REDDITCH BOROUGH COUNCIL
HOUSING ALLOCATIONS POLICY

March 2018

REDDITCH BOROUGH COUNCIL

making a difference

CONTENTS	PAGE
1. INTRODUCTION	3
2. PRIORITIES AND AIMS	4
3. THE PURPOSE OF THE ALLOCATIONS POLICY	5
4. EQUALITY AND DIVERSITY	5
5. STATEMENT ON CHOICE	6
6. ELIGILITY AND REASONABLE PREFERENCE	7
7. REASONABLE PREFERRENCE CATEGORIES	10
8. APPLYING TO GO ON THE REGISTER	11
9. OWNER OCCUPIERS	12
10. REDDITCH HOME CHOICE BANDINGS	12
11. ALLOCATIONS	16
12. POINTS EXPLANATION	17
13. CHANGE OF CIRCUMSTANCES	19
14. REMOVAL / AMENDMENT TO ENTRY ON REGISTER	20
15. HARASSMENT	21
16. HOMELESSNESS	21
17. YOUNG PERSONS AND RE-HOUSING	22
18. SHARED OWNERSHIP	22
19. HOUSING ASSOCIATION PROPERTIES	22
20. CO-OPERATIVE HOUSING	23
21. MUTUAL EXCHANGE	23
22. JOINT TENANCIES	24
23. DECANTS	24
24. SOCIAL HOUSING TENANTS WISHING TO MOVE TO ALTERNATIVE AREAS	25
25. SHELTERED ACCOMMODATION	25
26. VERY SHELTERED SCHEMES	25
27. SPECIAL NEEDS ACCOMMODATION	26
28. LOCAL LETTINGS PLAN/SENSETIVE LETS	26
29. STAFF / ELECTED MEMBER APPLICANTIONS	27
30. TIED OR SERVICE TENANTS	27
31. FOSTER CHILDREN	28
32. KINSHIP CARERS	28
33. DEBT TO THE COUNCIL OR HOUSING ASSOCIATIONS	28
34. PROVIDING INFORMATION TO APPLICANTS	29
35. THE RIGHT TO INFORMATION ABOUT DECISIONS AND THE RIGHT TO REVIEW A DECISION	29
36. EQUALITIES STATEMENT	30

1. INTRODUCTION

Redditch Borough Council is an area of high housing demand and need. Property prices and private sector rents are high in comparison to incomes, resulting in additional pressures on affordable housing. Allocations of Council owned property and nominations to Housing Associations will be made using the guidelines set out in this Policy.

This Allocations Policy complies with the requirements of the Housing Act 1996 (as amended) and takes into account the relevant code of guidance Allocation of Accommodation Code of Guidance 2012 which replaced the previous codes of guidance. All of these documents can be obtained through the DCLG website. The Policy also complies with the Localism Act 2011, Welfare Reform legislation and Equalities Act 2010 where applicable.

The Housing Act 1996 (as amended by the 2002 Homelessness Act) requires local authorities to make all allocations and nominations in accordance with an Allocations Policy. A summary of the Allocations Scheme and general principles is available through the Redditch Home Choice website www.redditchhomechoice.org.uk and at the Council's offices.

The Housing Act 1996, (as amended) requires local authorities to give Reasonable Preference in their allocations policies to people with high levels of assessed housing need. This includes homeless people, those who need to move on welfare or medical grounds, people living in unsatisfactory housing and those who would face hardship unless they moved to a particular locality within the local authority's area.

The Allocations Policy is also framed to ensure that it is compatible with the Council's equality duties including the duty to eliminate unlawful discrimination and to promote good relations between different racial groups, as well the duty to promote equality between disabled persons and other persons and between men and women.

This Policy has considered:

- The Council's statutory obligations and discretion as to who is eligible for housing allocation

- The Council's statutory obligation to provide Reasonable Preference to certain categories of applicants set down by law i.e. those who must be given a greater priority under the Allocations Policy.

- The Council's statutory discretion to grant "additional preference" and/or to determine priority between applicants with Reasonable Preference.

- The general and specific statutory discretions the Council can exercise when allocating housing.

2. PRIORITIES AND AIMS

The Council Plan focuses on delivering services which meet the needs of residents through six strategic purposes of which three directly relate to its approach to the allocation of affordable housing as follows:

- **Help me find somewhere to live in my locality**
- **Help me to live my life independently**
- **Help me to be financially independent**

Redditch Home Choice enables people with a housing need to look for a home in an area of preference within Redditch Borough. Households registered with Redditch Home Choice will be banded according to the suitability of their current accommodation to meet their needs, their current situation and their local connection.

Redditch Borough Council has set a number of objectives for its Allocations Policy in order to provide good quality, well managed social housing in Redditch. The policy is transparent and easy to understand, regular monitoring and reviewing will take place ensuring all targets are met and the best use is made of the available housing stock, and applicants are kept updated of all their Housing options.

- **Objective 1** Ensure that anyone in housing need has advice on access to affordable Housing, and that this advice is easily available to disadvantaged, vulnerable and ethnic groups.

- **Objective 2** Make Social Housing available to those who cannot afford to purchase property of their own, or to rent privately.

- **Objective 3** That there is equality of opportunity within the Allocations Policy and the allocations scheme is fair, consistent and accountable which reflects the values of the Council.

- **Objective 4** Incorporate the Council's Housing Strategy, Private Sector Renewal Strategy and Homelessness Strategy.

- **Objective 5** To build and sustain diverse and balanced communities and promote social inclusion.

- **Objective 6** To work with other agencies and housing providers to make the best use of affordable housing to meet current and future needs.

- **Objective 7** To ensure customers are given an opportunity to make an informed choice about where to live.

- **Objective 8** To create a safer & cleaner environment; reduce crime, disorder, substance misuse and anti-social behaviour, and to address the causes and fear of crime.

