

Housing Allocations Policy

March 2016



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CONTROL SHEET FOR HOUSING ALLOCATIONS POLICY

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2. The Scope of the Policy – including to whom it will apply and any requirements of compliance.
3. The Principles of the Policy – to link in with the Corporate Aims and Vision.
4. The Policy Statement this may need to be divided down into subsections if the policy is lengthy
5. Responsibility for implementing the Policy (and implementation plans where necessary).
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Allocations Policy

Scope

This policy covers the way the Council allocates Council housing. This includes:

- Who is eligible to apply for housing
- Circumstances when people will not be considered for rehousing
- The process of applying for housing
- How needs are assessed
- How properties are allocated to different household sizes and circumstances.
- Household sizes
- How to deal with cases that fall outside general guidance
- The circumstances when different tenancies are used.
- How offers of accommodation are made

Principles

1. To make the best use of the housing owned by the District Council.
2. To allocate properties that meet the needs of applicants and gives priority to those in most need.
3. To have a system that is transparent and easy to understand.
4. To have a system that treats all sectors of the community fairly.
5. To offer choice to applicants

This policy is linked to the Mutual Exchange Policy and the Succession Policy.

Who does this apply to?

1) Who is eligible to apply for housing?

- a) With a few exceptions, noted below, British Nationals over the age of 18 within the UK are able to apply for a Council property within Bolsover. In addition there are some other groups that are able to apply:
- b) Nationals of EEA countries (European Countries plus Iceland, Norway and Liechtenstein) who are living here; or who are workers as defined by the EU; or have a right to live in the UK. Please note that there are additional restrictions on nationals of countries who have recently joined the European Union)
- c) People who are subject to immigration control who have no restrictions on their call on public funds.
- d) People living outside the UK and have a connection with the district. For example armed forces personnel and their families currently posted overseas and people returning from working overseas.

2) Who is not eligible for housing?

- a) People under the age of 18.
- b) People who are resident in this country but who are prohibited by law from having access to public housing

- c) People determined by the Secretary of State as ineligible as a result of their immigration status.

3) People who will be excluded from the waiting list due to their own behaviour.

These are grounds that are included within the 2002 Homelessness Act. We will exclude people from the waiting list if either:

The behaviour of the person concerned which would (if he were a secure tenant of the authority) entitle the authority to a possession order under section 84 of the Housing Act 1985 (c. 68) on any ground mentioned in Part 1 of Schedule 2

Or, (b) behaviour of a member of his household which would (if they were a person residing with a secure tenant of the authority) entitle the authority to such a possession order

This means the following will be excluded.

- a) People who are current tenants of the Council (or other Council's or Housing Associations) who fail to pay their rent or other charges.
- b) People who are current tenants of the Council (or other Councils or Housing Associations) who have (either themselves or a member of their household) broken the condition of their tenancy and this breach is so serious that the Council or (Housing Association) have been granted a suspended possession order. In this case the Council will not consider the applicant until the breach is rectified and the applicant has successfully applied to the court to have the conditions revoked.
- c) Former tenants of the Council (or other Council or Housing Association) who have lost a previous home as a result of a breach of tenancy.
- d) Tenants within the private sector who have breached the terms of their tenancy and the landlord has gained a possession order.
- e) People who cause or are likely to cause a nuisance or annoyance to people who live, visit or work in the locality or the home; or to the Council (as landlord) or any person employed in connection with the exercise of the Council's housing management functions, and that conduct affects these functions.
- f) People who have been subject to an Anti Social Behaviour Injunction, an Anti Social Behaviour Order, a Criminal Behaviour Order, a Community Protection Notice, a Closure of Premises Order.
- g) People who allow their home to be used for immoral or illegal purposes.
- h) People who make false statements about their housing situations.
- i) People who have been convicted of an offence (which carried with it a custodial sentence, whether or not custody was imposed) which was committed in, or in the locality of their home, or committed elsewhere against a person with a right to reside, in or occupy housing accommodation in the locality, or was committed elsewhere against the

landlord of the home, or a person employed in connection with the exercise of the Council's housing management functions and that the conduct affects these functions.

- j) People who let the condition of their existing property deteriorate by a deliberate act, or by neglect.

We will act reasonable when we decide to exclude an applicant and we will consider all the relevant information before we make any decisions. In all cases applicants will be informed of the Council's decision in writing, and this will include a right of appeal.

In determining the issue it is not necessary for the applicant to have been a tenant of the Council when the poor behaviour occurred – for example an applicant who previously had a tenancy with a private landlord and was in arrears of rent or had been guilty of anti social behaviour will be subject to this part of the Policy. Also, the poor behaviour is not limited to the applicant – it extends to behaviour caused by a member of the applicant's household and visitors to the applicant's home.

An applicant can be excluded at the start of the application process, immediately prior to offer when officers are carrying out intensive checks. Or at any time when the Council become aware of information about the applicant that suggest they should be excluded.

In all cases applicants will be informed of the Council's decision, and this will include a right to appeal. Applicants can ask for their case to be reviewed after 6 months has elapsed since the previous review.

4) People who can apply for rehousing but the Council will not offer housing as a result of the behaviour of the applicant

In some circumstances the Council will not consider an applicant for rehousing as a result of the behaviour of the applicant or a member of their household. The clauses below are not absolute and any decision should consider the circumstances of the applicant at that time. Any such decisions shall be considered by the Housing Application Review Panel (HARP panel) and not by individual officers.

- a) People who are current tenants of the Council who have (or a member of their household has) broken the condition of their tenancy. The Council will not consider the applicant until the breach is rectified examples include tenants who have damaged their home; carried out unauthorised alterations; causing anti social behaviour; or with rent arrears
- b) People who are current tenants of a Housing Association or another Council who have (or a member of their household has) broken a condition of their tenancy. The Council will not consider the applicant until the current landlord confirms the breach is rectified.
- c) People who are involved in causing Anti-Social behaviour where this behaviour is current, ongoing and where the anti-social behaviour team are involved.
- d) Current or former tenants of the authority who have rent arrears or other housing related debts. This should only last until such time that the debt is repaid in full (see affordability section). This includes former tenants arrears that are included within any bankruptcy or debt relief order.

- e) Applicants (or a member of their household has) a housing related debt with a Housing Association or other landlord. This exclusion will only last until such a time that an arrangement to repay the debt and has demonstrated their intention to keep to this arrangement for a reasonable length of time.
- f) If an applicant has knowingly given false or misleading information their application will not be considered for a period of up to 5 years.
- g) If, in the opinion of the Council, an applicant has acted in such a way as to worsen their own housing situation the Council may withhold any additional points for a period of up to 5 years.

In all the above cases the applicant will be informed in writing of the decision of the Council and be given the details of how to appeal against this decision. Any appeal will be assessed by the Head of Housing.

5) Non Secure Tenancies

Non secure tenants cannot apply for rehousing. If a non-secure tenant is offered a secure tenancy (either at the same or different property) the rules in section 6 (below) apply. To avoid doubt, the period of the non-secure tenancy is excluded.

6) Special circumstances

Current tenants

If the household includes a Bolsover District Council tenant the application will be dealt with as a transfer.

Any applicant who has been rehoused by the Council into a secure tenancy will not be able to reapply for rehousing for a period of 5 years after the starting date of their tenancy unless they are covered by a or b below

- a. People who have been tenants for the council for between 3 and 5 years and :
 - EITHER - There has been an change in the number of people in the household (including births and deaths, but excluding lodgers) and as a result of this the home is either under occupied or overcrowded.
 - OR Tenants who need to pay bedroom tax (also referred to as under occupancy charge)
 - OR People who move into sheltered housing for the first time (this does not include people moving between sheltered properties)

AND In each of these cases a Housing Officer can make a recommendation (either a Housing Needs Officer or Tenancy Management Officer) and this must be agreed by the Head of Housing.

