



Allocations Policy 2025-2030

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Version control

Policy adopted	19 June 2025	New policy adopted by Communities, Wellbeing and Housing Committee following review of 2018 policy

Section 1 – Our Housing Allocations Policy

1.1 Introduction

The Councils' Allocation Policy explains how we allocate social housing in the district and is designed to ensure that the lettings process is clear, transparent, and accessible for our residents. The Policy sets out who qualifies for social or affordable housing and how we use our housing register to determine the level of priority between distinct types of housing need.

Our aim and purpose of the Allocations Policy is to ensure that the supply of social and affordable homes in the district is allocated to those in housing need including vulnerable residents and working households on a low income.

It sets out.

- Who can join our Housing register?
- Who can be included in your application?
- How you will know if you have been accepted onto the housing register
- How we treat your information
- How we apply Equality, Diversity, and inclusion rules to our policy

As a non-stock holding Authority, all social and affordable housing is owned and managed by Registered Providers (Housing Associations). The Council has the right to nominate applicants from the housing register to the majority of their properties.

1.2 The Law on Housing Allocations

The law on Housing Allocations is complex and may change. In summary.

- We must publish our Housing Allocations Policy and follow the rules we set out.
- We cannot let Social or Affordable Housing outside of our rules.
- An applicant's immigration status may affect their right to Social or Affordable Housing
- We must give 'reasonable preference' to people in certain types of housing need.
- We must take other laws and Council policies into account when we set out our Housing Allocations Policy

We will regularly review this policy to ensure it is legal and fair. If major changes are required to the policy we will consult our residents, applicants, and Registered Provider partners before making any changes.

1.3 Statutory Provisions

This Allocations Policy is in accordance with the following Statutory Provisions and Local Policies.

- Housing Act 1996, as amended by the Homelessness Act 2002
- Homeless Reduction Act 2017
- Homeless Reduction Act 2022
- The Localism Act 2011
- Housing and Planning Act 2016
- The Allocation of Accommodation: Statutory Guidance for Local Authorities in England 2021
- Statutory guidance for Local Authorities in England 2013 – Providing Social Housing for Local people.
- Statutory guidance on social housing Authorities in England 2015 – Right to move.
- Domestic violence Act 2018
- Domestic Abuse Act 2021
- Armed forces and Veterans Charter
- The Councils' Corporate Strategy, Tenancy Strategy, Housing and Homelessness Rough sleeping Strategy
- Any other relevant legislation and guidance

1.4 Equality and Diversity

- The Council operates an equality and diversity policy and is committed to deliver a fair and equitable service that is appropriate and accessible to all sections of the local community.
- The Council has given due regard to the Equality Act 2010, particularly Chapter 1 protected characteristics and Chapter 2 Prohibited Conduct.
- The implementation of the Allocations Policy requires effective monitoring, and the Council will monitor the effectiveness of this Policy, including the impact on different populations in the Community. For this reason, a number of questions are asked during the application process that help the Council ensure that the policy is implemented in a fair and non-discriminatory way.
- It is important that the Allocations Policy is clear and understood by applicants. Information can be made available upon request in a variety of formats and languages through the Councils' website.
- In publishing this policy, we have completed an Equalities Impact Assessment to consider all impacts that this policy may have on those with protected characteristics, and how we can mitigate those impacts.

1.5 What is a Registered Provider?

Private Registered Providers are often referred to as Housing Associations who are registered to provide social or affordable housing and are typically non-profit organisations. They are regulated by the Regulator of Social Housing in England, which ensures they meet certain standards and are open and transparent about how they run their organisation.

1.6 Aims & Objectives of the Policy

The key aims and objectives of the Policy are to.

- Ensure those in housing need are given preference for housing in accordance with the Housing Act 1996, the Homelessness Act 2002, the Localism Act 2011, Homelessness Reduction Act 2017, Homelessness Reduction Act 2022, Domestic Violence Act 2018, Domestic Abuse Act 2021 and other relevant Codes of guidance.
- Allow the Council to better manage its housing register and make the best use of its nomination rights.
- To help promote safe, balanced, and sustainable communities.
- Encourage work and mobility within the district.
- Promote priority for applicants who want to downsize to smaller accommodation to free up larger family homes.
- Promote priority for applicants who have an urgent (risk to life or significant harm) medical need for moving to accommodation.
- Assist with the prevention of homelessness.
- Ensure all sectors of the community have equal opportunities for a safe and secure home.
- Ensure that the process of applying for the housing register is fair, open, and transparent and accessible for all.
- Collect statistical data for housing need to inform central government.
- Detect and prevent housing fraud.

1.7 Regular Review of the Policy

The Council will keep the Allocations Policy under regular review and make amendments as needed.

Where amendments are minor or where the changes are required urgently for legal reasons, these changes will be approved by the relevant Strategic Director in conjunction with the Lead Member. Significant changes to the policy will be taken to the relevant Committee for approval.

Before implementing any major amendments to the Allocations Policy (for example, any amendment affecting a large number of applicants), the Council will ensure our key stakeholders have a reasonable opportunity to comment on the proposals. We will.

- Publicise the proposed changes on the Councils' website.
- Send a copy of the draft Policy to every Registered Provider that it has nomination arrangements, Local Authorities that border the district and to our other voluntary and statutory agency partners.

Following agreement of the updated policy an updated policy document will be uploaded to the Councils' website.

The Council will seek to inform applicants of any changes to this policy by publishing the detail on the Councils' website and in any relevant user guides.

There are a number of timescales that are highlighted in the policy, and these are subject to change depending on staff resources and the level of demand for the services. Any changes to timescales will be highlighted on the Councils' website and in future version of the policy.

Section 2: Applying for the Housing Register

The Council administers a Housing register for people who are in need of housing who are not already Housing Association tenants or do not hold a social rent or affordable rent tenancy who are in housing need and qualify for social or affordable housing. People who are already housing association tenants in the district may also apply to transfer to alternative accommodation.

The Housing Allocation Policy covers the following.

- Applicants who currently live in the district and have done so for a minimum of five years, , not currently in social or affordable rented accommodation and in housing need.
- Current housing association (RP) tenants of social or affordable accommodation in the district but need to move to alternative accommodation.
- Applicants who we have accepted as owing a homeless housing duty and they currently live in the district and have done so for a minimum of five years.

Note: In certain circumstances there are exceptions to the connection criteria, please refer to Section 3 – Local Connection Criteria for full details of this.

2.1 Who can apply for the Housing Register?

Anyone can apply for social or affordable housing, but we will only accept you onto the housing register if.

- You have the right to join the housing register as set out by the Government in relation to immigration status.
- You qualify for Social or affordable housing.
- You have a local connection to the district.

Note: In certain circumstances there are exceptions to the Local connection criteria, please refer to Section 3 – Local Connection Criteria for full details of this.

When you apply, we will need to check the information you have provided to confirm you are eligible and qualify to join the housing register. Please see appendix 2.6 for full details of what we require.

2.2 Who can I include on my housing application?

You can only include people who currently live with you or would normally live with you as their home. This would include.

- Spouse or Partner, which includes same-sex or mixed-sex couples whether you are married, cohabiting or in a civil partnership.
- Dependent children who live with you or would normally live with you as their main home.
- Non-dependent children who are over the age of 18 who normally live with you as their main home.
- Other adults that need to live with you, usually where you have been assessed by Social Care that you require a care package overnight and or 24/7 care.

** Where a child shares their time between parents, the Council will decide which parent's home is the main home.*

** Where you have been assessed as requiring overnight care, we will require evidence of this.*

** If we accept you on to the housing register as homeless, we will use the law on homelessness to assess who can be included as part of your application.*

2.3 How do I apply for the Housing Register

To apply for the housing register you must complete a housing application form via the Councils' website.