3. THE PURPOSE OF THE ALLOCATIONS POLICY

This policy sets out in detail, those who can or cannot be accepted under the policy and how this assessment is made. It also sets out how applicants can apply for and access housing.

It describes how applicants qualify for the Redditch Home Choice scheme and how the Council identifies their housing need with regard to the legal definition of Reasonable Preference and other categories of housing need that the Council has recognised and how it prioritises housing applicants.

Whilst all applicants are assessed in accordance with the Policy, the allocation of Housing Association properties will be subject to the allocation policies of those individual Housing Associations, where they have one, who will assess applicants on the Housing Register according to their stated priorities. They may have different rules about the number of people who can live in a home of a particular size. This will be made clear when a property is advertised. For more information regarding the letting of properties please see the Redditch Home Choice website.

What are Allocations under this Scheme?

Allocations under the scheme include where an applicant is nominated or where an existing tenant transfers to be a tenant of the Council or a Housing Association.

The allocation may be an 'Introductory Tenancy' with the Council or 'Starter Tenancy' with a Housing Association which will be for a set period, usually 12 months. Provided the tenant successfully completes the probationary period the Council/Housing Association will grant a Secure/Assured Tenancy or a fixed term tenancy (please see individual Housing Association / Registered Provider's tenancy policies).

The Redditch Home Choice scheme may also be used to advertise intermediate market rent, shared ownership and private rented properties. Please contact the relevant landlord for their eligibility criteria and more details regarding allocation of these types of properties.

4. EQUALITY AND DIVERSITY

The Council has clear policies and procedures which promote equal opportunity, diversity and respect for the needs of everyone in our community. This includes:

- Equal treatment of all regardless of race, gender, age, disability, sexual orientation, religion or belief, with reasonable adjustments where necessary in line with the Disability Discrimination Act.
- Working to eliminate unlawful discrimination.
- Promoting equal opportunities.

- Promoting community cohesion, including good relations between people from different ethnic groups.
- Providing reasonable access to interpretation or support on request.
- Responding to the needs of all and working to engage all sections of the community.

5. STATEMENT ON CHOICE

Redditch Council allocations policy provides a sophisticated approach to those with higher housing needs so that these needs are fully understood. Applicants in higher housing needs will be placed into the Gold Band with the approval of a Senior Officer and then directly matched with a home in a locality that provides a sustainable long term solution to meeting those needs.

Pressure on the Council's affordable housing stock means we have introduced qualification criteria covering who is and isn't eligible to join the waiting list. Whilst keen to encourage and facilitate mobility within housing, Redditch Borough Council recognises that provision of choice has to be balanced along with local needs and demand.

In determining priority for housing within the banding structure, a higher degree of preference will be awarded to applicants who have the greatest need and have a local connection to Redditch Borough.

Applicants, with the exception of Gold band, have the opportunity to view details of all properties that are advertised, but can only 'bid' for properties that they are eligible for. Those applicants in the Gold band will be directly matched to properties.

The Council has identified that in order to provide sustainable housing solutions there will be a number of exceptional situations where bidding may not be possible, for instance;

- Where the applicant does not meet the eligibility criteria for the scheme or the vacant property.
- Where a Local Lettings Plan has been agreed and the applicant does not meet the criteria.
- Where there is a legal agreement restricting who can be offered the property. Exceptional circumstances will be made clear when the applicant receives their banding award, or the property is advertised, unless the exceptional circumstance concerns the individual specifically (who has bid for the property) in which case it will be discussed with the applicant at the point of allocation.

Applicants who bid on and subsequently refuse properties for no reason or without what the Council considers a valid reason will have their priority reduced by changing their application effective banding date to the date of refusal.

6. ELIGIBILITY AND REASONABLE PREFERENCE

Who is, and who is not, eligible to apply to register on Redditch Home Choice

Any United Kingdom resident aged 16 years or over may apply to the council for allocation of housing. However, housing will only be allocated to applicants who are registered on the council's housing register for social housing and to be registered an applicant must be:

- eligible for social housing in England (that is, not ineligible due to their immigration status); and
- a qualifying person for social housing in Redditch Borough.

Persons from abroad

A person from abroad (or two or more persons jointly if any of them is an ineligible person) is ineligible for an allocation of housing accommodation if he is subject to immigration control within the meaning of the Asylum and Immigration Act 1996, or is excluded from entitlement to housing benefit by s.115 of the Immigration and Asylum Act 1999 (c 33) (exclusion from benefits) unless he is of a class prescribed by regulations made by the Secretary of State. Persons who are subject to immigration control and eligible for housing assistance are;

- Refugee status
- Exceptional leave to remain
- Indefinite leave to remain
- Nationals of a country that has ratified the European Convention on Social and Medical Assistance (ECSMA) or the European Social Charter provided they are habitually resident in the CTA and are lawfully present in the UK

This does not apply to a person who is already a secure or introductory tenant, of the Council or housing association. If an applicant has any further questions regarding their status they should contact the Council or seek independent legal advice. Households who are living abroad and therefore not habitually resident will not be eligible to register.

Applicants who were considered as ineligible due to immigration status can re-apply at any time.

Anybody can make joint applications including married couples, civil partners, cohabiting couples, same sex couples. In such cases, it is usual for a joint tenancy to be granted in the event of an offer of accommodation being made. The eligibility of applicants to be on the Housing Register will also be checked at the point of allocation.

Age Eligibility Criteria - Young people aged 16 to 18

Young people aged 16 to 18 can apply to Redditch Home Choice and will be registered. For young people under the age of 18 years the Council or Housing

Association partner may grant permission to allow the occupation of a property by way of an “Equitable Tenancy” however the Council or Housing Association (Registered Provider) will not normally grant a tenancy to anyone under the age of 18 years unless they are also able to provide a guarantor to cover rent. Please refer to individual Housing Association and Registered Providers policies for more details.

Unacceptable behaviour

Where the applicant, or a member of their household, has been guilty of unacceptable behaviour serious enough to make him unsuitable to be a tenant of the authority, the Council may decide they will be ineligible for registration.

