

Housing Allocation Scheme

H2

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1 Introduction

This policy sets out the way that the Council allocates social housing in the Rochford District. It is intended to be simple, easy to understand, transparent and fair. It also aims to give applicants a choice as to where they live.

The policy sets out who can apply for housing, how applications are assessed and how tenants are selected. The policy takes into account the requirements of the Housing Act 1996, the Homelessness Act 2002, as well as relevant circulars and guidance.

1.1 Background

The Council does not own any housing stock. All social housing in the District is owned and managed by housing associations, and the Council has agreements with many of these, enabling it to nominate prospective tenants to vacancies that arise.

There are relatively low levels of social housing in the District and although the Council is continually working with housing associations to provide more accommodation, only a limited number of vacancies arise each year. Priority is therefore given to those applicants with the highest need, who have a local connection with the Rochford District and who do not have the financial resources to meet their housing costs. Consequently many applicants will have no realistic prospect of being nominated in the foreseeable future.

1.2 Outline

The majority of applicants will be placed in one of five bands, A to E, according to their housing need and their connection with the District. A limited number of these applicants will then be invited to 'bid' (express an interest) in a property when it becomes vacant. Nominees will be selected from those who bid. Because of the low number of vacancies, bids are only likely to be invited from applicants in Bands A, B or C.

There will, however, be a few circumstances where the Council will directly nominate an applicant for a vacancy outside of the bidding process. In addition, the Council recognises that there are advantages in allowing existing housing association tenants living in the District, who do not have a housing need, to either downsize or simply move to another part of the District. Providing the Council has nomination rights to the vacancy created, these applicants will be placed on a separate transfer list and the Council will aim to nominate from this list for up to 5% of vacancies.

1.3 For more information contact:

The Housing Allocations Team
Phone: 01702 318027/318066/318030
Email: housingallocations@rochford.gov.uk

2 Applying to Join the Register

Anyone can apply to join the Housing Register. However, certain people will not be eligible for an allocation (see Section 6 on page 10).

Applicants must be over 16 years of age. Anyone aged between 16 and 18 will not normally be accepted unless a guarantor is provided, a guarantor could be Social Services Department, and the Council has a duty (under Homelessness legislation) to provide accommodation. The nomination of someone under the age of 18 is at the discretion of the Council.

For sheltered housing and pensioner-designated dwellings, applicants normally have to be over 60 years old (for couples both must be over 60). For 1-bed non-sheltered bungalows, applicants must be over 55 years of age (for couples, one must be over 55).

To join the Housing Register, application form H1 'Applying for Housing in the Rochford District' must be completed. The form must be signed, dated and returned, together with any necessary supporting evidence.

The Allocations Team will provide assistance to those who need help to complete an application.

Making false statements on an application (or withholding any information) to obtain a tenancy could lead to eviction and is a criminal offence for which a fine may also be payable on conviction.

If an applicant's circumstances change, they must contact the Allocations Team to update their records, to enable their assessment to be reviewed.

Applicants can choose from up to twelve different areas in the District where they would like to live. The amount of social housing in each area varies considerably and the more areas an applicant selects, the greater the chance of securing a property. The areas are:

Ashingdon	Hawkwell	Rawreth
Barling Magna	Hockley	Rayleigh
Canewdon	Hullbridge	Rochford
Great Wakering	Paglesham	Stambridge

3 Assessing an Application

An application will only be assessed once a fully completed Housing Register Application form is received, together with any necessary supporting evidence/information.

The assessment will normally take into account an applicant's circumstances, their housing need and their local connection with the Rochford Council District. The assessment will also consider whether the applicant has sufficient financial resources, both in terms of income and capital, in order to resolve their housing situation. These criteria may not all be relevant or appropriate in respect of direct nominations or transfer list applications.

Housing need is determined having regard to the reasonable preference criteria laid down in legislation which includes:

- People who are homeless.
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- People who need to move on medical or welfare grounds including grounds relating to a disability.
- People who need to move to a particular locality in the District where failure to move would cause hardship to themselves or others.