If you need advice on your eligibility to join the housing register or you are digitally excluded or otherwise need assistance in completing the form on-line, please contact the council. A response will be provided within five working days.

Information on the Allocation Scheme can be made available in alternative formats and language upon request.

We will register your housing application from the day that you have provided all the information required to support your application, dependent on eligibility.

If you do not include all supporting documentation requested with your application and you do not respond to our request for documentation within ten working days, then your application will be considered as withdrawn, unless you have contacted us to request additional time to provide these.

In some instances, it may be necessary to complete a home visit to verify your housing circumstances.

Once all supporting documentation has been received to register your housing application you will be notified of the outcome within twenty working days, specifying your assessed bedroom need and banding.

A HomeOption welcome pack will be sent to you separately.

2.4 Eligibility to join the housing register.

- British or Irish citizens who are 'habitually resident in the UK, Ireland, Channel Islands, or the Isle of Man
- Refugee status or humanitarian protection
- Limited' leave to remain.
- 'Indefinite' leave to remain.
- Settled status under the EU settlement requirements.
- Commonwealth citizen
- Visa that gives you recourse to public funds

'Discretionary leave to remain' and 'limited leave to remain' are different forms of temporary permission to stay in the UK, and they have different rules, conditions, and eligibility criteria.

You are not eligible for the housing register if.

- Subject to immigration control unless included by regulations made by the Secretary of State
- You are a person from abroad excluded by regulations made by the Secretary of State
- You are not a 'habitual resident' of the UK.
- You are required to leave the UK by the Home Office

2.5 Recourse to Public Funds and Habitual Residence

Recourse to public funds is the right to claim public funds such as Welfare benefits and help with costs of housing.

People from abroad who are subject to 'immigration control' will not be able to claim public funds or help with housing.

If an applicant has moved or returned to the UK in the last two years you will have to demonstrate that you are 'habitually resident' to obtain.

- Social or affordable housing
- Accommodation provided under a homeless duty.

If you are on the housing register this may mean we cancel your application, but you may be able to reapply to the housing register at a later date.

Before we offer you a home, we will need to check your information again. If you cannot provide the evidence, we require to confirm you are still eligible and qualify for social or affordable housing we may not be able to offer you accommodation. We may also decide not to offer you accommodation if you have failed to advise us of any changes that may affect your application.

2.6 How do I know if I qualify to join the housing register?

- You are over 18.
- You have capacity to maintain a tenancy.
- You live permanently in the UK.
- You are in housing need.
- You do not own your own home.
- You have savings, investments, or capital assets of less than £16,000.
- Your income does not exceed the thresholds set out in appendix 4.
- You have a local connection to the district.
- You currently live in the district and have done so for a minimum of five years.
You are over 55 and require sheltered housing, you do not currently live in the district but have close family who currently live in the district and have done so for a minimum of five years.

2.7 Definition of housing need

- Your current home has been assessed as unaffordable.
- The size of your current home is not in accordance with your assessed bedroom need.
- You are unable to adapt your current home to meet your medical or mobility needs.
- You have an assured shorthold tenancy (AST) and are in private rented accommodation, but are in housing need, for example, it is unaffordable for you, or you require larger accommodation.
- You are living with friends or family but do not have a legal right to occupy the home without their permission.
- You do not have any accommodation available to you.

2.8 Income and Savings criteria

Applicants must not have savings exceeding £16,000 and/or an income exceeding the thresholds set out in appendix 4. In some circumstances we may not apply this for.

- Members or former members of the British Armed Forces who have received a lump sum payment as compensation of an injury or disability sustained in active service.
- People who are fleeing domestic abuse. An assessment will be made once we have ensured your immediate safety.

** Eligibility under the income and savings criteria will be subject to a separate financial assessment.*

2.9 Armed Forces

The Council has signed up to the Armed Forces Covenant. We recognise that members, veterans, and their families may need to move around for a number of years and are unable to obtain a local connection to an area. When a member or former member of the British Armed Forces applies to join the housing register, we will pay attention to our duties in accordance with the covenant.

As part of our legal duty to give reasonable preference to people who have served in the British Armed forces, you will be placed into either a band A2 or A3 dependent on your individual circumstances.

This also includes.

- Members who are currently serving in the regular armed forces or territorial service
- Members who formerly served in the regular or territorial service
- A bereaved spouse or civil partner who is having to leave MoD accommodation.

You will be asked to provide evidence of your service such as a veteran's ID card.

2.10 How will I be informed the outcome of my application?

If you are accepted onto the housing register, we will write or email you with the following information.

- Application reference
- Registration date
- Bedroom entitlement
- Banding priority

A welcome pack providing information on Choice-based Lettings (HomeOption) will also be sent to you.

2.11 Keeping your Information up to Date.

If we accept you onto the Housing Register, it is possible that your housing circumstances may change over time. For example,

- The size of your family may change, this includes having more children or when someone moves in or out of your home.
- There are major changes to your family's health or welfare, and these changes have an impact on the type of home you need.
- Your immigration status changes and may impact your eligibility for the housing register.

You must notify us if there is a change in your circumstances, by logging you're your HomeOption account and completing the change of circumstances form. We may need to ask you for more information so we can check your eligibility for the housing register and what type of property you will be eligible for.

We will ask you to review your application every year to confirm your housing circumstances and update it if necessary. If you do not respond to our reasonable attempts to contact, you this may mean we cancel your application, but you may be able to reapply to the housing register at a later date.

Before we offer you a home, we will need to check your information again. If you cannot provide the evidence, we require to confirm you are still eligible and qualify for social or affordable housing we may not be able to offer you accommodation. We may also decide not to offer you accommodation if you have failed to advise us of any changes that may not affect your application.

Section 3: Local connection criteria

3.1 Local connection

You have a local connection to the district if any of the below apply.

- You currently live in the district and have done so continuously for the last five years.
- You are over 55 and have a strong family connection who currently live in the district and have they done so for a minimum of five years and require sheltered accommodation.

**Strong family connection is mother, father, brother, sister, adult children*

Note: for applicants who were already on the housing register before the 19th June 2025 and live in the district but have not done so for five years and would otherwise be eligible will be able to remain on the housing register but their application will be

suspended until they have accrued the five years residency criteria which would be subject to further assessment of eligibility at that time.

3.2 Exceptions to the Local Connection Criteria

There are limited exceptions to the local connection criteria in certain circumstances, for example.

- Members of the British Armed Forces or past members of the Armed Forces.
- Spouses or civil partners of service personnel who need to move out of a Ministry of Defence home.
- People who are nominated via the Veterans Nomination Scheme (VNS)
- People who have been assessed being owed a homelessness duty as needing to move from another area due to domestic abuse. *
- People from communities, such as members of the Gypsy and Traveller Community
- Former Asylum seekers who have not been in the UK for five years and we have assessed as owed a homeless duty for example, former unaccompanied asylum seekers leaving care. *
- A foster or care leaver who has been placed outside of the district or inside of the district. *
- People who have been accepted as part of the witness protection programme.
- Current tenants of social housing within the district and the Council had originally nominated them to that accommodation.

** Subject to assessment in accordance with the Homeless Reduction Act 2017*

3.3 Retaining a Local Connection

You will retain a local connection within the district if you meet the residence qualification referred to above and you are temporarily living outside of the district. This will be reviewed after a 12-month period to confirm whether it reasonable to retain a local connection beyond this time.

- You are receiving medical or respite care.
- You are living in supported housing.
- You have fled the district due to domestic abuse.
- You are studying at a school, college, or university.
- You are on remand or serving a custodial sentence in the UK of less than 12 months or adhering to bail conditions.
- You have been placed into temporary accommodation outside of the district by Rochford District Council.

