire will award the applicant an additional 6 months in waiting time at the point that need has been assessed or date of registration (if need hasn't changed over time).

Volunteers must have been volunteering in Herefordshire for a continuous period of at least 6 months up to the point of application and the same at point of offer. Volunteering must be for a minimum of 10 hours per month.

Evidence required for voluntary work:

- Letter and/or reference from Manager responsible for Volunteers confirming applicant's involvement. This person must not be related to the applicant in any way.
- Completed and validated Herefordshire Volunteer Passport. This is a record of volunteering placements and must be signed by a supervisor.

Herefordshire Volunteer Passports are available at the following locations:

- HVOSS (Herefordshire Voluntary Organisations Support Service) Berrows Business Centre, Bath Street, Hereford, HR1 2HE
- Community Voluntary Action Ledbury, 4B Hill House, Bye Street, Ledbury, Herefordshire, HR8 2AA
- Herefordshire Council, Franklin House, 4 Commercial Road, Hereford, HR1 2BB

2.3.2 Reduced Preference

It is not intended that a person's behaviour at one time in their life should permanently exclude them from affordable housing; therefore applicants who are placed within the Red Band 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 from issue 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.

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 is maintaining this arrangement for a 13 week period, the reduced preference will be removed as long as the payment arrangements are adhered to.

Anyone wishing to appeal should refer to section 4.2 of this policy – Appeals and Complaints.

Please note that each Home Point partner has its own exclusion policy which may apply. For a copy, please contact the relevant partner organisation.

2.4 Allocation to existing tenants

The Housing Allocation Policy for Herefordshire does not apply to the allocation of accommodation to an existing HA tenant unless the allocation involves a transfer made at the tenant's request, and the authority is satisfied that the tenant has reasonable preference.

Existing tenants applying for a transfer who are considered to have reasonable preference will be treated on the same basis as new applicants.

Transfers at the tenant's request, where the tenant does not have reasonable preference do not fall within this Allocation Policy. Housing Associations have their own transfer policies in relation to these tenants.

Existing tenants can also facilitate a move through a mutual exchange agreement. For further information please visit www.home-point.info

2.5 Exclusions

Certain persons subject to immigration control are not eligible for the allocation of housing under Section 160A (1) (a), (3) and (5) under the Housing Act 1996 (as amended) and therefore not eligible to be accepted onto the housing register. This includes:

- Over stayers and visitors to the country
- Illegal entrants
- Asylum Seekers
- People in the country on condition that they have no recourse to public funds
- Persons from abroad who fail the habitually residence test

- Persons from abroad who are in breach of the European Community Right of Residence Directive
- Persons from abroad who have been subject of a sponsorship agreement for less than 5 years and who sponsors are still alive

The Allocation of Housing and Homelessness Regulations 2012 amended regulations 4 and 6 of the Eligibility Regulations of The Allocation of Housing and Homelessness Regulation 2006 provides that the persons listed above are ineligible for an allocation of housing accommodation or homelessness assistance. Details of which can be found at: <http://www.legislation.gov.uk/uksi/2012/2588/made>

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

2.6 Advice and assistance

Herefordshire Council has a duty to provide housing related advice and assistance to all those seeking it. The local authority will provide information and advice in relation to a number of housing options available, which may include:

- Shared ownership
- Mutual Exchange
- Private Rented
- Sheltered Housing
- Owner occupation
- Additional Support
- Overcrowding
- Supported Housing
- Homelessness Prevention
- Under Occupation
- Mortgage Rescue
- Adapted Housing
- Improvement Agency
- Low Cost Market

In particular, assistance will be provided to anyone who may have difficulty participating due to disability, learning disability, illness, age, where English is not their first language, or any other reason that might make it harder for them to fully participate within the scheme.

For further information please contact the Customer Services Advisor within Home Point on 01432 260000 or visit Franklin House, 4 Commercial Road, Hereford, HR1 2BB or <http://www.herefordshire.gov.uk/housing/advice/1546.asp>

Housing Association tenants can discuss their housing needs and options with their current Housing Association landlord.

Households who are not eligible to register for affordable housing in Herefordshire through this policy are able to seek advice and assistance on alternative housing options from the local authority, which may involve applicants being signposted to specialist support / advice agencies.

SECTION 3: HOW THE POLICY OPERATES

3.1 Statement of Choice

All Home Point partners are committed to offering choice to those seeking accommodation, whilst ensuring that housing goes to those with the greatest need. It should be recognised that there is a very high demand for affordable housing in Herefordshire, and that this demand cannot be fully met from the resources available. Consequently only those in the greatest housing need are likely to obtain affordable housing, which means that the degree of choice in housing will always be limited.

There will be certain situations where choice cannot be offered in the allocation of housing, such as when a HA needs to make a management move as a matter of safety or where there is currently no stock in an area and a move is urgent.

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. Where applicants have placed successful bids but they have refused to accept properties on more than 2 occasions, where there is evidence that these properties would sufficiently meet their needs, the applicant will be advised that after 28 days they will be removed from the register for a period 12 months.

Applicants do have the right to appeal any decision made under this policy – please see section 4.2 for further detail.

3.2 How to register on Home Point

If a household believes that they may be eligible to register and wishes to apply they will need to complete a Home Point application form, accompanied by evidence of local connection, income, savings and capital assets and housing need, as detailed in the Home Point application form. The following steps will then apply.

Registration should be completed online at www.home-point.info

Alternatively, application forms are available to download from www.home-point.info for completion or hard copies are also available from partner organisations (as detailed listed in Appendix 1).

An Enhanced Housing Options tool is being developed to assist applicants in providing Housing Option advice prior to registration.