Unacceptable behaviour is defined as behaviour which would, if an applicant or member of their household was a secure tenant, entitle a landlord to outright possession under any of the Grounds 1 to 7, Schedule 2 of the Housing Act 1985.

Unacceptable behaviour can include but not limited to:

- Owing significant rent arrears and/or failing to comply with a current tenancy condition with a Council, Housing Association or private landlord to such an extent that a Court would grant a possession order.
- Conviction for using the property for an illegal or immoral purpose.
- Causing nuisance and annoyance to neighbours or visitors, for example anti-social behaviour.
- Being convicted for offences in or near the home and still posing a threat to neighbours or the community.
- Being violent towards a partner or members of the family.
- Being violent or abusive to Council Officers
- Allowing the condition of the property to deteriorate.
- Allowing any furniture or fixtures provided by the landlord to deteriorate due to ill treatment.
- Obtaining a tenancy by deception, for example by giving untrue information.
- Paying money to illegally obtain a tenancy.
- Having lost tied accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.

In determining whether an applicant is ineligible due to unacceptable behaviour, the Council, will consider:

- Has the applicant or a member of the applicant’s household been guilty of unacceptable behaviour?
- Was the unacceptable behaviour serious enough to have entitled the Landlord to obtain an order for possession?
- At the time of the application, is the applicant still unsuitable to be a tenant by reason of that behaviour, or the behaviour of a member of their household who wishes to reside with them?

Should the Council exclude the applicant from the housing register they have the

right to have this decision reviewed. An applicant may become ineligible at any time during the process should the Council become satisfied that they are ineligible due to unacceptable behaviour.

Applicants considered as being ineligible for any reason can make an application for accommodation in the future if their circumstances have changed for any reason. It is for the Council to consider behaviour, at the point of application to the housing register, and whether they are now eligible under the Policy.

Each application will be assessed on its merits and a decision regarding eligibility will be made accordingly. Anyone deemed ineligible for the register will be provided with a full written explanation for the decision and will have a right of review of the decision.

Please see the section on Reviews below.

Applicants who are not eligible to join the housing register

At the point of registration all applicants are asked for information about their housing history and legal status to establish eligibility to join the housing register under the relevant legislation and this allocations policy. Applicants are not assessed or placed into a Band until a decision has been made regarding their eligibility.

Armed Forces applicant

Members of the UK armed forces stationed abroad will be considered as living in the United Kingdom for the purposes of applying for social housing.

The Localism Act 2011 amends the Housing Act 1996 to give local housing authorities in England the power to decide what classes of persons are or are not qualifying persons under s.160ZA(7) of the Housing Act 1996, for an allocation of housing accommodation.

The Secretary of State has the power to prescribe in Regulations criteria that may not be used by local housing authorities in deciding what classes of persons are not qualifying persons (s. 160ZA(8)(b)). These Regulations require that local housing authorities do not use local connection (within the meaning of s. 199 of the Housing Act 1996) as a criterion in deciding whether the following are not qualifying persons:

a) persons who are serving in the regular forces or have done so in the five years preceding their application for an allocation of housing accommodation.
b) bereaved spouses or civil partners of those serving in the regular forces where their spouse or partner's death is attributable (wholly or partly) to their service and the bereaved spouse or civil partner's entitlement to reside in Ministry of Defence accommodation then ceases.
c) seriously injured, ill or disabled reservists (or former reservists) whose injury, illness or disability is attributable wholly or partly to their service.

The Council recognises the contribution that armed forces personnel have made and will award a local connection to those applicants as described above.

Social housing tenants

The Secretary of State has the power to prescribe in Regulations criteria that may not be used by local housing authorities in deciding what classes of persons are not qualifying persons (s. 160ZA(8)(b)). These Regulations require that local housing authorities do not use local connection (within the meaning of s. 199 of the Housing Act 1996) as a criterion in deciding whether social housing tenants are a "relevant person".

A relevant person has a need to move because the relevant person—

a) works in the district of the local housing authority, or
b) has been offered work in the district of the local housing authority; and
c) the authority is satisfied that the relevant person has a genuine intention of taking up the offer of work.
d) This regulation does not apply if the need to move is associated with work or the offer of work which is—
   (a) short-term or marginal in nature,
   (b) ancillary to work in another district, or
   (c) voluntary work.

In this regulation "voluntary work" means work where no payment is received by the relevant person or the only payment due to be made to the relevant person by virtue of being so engaged is a payment in respect of any expenses reasonably incurred by the relevant person in the course of being so engaged.

Specifically a local connection criteria may not be applied to existing social housing tenants seeking to transfer from another local authority district in England who have a reasonable preference under s.166 (3)(e) because of a need to move to the local authority's district to avoid hardship where they need to move because the tenant works in the district, or need to move to take up an offer of work

In considering registering applications the Council will take into account the Right to Move Statutory Guidance March 2015 (or any relevant successor document).

7. REASONABLE PREFERENCE CATEGORIES

Redditch Home Choice is required by law to assess the relative priority that housing applicants are awarded. This is particularly important as in the Borough, the demand for social housing is greater than the availability of homes.

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

- All homeless people as defined in Part VII of the Housing Act 1996
- People who are owed a duty under the Housing Act 1996 because they have a priority need but are intentionally homeless (under s190 (2)), because they are not in priority need and not homeless intentionally 193 (2) or because they are threatened with homelessness, in priority need and not intentionally homeless (195 (2) of the 1996 Act (or under s. 65 (2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under s. (192 (3)).
- People occupying unsanitary, overcrowded or otherwise unsatisfactory housing;
- 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 within the district to avoid hardship to themselves or others.

Specific details and examples of how Reasonable Preference and priorities are determined and applied are detailed in Section 10: Redditch Home Choice Banding.