Section 4: Refusals, Suspensions, or Cancellations of housing applications

4.1 Can you refuse to accept me onto the Housing Register?

We will not accept you onto the Housing Register if you are not eligible, or you do not qualify for social or affordable housing in the district.

Even if you are eligible and qualify, you will not be able to join the housing register if.

- You own or are buying a home whether on your own or with other people.
- You are a joint tenant of a housing association home in the district but do not want to relinquish your current tenancy.
- You or someone you have included on your application has been involved in antisocial behaviour or has behaved in a way that makes you unsuitable to be a tenant.
- You or someone you have included on your application has been convicted of an offence that makes you unsuitable to be a tenant.
- You have given us false or misleading information in an attempt to join the Housing Register. In such circumstance, you will be ineligible to re-apply for a minimum of 2 years. We may also consider further prosecution under the Housing or Fraud Act
- You are currently in a Social, intermediate, or affordable rented tenancy and your property has been assessed and has fallen into disrepair due to tenant neglect or wilful damage.

Antisocial behaviour or criminal convictions may include.

- Harassment
- Violence
- Domestic Abuse
- Drug dealing
- Eviction for anti-social behaviour
- Using a property for illegal or immoral purposes
- Arson or other criminal act involving property or a danger to life.
- Hate crime.
- Racial abuse
- Robbery
- Sexual offence, including rape

However, the Council will consider all relevant factors such as health, dependents and the individual circumstances of an applicant when making decisions based on reasonableness and proportionality.

4.2 Suspended Applications

An application may be registered and suspended for various reasons which means that an applicant will be unable to bid on properties.

- If you are employed and living in tied accommodation to that employment
- If you live in a supported housing scheme and not yet ready for move on into general needs accommodation
- You are currently in prison.
- An investigation into your circumstances is required, for example a change of address or household.
- An investigation is required where we consider that the application may be fraudulent, or deliberately misleading information has been provided.
- You request it.

4.3 Cancelled Applications

Your application may be cancelled if.

- You request it.
- You become ineligible for housing.
- You do not complete a housing application renewal within the required timescale.
- You do not provide the relevant documentation requested to support your application within the ten-day specified timeframe or otherwise as advised
- You move home and you do not notify the Council.
- You have been re-housed.
- You have provided fraudulent or misleading information.

When your application has been cancelled, we will notify you in writing of the cancellation together with reasons.

If we consider that you may be a vulnerable applicant, we will attempt to contact you or a person who you have provided permission for us to contact on your behalf.

If your application has been cancelled, you have a right to request a review of that decision and where appropriate to provide further information to support your request for a review.

If you wish to re-apply for the housing register at a later date then this will be assessed in the normal way and if accepted, the effective date will be from the date of your new application.

Section 5: How we set Priority for Housing and Allocations

The law states that we must give reasonable preference for people with certain types of housing need. This may include people who apply for assistance because of.

- Homelessness and/or owed a homelessness duty.
- Live in unsanitary or overcrowded accommodation
- Need to move for medical or welfare reasons.
- Need to move to a particular locality within the district.

However, this does not mean that people who fall into one of these categories should have absolute priority over other categories.

5.1 Banding

To order to ensure we make best use of all Social and Affordable Housing in the district and to prioritise applicants in the greatest housing need we have 3 priority bands.

Applicants will be prioritised for an allocation of social or affordable housing according to their (a) need to be re-housed. (b) then by the date they joined the Housing register.

Allocations for housing will be prioritised as set out below.

- **Priority Band A1**
Applicants awarded cumulative reasonable preferences and an exceptional housing need
- **Priority Band A2**
Applicants awarded cumulative reasonable preferences.
- **Priority Band A3**
Applicants entitled to reasonable preference.

Note: Please refer to appendix 1 – Banding priority

5.2 Property Entitlement

- Houses/flats/maisonettes
No specific priority
- Ground floor properties/bungalows
Priority will be given to those with an assessed medical need for ground floor accommodation.

- Adapted properties
Priority will be given to those with an assessed medical need who require an adapted property.
- Sheltered bungalows (Over 55's)
Priority will be given to current housing association tenants in the district who have a need to downsize.

5.3 How many Bedrooms will I be allocated?

When you join the housing register, we will use our bedroom standard to register you for the correct size of property by assessing your household makeup.

Please refer to appendix 3 for further details.

5.4 Time-Limited Categories for Bidding

Time-Limited categories for bidding apply to those who have been awarded an A1 or A2 priority banding which include.

- Applicants owed a Statutory homeless duty.
- Applicants who are owed a Relief or Prevention duty.

These applicants will be placed onto auto-bidding for any property in the district that is suitable for their assessed housing need.

Section 6: Medical, Welfare and Overcrowding priority

6.1 Medical conditions and Disabilities

Medical priority may be awarded if the medical condition is aggravated as a direct result of the property that is occupied.

The Council will consider medical information in relation to applicants or permanent members of their household who would be expected to reasonably reside with them.

We will consider the nature of the medical condition or disability, how your current accommodation affects your health and how moving to alternative accommodation will improve that condition.

Applicants who indicate that they or anyone in their household have an illness or disability, which they feel is affected by their current home, or who may be vulnerable on physical or mental health grounds and in need of settled accommodation are requested to complete a medical self-assessment form.

The medical assessment will be assessed by the Allocations Team. If it is considered that we have sufficient information detailing how the current accommodation is affecting a medical condition or disability, then the application will be referred to the Councils' Independent Medical Advisors for assessment.

In certain circumstances, (usually where an applicant is threatened with homelessness) the Council may write to the applicant's GP, hospital consultant, Occupational Therapist or other professionals involved and request further information.

The Independent Medical Advisor will consider all the relevant factors and will recommend the priority that the application should receive on medical grounds.

A reassessment of health needs will only be conducted when the Council has reason to believe it necessary and which may result in an applicant's medical priority being increased, decreased, or removed.

The banding award will only relate to the current home, therefore if you move to alternative accommodation then the award on these grounds will be reviewed. The applicant will need to demonstrate that there has been a significant change to medical needs, and this will need to be supported by evidence.

If you require alternative accommodation that requires adaptations due to a long-term disability or mobility issue, then the Council will require an Occupational Therapist report detailing what adaptations would be required.

If you require significant support to live independently and you are moving from a supported housing scheme or from a scheme registered with the Care Quality Commission (CQC) the Council may request a medical assessment to demonstrate that independent living can be achieved.

Applicants will be placed into band A1 where it has been assessed that there is a critical or moderate risk to life or significant harm to health.

- The applicant or a permanent member of their household needs to be moved urgently as they have a life threatening or serious risk to their current physical or mental health which cannot be alleviated in their current home with or without adaptations.
- The applicant or a permanent member of their household is currently in hospital and cannot be discharged into their current home with or without adaptations.
- The applicant or a permanent member of their household is experiencing difficulties or that adaptations cannot be made to their current home and a move to alternative accommodation would reduce the effect considerably.

In addition to medical priority, additional mobility recommendations may be considered if relevant:

- An accessible home is required because the applicant or a permanent member of their household is a full-time wheelchair user.
- A level access shower is required.
- There is a requirement for a ground floor accommodation.
- The property should not be above first floor (if not lift assisted)

Following the assessment, the Council will write to you to confirm the outcome. The Council may.

- Amend your banding.
- Award a recommendation for ground floor, level access or adapted accommodation.
- Take no action if the medical condition is not being affected by your current accommodation.

We will review your banding if.

- You have refused an offer of suitable accommodation.
- You wish to accept a property not in accordance with the medical recommendations.

6.2 Welfare and Economic Circumstances

In assessing welfare or finance issues or needs, we will use discretion and consider each application on its own merits. The Council will have regard to reasonableness and proportionality in deciding the appropriate banding.