- b. In exceptional circumstances when agreed by the HARP panel.

Previous tenants

Any applicant who has voluntarily given up a Council tenancy, including assignment, will be unable to apply for housing for a period of 5 years starting from the the final day of their tenancy. Exceptions can be agreed by the HARP Panel.

If the applicant is not capable of entering into a contract

The Council cannot enter into a contractual agreement with people who are unable to understand this contract. If a person has mental health issues, learning difficulties of other issues that suggest they may not be able to understand the tenancy agreement the Council cannot enter into this agreement. In such cases the Council can only enter into an agreement with Power of Attorney who has been appointed by the court.

When the Council has provided adaptations to the current home

If a person has an adaptation fitted to their current home to meet their needs. (regardless or whether this is a Council property) and the person has signed an undertaking to remain in that home for a period of time. The applicant will not be considered until a period of 5 years after the fitting of the adaptation, or other period determined within any grant conditions. If there has been a significant change in circumstances, as determined by the Council, this condition may be waived by the HARP panel. This does not apply for Council properties if there is no longer anyone living in the property who needs these adaptations.

Applicants under the age of 18

The authority will not normally accept a housing application from a person under the age of 18 on the housing waiting list. If however, a person under the age of 18 has been accepted as homeless by the authority they will be able to apply. When a person under 18 is offered a tenancy this will be a non-secure tenancy (as the person is homeless) and will normally need a guarantor from a responsible adult or an external agency such as Social Care. The guarantor must guarantee rent payments, the condition of the property and ensure that all tenancy conditions are met.

Applicants with connections to the Council

If an applicant has a connection with the Council they are treated no differently than any other applicant. However, before any offer of accommodation is made this must be authorised by either the Head of Housing or a member of Senior Management Team. For this purpose an applicant with a connection includes:

- Any applicant who is a current member of Council staff
- Any applicant who has been a member of staff within the past 10 years,
- Any applicant who is a current elected Councillor of BDC
- Any applicant who has been a Councillor of BDC within the past 10 years.
- A close relative of any of the above (mother, father, son, daughter, brother, sister, partner, nephew, niece, uncle, aunt, grandparent, or grandchild - partners and people living together are treated in the same was as if they were married)
- Any applicant who is in the paid employment, are shareholders or a Board Member of any organisation who has any contractual agreement of over £10,000 per year with BDC.

Changes to circumstances.

People who apply for housing will normally be allocated into a band to reflect their housing need, and will also be awarded points to reflect their needs. If an applicant has either taken action that has worsened their own housing situation, or have not taken action that could have prevented their situation from worsening, they should not benefit from any additional points for a period of up to five years. For example:

- An owner occupier who hands over their home to their children will be treated as if they were still an owner occupier.
- A person who has moved into smaller accommodation and is now overcrowded will be treated as if they were not overcrowded.
- A person who has voluntarily given up a tenancy.

Any such case will be considered by the HARP panel. If, in the opinion of the panel, the applicant has made their own situation worse, or not prevented a situation from worsening, priority and/or points will be withheld for a period determined by the panel. The applicant will be informed of this in writing.

Multiple Applications

Applicants may only appear on one housing application and in all cases their application takes precedence. However if the household includes a Bolsover District Council tenant the application will be dealt with as a transfer.

For example

Example 1 An adult child living with parents may appear as part of their parent's application and also make an application in their own right and in some cases it may appear that two households are overcrowded and overcrowding points awarded to both applications. The applicant in their own right would take precedence, and their details removed from the parent application.

Example 2 A couple living apart but are wanting to be rehoused together, Partner A makes an application as Applicant 1 with partner B as applicant 2. Then Partner B makes an application as Applicant 1 with Partner A as applicant 2. In such cases only the higher scoring form will be considered and the other application will be cancelled.

7). Risk Management

If any housing applicant or a member of their household fits into any of the following categories:

- a. Is currently in prison
- b. Is currently in a bail hostel or similar
- c. Is currently on probation or under licence
- d. Is currently involved in anti social behaviour or is suspected of being involved in anti social behaviour
- e. Has a drug, alcohol or other addiction.
- f. Has any conviction for sexual offences
- g. Has extensive support needs

Prior to any offer of accommodation the Housing Needs Officer will pass relevant details to all of the following:

- The Tenancy Management Officer
- The Housing Needs Manager, and
- The Housing Enforcement Manager

Any of these officers may then decide to call a Case Conference on the applicant. The Case Conference will look at all available evidence on the case to determine if the offer of accommodation poses an unacceptable risk to the Council, Council officers or the wider community.

The Case Conference is not able to exclude people from the waiting list, but may refer cases to HARP recommending the refusal.

The Case Conference may make other recommendations, such as excluding an applicant from certain areas, properties etc. These decisions will normally be conveyed to the applicant but the conference may decide not to convey this to the applicant. Examples of when this would be appropriate would be if an applicant with a conviction for domestic violence is being considered for accommodation close to a victim. If the decision is made not to inform the applicant the reasons must be recorded.

The Case conference must also have regard to future risk to Council Officers and consider if the applicant should be included on the Councils employee protection register. The Case Conference may also consider the support needs of an applicant, and make any offer of accommodation conditional on the delivery of an appropriate support package.

Notes will be taken of every meeting, and copies kept as part of the application.

8). Affordability

In some circumstances applicants will be required to complete a financial assessment of their circumstances with the Housing Needs Officer before any offer of accommodation is made. This is to ensure that the applicant is fully aware of the financial responsibility of holding a tenancy, and to avoid additional debt.

If, as a result of this assessment, the property is unaffordable the applicants will be advised to seek specialist support. The applicant will not be considered until the applicant meets the acceptable standard. The applicant may request a review after 8 weeks have elapsed.

Applicants who are subjected to the financial assessment include

- All applicants under the age of 30
- All applicants who are holding a general needs tenancy for the first time
- All applicants whose current rent account has been in arrears of 4 weeks rent or over at any time in the previous 6 months. The financial assessment will take account of how this has been repaid.
- Others where the Housing Needs Officer or Tenancy Management Officer feels there is a risk.

Details of the financial assessment will be kept as part of the application.

9). Review of applications.

All applications will be reviewed annually, in line with the original application date, to ensure the application information is kept up to date.

At the anniversary of the application date or when carrying out a review each applicant will be written to and invited to confirm their application status and details, if no response is received to this letter or subsequent reminders this will result in the application being cancelled.

It is the responsibility of the applicant to ensure their application is returned on time.

10). Cancelling Applications

Applications will be cancelled in the following circumstances:

- The applicant is allocated a Council property or nominated to a Housing Association property (and the applicant accepts this tenancy).
- Purchase of the property through right to buy
- At applicant's request
- No response to the annual or other review
- Applicant moves and does not inform Bolsover District Council of their new address.

If an application is cancelled the applicant will have to apply again for rehousing and the applicant will lose any waiting points and other priority. The council may waive this for a period of up to 3 months for applicants who have either not responded the annual review or have moved and not informed the Council of their new address.

How to apply for housing

Anyone wanting to apply for housing should do so on a Housing Application Form produced by the Council. No other form of application will be considered, however the Council will ensure that the form is available in different formats to meet the different needs of the applicant. This includes:

- To either translate the form into a suitable language for the applicant or to provide a translation service for the applicant. This will only normally be available within the Bolsover district.
- Providing large print versions of the form.
- Providing a service where a member of staff will read the questions to an applicant and record the answers on the form. In this case the form will be read back to the applicant before signature.

The application form will be checked by officers. Only complete forms together with the relevant proof of identity, proof of current address and if applicable, the completed landlord reference, will be processed and entered onto the computer system. Incomplete forms, including where proof is not provided, will be returned to the applicant who will be asked to supply the missing details. An applicant will not be considered until all information is received and this has been input onto the computer system.