Applicants who do not submit a full application will be given an opportunity to provide the missing information and/or evidence. Failure to provide any missing information and/or evidence in a reasonable time will result in the application being closed.

The Allocations Team Leader will assess medical or welfare needs, after considering any supporting information provided by health, social care or other (relevant) professionals. In the case of medical circumstances, advice may be sought from an Independent Medical Adviser. Any identified housing need will be graded as follows:

- Category A – Urgent need for re-housing.
- Category B – High need for re-housing.
- Category C – Re-housing required but not urgent.

Local connection will be determined in accordance with section 199 of the Housing Act 1996 and any related guidance. In order for an applicant to have a local connection with the District, they must have a connection through one of the following reasons:

- Residence – this normally means the applicant or a member of their household has resided in the District for six months out of the last twelve months, or for three years in the last five years.
- Family associations – this normally means the applicant or a member of their household has close family who have lived in the District for at least five years i.e. mother, father, brother, sister, but this will be at the discretion of the Allocations team.
- Work – this normally means the applicant or a member of their household is employed in the District, other than on a casual basis.
- Special reasons – this means the applicant is considered to have a connection due to special circumstances outside of the above criteria.

Any children included in an application must normally be dependent on and live with the applicant. However, if someone has regular access rights and can provide strong supporting documentation evidencing this, they may apply for one additional bedroom above their needs. Those that decide not to apply for the additional bedroom and accept a smaller property will not normally then be entitled to re-apply for a larger property.

As part of the assessment process, an applicant's landlord (or mortgage provider) may be contacted for a reference.

Applicants will be given written notification of the outcome of the assessment. For those who are accepted, this will include confirmation of the active date (the date at which an application was registered) and the band they have been placed in (see Section 4). They will also be informed of their position in the band. Applicants accepted for the transfer list will receive confirmation of the active date and their position on the list.

A change in circumstances may result in an applicant moving to a higher or lower band. Where an applicant moves to a lower band, they will keep their active date but if they move to a higher band, the active date will be re-set to the date the change occurred.

Transfer applicants who subsequently have a housing need as a result of a change in circumstances, will be placed in the appropriate band and the active date will be re-set to the date of the change.

Applicants have the right to request a review or appeal on the decision made regarding their eligibility to join the register, following the assessment of their application (see Section 8 on page 13).

4 Banding

Applications will be placed in one of five bands from A to E, according to housing need and local connection. Within each band the active date will be the determining factor.

- **Band A (Urgent priority)**

Homelessness

Applicants owed a duty by the Council under section 193(2) of the Housing Act 1996 (or section 65(2) or 68(2) of the Housing Act 1985).

Environmental

Applicants occupying insanitary housing or otherwise living in unsatisfactory housing conditions where repairs/improvements are unlikely to be completed in a reasonable period of time.

Applicants living in accommodation that is statutorily overcrowded.

Care leavers/move on

Applicants leaving care provided by a Local Authority under the Children Acts (or other statutory duty).

Applicants ready to move on from schemes the Council had referred them to or where the Council would have a housing duty on leaving.

Medical or Welfare

Applicants awarded an A grade.

Violence/Harassment

Applicants suffering persistent harassment, violence or abuse.

- **Band B (High priority)**

Threatened Homelessness

Applicants who are owed a duty under section 195 (2) of the 1996 Act (priority need and not threatened with homelessness intentionally).

Medical/Welfare

Applicants awarded a B grade.

Need to move

Applicants who need to move to a particular locality in the District where failure to meet that need would cause hardship to themselves or others.

- **Band C (Moderate priority)**

Other Homelessness

Applicants who are homeless (within the meaning of Part 7 of the 1996 Act) including people who are owed a duty by the Council under section 190(2) (intentional homelessness), or occupying accommodation secured by the Council under section 192(3) (no priority need but not intentionally homeless).

Medical/Welfare

Applicants awarded a C grade.

Environmental

Applicants lacking one or more bedrooms (non-statutory overcrowding).