Government guidance means we should consider awarding reasonable preference to those who would face hardship if they did not move to a particular locality in the district. However, due to the limited supply of social or affordable homes in the district these cases are usually only considered in exceptional circumstances.

In some instances, the Council may consider it necessary to contact other agencies or support services to carry out a joint support assessment to ensure ongoing support needs are identified and, in some cases, to enable applicants to remain in their current home with appropriate support.

6.3 Overcrowding

When assessing overcrowding we will use the following to decide if an applicant is overcrowded.

- The room standard and space standard set out in the Housing Act 1985 if determine if you are statutorily overcrowded.

1. The Room standard looks at the number of rooms that can be used for sleeping and compares this with how many rooms you need. This may mean your home could be overcrowded when two people of opposite sexes must sleep in the same room and do not live together as a couple. *Children under 10 who share a bedroom are not counted.*
2. The space standard looks at the number of people who live in the home and compares this with the number, and size, of the rooms that are available for sleeping in.

When the number of people who live, and sleep in your home breaks either the legal room standard or the legal space standard this is known as statutorily overcrowding.

When assessing overcrowding we will only consider people that are currently living with you and form part of your application for re-housing.

If you move more people into your home and increase your overcrowding, this will not increase your priority for housing. The only exception to this will be for dependent children born into the household, who will be included in your application.

6.4 Insanitary or unsatisfactory housing conditions

When assessing insanitary or unsatisfactory housing conditions we will take account of the following assessment:

- The Housing, Health, and Safety Rating system (HHSRS) to identify health and safety risks in your home and whether any of these are a category 1 hazard.

The HHSRS looks at 29 different health and safety risks (Hazards) that may be in a home. Each hazard is given a score. This score will then fall into one of 10 bands. These bands range from A to J.

Any hazard that falls into Bands A to C are called 'Category 1 hazards. These are the most serious risks. Where a property has been assessed as overcrowded and with category 1 hazards then priority will be given to an applicant on these grounds.

An assessment will then be made to consider whether the condition of the applicant's home can be improved with repairs.

6.5 Victims of Domestic Abuse

Applicants who have fled the district due to domestic abuse may retain a local connection if they wish to return to the district within 12 months of fleeing the area. Supporting information will be requested to confirm that it is safe to return to the district.

The Domestic Abuse Act 2021 provides the definition of 'domestic abuse' for this allocations scheme. The homelessness legislation recognises domestic abuse as a priority need category and reasonable grounds for leaving a home that would otherwise be available.

The council will consider a household's circumstances and needs when determining the suitability of their current accommodation, including personal safety. There are a number of potential accommodation options for victims of domestic abuse,

Due to the urgency of the need to provide alternative accommodation, a direct offer of suitable accommodation may be made in line with the applicants' assessed bedroom need and outside of any identified areas of danger.

Applicants fleeing domestic violence applying to join the housing register from outside the district will be considered via a Homelessness Application under the Homelessness Reduction Act 2017.

6.6 Adapted Properties

Properties that are specifically adapted or accessible for people with disabilities will be allocated to applicants who have an assessed medical need for this type of accommodation.

Applicants who have a medical need for an adapted property are required to provide an Occupational Therapist report before an offer can be considered.

Where an applicant who is already in a housing association property in the district that has adaptations but no longer needs them, they will be given priority to move into more suitable accommodation to allow for their property to be allocated to a person who requires an adapted property.

Section 7: Choice-Based Lettings

7.1 Offering Choice and HomeOption

Available properties are allocated through 'HomeOption,' a choice-based lettings system. Properties are advertised on a weekly cycle through the HomeOption website www.homeoption.org and applicants can bid on any available properties that they have been assessed and registered for.

Applicants are able to make up to three bids per cycle online via www.homeoption.org. Applicants may also request that they are placed onto auto-bidding which means that they will automatically be included in shortlists for all properties (up to 3) that they would normally be eligible for.

In certain circumstances vulnerable applicants will also be contacted by the Housing Options team to help with bidding on properties.

Applicants will be able to choose properties in the following locations.

- Ashingdon Hullbridge

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

Where a property has been identified as suitable for those with specific medical needs, for example, a property that is adapted or ground floor accommodation then priority will be given to applicants who have been assessed as having a specific need for this type of property.

Housing Associations may have individual local lettings policies for some properties which may be advertised as 'sensitive let.' This means that there are restrictions as to who can be short-listed for these properties. Sensitive let's involve enhanced checks and references to make sure that any successful applicant is suitable for that property or area.

Where a property has been awarded a certain type of priority then this will be clearly shown on the property advert.

The advertising cycle carries a strict deadline, if bids are made after closure of the cycle, then they will not be shortlisted. Once the cycle has closed then the shortlists will be reviewed and the property allocated in order of priority type (if applicable) and banding.

When an applicant has been successful for an offer of accommodation then this will become their 'offer,' and they will not be considered for any further properties until the outcome of the offer has been concluded.

Note: The offer of accommodation is not based on which applicant made the bid earliest on the bidding cycle.

In some cases, Housing Associations may request that the Council approve a request to allocate a vacant property directly to an existing tenant as a 'management move' which can be considered. In the majority of cases the Council will then receive the nomination right to the property that the tenant has vacated.

7.2 Exceptions to Policy

In exceptional cases there may be a need to urgently allocate a property to someone who is not able to deal with the usual requirements of Choice Based Lettings. In such circumstances an applicant will be matched to a property outside the normal bidding process.

This applies to but not limited to.

- Severe harassment requiring urgent rehousing on strongly supported police advice.
- National Witness Programme
- Properties allocated as temporary accommodation.
- Persons requiring a specifically adapted property.
- Sensitive let is requested by a housing association.
- Extra Care accommodation
- Hard to let properties.
- Re-housing of offenders

Usually only one direct offer will be made, and you will have the right to review if you think that the offer is unsuitable.

If you refuse a suitable offer direct offer, this may affect your priority for housing and in some cases, this will mean your application will be cancelled. (Please refer to refusal of offers).

Where it is necessary to make a direct let due to a specific type of property being required, we will try to consider area preferences, however due to limited availability of particular types of properties we may not always be able to do this.

Where a homeless applicant has refused one direct offer of accommodation either within choice-based lettings or as a direct offer then we will end the main duty, which means we will no longer have a homelessness main duty to re-house you. If you are in emergency or temporary accommodation you will be required to vacate the accommodation you have been provided with.

If you have been moved into a higher banding, then you may be moved into a lower banding.

7.3 Local Lettings Plans (LLP's)

Local Lettings Plans (LLP's) are agreed local plans for the allocation and letting of homes within an agreed community or location or across a type of property. The LLP will set out how properties will be allocated in exceptional circumstances to meet area specific needs.

Section 167(E) of the Housing Act 1996 enables local authorities to allocate particular accommodation to meet local need and priorities.

This may mean that in certain circumstances accommodation is allocated to individuals who may not fall within a reasonable preference' category. Providing that overall, the Authority can demonstrate compliance with Section 167 of the Act. This is the statutory basis for LLPs.

LLP's may be used under the Allocations Policy to achieve wider objectives for the district and to make best use of stock, including (but not limited to).

- To support regeneration of Housing Association stock
- Create mixed and sustainable communities.
- To manage the composition of households on new estates
- Attract key workers to the district.
- Provide accommodation to members of the armed forces.
- Ensure adapted properties are prioritised for those with an assessed medical need for adapted properties.
- Consider child density within communities.

The Council will also work with Registered Providers (RP's) to develop LLPs for all new developments and disadvantaged areas.

Where it is proposed to introduce an LLP, this will be signed approved by the Director of Housing and the relevant member committee.