Verification

To ensure applicants are assessed correctly the following information is required to confirm the eligibility of all members of the household requiring re-housing. Wherever possible one piece of photo ID to be submitted for each applicant.

Proof of identity – applicants will be asked to provide two items from the following list as proof of identity.

- Uk birth certificate – full or short form including those issued by the UK authorities overseas such as Embassies, High Commissions and HM Forces (must be in current name – any additional changes to name eg marriage, divorce must be supplied)
- Medical card
- Marriage/Civil Partnership certificate
- Valid UK Driving licence England/Wales/Scotland/Norther Ireland/Ilse of Man – photocard only
- Valid Passport – any nationality
- Formal notification of benefit award letter (must have been issued within the last 12 months)
- EU National Identify Card (EU countries only)
- HM Forces ID Card (UK)
- Adoption Certificate (UK)
- Bus Pass with photo ID
- Child Benefit acknowledgement letter
- Disability Blue Badge with photo ID
- Working Tax/Child Tax Credits (must have been issued within last 12 months)

Proof of current address – two items from the following list as proof of the applicant's current address.

- Bank/Building Society statement (- document must be less than 3 months old)
- Council tax bill
- Utility bill (eg gas, water, electricity, telephone including mobile phone contract (document must be less than 3 months old)maximum of one item from this category.
- TV licence (must have been issued within last 12 months)
- Tenancy agreement
- Letter from General Practitioner (Doctor) – (document must be less than 3 months old)
- Financial Statement eg pension, endowment, ISA (document must have been issued within last 12 months)
- Addressed payslip (document must be less than 3 months old)
- Credit card statement (document must be less than 3 months old)
- Mortgage statement (must have been issued within last 12 months)
- Rent statement (document must be less than 3 months old)
- Formal notification of Benefit award letter (document must be less than 12 months old)
- Addressed Insurance Policy documents (must have been awarded within the last 12 month).
- Council Tax statement (UK) (must have been issued within the last 12 months)
- Work Permit/Visa (UK) (must have been issued within last 12 months)

Where it is unclear that a child is a permanent member of the household and lives with the applicant for 3 or more nights a week then a legal agreement must be provided this includes Court Order, Access arrangements Court Order, Legal guardianship, Child Benefit letter, Working Tax/Child Tax Credits.

If this information is not provided, the application will not be processed.

References – all applicants who are currently in rented accommodation (excluding Bolsover District Council tenants) will have to provide a reference from their current landlord on the form provided by the Housing Department.

The landlord has the opportunity to send the reference back to the applicant or directly to the housing department. However, the application will not be processed until the reference is received if the form is not received within 10 working days then the application will be destroyed. The applicant will be informed of this.

At the time of allocation if the reference is over 6 months old an additional up to date reference will be requested. If a landlord does not provide an up to date reference within 7 days the applicant will be asked to attend a further interview with a member of the Housing Needs team. This will involve asking a series of questions about their history of behaviour and their ability to conduct a tenancy (this is in addition to any financial assessment that is carried out). This information will be recorded on a 'Declaration of Truth' form. The information from this form will be used to complete a risk assessment of the applicant before any firm offer of accommodation is made. The tenant will be made aware that if a tenancy is granted and the information is incorrect, the council may take action to evict the tenant.

For clarity, under no circumstances can the Declaration of Truth replace the initial landlord reference as this is a requirement of registration.

The reference and/or the declaration of truth will form part of the application file. If an applicant provides a fraudulent reference their application will not be considered for a period of up to 10 years. This will be considered by the HARP panel.

Checking information

By signing the form an applicant is giving permission to the Council to check any information contained on the form and any other information provided to support the application. Officers will make whatever checks they feel are appropriate. The onus is on the applicant to provide the information that is needed. The Council will not be responsible for any expense incurred by the applicant in providing the information. For example, if a GP charges for a letter this is a matter between the applicant and their doctor.

The Council may make requests for information from third parties to help to check or clarify information provided by the applicant. This may involve seeking independent advice on medical and other issues. If these checks are charged for this will normally be met by the Council.

All applicants living within the Bolsover district will normally receive a visit at their home before any offer of accommodation is made. The purpose of this visit is to check that details held by the Council are correct and the requirements of the applicant are unchanged. If there are circumstances where a visit is not appropriate this must be authorised by the Housing Needs Manager, Housing Enforcement Manager or Head of Housing.

People who live outside the District will normally only be visited if this is authorised by the Housing Needs Manager, Housing Enforcement Manager or Head of Housing – and this will be limited to those in neighbouring authority areas. In other cases a reference will be requested from the applicant's landlord (Housing Association or Local Authority).

If as a result of these checks it is discovered that an applicant has given false or misleading information in order to improve their prospects for rehousing the Council will not consider their application for a period of up to 5 years. The actual length of time will be confirmed by the HARP panel.

Similarly, if as a result of these checks it is discovered that the applicant or a member of their household is conducting themselves in such a way that they would be excluded from the register or not offered accommodation the case will be discussed by the HARP panel who will decide the appropriate action

If a person obtains a tenancy through providing false or misleading information the Council will seek possession of the property and will consider other appropriate actions against the applicant.

Allowing Choice

The Council system of letting properties is a choice based letting scheme. This differs from traditional schemes as properties will be advertised and applicants will 'bid' on properties that suit their needs. Government guidance suggests that all choice based lettings schemes include an element of advertising.

We may adopt plans under this policy to introduce a Local Lettings Policy for specific estates and areas.

To ensure that the Council makes best use of its housing stock and meets its obligations the Council will consider applicants in Bands. These bands are:

- Band A – Urgent need for rehousing
- Band B – High needs for rehousing
- Band C – Some need for rehousing
- Band D – Low need for rehousing

Properties will be advertised for applicants in each band. This means that being in a "higher" band does not mean that an applicant will get priority for all properties. See the Section Letting a Property on Page 19.

Awarding Points

Each applicant will be awarded a number of points to reflect their current housing situation. Points will be awarded to reflect the assessed need of the applicant. These will be used to prioritise applicants in Band B and Band C, but will be calculated for all applicants. (Band A and Band D will be prioritised by date order)

The use of Bands and the awarding of points will ensure that reasonable preference is given to:

- People who have been accepted by the authority as homeless
- People living in insanitary or overcrowded conditions
- People who need to move for medical or social grounds
- People who need to move to a particular area within the district to provide care for others or to receive care from others.
- People who cannot afford other housing options.
- People who are in accommodation that is too large for their needs.

INDIVIDUAL NEEDS

Medical conditions

Applicants with a medical condition may be considered for a property with an additional bedroom if the medical condition warrants this. This decision must be confirmed by the HARP panel.

Applicants with a medical condition may be awarded additional points if a move to alternative accommodation will help alleviate either the condition or assist with mobility issues. Two aspects will be taken into consideration:

- a) Any medical condition identified by the applicant
- b) The current housing conditions of the applicant

No additional points will be awarded for medical conditions that appear to be unconnected to the current housing condition of the applicant, or where a move will not make a real difference to the living conditions of the applicant.

It is the responsibility of the applicant to inform the Council of any medical issues. The Council will only ask for information from medical professionals in high priority cases, and this will be always in writing. Where applicants chose to provide other information they will be responsible for any fees or charges made.

Mental Health issues are not included within this process, as it is often difficult to draw a causal link between mental health and current housing conditions, and the offer of new accommodation may not make any difference to the mental health of the applicant. If an applicant is claiming that their mental health is worsened by their housing conditions this will normally be referred to the Councils medical advisors for comment and then considered by the HARP panel who may consider an additional 5 points. If there is a clear causal link between housing and mental health issues the case can be referred to the HARP panel in serious cases. For example if an applicant suffers from panic attacks after being attacked in their current home, or if an applicant suffers from depression after a family member commits suicide in the home.