Determining priority between applicants with Reasonable Preference

Redditch Home Choice allocations policy determines priority between applicants with Reasonable Preference by taking into account various factors including:

- Any local connection – as defined in s199 Housing Act 1996 (as amended) – that an applicant has with the Borough.
- The length of time the applicant has been waiting within their current band

8. APPLYING TO GO ON THE HOUSING REGISTER

In most instances anyone who wishes to apply for affordable housing through Redditch Homes must first attend a housing options interview or an interview with their locality officer and complete a registration form. The housing options interview will enable the applicant to discuss their housing circumstances with the Council and explore their housing options such as the private rented sector.

Where an applicant needs assistance to complete an application form an advocate (for example, a family member, friend or support agency) can complete the registration form on behalf of an applicant who is requesting assistance.

If the applicant is not eligible to register they will be notified in writing giving the reason for the decision and informing them of their right to request a review.

The application must be accompanied by two proofs of residency, one of which

must be within four weeks of the application date, and also one form of identification. The same information is required for any member of the household, over the age of 18, who is to be included on the application.

The Council may ask for updated proof and identification to be provided at the point of housing allocation.

All applications once received will be assessed and placed in the appropriate band. This assessment will, in most instances, involve an interview to discuss housing options.

Where additional information is required to confirm that a higher band is appropriate, the application may be placed in a lower band until the circumstances of the applicant have been confirmed.

Once registered with the Redditch Home Choice scheme the applicant will be given a membership number.

Applicants to the scheme are entitled to request details from the Council about information that has been used to make a decision on their registration.

9. OWNER OCCUPIERS

Owner Occupiers will be accepted onto the Housing Register and placed in the bronze band. Owner Occupiers will only receive additional consideration should they be deemed to have reasonable preference under section 167(2) Housing Act 1996. In such instances they would be placed in the appropriate band for their circumstances.

10. REDDITCH HOME CHOICE BANDINGS

Allocations will be made in line with the Councils Allocations Policy based on housing need and time waiting.

The Council will ensure that reasonable preference is given to the following categories of people, as set out in S167 (2) of the 1996 Act:

a) People who are homeless (within the meaning of part 7 of the 1996 act); this includes people who are intentionally homeless, and those who are not in priority need;
b) People who are owed a duty by any housing authority under section 190 (2), 193 (2) or 195 (2) of the 1996 Act (or under section 65 (2) or 68 (2) of the

(Housing Act 1985) or

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

In order to do this the Councils Choice Based Lettings scheme will distinguish between three broad levels of priority:

a) GOLD BAND.
b) SILVER BAND
c) BRONZE BAND.

The three core bandings have been decided by the categories below:

Gold: Applicants will be Directly Matched to a suitable property – (Bidding Blocked)

Statutory Homeless with a duty to re-house
Gold band is awarded by the Council where it has accepted a full duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) to provide accommodation for an applicant. Also an applicant who the Council is satisfied it has a duty to prevent homelessness (s.195) or relieve homelessness (s.189B) and the Council has validated as being unintentionally threatened with homelessness or homeless and has a priority need (within the meaning of Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002)

When the Council accepts a duty under homelessness legislation, the Council will directly match applicants to a property. Only **one** offer of suitable accommodation will be made. Should an applicant refuse an offer of suitable accommodation, the Council will have discharged its housing duty.

Applicants have the right to request a review of certain decisions made by the Council in respect of their homeless application. This includes the decision to bring to an end the full homeless duty by making a suitable offer of settled accommodation. The applicant has this right whether they refuse or accept the offer of accommodation. If the review finds in favour of the homeless applicant, the applicant will retain their Gold band (provided they are still homeless). However, if the reasonableness and suitability of the offer is upheld, the homeless duty will be ended and the applicant's banding will be reassessed. Homeless applicants are therefore advised to accept an offer and then request a review if they believe it to be unsuitable.

High Medical Need or Disability

Medical priority will only be granted where the current property has a direct adverse effect on the health of the applicant or a member of their family, and when it is unreasonable or uneconomical to adapt the current property. The Council will attempt to directly match applicants to a suitable property in the first instance.

Officers will gather sufficient information to understand the impact of the property on the health of the applicant or their family. The final decision for medical priority will be made by the Housing Services Manager or the Housing Options Manager in conjunction with the Councils medical advisors and Occupational Therapist if required. An example would be someone with severe mobility problems requiring ground floor accommodation.

If an offer of suitable accommodation be refused the Council will review the priority given to the applicant, which may result in the applicant having their banding reduced.

In certain circumstances the case may be referred to an external body e.g. Now Medical for assessment.

Living in exceptional circumstances

This will only be awarded in those instances where the applicant's living circumstances are considered by the Council to be exceptional given the prevailing housing conditions in the Borough and where no other banding criteria reflects or addresses the problem(s).

In reaching a decision to award this banding, account will be taken of the suitability of the current accommodation and the location of the accommodation in relation to the applicant's needs. The final decision for this access to this banding will be made by the Housing Services Manager or the Housing Options Manager

Examples are given below of potential situations where this banding <u>may</u> be granted – the list is not exhaustive and the decision lies with the Council.

- The applicant is adequately housed but needs to give or receive support on the grounds of disability or illness that is substantial and ongoing and it is not possible for the person giving care to use public transport or their own transport to provide assistance.
- The applicant needs to move on welfare grounds e.g. hardship.
- The applicant's household is overcrowded, coupled with medical issues that do not accrue medical priority e.g. ADHD, autism.
- The applicant needs to take up or continue employment, education and/or training that is not available elsewhere and they do not live within reasonable commuting distance

If an offer of suitable accommodation be refused the Council will review the priority given to the applicant, which may result in the applicant having their banding reduced.

Supported Accommodation 'Move on' scheme.

This status is awarded where an agreement between the Council and the Supported Housing provider, is in place for applicants to move on from supported accommodation in the Borough.

This status will only be awarded to applicants in supported accommodation or care-leavers where the following criteria have been met:

- The applicant is ready to move to independent settled social housing on the recommendation of the support provider

- An ongoing support package has been assessed and where required, is in place.