7.4 Affordability Checks

Affordability to pay rent and service charges is key for being able to sustain a tenancy. Housing Associations will carry out an affordability check when an applicant is nominated by the Council to a housing association property.

How much an applicant can afford to pay for their housing costs will vary, depending on the type of home they will live in and their individual financial circumstances. Carrying out affordability checks when allocating homes gives applicants and housing associations confidence that all housing costs can be paid for enabling long term tenancy sustainment.

When an affordability check concludes that an allocation of a property and the associated offer of a tenancy would not be affordable, you will be informed of the decision and will have the right to request a review.

When carrying out an affordability check an assessment will firstly be made of the applicant's income which may include.

- Salary
- Welfare benefits
- Compensation payment
- Income from life insurance and endowment contracts
- Shares
- Income from a trust

As part of the assessment process an applicant's expenditure will also need to be considered which may include.

- Food
- Clothing
- Heating
- Transport
- Any other essentials

Priority debts, such as

- Court fines
- Council tax
- TV license
- Child maintenance
- Gas and electricity arrears
- Outstanding income tax, National insurance, VAT owed to HMRC.

An affordability assessment must also consider whether an applicant has enough income for any dependent children.

Where an affordability assessment concludes that an applicant is unable to afford to rent social housing, it is very unlikely that private rented accommodation would be affordable unless further sources of income can be considered, such as discretionary housing payments, personal independence payments, child maintenance or disability living allowance.

7.5 Bypassing of Offers

The Council reserve the right to bypass an offer of accommodation while short listing in the following circumstance.

- A property is purpose built or significantly adapted for a person with a physical disability.
- The property is ground floor with level access and to ensure it is occupied by an applicant with a recognised medical need for ground floor accommodation.
- The property is not in accordance with the assessed medical need.
- The property is subject to a Local Lettings Policy (LLP).
- Sensitive let necessary.
- An applicant has pets, and the property is not suitable or permitted for pets.
- A nomination is refused by a housing association as it would not meet their requirements concerning, household size, affordability etc.
- An applicant who is currently in a housing association property and they have breached their tenancy which includes, anti-social behaviour, property damage or have rent arrears.

- An applicant who is currently in a private rented property and they have breached their tenancy which includes, anti-social behaviour, property damage or have rent arrears.
- Non-payment of housing related debts or current or former rent arrears relating to any type of temporary accommodation including bed & breakfast.
- An offer in a particular locality which is unsuitable due to safeguarding concerns.

However, the Council will consider all relevant factors and the individual circumstances of an applicant when making decisions based on reasonableness and proportionality.

7.6 Debts owed to the Council or Housing Association.

Applicants who have any outstanding housing related debts owed to the Council can be on the housing register but may be suspended from bidding depending on the individual circumstances of the applicant.

Where an applicant can bid on properties but has any type of debt owed to the Council and are successful for an offer of accommodation, then they will be required to pay all debts that are outstanding before they can be nominated to a housing association.

Housing related debts include.

- Current or former arrears relating to temporary accommodation or bed & breakfast accommodation.
- Rent Deposit Scheme
- Storage or removal charges
- Current or former arrears relating to a social housing tenancy.

If arrears are still outstanding where the applicant is owed a statutory homeless duty and is successful for an offer of accommodation to discharge the homeless duty, and the debts cannot be repaid in full then they will be bypassed for an offer of accommodation.

Housing Associations or Registered Providers (RP's) will also have their own policies in place which may prevent them offering a tenancy to an applicant who has current or former arrears with the Council or another housing association or Registered Provider (RP).

7.8 Refusal of Offers.

Band A1 – Applicant who has been awarded the highest priority of reasonable and additional preference	
Housing Register Applicant	Where one offer of accommodation is refused the application will be re-assessed into the relevant banding
Band A2 – Applicant who has been awarded reasonable and additional preference	
Applicant owed a main housing homeless duty	Where an applicant refuses one offer of accommodation the application will be suspended pending re-assessment. The duty to accommodate under the Homeless Reduction Act 2017 will end.
Applicant owed a Prevention or Relief homeless duty	Where an applicant refuses one offer of accommodation the application will be suspended pending re-assessment. The Relief/Prevention duty to assist an applicant will end.
Housing register applicant	Where two offers of accommodation are refused the application will be re-assessed and suspended for 12 months
Housing register applicant (sheltered)	Where three offers of accommodation are refused the application will be re-assessed and suspended for 12 months
Band A3– Applicant who has been awarded reasonable preference	
Housing register applicant	Where 2 two offers of accommodation are refused within 12 months the application will be suspended for 12 months
Housing register applicant (sheltered)	Where 3 offers of accommodation are refused within 12 months the application will be suspended for 12 months.

** Note: Applicants have the right to appeal a decision within 21 days*

Section 8: Antisocial Behaviour and Offenders

8.1 Criminal Convictions

Applicants will be required to complete the declaration on the housing application form detailing any criminal convictions, anti-social behaviour orders or any other type of injunction that relates to the applicant or any person listed on the housing application that will be re-housed with them.

Failure to disclose such information or update the Council in relation to any new convictions may result in the housing application being cancelled.

The Council reserves the right to make enquiries with any relevant statutory agency including the police it considers necessary to verify the information provided on the housing application and to disclose any information as deemed appropriate.

The Council may determine that applicants who have a criminal record may be deemed ineligible or suspended from the housing register.

In certain circumstances it may be deemed appropriate to make a direct offer of accommodation to an applicant for example due to specific safeguarding needs which would be, in consultation with other statutory agencies, such as police, Probation services etc.

When nominating an applicant to a property, a Housing Association will have regard to the seriousness of the offences and their materiality before offering a tenancy.

**This is not intended to contravene the Rehabilitation of Offenders Act 1974. Spent convictions covered by this Act do not need to be disclosed.*

8.2 Anti-Social Behaviour

Where an applicant, joint applicant or a member of the applicant's household has been subject to a formal sanction by a landlord or other body due to antisocial behaviour, they may be disqualified from the housing register for an initial period of 2 years. The applicant may reapply after this period and will be required to provide evidence of improvement in behaviour.

The following categories of people will also be regarded as guilty of antisocial behaviour subject to the appropriate evidence being provided from other statutory agencies including the police.

- Perpetrators of domestic abuse
- Perpetrators of hate crime
- Applicants or members of their household having a gang affiliation.
- Applicants or joint applicants who have behaved in a violent or aggressive manner to employees or agents of the Council or a housing association.

8.3 Re-Housing of Offenders

Re-housing of dangerous offenders will be carried out in full consultation with the appropriate statutory agencies to minimise the risk to the public and to influence the long-term resettlement of the offender.

Where it is deemed appropriate the Council may seek accommodation outside of the district to assist in achieving appropriate accommodation.

8.4 Fraud

Any applicant that has committed fraud will be unable to join the housing register for two years.

It is an offence under Section 171 Housing Act 1996 if, in seeking assistance with housing from the Council, you.

- Knowingly or recklessly give false information to the Council.

- Knowingly withhold information, which the Council reasonably requires you to give in connection with your housing application.

It is an offence under the Housing Act 1996 to obtain accommodation based on false or deliberately misleading information. When housing has been allocated based on false or misleading information, legal action may be taken to obtain possession of the property. Cases will be referred to the Councils' Fraud team who will undertake investigations and which may lead to prosecution.

If you are found guilty of such an offence, you could be liable to a fine, currently a maximum of £5,000 and could also result in.

- Criminal prosecution or caution
- Imprisonment for up to 6 months
- Cancelling of the housing application
- Notification to your landlord where you have obtained a tenancy through the housing register as a result of giving false or withholding information.

Section 9: Housing Advice

9.1 Housing Advice Service

The Housing Options team provide free housing advice to everyone in the district. We will help you to explore your choices in a way suitable to your current circumstances.

This is available whether you.