Complete online application and provide relevant evidence about the main applicant and/or other household members who wish to be included in the application. The application will only be assessed once all information and evidence requested is provided.

Eligible applicants will be registered and designated within one of three bands. If any circumstances change, applicants must inform Home Point; otherwise an application can be withdrawn or suspended for 12 months. If following reassessment the applicant is found to not be eligible they will be offered advice and assistance.

Those **not eligible** to register with Home Point will be signposted to the Enhanced Housing Options systems / offered advice and assistance on alternative housing options available.

The applicant can now bid on 1 advertised property a week. If the applicant is placed within the Red band they will be given reduced preference and will be offered advice and assistance in relation to their housing options to improve their banding position.

Applicants have the right to appeal any decision made – please see section 4.2 of this policy for further detail.

Once a bid is successful, the HA will carry out a check to confirm that the circumstances at the time of application still apply. Home Point **does not allocate the property**; the HA will allocate the property from those shortlisted in accordance with their own allocation criteria. The individual HA allocation criteria can be obtained directly from the HA concerned.

Please note that annual reviews will take place on the anniversary date of registration.

All offers of accommodation will be confirmed in writing by the HA to the applicant.

3.3 Determining your banding

If eligible for registration your application will be prioritised within the register, based on how urgent the need for housing is, taking into account the reasonable preferences. This policy has 3 bands only:

1. **Green band** – those who have a high need to be housed.
2. **Amber band** – those with a need to be housed or moved.
3. **Red band** – those with a need to be housed or moved but are restricted within the register due to:
 - o Anti-Social Behaviour (ASB)
 - o Current or former outstanding rent arrears or other debts to a Housing Association
 - o Debt with the local authority or;
 - o Those who have deliberately worsened their circumstances due to their behaviour.

Those applicants meeting one or more of the points listed within the Red band **will be given reduced preference** until they can evidence a change in behaviour and/or a commitment to address arrears/debt that will satisfy the individual Housing Associations allocating accommodation.

1. Green Band	
Criteria (Reasonable Preference number, as listed within section 1.4)	Guidance
Care leaver (former 'Relevant Child' as defined by the Children Leaving Care Act 2002) (4)	Where a young person who has been looked after, fostered or accommodated in Herefordshire under S20 of the Children Leaving Care Act 2002 for a minimum of 13weeks. It is expected that the applicant is ready for independent living and has an appropriate support package in place as agreed between relevant professional organisations associated with their housing. Registration will be considered up to six months before the applicants eighteenth birthday.
Herefordshire Council Adult and Children services referral (4).	Herefordshire Council Adult and Children services may determine that there is an urgent need to obtain alternative accommodation for a household. This will only be awarded in circumstances where the referral is agreed jointly by Herefordshire Council's Assistant Director Homes and Community Services and the relevant Head of Adult and Children's services.

Move on from specialist or supported accommodation (4).	Where applicants have been assessed as ready, by the housing provider, to move into settled accommodation as part of an evidenced planned move. The agreement between Herefordshire Council and the supported housing provider will require that, where appropriate, arrangements will be made for ongoing post tenancy support.
Those living in poor housing conditions that pose an on-going and serious threat to health or safety (3).	Applicants living in residential premises determined by Herefordshire Council's Healthy Housing Team, Private Sector Housing (or a partner organisation commissioned to act on its behalf) as presenting category 1 hazard(s) under Part 1 of the Housing Act 2004 that cannot reasonably be addressed by the person in control of the premises within 6 months of enforcement notices.
Verified high medical need where a move will improve or prevent deterioration of a condition that is directly affected by their housing (4).	<p>A move is needed to have a positive effect on their medical condition, or where as a result of their medical condition their current accommodation is not suitable to their needs or cannot be adapted to support their needs.</p> <p>A recommendation for an applicant to be placed within this category is only likely to be made when all options to improve their current accommodation have been exhausted.</p>
Severe overcrowding - needing 2 or more additional bedrooms (3).	Having regard to the Welfare Reform Act 2012, investigations will be made to validate the need for additional bedrooms by making further enquires and contacting the landlord and/or Herefordshire Councils benefits section. Assessment will be based on the principles detailed in the bedroom allocation criteria section of this policy.
A current housing association tenant is under-occupying by one or more bedrooms or is applying to downsize, particularly as a result of the Welfare Reform (4).	Checks will be made with the landlord concerned to validate the application by reference to the HA's own lettings criteria and ensure the property is situated within Herefordshire and would be suitable for re-letting.
A current housing association tenant is residing in an adapted property and no longer requires these adaptations and is applying to move.	In order to assist people being housed appropriately, those who no longer need an adapted property of which they are currently residing will be allocated a Green banding in order to make the best use of current stock.
Threat of homelessness through no fault of your own.	Applicants who are threatened with homelessness through no fault of their own.
Special Cases	A Special Cases Panel consisting of representatives nominated by the Home Point Partnership has the discretion to accept applicants

	<p>onto the Green band in exceptional circumstances where they are satisfied that although the applicant does not fall within any of the registration and/or the reasonable preference criteria, their needs are sufficient to justify a Green banding.</p> <p>Applicants under Multi Agency Public Protection Panel Arrangements (MAPPA) may be dealt with through this panel.</p> <p>Referral of existing tenants to the Special Cases Panel can only be made where it is considered that a management transfer is not an appropriate / available response by the landlord. Such cases should be dealt with by the current housing association and referral to the Special Cases panel should be made in the last instance.</p>
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2. Amber Band