Silver:

This band includes applicants with a single non urgent need. It also includes applicants assessed as having an urgent Medical or Social need but who have deliberately worsened their housing circumstances to improve their chances of obtaining social housing.
It also includes applicant who the Council is satisfied it has a duty to prevent homelessness (s.195) or relieve homelessness (s.189B)
Allocations will be made to applicants who have expressed an interest in a property and in order of highest points, followed by the earliest application date. Should two applicants have the same number of points, and the same application date, the allocation will be made to the applicant who expressed an interest first.

Bronze:

This band will include all applicants who are deemed to be adequately housed and as such have no entitlement to reasonable preference e.g.
Owner occupiers.

Members of the Armed Forces

By Armed Forces, we mean the “regular forces” and the “reserve forces” as defined by s. 374 of the Armed Forces Act 2006(a). The “regular forces” means the Royal Navy, the Royal Marines, the regular Army or the Royal Air Force. The “reserve forces” means the Royal Fleet Reserve, the Royal Navy Reserve, the Marine Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force.

Members of the Armed Forces who have been served with a cessation to occupy accommodation will be given housing advice and the appropriate banding and, if required, considered under Homelessness legislation (Housing Act 1996, Part VII and other relevant legislation).

The Housing Act 1996 (Additional Preferences for Armed Forces) (England) Regulations 2012 require Local Authorities to give additional preference to a person with an urgent housing need and are in one of the reasonable preference categories.

The regulations are;
That local housing authorities must frame their allocation scheme to give additional preference to the following persons if they fall within one or more of the statutory reasonable preference categories and are in urgent housing need:

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

If an “Armed Forces” applicant is able to meet the local connection criteria (or is exempt from this), the Policy will award the applicant an additional six months in waiting time at the point that need has been assessed or date of registration (if need hasn’t changed over time).

Allocations to bandings

As a starting point 60% of properties will be awarded to the Gold banding and 40% to Silver and Bronze. A proportion of allocations will be specifically utilised for transfers only, at the discretion of the Head of Housing and Housing Service Manager and allocated in accordance with the banding structure. The Head of Housing will at their discretion vary the percentage of properties given to each banding depending on the number of applicants in each band on the housing register.

The Head of Housing will review the percentage target on a quarterly basis to ensure that the best use is being made of the housing stock, and that government guidelines for using temporary accommodation for Homeless cases are being met.

11. ALLOCATIONS

Housing need will be used to determine the banding of each applicant.

A proportion of allocations will be through direct matching to those applicants on Gold band. Properties not directly matched will be advertised for either all applicants or just Transfers who will be able to bid and allocations will be made to the applicant who has expressed an interest in a property and who:

a) Has the highest band and,
b) Has the highest number of points and,
c) Has the earliest application date

The Council determines priority for housing by a banding system and points within the banding based on the housing need of the applicant and the time waiting:

The housing register is made up of:

- Homeless Cases
- Applicants
- Transfers

The scheme is designed to be easy to understand, to give priority to those in most housing need and to be open and accountable.

12. POINTS EXPLANATION

Points Scheme Summary

• **Residency (12 months) or parents**	**30 Points**
• **Bedroom deficiency/per room**	**50 Points**
• **Children in flat points**	**15 Points**
• **Studio Flats**	**5 Points**
• **Property is Under Occupied / Per room**	**50 Points**
• **Leaving Special needs property**	**250 Points**

Residency Points

Applicants who have lived in Redditch for the past 12 months or who have parents currently living in Redditch. Residency points will be awarded to applicants leaving the armed forces who would have qualified for them prior to commencing their service. These are the only points that are applicable in the Gold Band.

Bedroom Deficiency

The policy states all members of the application household require a room except those living as couples. Applicants will be awarded 50 points for each bedroom that their current property is deficient of. The Policy states these points will be awarded to children regardless of age or sex; however this does not reflect the size of the property to be offered. These points are not applicable to individuals in the Gold Band and are not awarded to households that are considered to have deliberately worsened their circumstances by moving into smaller or unsuitable accommodation.

Children in Flats

These are awarded if there are any children under the age of 10 living in a flat. These points are not applicable to applicants in the Gold.

Studio Flats (Transfers only)

Applicants who have lived in a studio flat for at least twelve months will receive 5 points to help facilitate them moving on if applying for a transfer.

Under Occupancy Points:

Under Occupancy Points will be awarded to all applicants in Council or Housing Association stock provided that it can be demonstrated that prioritising the applicant for smaller housing would free up housing stock which is both suitable and accessible for other applicants solely on the Redditch Borough Council Waiting List.

Points awarded for under occupancy of rooms would be awarded in line with the existing Landlords occupancy policy. In cases where no occupancy policy exists, points will be awarded in line with the Redditch Borough Council occupancy policy.

In cases where an under-occupied property is required for a family in Urgent Housing Need then the Head of Housing has the authority to place the household that are under-occupying into the gold band to allow the property to be freed up for the family in Urgent Housing Need as quickly as possible.

Leaving Special Needs Property

Points will be awarded to applicants living in properties with the following:

a) A vertical lift moving between Floors
b) Properties where building adaptations have been made totalling over £1,000 and
c) The property would be suitable for occupation by another individual or family with a Special Need

These points are not applicable to applicants in the Gold Band.

Property Size

The size of the property that an applicant may express an interest in is in line with the property size matrix (Appendix 1). The Council will only allocate accommodation to households where they have demonstrated that it is affordable to them (based on their income either through employment or benefit entitlement).

Applicants being housed under the Council's homelessness duty with one child under the age of 2 will only considered for one or two bedroom accommodation.

Property Type

All accessible properties (i.e. housing which has been designed or adapted to meet the needs of disabled people) will be advertised through the Redditch Home Choice scheme. Priority for accessible accommodation will be given to those people those who have appropriate levels of need and this will be clearly stated in the adverts.