- Are homeless.
- Are looking for somewhere to live.
- Privately rent.
- Rent from a Housing Association or Registered Provider
- Are a leaseholder.
- Own your own home.
- Are a landlord.

We aim to prevent homelessness, to raise awareness of housing rights and responsibilities and to improve the quality of all types of housing in the district. Whatever the circumstances we will treat everyone with sensitivity and respect.

We will help you explore your choices in a clear way. With your permission, we may talk to your landlord, mortgage lender or family. We will signpost you to other organisations or agencies that may help you and how to contact them.

It will help us if you submit as much evidence as possible to enable us to provide you with the appropriate guidance and support.

9.2 Homelessness

A person does not need to be sleeping rough to be legally homeless. The law describes someone as homeless if they.

- Have no home to live in
- Have a home but are at risk of violence or domestic abuse there.
- Have a home but it is not reasonable for them to continue to live in it.
- Have a home but cannot enter it.
- Have no legal right to live in their home.
- Live in a mobile home or houseboat but have no place to put it or live in it.

We have a legal duty to help you if you are homeless or at risk of being homeless. This duty does not always mean we will rehouse you. We will give you advice on your housing options.

To decide if we have a legal duty to rehouse you if you are homeless, we need to be satisfied that you.

- Are homeless.
- Are eligible for help.
- Are in priority need.
- Are not intentionally homeless.
- Have a local connection to the district.

If you do not have a local connection to the district but have a local connection to another Council, we may refer your case to that council. They will then have a legal duty to help you. You are likely to have a local connection to that Council if you have lived there for six out of the last twelve months, or three out of the last five years, which includes if you rented or owned a home there, stayed with family, lived in emergency housing, or stayed in a refuge or you have a strong family connection to that area and they have lived in the district/borough for five years.

If we find that we do have a legal duty to rehouse you because you are homeless, we cannot guarantee to offer you a permanent home quickly due to the limited supply of homes.

We have three key duties:

1. If you are at risk of becoming homeless within fifty-Six (56) days (eight (8) weeks), we will work with you to try to stop you from losing your home or find somewhere else to live. This is the Prevention duty.

At this stage we would give you a Personal Housing Plan (PHP). During the assessment process we will consider whether one of the options to be included in your

personal housing plan would be for you to apply for the housing register. (Subject to eligibility and qualification).

2. If we find that you are already homeless and that you are eligible for assistance, we will advise you to apply for the housing register. (Subject to eligibility and qualification). We have fifty-six (56) days (eight (8) weeks) to help you to try and find a suitable home that you can live in for at least 6 months which would likely be private rented accommodation. This is the Relief duty.

If we decide that you are in priority need, we will offer you emergency accommodation. We can end the relief duty before the fifty-six, (56) days have passed in some circumstances, including because you are no longer homeless if you have found your own accommodation or that we have helped you into accommodation which includes accommodation in the private sector.

3. If we have not been able to find you somewhere suitable to live at the end of the Relief duty stage, we may have a legal duty to ensure you have temporary accommodation until you find a permanent home. You will need to be eligible for help with your housing problems and have a priority need under our legal duties. We will also need to make sure that you have not become 'intentionally' homeless. This is the Main Duty.

If we owe you a main duty, this does not mean that we will be able to offer you a permanent home quickly due to the lack of social housing and you may stay in temporary accommodation for a long time. If we offer you a permanent or temporary home, it may be a privately rented property and it may not be within the district.

If at the end of the Relief duty, you are still homeless, but we do not have a main duty to help, you will need to make your own arrangements to resolve your homelessness. This may happen when.

- You do not have a priority need for housing.
- You have a priority need for housing, but you became homeless intentionally.
- You have refused a final offer of a suitable home during the Relief stage.
- You have refused an offer of private sector accommodation via the Council's Rent Deposit Scheme
- You have been served a notice to say that you have deliberately and unreasonably refused to cooperate with us to help you.

Other ways that our duty can come to an end would be for example.

- You are no longer eligible for help.
- You have become intentionally homeless from temporary accommodation.
- You have accepted an offer of a tenancy in the private sector.

- You have accepted an offer of a tenancy in the social sector.
- You have voluntarily stopped living in temporary accommodation.

If you are considered to be intentionally homeless, this usually means we consider that you have deliberately done something or not done something which has caused you to be homeless. This can include:

- Were evicted after not paying rent when you could afford to
- Moved out of your home voluntarily when you could have stayed.
- Lost your tenancy because you went to prison for a criminal offence.
- Were evicted for antisocial behaviour.

You must have known about all the relevant facts before you took, or failed to take, the actions that meant you left your home. If you acted in good faith and without knowing all the relevant facts, we may decide you are not intentionally homeless. If we find you are intentionally homeless, but you are still in priority need, we must still provide support to find a suitable home. This means we should:

- Make sure you have accommodation that is available to live in long enough to give you reasonable time to find a new home.
- Give you advice and assistance to help you find a suitable home.

9.3 Other affordable housing solutions

The Council has nomination rights to other “Intermediate Housing Options” which may provide applicants with alternative housing opportunities and may include but is not limited to.

- Government Home Buy Scheme
- Low-Cost Home Ownership (part rent, part buy)
- Rent to Buy
- Intermediate rented accommodation
- Mutual exchange

9.4 Mutual exchanges

If you are an existing council or housing association tenant, you may be able to arrange a mutual exchange where you can exchange your current home with another tenant. Home Swapper is a national mobility scheme of social housing tenants. To find out more about this you can visit www.Homeswapper.org.

We would recommend that you contact your current landlord to discuss whether this would be an option for you.

9.5 Sheltered Accommodation

Sheltered housing schemes are usually homes for people who are fifty-five (55) or over and require support to enable independent living that are connected to a care system and has additional staffed support where required.

In some circumstances, younger applicants who have an additional low level support need can be considered.

**Extra Care accommodation where there are higher support needs, for example 24-hour care is usually provided by Social Care.*

Section 10: Reviews, compliments, and complaints

10.1 Right to Review.

An applicant has the right to request a review within 21 days of a decision. Examples of the types of decisions that can be reviewed are.

- That an applicant is ineligible for an offer of accommodation
- Refusal of inclusion on the Housing register
- Removal from the Housing Register
- Other decisions relating to this Policy, including banding assessment and priority dates.

It is helpful if you can tell us why you disagree with a decision and provide any written evidence to support why you think our decision is wrong. The Council must provide a response within twenty days (20) days but does have the discretion to extend the time limit if it considers this would be reasonable.

The reviewing Officer will be someone who has not previously been involved in your case.

In reviewing a decision on ineligibility for an offer, the Officer will determine (where appropriate) whether the applicant has remedied the reason for the ineligibility being imposed.

Where an applicant is excluded because they have sufficient financial resources to meet their own housing needs, they would need to prove a change in their financial circumstances that removed the reason for their exclusion.

Generally, the decisions that the reviewing officer can make are

- Original decision upheld
- Original decision not upheld.

In cases of exclusion from the Housing Register or of ineligibility for an offer, the applicant will be advised (as appropriate),

A new application will be considered if.

- The applicant was ineligible due to being subject to immigration control and the applicant's immigration status has changed.
- The applicant was ineligible due to not having a local connection which has now been established.

Where an applicant has been excluded from the housing register due to serious anti-social behaviour or false or misleading had been provided a new application will be considered when.

- Demonstrate good behaviour for the period of their exclusion (i.e., 2 years)
- Where fraudulent or misleading information was provided a new application will be considered after two years.

There is no right to request a review of the decision reached on this appeal.

10.2 Making a Complaint

If you think that we have made a wrong decision, the best option is to talk to us first. However, if this does not resolve the issue the Council has a formal complaints procedure. Applicants can use the complaints procedure if they believe that.