A matrix showing the types of points awarded for medical conditions is included in Appendix B. This does not cover every situation, but does provide a framework within which officers can work.

All cases that may result in an applicant being awarded either Band A or Band B priority will be assessed by the Councils Medical Assessor. The full response will be recorded and form part of the application. The Council will meet the fee of this assessment.

Lower level priority (up to 10 points) in Band C may be awarded by Housing Needs Officers using the matrix in Appendix B. To ensure a clear audit trail is established, the officer making this decision must give full details of the priority on the Medical Priority form and enter this onto the Academy system.

If the applicant is unhappy with the level of medical points awarded they are able to request a review. Any review will be dealt with by the Council's medical advisors, and the applicant will be expected to pay the fee for this before the assessment. The fee will be refunded if the appeal is successful. Any decision made by the Council's medical advisor is final, and there can be no further appeal. In cases of extreme hardship the HARP panel can choose to waive the review fee.

Disability

A disability will only be considered relevant if, in the opinion of the Council, a move into a different type of property would make a real difference to the applicant or their household. For example an applicant with a disability that made stairs difficult to climb would be awarded priority if their current property had stairs (and no adaptation to help) they would not be awarded any priority if their current housing was level access or contained adaptations to make the property suitable.

Need for an Adapted Property.

An applicant with an assessed need for specific adaptations will not normally be offered a property where these adaptations are not already fitted – this excludes minor adaptations such as handrails. Exceptions to this can be considered by the HARP only after a full assessment has been carried out by the Occupational Therapists, and this included options for adapting their applicant's current property.

Similarly if an applicant has been awarded additional priority as they (or a member of their household) have a medical need means that some properties types are unsuitable, the applicant will not be offered an unsuitable property.

If an applicant moved into a property with a need for adaptations, and has neglected to inform the Council of this need, the Council will not automatically carry out these adaptations, and will consider charging the applicant for these works.

Homelessness

Homeless has a specific definition within this policy. A homeless person is someone who has been accepted as homeless by this Council. For this to be awarded the Council must have carried out an investigation, that has determined that the applicant is:

- Eligible for housing within this country, and
- Is homeless, at risk of losing their home or cannot access their home and
- In priority need – vulnerable for example with children, or health problems , and
- Not intentionally homeless – i.e. the applicant has not acted in a way that has either made them homeless or not done something that could have prevented them becoming homeless, and.
- Has a local connection – if there is no connection we may refer the applicant to another area.

In most cases the Council will work with the applicant to try to avoid the person becoming homeless and to consider options other than access to Council housing.

If a person does present themselves as homeless. The Council will carry out an investigation. This will involve a formal interview, and gathering information from others. This process will normally be completed within 28 days.

All people who have applied as homeless, and the investigation is concluded, will be issued with a letter. For successful applicants this will confirm the Council's responsibility and also their priority within the Choice Based Lettings Scheme. For applicants who are not accepted they will receive a letter detailing the reasons for the Council's decision and their right to appeal. This is a statutory requirement.

If a person wishes to appeal against the homelessness decision they have a right to appeal. This appeal is a statutory right and therefore falls outside the Council's own complaints procedure. The person hearing the appeal must not have been involved in the original decision and be senior to the person making the original decision.

Bungalows and adapted properties

Particular care needs to be taken in allocating bungalows and sheltered housing. Such properties can only be allocated to people who have a need for the facilities provided. An incorrect allocation could have an impact on the:

- Concessionary Television Licences to other residents
- Supporting People Contract which provides support for some residents, and
- perceived danger and insecurity felt by current vulnerable residents and their families.
- Sheltered accommodation is currently excluded from the Right to Buy. Inappropriate allocation may lead to this being questioned and some properties could be lost to the Right to Buy.

Allocations can therefore only normally be made within the limits shown in the following sections. However, other allocations may be approved by the HARP panel this could either be a household more serious disabilities (for example multiple household members with disabilities, or a particular need to be in an area) or to let a property that is proving difficult to let using the above criteria.

In all allocations to bungalows and adapted properties where there are other family members (with the exception of spouse) it must be made clear to the tenant that should they die or need to move out of the property with no foreseeable return, and there is no other household member with the need for the facilities in that property, the Council will seek to move the remaining family into alternative accommodation.

Local Connection

For the purpose of this policy, the definition of a local connection will mean an applicant must fulfil at least one of the following criteria.

i – People (excluding general needs owner occupiers) who currently live in the District and have done continuously for 12 months .

li - People who moved away but who have previously lived within the District for three of the last five years.

iii - People who are currently in the armed forces, or have left the armed forces in the past 2 years – who have lived in the District for a total of five years.

iv - People who have current permanent employment within the district, working more than 12 hours per week, and this has lasted more than 12 months.

V - People with a close relative living in the area (parents, grandparents or children) – when the relative currently lives in the area and has lived in the area continuously for a period of five years.

Vi – Any key worker who has permanent employment of over 12 hours per week, or an offer or permanent employment of over 12 hours per week will be regarded as having a connection with the district. Key workers are regarded as Teachers, Teaching Assistants, Nurses, Police Officers and Fire Fighters. In addition the Head of Housing may, from time to time, add to this list and include employees of certain companies if access to accommodation is viewed as a barrier to growth or relocation to the District.

All applicants will need to provide details of previous addresses and proofs of addresses for family members which will determine if there is a local connection

Exceptions to this can be agreed by the HARP panel.

Household Sizes

The Council will not allocate properties that mean that families will either be overcrowded or under occupy a property (see above section on Household size). The only exception to this is when a Council tenant downsizes to a smaller property, and the subsequent empty property is available to be let (for example a single tenant could move from a 3 bed house to a 2 bed house). This does not include people left in occupation after the death of a tenant.

In assessing what size accommodation we will consider for each household, we will offer additional points for overcrowding using the following guidance. These definitions used by Bolsover District Council and are more generous than the statutory definitions.

As there is a shortage of one bedroom general needs properties within the district, it is possible for a single person or a couple to be allocated a two bedroom flat, where the tenants will be subject to the Under Occupancy Charge (Bedroom Tax). However before an offer will be made an additional step of financial assessment will be undertaken (see section on Affordability).

a. Children

- No more than 2 children should share a room
- A child up to the age of 8 can share a double bedroom with 1 other child of either sex.
- A child up to the age of 16 can share a double bedroom with 1 other child of the same sex.
- Children over the age of 16 should have their own bedroom
- Children are not considered as part of the household of the applicant if the children are resident elsewhere or if there is a residence order that involved the children living with the applicant for less than 50% of the time.
- Adopted children are treated in the same way as other children
- If the applicant acts as a foster parent enquires will be made with Social Services regarding the length of the fostering arrangements and the case referred to the HARP panel. Requests to move to a larger property to allow the applicant to foster will be considered by the HARP panel.

b. Couples

- The Council will treat families headed by a single parent in the same way as a family headed by a couple.
- Two people living together will be treated as a couple regardless of their marital status or sexual orientation.
- Couples should have their own bedrooms and not share with children.
- Couples can be treated as needing two bedrooms only if there is a medical need and the Council's medical assessment agrees with this need.

c. Non-dependents

- Children over the age of 18 should only be regarded as part of the household if they have always lived with the applicant and they have a need for their own bedroom. If they have moved away and then moved back with the applicant, for example after a relationship breakdown they will be treated as a non-dependent.
- Non-dependents will only be considered as a member of the household should they have been residing with the applicant for a period of over 12 months. A non-dependent will have a need for their own bedroom.
- Non -dependents who are a couple, regardless of marital status and sexual orientation, are able to share a double bedroom.