Criteria (Reasonable Preference number*)	Guidance
Overcrowding - needing 1 additional bedroom (3)	Subject to verification by either a home visit or information from landlord and/or Herefordshire Council Benefits department. Assessment will be based on the Bedroom Allocation Criteria set out in this policy.
People who need to move to a particular locality within the district to avoid hardship to themselves and others. (5)	This would include, for example, a person who needs to move to a different locality in order to give or receive care, to access specialised medical treatment, or to take up a particular employment, education or training opportunity.
Medical grounds	For example, this may include the need to move to a ground floor property due to medical issues. Applicants must be able to evidence support from an external statutory agency for such a move.
Agricultural tied accommodation (5)	<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. Section 27 of the 1976 Act requires the authority to be satisfied:</p> <ul style="list-style-type: none"> 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. <p>In reaching a decision, the authority may have regard to the advice of</p>

	<p>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.</p>
<p>All homeless people as defined in Part 7 of the Housing Act 1996</p> <p>(excluding the Intentionally Homeless – see Red Band)</p> <p>(Non-statutory homeless)</p>	<p>The Housing Act 1996, part 7 (S175) states that a person is homeless if he has no accommodation available for his occupation which he is:</p> <ul style="list-style-type: none"> (a) Entitled to occupy by virtue of an interest in it or by virtue of an order of a court, (b) Has an express implied licence to occupy, or (c) Occupies as a residence by virtue of any enactment or rule of law giving him the right to remain in occupation or restricting the right of another person to recover possession. <p>A person is also homeless if he has accommodation but:</p> <ul style="list-style-type: none"> (a) He cannot secure entry to it, or (b) It consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place where he is entitled or permitted both to place it and to reside in it. (c) A person shall not be treated as having accommodation unless it is accommodation which it would be reasonable for him to continue to occupy. <p>Persons found intentionally homeless will fall within the red band.</p>
<p>People who are owed a Statutory duty under the Housing Act 1996.</p>	<p>This includes applicants who are owed a statutory duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act or who are occupying accommodation secured by any housing authority under s.192(3).</p> <p>S190 (2) Duty to secure accommodation for a reasonable period for those applicants who are Homeless in Priority Need, but are Intentionally Homeless</p> <p>S193 (2) Full or Main Homeless Duty to secure accommodation for applicants who are Homeless, In Priority Need and are Unintentionally Homeless</p> <p>S195 (2) The Duty to take reasonable steps to secure that accommodation does not cease to be available for those applicants who are threatened with homelessness, in priority need and are threatened with homelessness Unintentionally.</p> <p>S192 (3) A power (not a duty) to secure accommodation for applicants who are Unintentionally Homeless, but who do not have a priority need.</p>
<p>Rural Localities (sustainable)</p>	<p>Applicants who are bidding for properties where they can evidence a</p>

communities)	strong local connection to that specific parish. For example, living/working/providing or required to receive support. Criteria used to assess is identical to registration (2.1).
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3. Red Band	
Criteria (Reasonable Preference number*)	Guidance
Where an applicant is found to be intentionally homeless, under Part 7 of the Housing Act 1996.	<p>Following an investigation, Herefordshire Council may find an applicant to be intentionally homeless if s/he has deliberately done/not done something as a consequence of which s/he has lost accommodation that was available and reasonable for them to continue to occupy.</p> <p>Once made, a finding of intentionality stands until the applicant has had a period in settled accommodation or experienced a significant change in his/her life circumstances.</p>
Applicants with a history of on-going anti-social behaviour	<p>Where it is known that an applicant (or member of the household) has previously lost accommodation through their own actions. This would include, but is not limited to:</p> <ul style="list-style-type: none"> • those who have been previously evicted from affordable HA 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). • Injunctions for breach of tenancy conditions. <p>Those applicants who can evidence that they have addressed and changed their behaviour will be reassessed and may move up to the appropriate banding.</p> <p>Applicants should note that some Housing Associations may apply a 2 year ban in relation to Anti-Social Behaviour.</p>
Applicants with outstanding rent arrears.	<p>This will be assessed at the point when the applicant's priority is being assessed unless new information comes to Home Point's attention after their initial assessment.</p> <p>Home Point will consider any new application and if they are satisfied that appropriate action has been taken by the applicant to address the arrears and can evidence their commitment to a repayment plan over</p>

	a period of at least 13 weeks, they will decide if the qualification criteria has been met. Applicants who can evidence this will move up to the appropriate banding and must continue to pay. Failure to continue payments once in amber/green will result in being reallocated into the Red band.
Applicants who have an outstanding debt to the local authority and are making no effort to pay it back.	Where it is determined that an applicant owes the local authority debt/loans they will be allocated into Red band until it can be evidence their commitment to a repayment plan over a period of at least 13 weeks and this continues.
Those who have deliberately worsened their situation.	Where it is found that an applicant has deliberately worsened their own situation e.g. poor behaviour, will have reduced preference and not be able to bid for a property for a period of 12 months from placement into the Red banding.
Applicants suitably housed adequately in Private Sector where Local Authority still has outstanding duty.	Households where a full duty has been accepted under the Homelessness legislation and the household has secured suitable private sector accommodation of less than 12 months.