PROPERTY TYPE	SINGLE	COUPLE	S/C + 1 CHILD UNDER 2 (H/LESS ROUTE)	S/C + 1 CHILD UNDER 2	S/C + 1 CHILD OVER 2	S/C +2	S/C +3	S/C +4	S/C +5
STUDIO FLAT	X	X							
1 BED FLAT	X	X	X						
1 BED HOUSE	X	X	X						
2 BED FLAT			X	X	X	X			
2 BED HOUSE			X	X	X	X			
3 BED FLAT						X	X	X	
3 BED HOUSE						X	X	X	
4 BED HOUSE							X	X	X
5 BED HOUSE									X

N.B. Size eligibility subject to affordability

13. CHANGE OF CIRCUMSTANCES

Under Section 171 of the Housing Act 1996, it is a criminal offence for applicants to knowingly give false information or to withhold information relevant to their application. A fine of up to £5,000 may be imposed by the courts if the applicant is found guilty. An offence may be committed if an applicant knowingly gives false information, or knowingly withholds information which Housing Services has reasonably requested on the housing application form. An offence is also committed if the applicant allows a third party to provide false information on their behalf or at their instigation.

Changes of circumstances should be notified to the Housing Options Team as soon

as possible, using the Change of Circumstances Form. The form should be fully completed and be used for the following:

- Any confirmed pregnancy
- Any member of the family or any other person on the application who has left the accommodation
- Any changes of name
- Any additions to the family-(Proof of residence and ID will be
- required)
- Any change in income or savings
- Changes in status of accommodation (e.g. Notice to Quit)

If an applicant has changed address a new application form should be completed. Providing that there is no break in the timescale, the date of application will be taken from the first application that was accepted by the Council; however, the housing need points may be adjusted accordingly.

In cases where there is a change in an applicant's medical situation, the Council should be notified.

Where a register entry is amended following receipt of a completed change of circumstances form, the Council will notify the person concerned in writing. Before removing a person from the register, the Council will give him/her notice of this action. Where an applicant is removed from the housing register other than at his/her request, the Council will inform them in writing of its decision, the reason for it and the right to request a review.

If evidence is obtained that an applicant has gained a tenancy through providing false information or withholding relevant information, the Council will take possession proceedings against the tenant.

14. REMOVAL/AMENDMENT TO ENTRY ON REGISTER

Redditch Borough Council reserves the right to remove an applicant from the Housing Register if there is evidence that the applicant or a person acting on the applicant's request, has given false information or withheld information relevant to their application.

The Council will remove a person's application if he/she requests it (provided they are not owed a duty as homeless) or is no longer deemed to be eligible. The Council may also remove a person from its register in other appropriate circumstances as it sees fit. This will include:

- Failure to renew application when requested by Redditch Borough Council.
- Any applicant seeking to obtain accommodation by making false or misleading

statements, or by withholding information that has been reasonably requested, or by failing to inform the Council of any material change of circumstances, is liable to have their application cancelled. It is also an offence under section 171 of the Housing Act 1996 to take any such action. A person guilty of an offence under this section is liable on summary conviction to a fine.

15. HARASSMENT

Redditch Borough Council defines harassment/Anti-Social behaviour as:
'Any behaviour by an individual or a group which makes another person or group feels harassed, alarmed, threatened or distressed. It includes a variety of behaviour that can blight the quality of community life and is based on individual perception. Anti-social behaviour may constitute a nuisance and annoyance, harassment or criminal activity'.

The Council will follow its Anti-Social Behaviour procedure in responding to requests for assistance if experiencing threats of, or actual violence, intimidation, nuisance, harassment, racial harassment or other forms of antisocial behavior.

Wherever possible appropriate remedies will be taken to resolve the situation. Redditch Borough Council will always attempt to deal with the perpetrator, rather than move the victim. Staff in Housing Services will liaise with appropriate agencies and advise applicants, to achieve this. Officers must be satisfied that the applicant has not caused or contributed to the situation where a dispute has escalated. Evidence will usually be required from the applicant and/or independent agencies to support allegations of antisocial behavior.

If an applicant reports repeated experiences of threats, intimidation, nuisance, harassment or other forms of antisocial behavior during their housing history, Officers must consider whether the applicant has provoked this behavior, or whether they are unusually sensitive to or liable to misinterpret others' behavior. In these circumstances a move is unlikely to resolve the issues.

Housing Officers will liaise with the Community Safety Officer, Police, Probation, victim support and other agencies to ensure that housing policies and procedures support community safety. Redditch Borough Council prefers to resolve problems relating to threats, harassment, antisocial behavior and other forms of nuisance by co-operative and partnership working.

16. HOMELESSNESS

Once it has been established that all options to prevent your homelessness have been exhausted and the Council has accepted a full duty to you as homeless under the terms of the Housing Act 1996 (as amended) your application will be placed on the Housing register, in the gold band. You will be directly matched to a property

and blocked from bidding. You will receive one offer of suitable accommodation. If you refuse this offer the Council will have discharged its duty towards you.

17. YOUNG PERSONS AND RE-HOUSING

The term “young person” refers to a person who is aged between 16 to 18 years old.

Applicants under 18 years of age but over 16 years and single will be registered onto the Housing Register. The application will be deferred until the applicant reaches 18 years of age. The application will attract ‘time waiting points’ only.

If the circumstances change and the applicant becomes homeless, Redditch Borough Council will assess the applicant under homelessness legislation to consider whether the authority has a duty to secure accommodation for the applicant. If the Council accepts it has a duty towards the applicant it will consider them for housing in line with the Council’s ‘Homelessness Protocol for Young 16 and 17 years olds’.

If the applicant is under 16 years old the Council will liaise with Worcestershire County Council Social Services, on your behalf for help and assistance.

18. SHARED OWNERSHIP

Qualification for Shared-ownership and any other affordable housing scheme will be in accordance with the guidelines of the Homes and Communities Agency.