- Qualification periods may be waived by the HARP panel for non-dependents who give care to the applicant, or for non-dependents who receive care from applicants.
- Commercial lodgers are never considered as non-dependents. (In this context Commercial Lodgers are non-family members who are receiving board and/or lodgings in return for payment, or payment in kind)
- Other non-dependents who do have lived with the applicants for less than 12 months will be disregarded

d. Pregnant Women

- Pregnant women will be required to provide proof of pregnancy for example a certificate of confinement or a letter from a GP.
- No additional points will be awarded to pregnant women. However once the child is born they may be awarded additional points as there will be an additional child in the household (see a. above)
- In some circumstances, where the birth of the children would cause serious overcrowding (especially for multiple births) the HARP panel may decide to award a level of additional points equal to the level of points the applicant would have after the child(ren) is born. The points will be removed if the pregnancy does not run its full term.

If a member of the applicant's household applies for housing in his/her own right, they will no longer be considered a part of the applicant's household for rehousing.

PROPERTY SIZE

In order to make the best use of the housing stock properties will be allocated to match the needs of the household of the applicant. The following table shows what size and type of accommodation would be considered for each type of household.

	1 Child Family	2 Child Family	3 Child Family	3 + Child Family	Single Person	Single Person 50 +	Single Person 60+	Childless couple	Couple 50+	Couple 60+	Single Person Disability	Couple Disability	All Adult 2 pax	All adult -3 pax	Access to children
Bedsit					YES	YES	YES								
1 bed flat – ground floor					YES	YES	YES	YES	YES	YES	YES	YES			
1 bed flat – upper floors					YES	YES	YES	YES	YES	YES					
2 bed flat - ground floor	YES	YES			YES	YES	YES	YES	YES	YES		YES	YES		
2 bed flat – upper floors	YES	YES			YES	YES	YES	YES	YES	YES			YES		
1 bed bungalow						YES	YES		YES	YES	HARP	HARP			
2 bed bungalow							YES			YES	HARP	HARP			
3 bed bungalow (adapted)	ALWAYS ALLOCATED THROUGH HARP PANEL														
1 bed house					YES	YES	YES	YES			YES	YES			
2 bed house	YES	YES										YES	HARP	HARP	YES
2 bed + house *	YES	YES										YES		HARP	
3 bed house		YES	YES	YES										HARP	YES
4 bed house			YES	YES											
Older person – 1b flat							YES			YES	HARP	HARP			
Older person – 2b flat							YES			YES	HARP	HARP			
Sheltered bedsit							YES				HARP	HARP			
Sheltered 1 bed flat							YES		YES	YES	HARP	HARP			
Sheltered 1 bed bungalow							YES		YES	YES	HARP				
Sheltered 2 bed bungalow							YES			YES	HARP	HARP			

NOTE – The table refers to 2 bed + houses. These are 3 bed houses in areas with very limited 2 bed accommodation. If analysis of the allocation system suggests that the needs of these communities can be better met with flexibility the Head of Housing may, in consultation with the Portfolio Holder, designate a proportion of properties as ‘plus’ properties in specific areas.

All adult households refers to 2 or more people living together but not in a relationship

Letting a Property

a. Lettings Bands

The Council have four housing register needs bands.

To go onto the housing register applicants must complete a housing application form and provide other information. See the section above on Applying for Accommodation.

Applicants are grouped into 1 of the 4 lettings bands which best describes their circumstances. There is a single housing register and all applicants will have their request for re-housing assessed on the same basis as other applicants on the register.

b. Allocation of Properties

The allocation of individual properties will be carried out under the control of the Housing Needs Manager who will ensure that the targets set out in the Policy are met.

Band A: Urgent Need for rehousing – ranked in date order

Band B: High Need for rehousing – ranked in points order

Band C: Some need for rehousing – ranked in points order

Band D: Low need for rehousing – ranked in date order

Properties will be allocated to one of these bands Following the quota system below:

1. People in Band A who have a need for specialist accommodation will be matched directly to properties and these will not be advertised. Very specialist accommodation, such as a fully adapted house or a fully adapted bungalows will be allocated through the Housing Allocations and Review Panel (HARP) to ensure they are allocated to the people whose needs would be most met. This only applies to properties that are very specialised. Other properties may still be advertised in Band A.
2. All properties that have an adaptation (excluding minor adaptations, such as handrails or a shower over bath) will be placed in Band B. In addition a random 10% of all properties of two bedroom or less will be placed in Band B and if unfilled after one round of bidding these will be advertised in Band C. If a person wants to downsize from a property that is 4 bedrooms or above into a 3 bedroom property this will be considered by the HARP Panel.
3. All general needs and bungalow properties will be initially advertised as Band C. If these are not let they will be advertised as Band D. However, if there have been similar properties in a locality that have been difficult to let within the last 8 weeks, properties may still be advertised as Band D immediately.
4. To be considered for accommodation applicants will need to bid for a property. Applicants are only able to bid for properties that are advertised in the appropriate band, and will only be considered for appropriately sized property.

The property will be allocated to the applicant who has bid for the property who has either:

- The earliest priority date – Band A and b and D, or
- The highest number of points – Band B and band C

Applicants will be placed into a priority band to reflect their current housing situation. This is explained in the following section.

Band A – Urgent Need

This band includes applicants with the highest need for rehousing. However, it is time limited and prioritised in date order which means that applicants will need to be flexible in considering which properties to bid for.

Applicants placed within this band include:

Statutorily homeless

An applicant who is statutorily homeless, eligible for assistance, in priority need, not intentionally homeless and with a local connection. This is a strict definition of statutory homeless, rather than the common usage. It is only the Council who can accept someone as a homeless person.

Statutorily unfit for human habitation

Where, following assessment, the applicant's property is subject to a prohibition order, emergency action, demolition order or clearance under the Housing Health and Safety Rating System of the Housing Act 2004. The applicant will be awarded additional points in category T2 (see appendix)

Severe Medical Needs

Applicants with severe medical needs or with disabilities where their quality of life will improve significantly if they moved to alternative accommodation. This only applies when the medical assessment has recommended 25 points or above (see Appendix B). This level of points can only be awarded by the medical assessor, where the current property is unsuitable and the applicants lives. The applicant will be awarded additional points in category M1 (see appendix)

Immediate threat of harm.

Other people with high assessed need. This is intended to include only those people where there is a severe risk to the applicant or their family and where their issue will be alleviated by a move to a different property.

In all these circumstances priority will only be awarded following an investigation and the approval of the HARP panel. The applicant will be awarded additional points in category T2 (see appendix)

Positions within the Band

An applicants positions within Band A is determined by the date at which Band A was granted, i.e. the date when the applicant qualified for Band A. Offers of accommodation will be made by date order of the status date.

If two or more applicants have the same Band A status date the applicant with the earliest original housing application registration date will be offered the property first.

Time limit on priority

Priority is granted to enable applicants to be re-housed as quickly as possible to resolve their severe and urgent needs and is not intended to allow applicants to access a restricted choice of accommodation.

Priority is given to applicants for an initial three months period.

Applicants are expected to consider and bid for as wide a range of housing and areas as possible. Once priority is granted the applicant will be advised of the accommodation and areas that are considered suitable for their needs and for which they are expected to bid.

If the applicant has not accepted an offer of accommodation at the end of this period the application will be reviewed by the Housing Needs Officer taking into account the properties which became available for which the applicant was expected to bid, the bids made by the applicant and whether any offers were made to the applicant.

BAND B – APPLICANTS WITH HIGH HOUSING NEED

This band includes applicants with high need for rehousing. The band is time limited and prioritised in point order and applicants must be somewhat flexible in looking for accommodation.

Applicants placed within this band include:

Council Tenants releasing a high demand property

An existing tenant of Bolsover District Council whose move would release a high demand property for the use of another applicant. This includes

- Tenants who occupy a house or a general needs flats and wish to move to either an elderly persons flat or a bungalow.
- Tenants who occupy a house and wish to move to a general needs flat.
- Tenants who occupy a two bedroomed bungalow or elderly persons flat and wish to move to a one bedroomed bungalow or into sheltered accommodation.