3.4 Bedroom criteria

The size of the property on which an applicant is able to place a bid will depend upon the household's size and circumstance. Herefordshire Council takes on board the view that the bedroom standard is an appropriate measure of overcrowding for allocation purposes, and recommends that all Housing Associations in Herefordshire should adopt this as a minimum. The bedroom standard allocates a separate bedroom to each:

- An adult couple
- A person over 21
- 2 young persons 10-20years 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 (not necessary of same sex)
- Any unpaired young persons 10-20 years or unpaired children under 10

Home Point Bedroom standard for rental			
Household make up:	Suitable property size		
	1 Bed	2 Bed	3 Bed
Single person (where they are in receipt of housing benefit, affordable accommodation such as a bedsit will be sought)			
Couple without children			

Parent(s) & 1 child Applicant is pregnant (25 weeks onwards)		✓	
Parents(s) and 2 children of the same gender aged between 10 and 20.		✓	
Parent(s) and 2 children regardless of gender aged 0 to 9.		✓	
Parent(s) and 2 children same gender 0 to 9.		✓	
Parent(s) and 3 children 2 of the same gender aged between 10 and 20 and plus 1 other child.			✓
An extra bedroom may be allocated for those who need an overnight carer(s) subject to sufficient evidence provided and Housing Benefit has been agreed and confirmation provided.			

The table will, in general, relate to market and city areas due to the higher level of available stock. However, in rural areas due to limited availability of stock and where two bedroom accommodation has been built for long term sustainability, under occupancy for two bed accommodation may be permitted for single households where the HA is satisfied that affordability permits.

Assessments will be undertaken by HA. The bedroom allocation criteria is compatible with the Welfare Reform Act 2012 which will ensure that where possible those on housing benefit can afford the property they wish to rent and will therefore help prevent the applicant from getting into any financial difficulties with rent arrears.

3.5 Bidding for properties

Properties are advertised on a weekly basis and can be viewed on the Home Point website: www.home-point.info. Advertisements are also displayed at Franklin House, 4 Commercial Road, Hereford, HR1 2BB and in partner offices (see appendix 1).

Where a S106 applies, for rural schemes, in addition to the advertising mentioned above, details will be circulated to the local Ward Member or Parish Council Clerk for distribution locally. Please contact your local Parish Clerk or Ward Member for information.

Bids can be placed via the following:

- Online at www.home-point.info
- Herefordshire Council Info Centres (www.herefordshire.gov.uk for details)
- SMS text message service to bid: 07781482312
- Automated telephone line: 0845 2702550

The results of the successful bids are all available to view on the Home Point website following the allocation of the property. This is usually published within 28 days.

Herefordshire Council reserves the right to bid of behalf of an applicant under Part 7 of the Housing Act 1996, where the property is deemed to be suitable.

3.6 Allocation of Accommodation

The Housing Associations, **not Home Point**, allocate accommodation based upon their own criteria. Whilst common approaches have been agreed, as much as possible, some details may vary. Home Point uses this policy to nominate eligible households to Housing Associations for further consideration.

Home Point partners reserve the right to withhold properties from the Home Point choice-based lettings 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
- 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”.

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; HAs may advertise and give preference to the most suitable applicants.

When a property is allocated by the HA, notification will be given on the Home Point website identifying the preference band of the successful applicant and the number of bids received for that property.

Home Point Partners reserve the right to offer a direct match of accommodation, in some circumstances, to ensure best use of housing stock to meet the housing needs of the applicant, or existing tenant. Examples may include, but are not limited to:

- Supported accommodation to move on
- As directed by the special cases panel
- Those wishing to downsize
- Adapted properties which meet particular needs of a household.

From time to time the Home Point Partnership Board can agree to prioritise categories to enable best use of housing stock. This may include housing associations allocating accommodation to specific bands of applicants during a particular period of time.

Subject to complying with existing agreements under Section 106 of the Town and County Planning Act 1009 (as amended) or other pre-existing 100% nomination arrangements for specific schemes, Home Point Partners are able to advertise 25% of all available properties as being open to applicants who are existing tenants (or to specify that for those properties first priority will be given to existing tenants) wither with the relevant Housing Association or with other participating Housing Associations.

Housing Associations reserve the right to advertise properties for specific criteria within a given band to better meet the needs of the community and make best use of stock.

Amendments under the Localism Act 2011 to Part VII of the Housing Act 1996 now gives authorities the power to end the main homelessness duty with an offer of suitable private rented accommodation, without requiring the applicants consent. Where it is suitable and appropriate to do so, an offer of private rented accommodation will be made in accordance with Supplementary Guidance on the Homelessness Changes, in the Localism Act 2011 and on the Homelessness (suitability of accommodation (England)) order 2012.

If it is decided that an affordable property is more suitable for the applicant, where 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 refused by the HA under their allocation 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 they will be reallocated into the Red band.

3.7 Waiting Time

Prioritisation within each banding will be based on the length of time that need has been assessed or date of registration if need hasn't changed over time. Waiting time will begin from the date of registration, at which point appropriate evidence has been assessed and will continue until the need changes.

If the need changes the applicant must inform Home Point who will then reassess and reband accordingly. If an applicant is moved up into a higher band (following assessment) then the date they moved into that band will be their new waiting time. Please note it can take up to four weeks to assess a banding, from the date Home Point are notified of the change in need.

If after reassessment the applicant remains in the same band then the date they were registered will continue.

Please note that a new waiting time start date will apply if an applicant is taken off the register, due to review or if housing need no longer exists, and then reapplies when a housing need arises.

3.8 Local Letting Plans

Local letting plans may be used to achieve a wide variety of housing management and policy objectives. For example, to deal with concentrations of deprivation, 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. These will be agreed in writing by the local authority and reviewed regularly to ensure the arrangements are still required.

3.9 Why are some properties only available under a Section 106?

Some properties, may be subject to occupancy restrictions under agreements within the Section 106 of the Town and Country Planning Act 1990 (as amended), which were placed upon the property at the point of construction and will remain in place.

For rural affordable housing schemes, such as those built on rural exception sites, the Section 106 will include clauses to ensure that the homes remain affordable in perpetuity to meet local identified households' needs now and in the future. They will be allocated to people with a local connection through the local authorities housing register managed by Home Point.