Applicants occupying insanitary housing or otherwise living in unsatisfactory housing conditions where repairs/improvements are likely to be completed in a reasonable period of time.

Sharing/lacking facilities

Applicants sharing facilities with persons other than the applicant's household.

- **Band D (low priority)**

Applicants with a housing need but no local connection.

- **Band E (no priority)**

Applicants with no housing need.

Applicants who have sufficient financial resources to resolve their housing situation.

- **Transfers**

Existing social tenants living in the District who do not have any housing need but wish to either down-size or move to another part of the District will be placed on a separate list, **providing** the Council has nomination rights to the resulting vacancy in the event of a move. Applications will be placed in the following order of priority.

- number of bedrooms given up;
- moving from general needs housing to older persons housing or sheltered accommodation;
- moving to a similar size property.

Where applicants have equal priority, the active date will be the determining factor.

Existing social tenants with a housing need will be placed in one of the five bands referred to above.

5 Nominations

5.1 Bidding (expressing an interest)

When a suitable property becomes available up to ten of the highest placed applicants will be invited to bid (express an interest) for it. Details of the property will be provided to enable applicants to make an informed choice. Invitations and information will be provided via phone, email, letter or other formats as appropriate.

Bids must be submitted by close of business on the 1st working day, following the day that a bid is invited.

A bid will be automatically submitted on behalf of those homeless applicants in Band A, who are eligible to bid, except where a direct nomination is to be made under 5.2 below.

Applicants can only bid for one property at a time. Bids can be made by letter, email, telephone, or any other method agreed by the Council. Bids can also be made by visiting the Council Offices and speaking to the Allocations team.

Applicants who bid will be shortlisted by band and active date.

Up to four shortlisted applicants will be nominated to the Registered Social Landlord (RSL). The relevant applicants will be advised accordingly.

If there are not enough bids, and in order to make sufficient nominations, then the next highest placed applicants will be invited to bid.

Shortlisted applicants will not receive another invitation to bid until the Council receives confirmation of which bid has been successful.

5.2 Direct nominations

An applicant may be nominated directly, instead of through the bidding system, in certain circumstances including:

- Where a homeless applicant in Band A has the greatest priority for the property in question
- For emergency or strategic reasons e.g. where a home needs to be redeveloped.
- In response to requests from the National Witness Mobility Service, the Police (or other similar agency), or in connection with an Order of the Court or under Multi Agency Public Protection Arrangements
- If a property has been extensively adapted and an applicant requires that adaptation.
- In respect of properties designated for specific applicants e.g. key workers.
- In respect of specific housing schemes, in accordance with a relevant agreement.
- In respect of displaced agricultural workers (under the Rent Agricultural Act 1976 s28), following advice from the Agricultural Dwelling-House Advisory Committee or any superceding authority.

5.3 Transfers

Applicants on the transfer list will be nominated directly instead of through the bidding system.

6 Exclusions and Suspensions

The following applicants are not eligible for an allocation and will be excluded:

Certain applicants according to their immigration status

The law specifies that certain persons from abroad cannot be allocated accommodation. Further information on this matter can be obtained from the Allocations Team.

Applicants guilty of unacceptable behaviour

An applicant, or a member of their household, who has been found guilty of unacceptable behaviour serious enough to make them unsuitable as a tenant (i.e. a Possession Order could be obtained under the Housing Act 1985 s.84 in relation to any of the grounds in Part 1 of Schedule 2 other than Ground 8 if the applicant were a secure tenant), and at the time of the application, is still considered to be unsuitable.

Examples of unacceptable behaviour include:

- Causing annoyance to neighbours.
- Violence towards a partner or family member.
- Being convicted of using a home for immoral or illegal purposes.
- Obtaining a tenancy by deception.
- Having significant rent or mortgage arrears.
- Applicants who have deliberately made their housing situation worse.

The following people will be temporarily suspended from the register:

An applicant who knowingly withholds information or gives false or misleading information in their application will be suspended for one year.