This only applies when the original property is available to the Council for reletting. Although this is primarily designed for tenants of Bolsover District Council it may also be applied to Housing Association Tenants within the District when the original property is then made available for a Council nomination.

Bolsover District Council successor tenant who will move to smaller accommodation

An applicant who has succeeded to the tenancy of a property and is willing to move to a smaller property. See the policy on Succession – separate document

Bolsover Council Tenants who will release a property with substantial adaptations where no longer needed by the household

An applicant may be given Band B priority status when:

- A tenant is occupying Council property which was specially built or substantially adapted for a person with a disability and the accommodation is no longer needed or
- A tenant has succeeded to the tenancy of a Council property which was specially built or substantially adapted for a person with a disability and they do not need this accommodation (also see policy on Succession)

The Council will decide the definition of “substantially adapted” and this will take account of the scope, age and degree of personalisation of any works.

Bolsover Council Tenants who need Adaptations to their Current Property.

If there is an identified need for adaptations to the current property and there is another property with these adaptations already fitted. This will apply only when the applicant has been assessed by an Occupational Therapist, and excludes minor adaptations (for example grab rails).

If an applicant chooses not to move, or to bid for accommodation the Council will not carry out adaptations at the current home.

High medical need

Applicants with severe high needs or with disabilities where their quality of life will improve significantly if they moved to alternative accommodation. This only applies when the medical assessment has recommended awarding between 12 and 19 points (see Appendix B). This level of points can only be awarded by the medical assessor, where the current property is unsuitable and if the applicant lives within the Bolsover district (exceptions can be agreed by the HARP Panel). The applicant will be awarded additional points in category M2 (see appendix)

Positions within the Band

An applicants positions within Band B is determined by points awarded.

If two or more applicants have the same Band B points the applicant with the earliest Band B status will be offered the property first.

Time limit on Band B status

- Band B status is granted to enable applicants to be re-housed as quickly as possible to resolve their high housing needs and is not intended to allow applicants to access a restricted choice of accommodation.
- Priority B is given to applicants for one year.
- Once the applicant has been granted a Band B status the Housing Needs Officers will provide advice and assistance on how to bid for properties and the review process if they have not been re-housed within one year.
- Applicants are expected to consider and bid for as wide a range of housing and areas as possible. Once priority is granted the applicant will be advised of the accommodation and areas that are considered suitable for their needs and for which they are expected to bid.

BAND C – APPLICANTS WITH SOME HOUSING NEED

The majority of applicants with housing need will be placed within Band C.

This includes applicant who qualify for points in any of the categories below and is prioritised in points order:

Tenure Points:

To reflect the applicants current housing situation. This is restricted to people who currently live within the Bolsover District area, or people from outside the District who have a connection with the area.

- People leaving move-on accommodation (See note below)
- Applicants in shared accommodation (within the District)
- Applicants with an assured shorthold tenancy (usually privately rented accommodation) - (within the District)
- Applicants who are tenants of Bolsover District Council.
- Applicants who are tenants of a Housing Association within the Bolsover area.
- Owner occupiers within the District who are over 60 or with a need for specialist accommodation
- Applicants from outside the District who have a proven connection with the area (as defined on Page 19 Local Connection)

Move-on accommodation applies only to applicants from Bolsover District or who have a strong local connection who are currently living in temporary supported accommodation and are requesting to move as part of a planned support process. These must be approved by either the Housing Needs Manager or the HARP panel.

Medical Needs

Applicants from within Bolsover with some medical needs (less than 12 points).

Social Needs

Applicants living in the District or with a local connection who have with Support Needs. These are assessed on 2 criteria:

- Applicants who need to move to offer support to someone who lives within the District/or
- Applicants who need to move to receive support from someone within the District.
- If the applicant lives outside the District, and their support needs as assessed are medium on high, and the applicant has a local connection they will be awarded S1 points. The assessment of Support Needs is shown in Appendix C

Lacking or Sharing Amenities.

Applicants who are living in the District or who are lacking or sharing amenities, this includes:

- Toilet
- Kitchen
- Hot Water
- Central Heating.

Points will be awarded per facility missing or shared see Appendix A for details.

This does not include applicants who are sharing facilities with family or friends, or applicants whose actions have contributed to the lack of amenities (for example not paying the bill or causing damage)

Time Limit of Band C Status

There is no time limit on Band C status.

Position within Band C

An applicants position within Band C is determined by the points total awarded.

BAND D – APPLICANTS WITH LOW HOUSING NEED

Applicants with a LOW housing need

Applicants who do not qualify for any Housing Need Bands A, B or C because they have no immediate need for re-housing and is prioritised in date order.

- Owner Occupiers – general needs
- Tenants of other local authorities.
- Tenants of Housing Association outside the District.
- Other applicants from outside the District.

Position within Band D

An applicant's position within Band D is determined by the original date of an application for re-housing. Offers of accommodation will be made by date order of the housing application.

REVIEW OF PRIORITY – Band A and Band B

If an applicant with Band A priority has not been rehoused after a 3month period or an applicant with Band B has not been rehoused after a 12 month period the Housing Needs Manager will conduct a review of the applicants situation.

The Housing Needs Manager is able to extend the priority for Band A applicants by one further period of 3 months, and Band B applicants by one further period of 6 months.

Further extensions may be agreed by the HARP panel – the panel are able to extend priority indefinitely but must review each Band A case at least every three months, and each Band B case every 6 months.

The following guidance applies to the review of priority.

a. Applicant refusal of a suitable property

Description - The applicant has refused the offer of one or more properties for which they have bid.

Outcome - If any of the properties are considered suitable by Housing Needs Officer the priority will be cancelled and the application re-assessed and moved to the relevant Band. If none of the properties are suitable then see section d.

b. Applicant failure to bid

Description This applies where:

- There has been a range of properties for which it was reasonable for the applicant to bid and they have failed to do so or
- They have restricted their bids to a limited number of properties

and as a result of this have not received an offer of a property.

Outcome – Priority will be cancelled and the application re-assessed and moved to the relevant band.

c. Applicant has bid unsuccessfully

Description - An applicant has bid for a wide range of properties that have been available but has been unsuccessful in these bids.

Outcome - In these cases the priority status will be extended.

d. Lack of suitable properties

Description - This applies where:

- The applicant requires a specific type of property or their priority has been restricted to a specific area and
- There have been no properties available that meet these requirements or the applicant has bid unsuccessfully.

Outcome – The priority status will be extended.

REVIEW OF PRIORITY – Band C and Band D

If an applicant refuses an offer of accommodation where they have made a bid, the application will be suspended from a period of 12 months. This means they will be unable to bid for accommodation until 12 months has elapsed from the date of the suspension.

If the application is reinstated, and the applicant refuses further properties where they have made a bid their application will be permanently suspended.

If an applicant is suspended they will be informed in writing. They are able to appeal against the suspension, or the length of suspension. This appeal will be decided by the Head of Housing.

IMPACT OF REMOVAL OF PRIORITY

If, as a result of a review, an applicant has their priority removed they will have the additional points awarded for T1 or T2 or M1 or M2 removed (see appendix 1). In most cases this means the application will be considered as a Band C applicant.

Appeals

If a priority status is removed from an applicant they have the right to appeal, and will be informed of this right. An appeal will be considered by an Officer who is senior to the officer making the original decision. Any appeal must be in writing

Person Making Decision	Person considering appeal
Housing Needs Manager	Head of Housing
HARP Panel	Head of Housing

ADVERTISING AND BIDDING

The basis of a Choice Based letting system is that the majority of properties are advertised and applicants are able to 'bid' on these properties.