You can buy a home through shared ownership if your household earns £80,000 a year or less and any of the following apply:

- you’re a first-time buyer
- you used to own a home, but can’t afford to buy one now
- you’re an existing shared owner

19. HOUSING ASSOCIATION PROPERTIES

There are various Housing Associations with properties within the Redditch area. A full list is on the Redditch Home Choice website:

http://www.redditchhomechoice.org.uk/Data/ASPPages/1/31.aspx

Allocations for Housing Association properties may be made from the Councils Housing Register.

Applicants must indicate their willingness to accept Housing Association Homes on their application form. Housing Association properties will be allocated through the Choice Based Letting scheme; however, applicants may also need to satisfy the requirements of the policy of the individual Housing Association.

Applicants must indicate that they wish to be considered for a Housing Association property on their application form.

20. CO-OPERATIVES HOMES SCHEME

Co-Operative Housing is a form of housing that requires the involvement of the tenants in the management of their own homes. You must first register on the Council's Housing Register in respect of your housing need and must also satisfy the Co-operative Homes requirement on their suitability for living in a co-operative environment.

Consideration will be given to any one in housing need, on a low income and capable of living independently in his or her own home or with support if required.

21. MUTUAL EXCHANGE

A mutual exchange is where two or more Council or Social Registered Landlord tenants swap their homes. It does not involve any property becoming empty. As the housing register becomes longer a mutual exchange is often the quickest way of moving.

Secure tenants of Redditch Borough Council have the right to exchange their property with other secure tenants of any other Council or Housing Association.

Mutual Exchange is now administrated via the Homeswapper website at: http://www.homeswapper.co.uk/

The Council agrees to mutual exchanges in line with the Councils Allocation Policy.

- The tenant must receive written consent from the landlord before any exchange takes place.
- Any exchanges carried out without written permission may be made to

move back.

The Council may withhold consent on the following grounds

1. There is a valid possession order with a date for the tenant to leave the property.
2. Possession proceedings have been started.
3. The property is not of a suitable size (one extra bedroom is allowed).
4. The property has been adapted or is specifically built for people with special needs.
5. The property is within a sheltered scheme and the incoming tenant does not require the facilities.

Rent arrears or other breach of tenancy conditions are not grounds for refusal, but any breach must be rectified in advance of any exchange.

22. JOINT TENANCIES

Redditch Borough Council will consider offering existing tenants a joint tenancy to adult members of the household who have been living in the same home for a minimum of twelve months, prior to the application for a joint tenancy being made. Proof of residency and ID will be required (Appendix 2).

Redditch Borough Council will offer a joint tenancy to new tenants who have made a joint application unless:

- One prospective joint tenant is excluded from or is ineligible to join the Housing Register.

Where one of the joint tenants terminates the tenancy, the Housing Services Manager of Housing Options Manager may at their discretion, grant the remaining tenant a tenancy in their sole name. In making this decision, consideration will be given to property size and making the best use of the Councils housing stock.

23. DECANTS

Decants relate to tenants requiring a temporary move to allow major refurbishment to their current property.

Tenants will be offered temporary moves, at the discretion of the Housing Services or Housing Options Manager.

Properties identified as being suitable for decants will be offered outside of the

Choice Based Lettings scheme but where possible Officers will make use of vacant Temporary Accommodation.

24. SOCIAL HOUSING TENANTS WISHING TO MOVE TO ALTERNATIVE AREAS

Homeswapper is a scheme which allows social housing tenants to move to alternative areas for example if:

- You are taking up employment which is too far away to commute.
- You need to live closer to relatives to receive or give support.
- There are other special reasons

The Council pays each year for a subscription to all its tenants to register at no cost to them. The scheme can be accessed via the internet at the following address:

http://www.homeswapper.co.uk/

If you are unable to access the internet or require assistance due to disability please contact your Tenancy Officer or the Housing Options Team for help.

25. SHELTERED ACCOMMODATION

Sheltered schemes with Home Support Officers visiting are suitable for mature people over the age of 60, (in the case of couples one partner needs to be 60 years or over), with no children living at home. Certain schemes will accept applicants over the age of 50; however, priority will be given to applicants over 60.

When a ground floor flat becomes vacant priority will be given to those tenants already living in the scheme on the first floor or above who require ground floor accommodation.

Council tenants wishing to move into sheltered accommodation will be offered assistance to help them with their move.

26. VERY SHELTERED SCHEMES

The Council has access to two very sheltered schemes, St David's House, Batchley

and Terry Spring Court, Smallwood.

The allocation of these properties will be made in accordance will the Very Sheltered Scheme allocations policy. To be eligible for this type of accommodation applicants will need to satisfy the following conditions:

- Be eligible for inclusion on the Housing Register.
- Be aged 60. (a younger person may in exceptional circumstances be accepted by the Extra Care Operational Director, Social Services and the Council).
- Need help with personal care, such as washing dressing or getting in and out of bed, either now or in the future.
- Have housing needs because your home is unsuitable. This may be because there is lack of basic amenities, or you may find it difficult to move around your home, or your home makes your medical condition worse. There may be other reasons that your current home may be unsuitable for you.

27. SPECIAL NEEDS ACCOMMODATION

There are a number of properties which have adaptations and are suitable for applicants with special needs. All accessible properties will in the first instance be considered for direct matching to applicants in the Gold band. If there is no requirement for the property through direct matching, the property will be advertised through the Choice Based Lettings scheme. Priority for accessible accommodation will be given to those people those who have appropriate levels of need and this will be clearly stated in the adverts. Consideration of the suitability of the property will be agreed by the Housing Options Manager or Housing Services Manager.

Applicants currently living in homes which are adapted, and no longer need specialist accommodation will be placed in the Silver banding and receive 250 points, to facilitate a move to free up the accommodation.