Such properties will require a local connection to the parish / town where they are developed. If properties remain empty and no one with a local connection is seeking rehousing at that time, the properties will then be advertised to households with local connections to the cascading parishes.

Where properties have occupancy restrictions this will be stated within the property advertisement that a S106 applies or a local connection is required. If additional information is required at the point of advertising, it is recommended that the HA is contacted directly to clarify any information on each property.

SECTION 4: ENSURING EQUALITY

Herefordshire Council is committed to effectively serving all members of the community to ensure that all strategies and policies consider all groups and sections of Herefordshire's communities. Herefordshire Council have signed up to the Herefordshire Equality and Human Rights Charter and recognise that some people may experience discrimination and be disadvantaged because of their individual characteristics or social identity, including (but not limited to) their race, disability, gender, age, religion or belief, sexual orientation, gender reassignment, marriage or civil partnership.

This policy seeks to address the imbalance between those who can and cannot access housing on the open market by specifically targeting groups of people who are disadvantaged for any reason.

Equality and diversity issues will be considered when working with partners to implement this policy, in order to ensure that no group is excluded and to make certain that those who are most in need of help and support, are taken into account.

Herefordshire Council expects all HAs to ensure that they follow the Equality Act 2010 and have their own Equal Opportunities policies available.

Under the Equality Act 2010, local authorities have a legal duty (the Public Sector Equality Duty) to pay due regard to:

- Eliminate unlawful discrimination, victimisation and harassment.
- Promote equality with regard to the protective characteristics
- Promote good relations.

The law requires that due regard is demonstrated in any decision making process. The following sections detail how equality is ensured, including the appeals procedure every applicant is entitled to follow if they feel they are dissatisfied with any decision made.

4.1 Review of Application

To ensure the register is accurate and up to date, all applicants will be reviewed annually (on the anniversary of their initial registration date) and will be asked to ensure that the information held reflects their current circumstances. If an applicant does not respond to the correspondence to update their records, it will be considered that they are no longer in need of accommodation and consequently will be taken off the Home Point register after 28 days notice.

Any applicant has a right to make an appeal if they are unhappy with their application being removed.

4.2 Appeals and complaints

All applicants have the right to information about decisions which are taken in respect of their application. All applicants have a right to make an appeal if they are unhappy with any decision made regarding their registration by Home Point, for example a banding decision or a decision to exclude them from the register.

4.2.1 Registration and nomination appeals

With regard to registration and nomination decisions made by Home Point, the applicant should appeal in writing and submit the appeal to the Home Point Principal Officer at Herefordshire Council. An applicant can appoint an advocate and once appointed the Home Point Principal Officer will deal directly with that advocate. The appeal will be dealt with by the Home Point Principal Officer, who was not involved in the original decision.

There are two stages to the appeal process:

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.

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.

4.2.2 Complaints

If you are not happy with the level of service received from Herefordshire Council please contact Herefordshire Council's Customer Insight Unit who will listen to your complaint fully and discuss with you how we can resolve issues to your satisfaction through an agreed complaints handling plan.

To make your complaint you can:

- Complete an online feedback form (<https://www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/complaints-and-feedback-making-experiences-count/complaints-and-feedback-form/>)
- Telephone the Customer Insight Unit on 01432 260535
- Email feedback@herefordshire.gov.uk
- Call into any of Herefordshire Council's Customer Service Centres, where a member of the customer service team will be able to help you. (For location details please visit www.herefordshire.gov.uk).

4.3 False statement and withholding information

This policy falls within the provisions of Part 6 of the Housing Act 1996 and as such 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 has 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 7 of the Housing Act 1996 (as amended). 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 HA may bring possession proceedings for recovery of the property.

SECTION 5: GOVERNANCE ARRANGEMENTS

The Home Point Partnership Board will monitor the implementation of this Housing Allocation Policy and will be proactive in monitoring its effects.

Herefordshire Council will review this policy on an annual basis in order to ensure that it continues to address the needs of all communities across Herefordshire, with the first review to be undertaken and published 12 months after the implementation of this policy.

Any changes that are made to this document, resulting from its annual review, will be implemented following a 28 day consultation period with all partner HA's.

SECTION 6: GLOSSARY AND DEFINITION OF TERMS

TERM	DEFINITION
Accommodation of Choice	Accommodation of Choice is dealt with and addressed through Legislation and Case Law in relation to Homelessness Decisions and 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.
Affordable Housing	Housing provided at below market prices and allocated on the basis of need to people who live or work in Herefordshire or need to move to Herefordshire to receive/provide support and who are unable to purchase or rent properties generally available on the open market without financial assistance, as their only home. For further definitions of affordable housing please visit: http://www.herefordshire.gov.uk/housing/36077.asp
Affordable Rented	Rented housing usually owned and managed by housing associations BUT not subject to the national rent regime but is subject to other rent controls. This requires a rent of no more than 80% of the open market rent (including service charges, where applicable).
Allocation Policy	Under the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011), every local housing authority in England must have an allocation policy for determining priorities and detailing the procedures that are to be followed in allocating housing. This policy document describes the criteria that Herefordshire Council uses to register and prioritise applications for affordable housing in Herefordshire.
Bedroom Standard	The bedroom standard allocates a separate bedroom to each: <ul style="list-style-type: none"> • An adult couple • A person over 21 • 2 young persons 10-20years 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 (not necessary of same sex) • Any unpaired young persons 10-20 years or unpaired children under 10