However, there will be times when certain properties are excluded from the bidding process this includes, but is not limited to:

- Properties that have extensive adaptations.
- Three bed roomed bungalows that are suitable for people with disabilities.
- Properties that are required for emergency accommodation (although in most cases these will be offered once the emergency is over). This may include events such as flooding, or a requirement to offer short term emergency accommodation to a household.
- Properties that are in areas where a local letting policy is in place
- When there is an applicant with such high or unusual needs that their needs are unlikely to be met through the normal allocation and bidding process.

All such cases will be confirmed by the HARP panel and will be reported to members quarterly. If in any month more than 10% of properties are excluded from the advertising the Head of Housing will report to the Portfolio Holder for Housing

Advertising

All properties available for bidding will be advertised on our special website at www.bolsoverlettings.org.uk and in our Contact Centres..

Newsletters will be available each week from our Contact Centres, in Clowne, Shirebrook, South Normantong and Bolsover. We can arrange to post newsletters but we will make a charge to cover the cost of this.

The methods of advertisement will be reviewed and other options may be introduced if they extend the accessibility, quality and breadth of the service.

Available properties will normally be advertised on a regular basis and applicants given a restricted time to place a bid. The bidding rules and deadlines will be available to applicants. The Council will not accept any bids received after the deadline.

Bidding

The majority of properties will be advertised, and applicants will be expected to express their interest by 'bidding' for properties that meet their needs. The property will then be offered to the highest placed applicant in the relevant band who has bid for the property providing the applicant is eligible for the property.

- Bids will only be registered if the applicant is on the housing register
- Applicants will not be contacted individually if their bid is unsuccessful. However the results of the bids will be advertised on a regular basis.
- Applicants can express an interest in up to a maximum of 3 properties in any single bidding cycle.
- Bids can be withdrawn at any time prior to the closing date.
- When the applicant wishes to bid for more than one property they should bid in their order of preference of the properties – that is bidding firstly for the property they would like to live in
- Bids will be accepted from nominated representatives of the applicant. To make a bid on behalf of an applicant the representative will be required to give the Housing Application Reference Number and date of birth for the first applicant
- Bids received after the advertised closing date and time will not be accepted under any circumstances
- At the end of each lettings cycle the bids will be sorted in order of:
 - meeting the lettings criteria as stated in the property advert
 - points order for Bands B and C
 - date order for Bands A and D
- Where an applicant has bid for more than one property and is top of the short list for more than one property they will be offered the property for which they have bid first

Offers of Accommodation

- Applicants will be considered for an offer for any property for which they have bid successfully
- Applicants will only be made one offer of a property at a time. Once an applicant has been made an offer they will not be able to bid or be considered for other offers of accommodation until the current offer is refused
- The successful bidder will normally be contacted within 48 hours of the close of bids. Applicants should ensure that at the time of bid that current up to date contact details are available. If contact cannot be made with the successful bidder within 48 hours this could result in the bid being withdrawn and the property being offered to the next suitable bidder.
- As part of the offer we will provide details of the property and make arrangements to view it as quickly as possible. Applicants are expected to decide whether to accept or refuse the offer within 48 hours of viewing the property. If applicants do not inform Bolsover District Council of their decision within this period the offer may be withdrawn and the property allocated to the next suitable bidder.

Non Bidders

If applicants on the Housing Register do not express an interest in any property over an extended period of time, we will contact them to see if they need any help using this system or if their circumstances have changed.

Review of the Housing Register

The Council will carry out regular reviews of the Housing Register. Failure to respond to the review will result in the application being cancelled.

Review of the operation of the Lettings Policy

The Council will undertake periodic reviews of the Lettings Policy

The Role of the HARP Panel

Although this policy aims to establish a set of 'rules' for the allocation of properties within the District from time to time there will be situations that fall outside the scope of this guidance where decisions need to be made. In order to ensure that these decisions are made fairly and transparently it is intended to establish a Housing Application Review Panel (HARP).

The HARP panel will be made up of three members:

- The Housing Needs Manager
- The Housing Enforcement Manager
- A Housing Needs Officer or a Tenancy Management Officer (on a rota)

Either the Housing Needs Manager or the Housing Enforcement Manager must be in attendance.

The panel will seek information from others as needed. However, neither the applicants nor their advocates will be able to attend the meeting.

The panel will meet monthly, or as needed to consider urgent cases. The panel will have several functions.

- To consider if normal 'rules' within this policy on excluding applicants should apply, or if the individual circumstances of that applicant suggest these should be waived.
- To confirm the level of priority given to applicants to be considered for smaller accommodation
- To consider cases whose housing needs are not met through the normal guidance. For example families who need additional rooms to cope with medical conditions, or families who are suffering from harassment or serious Anti-Social Behaviour.
- To consider cases where their circumstances mean they could be placed in a different priority group.
- To ensure that the authority makes best use of its housing stock by making direct allocations to unusual properties (examples may be properties with extensive adaptations).
- To consider reducing the amount of time an applicant would be excluded from the waiting list.
- To consider cases referred from Risk Management.

- To consider unusual and emergency applications. For example people with multiple and complex housing needs, those who have a need to be rehoused in a particular type of property, or to ensure that the Council makes best use of particular properties or adaptations.
- This is not an exhaustive list, the panel also have other functions arising from related policies such as the succession policy, and the mutual exchange policy.

In addition the HARP panel will be able to consider applicants to be barred from the waiting list and to set timescales or conditions that would allow the person to be reconsidered.

The panel will be able to make the following decisions:

- To award absolute priority to an applicant – to ensure they are awarded a particular property.
- To award additional points to reflect the needs of the applicant
- To waive the normal rules on property size and location.
- To request additional information or clarification. This may include seeking independent medical advice or other complex issues.
- To award no priority.
- To allow an applicant to apply for rehousing who would normally be excluded.

Minutes will be kept of each meeting and decisions noted. Over time it is hoped that this will ensure that decisions made are robustly checked against other decisions.

Applicants will be informed of their case within 10 working days of each meeting.

Information and trends from the panel will inform future revisions of the allocations policy

All decision letters from the panel should inform the applicant of their right to appeal any decision, and of the role that elected members can play as advocates in this process. Any appeal should be considered initially by the Head of Housing. If he/she receives 'significant' new information he/she can refer the case back to the Panel to reconsider.

(Note: In cases that are within the portfolio holders ward, the portfolio holder will be excluded from the Appeal Board with their place taken by another member of the Executive)

Any other appeal will be considered by an Appeal Board consisting of:

- The Head of Housing
- The Portfolio Holder for Housing Management

The Appeal Board will look at individual cases and determine if the panel has made a decision that :

- i) Is consistent with other decisions made by the panel
- ii) Has taken account of all the information made available.

The Appeal Board can decide either to uphold the original panel decision or to ask the panel to reconsider the case. The Appeal Board cannot make any other decision.

Note: Occasionally the HARP panel will be asked to allocate certain 'unusual' properties from a pool of applicants. If an applicant is not allocated a property through this process there can be no appeal.

The Role of Elected Members

It is recognised that although legislation excludes members from the allocation of individual properties, and from considering individual housing applicants. It is however recognised that members can play an important role in the allocations process.

There is a major role for members in acting as an advocate from applicants. All letters to applicant informing them of the outcome of any HARP case will inform applicants of their right to involve their local member in preparing an appeal.

When an applicant signs their tenancy agreement, they will be asked if their information can be passed to local members. If the applicant agrees local members will be informed of the name and previous address of the incoming tenant.

Members are responsible for monitoring the success of the allocations procedure and will receive regular statistical information on the system.

Pre-Letting Checks

Wherever practical applicants should be visited prior to making an offer of accommodation. The purpose of the visit is twofold:

- Firstly, to check household details
- Secondly, to check requirements have not changed.

If the visiting officer discovers the details are incorrect, no offer of accommodation should be made, and the applicant informed of the reasons in writing.

If the applicant is a current tenant of the Council – the visit should also look at the condition of the property. If there is a breach of tenancy such as damage to the property, unauthorised alterations or rent arrears, the tenant should be informed that they will not be offered alternative accommodation until the breach is resolved.