- Something has been done badly or wrong in the service delivery.
- Something has not been done that should have been done.
- The service has not been delivered in accordance with the policy.
- If they have been treated in an impolite or discourteous manner

All complaints will be investigated, and the applicant will receive a written response within the timescale set out in the complaints policy.

Full details of the Council's complaints process can be found on the Rochford District Council website.

Section 11: Governance

11.1 Exceptional Circumstances

Any provision in the Allocations Policy may be waived in exceptional circumstances and at the discretion of the appropriate Corporate Manager or Director of Housing with delegated authority to do so.

The application of discretion will normally require a full report of the circumstances of the individual case for the consideration by the delegated Manager.

11.2 Monitoring of the Allocations Policy

Performance information on applications and lettings shall be reviewed annually to establish if the aims and objectives set out in the policy are being achieved.

Section 12: Confidentiality and sharing your information.

12.1 Confidentiality and sharing your information.

The Council is registered under the General Data Protection Act (GDPR) 2017.

Personal information provided to the Council by Housing applicants is confidential. In normal circumstances, this information is only disclosed to other housing providers (i.e., housing associations) where the applicant has been successful for a property so that they can determine whether an offer of accommodation can be made. Applicants give their consent to making the disclosures in completing the housing register form.

If an applicant is not eligible, does not respond to the annual review or is removed from the Housing Register, their assessment form will be kept for two years before being destroyed.

Personal information is only disclosed to other parties with the applicant's specific consent or in exceptional circumstances where disclosure without consent is warranted. These are defined as below.

- Where there is over-riding legal, social, or public interest considerations, e.g., there is a risk of serious harm to the person themselves or others if the information is not disclosed.
- Where information is required by a local authority department in order to conduct statutory functions or by external auditors.
- Where information is required by the police as part of a criminal investigation.

Medical information obtained from the applicant's GP or other healthcare staff cannot be passed on without prior consent from the professional(s) involved.

The information obtained from Social Care cannot be passed on without consent of the relevant member of staff, or in their absence the relevant Manager.

When a nomination is made to a Housing Association property, the Housing Register application is retained by the Council, but relevant information may be copied to the new landlord where applicable.

The Council will take disciplinary action against any employee who makes use of any information obtained in the course of their employment for personal gain or benefit, or who passes it to others who might use it in such a way. A report to the Police will be made if it appears that a criminal offence has been committed.

The fact that a person is an applicant to the Housing Register shall not be divulged (without their written consent) to any member of the public.

12.2 Access to Personal Information

Under the GDPR , applicants have the right to see personal information held about them by the Council. The legislation covers both manual and computerised records.

In order to request access to personal information, you must write to the DPA Officer at dpa@rochford.gov.uk. The Council will require proof of identity such as a bank card, birth certificate or driving license, before an access request can be processed.

The requested information will be provided to you within a maximum of one month from the date of receipt of the request, although this time limit can be extended by another two months for more complex requests. . Files may be redacted where this is necessary to protect the identity of third parties who are referenced in the documents.

When the information is ready it will be emailed to you in a password protected document. However, if you sent the request by post or specifically asked for hard copies, we will post it to you by courier or make it available for you to collect in person.

If you consider that the personal information held by the Council is inaccurate, they you request that it is amended or removed from your file. In the event of a disagreement, the information will remain on file and your comments will be recorded on that file.

Disclosure of some or all of the information may be denied by the Council if it falls within an exemption under the Data Protection Act 2018. Most commonly this would be because:

- The information could prejudice criminal proceedings.
- The information is subject to Legal Professional Privilege
- The information contains confidential information about a third party.
- A medical or care professional is of the opinion that disclosure could result in risk of serious harm to you or to others as a result of the disclosure.

A guide to all the information rights of individuals can be found in the Council's privacy notice <https://www.rochford.gov.uk/privacynotice>.

Appendix 1 - Legal Framework

In the UK, Local Authorities must follow specific rules and guidelines when allocating social or affordable housing. These rules are set out in Part 6 of the Housing Act 1996. The below is a summary of the legal framework.

It does not take into account all circumstances and you should refer to the full legislation.

What is an allocation?

A Council allocates accommodation when it:

- Selects a person to be a secure or introductory tenant of accommodation held by that Council.
- Nominates a person to be a secure or introductory tenant held by another person.
- Nominates a person to be an assured tenant of accommodation held by a registered social landlord or private registered provider.

Allocations to existing tenants:

- Part 6 of the Housing Act 1996 does not apply to allocations made to existing tenants unless the transfer is at the tenant's request, and they have reasonable preference.
- Transfers without reasonable preference do not fall within Part 6, and the Councils can set their own policies for transfers.

Eligibility and qualification

- People who apply to join the housing register must meet certain criteria to be eligible for social housing. To be eligible a person must be a British citizen or have the right to live in the UK, this includes Irish citizens, those with settled status under the EU settlement scheme, and individuals with leave to remain.
- Councils have the discretion to set their own qualification criteria.

Reasonable Preference

Councils must ensure reasonable preference is given to certain categories of people, including.

- People who are homeless (even if they are intentionally homeless or not in priority need)
- People who are owed a duty by any housing authority under specific sections of the Housing Acts
- People living in unsanitary, overcrowded, or otherwise unsatisfactory housing.

- People needing to move due to medical or welfare grounds, including disabilities.
- People needing to move to avoid hardship in a particular locality.

There is no requirement to give higher priority to applicants in multiple reasonable preference categories (often referred to as ‘cumulative need’)

Applicants should not receive reasonable preference if it involves considering a restricted person (someone subject to immigration control without proper leave to remain in the UK).

Additional Preference

Councils can consider additional local factors, providing they do not dominate the policy, and reasonable preference is still given to statutory categories. Councils can give additional preference to individuals within the reasonable preference categories who have urgent housing needs, for example those that have life threatening illnesses, families in severe overcrowding, and those needing urgent rehousing due to violence or threats. Councils must give additional preference to former and serving members of the Armed Forces who need to move due to injury, medical conditions, or disability resulting from their service. This also applies to bereaved spouses and civil partners, as well as serving or former members of the reserve forces in similar situations.

Deciding on Priority levels

Councils may use points or banding systems to prioritise applications based on housing need. Councils can also consider other factors when deciding relative priorities between applicants with reasonable or additional preference including:

- Financial resources
- Behaviour: Higher priority can be given to tenants with ‘good behaviour’ or those who have positively contributed to the community
- Local connection: Defined by normal residence, employment, family associations, or special circumstances. Changes to legislation allow Armed Forces members to establish a local connection similar to civilians.

Local Lettings Policies

Councils may allocate specific accommodation to particular groups, even outside the reasonable preference categories, for various housing management and policy objectives.

Under-Occupation

Councils can consider rules that prevent statutory overcrowding and take into account Welfare Reform Act 2012 provisions reducing Housing Benefit for under-occupiers.

Supporting Work and Community Contribution

Councils can support households seeking work or contributing to the community, possibly by framing allocations policies to give them some preference.

Carers

Accommodation offers should consider the need for a spare bedroom for carers who do not reside with the applicant but may stay overnight.

Prospective Adopters and Foster Carers

Applications requiring an extra bedroom for fostering or adopting a child should be carefully considered. Co-ordination with Children's Services to set aside a quota of properties for these applicants is recommended.

Choice and preference

It is for local authorities to determine their policy on providing choice and the ability to express preference.

Reviews

Applicants have the right to request a review of certain decisions made about their housing applications.

Publishing and consulting on Allocations Schemes

Councils must publish a summary of their Allocation Policy and if requested provide a copy of it. They must also make the full policy available for inspection at their principal office and, if requested, provide a copy of it.