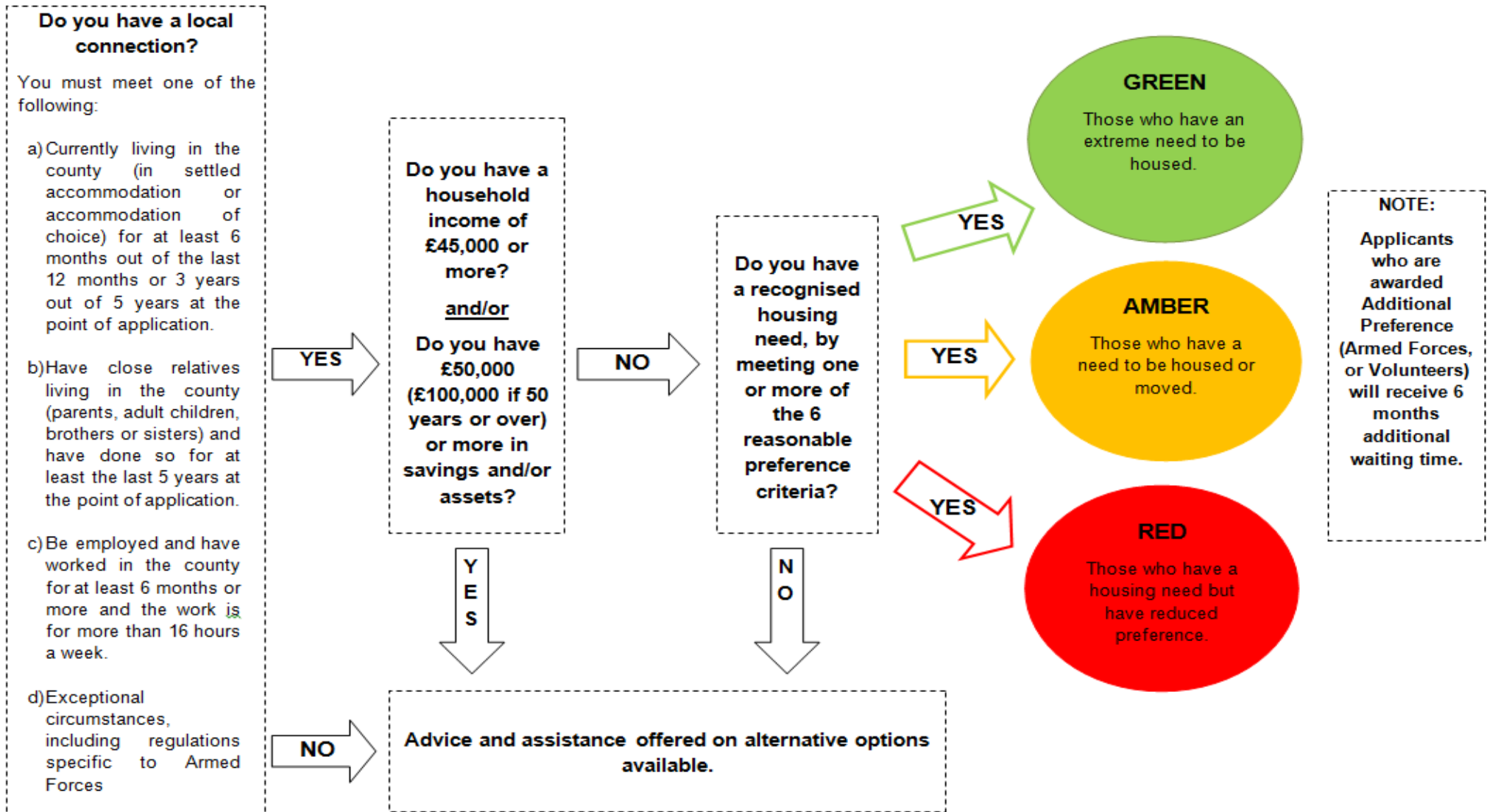
Bidding for a property	The process of telling Home Point that you would like to live in a property. A bid of interest can be made by telephone, internet or by visiting one of the Partner offices.
Category 1 hazard	Category 1 hazards are serious hazards found in a dwelling upon which the Local Authority has a duty to take action.
Choice-based lettings	A scheme that gives all applicants a greater degree of choice when applying for a home.
Eligibility	This term is used to confirm acceptance or qualify to be chosen/accepted.
Equality Act 2010	The law requires that 'due regard' is demonstrated in the decision making process. Proposed changes to policies procedures and practice, is a way of 'due regard' can be demonstrated and we need to ensure the needs and the rights of different members of the community (the equality groups). The protected groups are: <ul style="list-style-type: none"> • Age • Disability • Gender • Reassignment • Marriage and Civil Partnerships • Pregnancy and Maternity • Race • Religion or Belief • Sex • Sexual Orientation.
Herefordshire Compact	Herefordshire Compact is the mutually agreed framework to promote and support partnership working between the voluntary and community sectors, and public bodies to benefit people living in the county.
Home Point	The name of the choice-based lettings scheme in Herefordshire by which properties are advertised.
Homeless From Home	Applicants who are owed a full duty under the Housing Act 1996 Section 195 (2) where a parental eviction or a valid Notice To Quit has been issued and they are able to remain at the property until suitable accommodation can be found. S195 (2) The Duty to take reasonable steps to secure that accommodation does not cease to be available for those applicants who are threatened with homelessness, in priority need and are threatened with homelessness unintentionally.
Homelessness Act 2002	The Homelessness Act 2002 made amendments to the Housing Act 1996 and also placed a duty on Local Authorities to review homelessness and to produce a homelessness strategy. For more information on these acts please see www.legislation.gov.uk
Housing Act 1996	An Act to make provision about housing, including provision about the social rented sector, houses in multiple occupation, landlord and tenant matters, the administration of housing benefit, the conduct of tenants, the allocation of housing accommodation by local housing authorities and homelessness; and for connected purposes.