An applicant with rent arrears (not deemed serious enough to be considered guilty of unacceptable behaviour), will be suspended from the register until they enter into and maintain a regular repayment plan for at least six months, or substantially reduce their arrears. Nomination before the arrears are cleared in full will be at the discretion of the Council. Acceptance of the nomination will be at the discretion of the relevant housing association.

If an applicant is invited to bid ten times and declines to bid for any properties, their application will be downgraded one band for twelve months. After this date, their application will return to the previous band but the active date will be re-set.

Where an applicant submits a successful bid and refuses to either:

- (a) be nominated;
- (b) visit the property;
- (c) co-operate with the housing association; or
- (d) accept an offer.

on three occasions, they will be suspended for one year. **This does not apply to homeless applicants in Band A, who will be required to co-operate and will only be entitled to one suitable offer.**

Once the period of suspension has finished the application will be reinstated at the original active date.

7 Accommodation Size

Applicants will be eligible for properties of the following size:

Number of Bedrooms	Household Type (an adult is a person over 18)
Bedsits	Single people
One Bedroom	One adult Two adults
One bed flat or bungalow (OAP designated)	One adult over 55 Two adults over 55
Two bedrooms	Two adults, not living as a couple One adult plus one child Two adults plus one child One adult plus two children, same sex Two adults plus two children, same sex One adult plus two children, different sex, both under 7 Two adults plus two children, different sex, both under 7 Couple plus one other adult
Three Bedrooms	Three adults (no couples) Couple plus two single adults One adult plus two children, different sex, one aged over 7 Two adults plus two children, different sex, one aged over 7 One adult plus three children Two adults plus three children One adult plus four children Two adults plus four children
Four bedrooms – including properties with three bedrooms and two living rooms	Families that are larger than those described above

8 Rights, Reviews and Appeals

Applicants have the following rights:

- (a) The right to general information regarding how their application is likely to be treated under this policy, and in particular, whether it falls within the reasonable preference categories.
- (b) The right to information about whether accommodation appropriate to their needs is likely to be made available for them, and if so, how long it is likely to be before such accommodation becomes available to them.
- (c) The right to be notified in writing of any decision that they or a member of their household has been guilty of unacceptable behaviour, serious enough to make them unsuitable to be a tenant.
- (d) The right to request to be informed of any decision about the facts of their case, which is likely to be or has been taken into account, in considering whether to allocate accommodation to them.
- (e) The right to request a review of a decision under (b) and (c) above and any decision that they are ineligible for an allocation. This includes the right to ask for a review of any decision to suspend an applicant under the provisions of paragraph 6 above.

If an applicant believes an incorrect decision has been made and would like a review, they must contact the Council in writing within 28 calendar days of the decision, explaining their reasons. Letters should be sent to:

The Strategic Housing Manager, Rochford District Council, Council Offices,
South Street, Rochford, Essex SS4 1BW

The case will be reviewed within 10 working days. Applicants have a right of appeal on the decision of the review within 28 calendar days to:

The Head of Community Services, Rochford District Council, Council Offices,
South Street, Rochford, Essex SS4 1BW

Useful Addresses

<p>Housing Allocations Team</p> <p>Rochford District Council South Street Rochford Essex SS4 1BW</p> <p>Phone: 01702 318027/318066/318030</p> <p>Email: housingallocations@rochford.gov.uk</p>	<p>Homelessness and Housing Advice</p> <p>Rochford District Council South Street Rochford Essex SS4 1BW</p> <p>Phone: 01702 318158/318157/318069</p> <p>Email: Homelessness.Housingadvice@rochford.gov.uk</p>
<p>Rochford Citizens Advice Bureau</p> <p>Back Lane Rochford Essex SS4 1AY</p> <p>Phone: 0844 477 0808</p>	<p>Rayleigh Citizens Advice Bureau</p> <p>Civic Suite Hockley Road Rayleigh Essex SS6 8EB</p> <p>Phone: 0844 477 0808</p>
<p>Rayleigh & Rochford Association of Voluntary Services</p> <p>105a High Street Rayleigh Essex SS6 7QA</p> <p>Phone: 01268 775255</p>	

Notes



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