When there is a major change to the Allocations Policy, the Council must, within a reasonable time, take such steps as it considers reasonable to ensure that those likely to be affected by the change have the effect brought to their attention. Before a Council adopts an Allocations Policy or alters a policy to reflect a major change of policy, it should send a copy of the draft policy or proposed alteration to every registered provider with which they have nomination arrangements, and ensure they have reasonable opportunity to comment on the proposals.

Appendix 2 - Banding

Band A1

An applicant who has been assessed as a Band A1 life-threatening medical emergency priority for example but not limited to, a person is currently in hospital and cannot be discharged into their current home
An applicant that is currently in a housing association property in the district but needs to downsize to sheltered accommodation

Band A2

An applicant has been assessed as having a Band A2 medical priority
Applicants accepted onto the Witness Protection Programme
An applicant is currently in social housing in the district but needs to downsize to smaller accommodation
An applicant is owed the main housing duty (Homelessness)
Members of the armed forces who have a local connection to the district
Care leavers who are leaving the care of Essex County Council Children's services who have a local connection to the Rochford district.
An applicant has been assessed as overcrowded and has one or more identified category 1 hazard in accordance with the HHSRS legislation

Band A3

Applicants approved by Essex County Council as foster carers or adoption
Care leavers who are leaving the care of Essex County Council Children's services
An applicant who has been assessed as having a band A3 medical priority
An applicant who has been assessed as having no medical priority
Move-on from supported housing and/or other specialist housing
An applicant is owed a Relief or Prevention Duty (56 days only)
Applicants who are currently in accommodation in the private sector and in housing need
Current members or former members of the Armed forces
Applicants not owed a main housing duty as they have been assessed as intentionally homeless
Applicants who are currently in accommodation but have a lack of or shared facilities
An applicant has been assessed as being overcrowded in accordance with the HHSRS legislation
An applicant needs to move to a particular locality in the district

Appendix 2 – Bedroom entitlement

Number of bedrooms	Household type
Studio	Single person
One bedroom	Single person or couple
	Single person or couple who are under 6 months pregnant
Two bedrooms	Single person or couple who are over 6 months pregnant
	Single person or couple with 1 child
	Single person or couple with two children under 21 (same sex)
	Single person or couple with two children under 10 (different sex)
	Single person or couple with another adult
Three bedrooms	Single person or couple with 2 children, one over 10 (Different sex)
	Single person or couple with 3 children
	Single person or couple with 4 children
Four bedrooms	Single person or couple with 5 or more children

Appendix 3 - Financial circumstances

The following financial criteria will be used to establish whether a household are entitled to join the housing register or offered a property if their circumstances have changed since joining the housing register.

If an applicant has income and/or capital, which would enable them to purchase a suitable property (including low-cost home ownership) or afford private rented accommodation in the district they will not qualify for the housing register.

To determine this the Council will undertake a financial assessment, to determine the likelihood of whether average rental costs would exceed 35% of their annual income which may include the following and is not an exhaustive list.

- The total income of the applicant/partner
- Any capital, assets, or savings available to the applicant/partner
- Average property prices in the district for the type of accommodation needed for the household.
- The ability of the applicant/partner to service the required mortgage or rent payments based on a realistic assessment of their financial circumstances.

Income excluded from this assessment is.

- Personal Independence Payment
- Disability Living allowance.
- Any entitlement to housing benefit/Universal credit (housing element)

Note: The above exclusions only apply to affordability assessments for the purposes of determining eligibility for the housing register.

Households assessed as requiring a one-bedroom property who have an income of £39,000 or below will be eligible for the housing register.

Households assessed as requiring a two-bedroom property who have an income of £49,000 or below will be eligible for the housing register.

Households assessed as requiring a three-bedroom property who have an income of £63,000 or below will be eligible for the housing register.

Households assessed as requiring a four-bedroom property who have an income of £80,000 or below will be eligible for the housing register.

Note: The income thresholds calculations are based on the current average rental costs in the district.

Applicants who have savings over £16,000 will not be eligible for the housing register.

Applicants who require sheltered housing shall not be subject to the above income thresholds and may have capital not exceeding £250,000.

Appendix 4 – Medical and Disability Priority

Award	Priority	Time-limited category	One offer only	Direct offer
Band A1 (Very high)	Applicant is currently in hospital and cannot be discharged. The applicant or a permanent member of their household is currently in hospital and cannot be discharged into their current home with or without adaptations.	Yes (Subject to assessment)	Yes (Subject to assessment)	Yes
Band A2 (High)	Critical risk to life or significant risk to health The applicant or a permanent member of their household needs to be moved urgently as they have a life threatening or serious risk to their physical or mental health which cannot be alleviated in their current home with or without adaptations	Yes (Subject to assessment)	Yes (Subject to assessment)	No
Band A3 (Medium)	Moderate or low risk to health The applicant or a permanent member of their household is experiencing difficulties or that adaptations cannot be made to their current home and a move to alternative accommodation may reduce the effect	No	No	No
No priority	No risk to health The applicant or a permanent member of their household has a medical need but moving to alternative accommodation would not alleviate the condition.	N/A	N/A	N/A

In addition to medical priority, additional recommendations may be made in regard to consideration around mobility and the type of property required if this is relevant which includes.

- A fully accessible home is required, for example a full-time wheelchair user.
- A level access shower
- Ground floor accommodation only
- A property not above first floor unless there is a lift.

Where a fully accessible home is required, due to the low availability of this type of accommodation this would usually be allocated outside of the Choice-based lettings process.

Following the assessment, the Council will notify you of the outcome which may be.

- Award a higher band priority.
- Award an additional recommendation for a specific type or amenity of property.
- Take no action if your medical condition is not affected by your current accommodation.

If a medical condition worsens significantly, a further medical self-assessment form should be completed together with providing any supporting evidence.

We may require a reassessment or remove a medical priority if.

- You have been awarded a priority A1 or A2 medical award but have not participated in choice-based lettings.
- You have been awarded a priority A1 or A2 medical award but have refused an offer of suitable accommodation.
- You have moved to alternative accommodation.

Appendix 5 – Document checklist

Approved documents

1. **Two forms of ID for every person listed on the application.**

- ✓ Passport
- ✓ Citizen Card
- ✓ Driving License
- ✓ Bus pass
- ✓ Identity card or home Office travel documents
- ✓ Veterans ID card
- ✓ Full birth certificate

Note: One form must be photographic ID. Certified photographs may be accepted as one form of photographic ID.

2. **One form of proof of national insurance number for every person listed on the application**

- ✓ National insurance card or letter
- ✓ Payslips
- ✓ Benefit letter
- ✓ Inland tax notification including child and family tax credits.
- ✓ P45/60

3. **Two forms of proof of children listed in application**

- ✓ Full birth certificate
- ✓ Proof of child benefit
- ✓ Proof of pregnancy

4. **Proof of residency in the district for five years for an applicant and joint applicant. One document for each year.**

- ✓ Utility bill, gas, electricity, water, or landline (mobile phone not accepted)
- ✓ Car insurance documents
- ✓ Home insurance document
- ✓ Tenancy agreement

* This documentation will also be required to demonstrate a strong family connection to the district for applicants who do not live in the district and are relying on a family connection for sheltered housing. In addition, proof of family type will need to be demonstrated, for example birth certificate, marriage certificate etc.

5. **Proof of financial circumstances for an applicant and joint applicant.**

- ✓ Last 3 months bank or savings account statements for all accounts held.
- ✓ Last 3 months' payslips (if applicable)
- ✓ Proof of current benefit entitlement

6. Medical information (if applicable)

- ✓ Occupational Therapy report (OT assessment)
- ✓ Housing Needs assessment
- ✓ Supporting medical information, for example., GP, specialist letters

Note: Further documents may be requested dependent on individual circumstances