Housing Act 2004	Legislation aimed to strengthen the Government's drive to reform the housing market, meeting its 2010 decent homes target, whilst further enhancing local communities. Parts 1 and 2 introduce the Housing Health and Safety Rating System and Mandatory licencing of larger high risk Houses in Multiple Occupation as a means of improving private sector accommodation.
Housing Associations (HA)	Housing Associations are not for profit organisations that are essentially landlords providing affordable housing. Housing Associations can also be known as Registered Providers, Affordable Housing Providers or Registered Social Landlord and will generally be regulated by the Homes and Communities Agency.
Housing need	Households are deemed to be in need if they are lacking their own housing or living in housing which is inadequate or unsuitable and are unlikely to be able to meet their needs in the housing market without some assistance.
Housing register	Is a list of eligible households seeking affordable housing.
Intermediate Rental	Homes for rent provided at a cost above social rent, but below market levels. In Herefordshire, Intermediate Rents are set at 80% of the local housing allowance.
Local connection criteria	See section 2.1 of policy for details.
Local Lettings Plan	Local Lettings Plans are agreed local plans for the allocation and letting of properties. Local Lettings Plans may be used with certain defined geographical areas and can be used to make adjustments to the main allocations and lettings policy to meet specific local needs and issues at that time.
Localism Act 2011	The act aims to shift power from central government back to individuals, communities and councils. The Localism Act includes five key measures: <ul style="list-style-type: none"> • Community Rights • Neighborhood planning • Housing • General power of competence • Empowering cities and other local areas. <p>For more information please refer to: http://www.local.gov.uk/localism-act</p>
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 within the Technical Data supporting the Planning Obligations SPD (2008).
Mutual exchange	A swap of accommodation between two affordable housing tenants that relies on each tenant moving permanently into the other persons / tenants property having received both landlords permission to proceed.
Person in control	This may be the owner of the property, landlord, freeholder, letting agent.
Private Landlord	Someone who owns and lets properties other than a council or housing association.
Reasonable Preference	The Housing Act 1996 (as amended), requires Local Authorities to provide 'Reasonable Preference' in their Allocation Policy to people with high levels of assessed housing need these are defined as the following: <ul style="list-style-type: none"> • All homelessness people as defined in part VII of the Housing Act 1996 (including those who are intentionally homeless and those not in priority

	<p>need)</p> <ul style="list-style-type: none"> • 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), • People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions • People who need to move on medical or welfare grounds, including grounds relating to disability and; • People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or others). The Communities and Local Government guidance defines this as ‘a person who needs to move to a different locality in order to give or receive care, to access specialised medical treatment, or to take up a particular employment, education or training opportunity’ (please see Allocation of accommodation: guidance for local housing authorities in England, p19).
Regular Forces	As detailed in s.374 of the Armed Forces Act 2006, 'Regular Forces' means the Royal Navy, the Royal Marines, the regular army or the Royal Air Force.
Reserved Forces	As detailed in s.374 of the Armed Forces Act 2006, 'Reserve Forces' 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.
Section 106	A contract entered into by a local planning authority and an individual property developer under Section 106 of the Town and Country Planning Act 1990 under which the developer agrees to provide defined facilities, or contributions, as part of the proposed development. Such planning obligations are often used as a legally binding agreement between a local authority and developer to deliver affordable housing within a development including occupancy criteria.
Settled Accommodation	<p>Settled Accommodation is dealt with and addressed through Legislation and Case Law in relation to Homelessness Decisions. Essentially any accommodation that is precarious, short term or insecure is not considered settled. Examples of settled accommodation include, but are not limited to:</p> <ul style="list-style-type: none"> • Freehold or Leasehold Ownership • A tenancy enjoying security of Tenure (An 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.
Shared ownership	A type of Affordable housing which enables a household to buy a share in a property and pay rent on the remaining share which is owned by a housing association. Usually the maximum share owned cannot exceed 80% of the property value.

Shortlist	A list of applicants that have expressed an interest in a particular property advertised through Home Point at the close of bidding.
Social Rented	Rented housing usually owned and managed by housing associations, for which guideline target rents are determined through the national rent regime.
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.
The Homelessness Suitability of Accommodation (England) Order 2012	<p>The Suitability of Accommodation (England) Order 2012 requires local authorities to put in place arrangements to ensure that private rented sector offer of accommodation is suitable. The location requirements of the Order also extend to any accommodation secured under Part VII of the Housing Act 1996 (including temporary accommodation).</p> <p>http://www.legislation.gov.uk/uksi/2012/2601/made or</p> <p>https://www.gov.uk/government/publications/homelessness-changes-in-the-localism-act-2011-supplementary-guidance</p>
Welfare Reform Act 2012	<p>The Act legislates for the biggest change to the welfare system for over 60 years. It introduces a wide range of reforms that will deliver a fairer and simpler system by:</p> <ul style="list-style-type: none"> • creating the right incentives to get more people into work • protecting the most vulnerable in our society • delivering fairness to those claiming benefit and to the taxpayer.