28. LOCAL LETTINGS PLAN / SENSTIVE LETS

The Council believes that some locations and/or property types are more suited to particular residents. Temporary local lettings plans will be agreed by the Housing Services Manager or Head of Housing in consultation with local ward members to resolve Housing Management issues or to allow for the allocation of difficult to let

properties. Any properties subject to a local lettings plan will be clearly explained in the Choice Based Letting advert.

Where a local lettings plan is in place the allocation will be made following an interview process of applicants to ensure the suitability of the applicant to the property.

In certain circumstances the Council will be required to sensitively let a specific property for ongoing management reasons. These allocations will also be made following an interview process to ensure the suitability of the applicant.

29. STAFF/ELECTED MEMBER APPLICATIONS

Staff members, Elected Members, or relatives of either, will have their application approved by the Housing Options Manager or the Head of Housing, in accordance with the Councils equal opportunity policy.

Any offers of accommodation to members of staff, Elected Members, or relatives of either, will be agreed by the Chief Executive. In the absence of the Chief Executive this decision will be delegated to the Deputy Chief Executive & Executive Director for Leisure, Environment & Community Services In the absence of the Deputy Chief Executive & Executive Director for Leisure, Environment & Community Services this decision will be delegated to the Executive Director of Finance and Corporate Resources.

30. TIED OR SERVICE TENANTS

Tied or service tenants refer to local authority employees (a local schools employee) who occupy their home in order to do their job.

The applicant must be resident in their service tenancy in Redditch for at least six months.

On receiving notification of retirement the applicant will be given priority by placing into the gold banding.

Applicants not retiring but required to leave their service or tied tenancy will be placed onto the waiting list without priority and may approach the Council under homeless legislation.

31. FOSTER CHILDREN

Foster children are not automatically accepted on an application for housing as fostering is often a short-term arrangement. Social Services can provide advice where they believe the family requires larger accommodation and if evidence shows that a family will be fostering a child on a long-term basis consideration will be given to the housing need of that young person and they may be allowed on the application.

32. KINSHIP CARERS

Kinship Care is an arrangement where a child who cannot be cared for by their parent(s) goes to live with a relative or a family friend.

Those applicants who are kinship carers will have the child added to their application providing that they have official parental responsibility or are confirmed Kinship carers by Children's Social Care.

33. DEBT TO THE COUNCIL OR HOUSING ASSOCIATIONS

Applicants can apply to go on the housing register if they owe monies to the Council or any Housing Association, however:

No offer of accommodation will be made until the total debt is clear. Debt can include:

- Rent arrears / Former Tenancy Arrears
- Over-allowed Housing Benefit
- Council Tax
- Court Costs
- Repair re-charge

In exceptional circumstances the Housing Services Manager or Head of Housing may agree to an allocation being made.

34. PROVIDING INFORMATION TO APPLICANTS

Section 166 of the Housing Act 1996, as amended, requires a housing authority to ensure advice and information is available free to everyone in its district about the

right to apply for housing accommodation. Section 166 requires housing authorities to inform an applicant he has the right to certain general information, such as:

- Information that will enable him to assess how his application is likely to be treated under the scheme, and in particular, whether he is likely to fall within the reasonable preference categories; and
- Information about whether accommodation appropriate to his needs is likely to be made available and, if so, how long it is likely to be before such accommodation becomes available.

At the time an application for housing is made, the Council will provide full Housing Options information, which will enable the applicant to make an informed choice about the type of accommodation they are likely to be considered for and the likelihood of them being made an offer within a reasonable timescale.

Information regarding the allocations will be available on a weekly basis, and Information on numbers of properties, numbers of voids and allocation targets will be updated quarterly.

Assistance will be provided by the Housing Options Team or One Stop Shops to help with the completion of housing register application.

A guide to Applying for Housing will be completed and reviewed annually for those who request it.

35. THE RIGHT TO INFORMATION ABOUT DECISIONS AND THE RIGHT TO REVIEW A DECISION

Applicants will be notified in writing of decisions taken on their application.

The notification will give clear grounds for the decision, which are based firmly on the relevant facts of the case. The applicant also has the right, on request, to be informed of any decision about the facts of the applicant's case which has been, or is likely to be, taken into account in considering whether to make an allocation to him. Under section 167 of the 1996 Act, an applicant has the right to request a review on certain decisions. This right will be made clear in such decision letters.

A request for a review must be made within 21 days of the applicant being informed in writing of the Council's decision. The review will be carried out by a senior officer who was not involved in the original decision.

The applicant will be invited to submit any new information they would like the reviewing officer to consider.

The following decisions have a right to request a review:

- To treat an applicant as ineligible due to immigration status or persons from abroad who have failed the habitual residence test;

- Not to accept an applicant on to housing register or give an applicant any preference because of unacceptable behavior serious enough to make him unsuitable to be a tenant;
- Not to give an applicant any preference because of the financial resources available to him;
- Not to make an allocation to an applicant, when it has been considered he would not be capable of independent living;
- As to the suitability of accommodation offered to an applicant in discharge of the Council's duty under the provisions of Part VII of the Housing Act 1996 (Housing the Homeless);
- The outcome of a request for living in exceptional circumstances or medical priority.

A person will be notified in writing of the outcome of a review, with details of the reasons for the decision.

36. EQUALITIES STATEMENT

This policy is intended to operate within the Council's commitment to equalities and diversity including:

- Equal treatment regardless of race, gender, age disability, sexual orientation, religion or belief, with reasonable adjustments where necessary in line with the Disability Discrimination Act.

- Working to eliminate *unlawful* discrimination

- ***Promoting equal opportunities****.*

- Promoting community cohesion, ***including good relations between people from different racial groups****.*

- Providing reasonable access to interpretation or support on request.

- Responding to the needs of all and working to engage all sections of the community.

This policy will be assessed as part of a rolling programme of reviews to ensure that it does not have a detrimental or disproportionate effect on any group.

Any concerns that the policy is operating in a way that could be construed as discriminatory should be passed to the responsible Manager and will be dealt with as part of the official Complaints Procedure, in line with the Council's Equality Schemes.