SECTION 7: ALLOCATION POLICY SUMMARY



APPENDIX 1: HOME POINT PARTNERS

The following are members of the Home Point Partnership, which operates under an agreement:

Partner Agency	Website	Herefordshire Office (where hard copy application forms are available)
Herefordshire Council	www.herefordshire.gov.uk	Franklin House, 4 Commercial Road, Hereford HR1 2BB
Herefordshire Housing Ltd	www.hhl.org.uk	<p>Head Office: Herefordshire Housing Ltd. Legion Way, Hereford, HR1 1LN</p> <p>City Centre Office: One-Stop Shop 84-86 Widemarsh Street, Hereford, HR4 9HG</p> <p>South Wye Office: Jubilee Court Community Facility, Kilvert Road, Newton Farm, Hereford, HR2 7FE.</p>
Kemble Housing	www.kemblehousing.co.uk/home	44 Berrington Street, Hereford HR4 0BJ
Marches Housing Association	www.marchesha.co.uk	Benedict Court, Southern Avenue, Leominster, Herefordshire, HR6 0QF
Sanctuary Housing	www.sanctuary-housingmidlands.co.uk/	Please note that these partners do not have an office within Herefordshire. For a hard copy of the Home Point Application form please contact your landlord directly.
South Shropshire Housing Association	www.sshropsha.co.uk/	
Two Rivers Housing	www.tworivershousing.org.uk/	
Bromford Housing Group	www.bromfordgroup.co.uk	
Festival Housing	www.festivalhousing.org	
Guinness Hermitage	www.guinnesshermitagegloucester.co.uk	

Please note that this list is not exhaustive and does not include all providers who have housing stock within Herefordshire.

APPENDIX 2: RURAL LOCALITIES

Please find listed below villages within Herefordshire where the population is below 3,000.

Source: 2011 Census, Office for National Statistics © Crown Copyright 2012

Abbey Dore; Bacton	Eardisley	Marstow
Aconbury; Little Birch	Eaton Bishop	Mathon
Acton Beauchamp; Evesbatch	Edvin Loach & Saltmarshe; Tedstone Wafer	Michaelchurch Escley
Adforton	Edwyn Ralph	Middleton on the Hill
Allensmore	Eggleton; Stretton Grandison	Moccas
Almeley	Elton; Leinthall Starkes; Pipe Aston	Monkland & Stretford
Ashperton	Ewyas Harold	Mordiford
Aston Ingham	Eye, Moreton & Ashton	Moreton Jeffries; Much Cowarne
Avenbury	Eyton	Moreton-on-Lugg
Aylton	Felton; Ocle Pychard	Much Birch
Aymestrey	Ford & Stoke Prior; Newton (Leominster)	Much Dewchurch
Ballingham; Bolstone	Fownhope	Much Marcle
Bartestree	Foy	Munsley; Pixley
Birley with Upper Hill	Ganarew; Whitchurch	Newton (S Herefordshire)
Bishop's Frome	Garway	Norton Canon
Bishopstone	Goodrich; Welsh Bicknor	Norton
Blakemere; Tyberton	Hampton Bishop	Orcop
Bodenham	Hampton Charles; Hatfield & Newhampton	Orleton
Bosbury; Coddington	Harewood; Pencoyd; Tretire with	Pembridge
Brampton Abbotts	Michaelchurch	Pencombe with Grendon Warren
Brampton Bryan; Willey	Hentland	Peterchurch
Bredenbury	Holme Lacy	Peterstow
Bredwardine	Holmer & Shelwick	Pipe & Lyde
Breinton	Hope Mansell	Preston Wynne
Bridge Sollers; Byford; Mansell Gamage	Hope Under Dinmore	Preston-on-Wye
Bridstow	How Caple	Pudleston
Brilley; Huntington	Humber	Putley
Brimfield	Kenchester; Stretton Sugwas	Richards Castle
	Kenderchurch; Treville; Wormbridge	

Brinsop & Wormsley
Brobury with Monnington-on-Wye; Staunton-on-Wye
Brockhampton; Whitbourne
Brockhampton with Much Fawley

Buckton & Coxall; Walford, Letton & Newton
Burghill
Burrington; Downton
Byton; Combe; Kinsham
Callow; Grafton
Canon Frome; Castle Frome
Canon Pyon; Dinmore
Clehonger
Clifford
Collington; Thornbury
Colwall
Cradley
Craswall
Credenhill
Croft & Yarpole
Cusop
Dewsall; Haywood
Dilwyn
Dinedor
Docklow & Hampton Wafer; Grendon Bishop
Donnington; Eastnor
Dormington; Stoke Edith
Dorstone
Dulas; Llancillo; Rowstone
Eardisland

Kentchurch

Kilpeck
Kimbolton
Kings Cuple
King's Pyon
Kingsland
Kingstone; Thruxton
Kington Rural; Lower Harpton
Kinnersley; Sarnesfield; Letton
Knill; Rodd, Nash & Little Brampton; Titley
Lea
Leintwardine
Leysters
Lingen
Linton (Bromyard)
Linton (Ross)
Little Cowarne
Little Dewchurch
Little Hereford
Little Marcle
Llandinabo; Llanwarne
Llangarron
Llanrothal; Welsh Newton
Llanveynoe
Longtown; Walterstone
Lucton
Lugwardine
Luston
Lyonshall
Madley
Mansell Lacy
Marden

Ross Rural

Sellack
Shobdon
Sollers Hope; Yatton
St. Devereux
St. Margarets
St. Weonards
Stanford Bishop
Stapleton
Staunton-on-Arrow
Stoke Lacy
Sutton
Tarrington
Tedstone Delamere
Turnastone; Vowchurch
Ullingswick
Upper Sapey; Wolferlow
Upton Bishop
Wacton
Walford
Wellington Heath
Wellington
Weobley
Westhide; Withington
Weston Beggard
Weston Under Penyard
Whitney-On-Wye
Wigmore
Willersley & Winforton
Woolhope
Yarkhill
Yazor