If there are issues with the cleanliness of the property or the state of the garden the tenant should be advised that the Council requires the property to be returned in a lettable standard. If the property does not meet this standard the transfer will be blocked. The tenant should be given a reasonable amount of time to meet the required standard. If not the transfer should be blocked and the tenant informed of this and the reason.

Exceptions to this can be agreed by the HARP Panel.

Type of Tenancy

Secure tenancies

Unless they have been accepted as homeless applicants who are allocated properties will be offered secure tenancies. Applicants who have been accepted as homeless will be offered non-secure tenancies.

Non-Secure tenancies

Tenants who are allocated properties as result of the Council accepting a duty to them as homeless will be initially offered a non-secure tenancy. This will last between 6 and 12 months during which time staff will monitor the tenancy and if appropriate arrange support for the tenant. During this time there are several options:

- If the original accommodation was not suitable for the household because of location or size the applicant can be offered an alternative secure tenancy in another property.
- If the tenant has demonstrated they are managing their tenancy well, and the accommodation is appropriate they will be offered a secure tenancy of the same property.
- If the tenant is facing difficulty with the tenancy officers will liaise with the appropriate agencies and attempt to facilitate support for the tenant to enable them to manage the tenancy. In such case the tenancy will remain a non-secure tenancy.
- If the tenant is not managing the tenancy the Council will seek possession through the court.

A non- secure tenancy offers less protection to the tenant, and the tenant enjoys fewer rights than a secure tenant.

Short Term Non-Secure Tenancies

In some homelessness investigations the Council has a duty to either provide accommodation whilst the claim is investigated, or a duty to secure accommodation for a period (usually 28 days) to give time for the applicant to make their own arrangement.

In such situations, the Council can use its own housing stock as an alternative to bed and breakfast accommodation. Applicants who are offered short term accommodation will be offered a non-secure tenancy to run for a fixed period of time (typically 28 days). At the end of this period if the Council have no further duty to the applicant we will seek possession of the property. If there is an additional duty to the applicant the tenancy can be extended for an additional period.

Appendix A – Points Awarded

1. Present tenure (highest category only)	
T1 – Accepted as homeless (limited to 6 months)	400
T2 – Risk of Harm / Statutory Unfit (limited to 6 months)	400
Leaving “move on” accommodation – see definition within policy	60
Applicants in shared accommodation within Bolsover District	56
Assured Shorthold tenancy (Private Landlord) within Bolsover District	54
Bolsover DC tenancy or RSL within Bolsover District.	52
Owner / Occupier (over 60 or needs access to specialist accommodation) – within District only	40
Tenant of another Council or RSL or Private Landlord outside Bolsover District	4
Owner / Occupier	2
2 – Waiting time on housing register	
1 per year to a maximum of 8	8 (max)
3 – Length of Current Residence (Not owner occupiers)	
1 point per year to a maximum of 8	8 (max)
4. Local connection	
All applicants currently living within the District.(excluding general needs owner occupiers)	4
5. Medical	
Health or medical grounds (see table)	30 (max)
M1 – Urgent Medical Need	400
M2 – High Medical Need	100
6, Social Need or Financial Need	
Other circumstances not covered elsewhere (see Appendix C)	8 (max)
S1 – Social Need & local connection (only when living outside District)	48
7. Overcrowding	
Points per bedroom lacking (max of 2 rooms lacking) (5 per room / 10 is max)	5
8. Age	
1 point for each year applicant is aged over 70 to a maximum of 10	10 (max)
9. Children in flats	
Child under 14 in upstairs flat	5
10. Lack of amenities (Within the District Only)	
Lacking - Bath and Shower, Internal WC, Kitchen, Hot Water, Central Heating (points per facility lacking to a maximum of 20)	4
Sharing - Bath and Shower, Internal WC, Kitchen, Hot Water, Central Heating (points per facility shared to a maximum of 10). (No points awarded is sharing with family or friends)	2
11. Under or over occupation of BDC dwelling – (only if the Council will be given vacant possession)	
Under occupation	100
Current property has major adaptations that are no longer needed	100
Overcrowded (this is in addition to appropriate overcrowding points in 7 above)	10
12. Tenancy Management	
To be used in succession cases	100

Definitions Used when Awarding Points.

Present Tenure	
Homeless	An applicant who is statutorily homeless, eligible for assistance, in priority need, not intentionally homeless and with a local connection. This is a strict definition of statutory homeless, rather than the common usage. It is only the Council who can accept someone as a homeless person
Statutory Unfit	Where, following assessment, the applicant's property is subject to a prohibition order, emergency action, demolition order or clearance under the Housing Health and Safety Rating System of the Housing Act 2004
Leaving 'Move On' Accommodation	Applicants from Bolsover District or who have a strong local connection who are currently living in temporary supported accommodation and are requesting to move as part of a planned support process. These must be approved by either the Housing Needs Manager or the HARP panel.
Applicants in shared accommodation	Applicants in accommodation where access to facilities are shared. For example a rented room in a house with shared facilities.
Assured Shorthold Tenancy	A tenant of a private landlord
Bolsover DC or RSL tenant within district	A tenant of Bolsover District Council or a RSL (Registered Social Landlord, also know as a Housing Association) within Bolsover District.
Owner / Occupier (over 60 or needs access to specialist accommodation)	An owner occupier (including people with mortgages or outright owners) and who is either over 60 or has medical needs (assessed as medium or high) which means there current accommodation is unsuitable for their needs.
Tenant of another Council or RSL or Private Landlord outside Bolsover District	A tenant of a council other than Bolsover District Council (including ALMO) or a RSL (Registered Social Landlord, also know as a Housing Association) or a private landlord outside Bolsover District.
Owner occupier	An owner occupier (including people with mortgages or outright owners)
Urgent Medical Need	Applicants with severe medical needs or with disabilities where their quality of life will improve significantly if they moved to alternative accommodation. - This level of points can only be awarded by the medical assessor, who is independent from the council, and where the current properly is unsuitable (see appendix B)

High Medical Needs	Applicants with high medical needs or with disabilities where their quality of life will improve significantly if they moved to alternative accommodation. - This level of points can only be awarded by the medical assessor, who is independent from the council. (see appendix B)
Waiting Time	
Waiting time on housing register	The length of time an applicant has been on the Councils waiting list. This starts from the anniversary of the registration of the complete application form. If an application is cancelled for whatever reason these points may be lost.
Length of Current Residence	The length of time an applicant has lived in their current home. This excludes owner occupier. The applicant must provide proof of this.
Medical Needs	Detailed in Appendix B
M1 points (urgent medical need)	If an applicant is awarded urgent medical need (see Appendix B) they are also awarded additional M1 points for a period of 3 months. This level of medical need must be assessed by the Councils medical assessor.
M2 points (high medical need)	If an applicant is awarded high medical need (see Appendix B) they are also awarded additional M2 points for a period of 3 months. This level of medical need must be assessed by the Councils medical assessor
Social / Financial Needs	
Social Needs	Detailed in appendix C
S1 Social Needs and local connection	If an applicant is assessed as having medium or high social need (give or receive support) and they have a local connection they will also be awarded additional S1 points.
Financial needs	Detailed in appendix C
Overcrowding (all applicants)	For each bedroom lacking, using the criteria set out in the policy, the applicant will be awarded additional points. This applies to one or two bedrooms lacking. If there are three or more bedrooms lacking the points awarded are capped as if there were 2 bedrooms lacking.
Age	1 point is awarded for every year an applicant is aged over 70 – i.e. they receive their first point on their 71 st birthday. A maximum of 10 points can be awarded.
Children in flats	If an applicant is living in a flat that is entirely above the ground floor and they have a child under the age of 14 living with them. This does not apply to shared properties with garden access.

Area of birth	Awarded when an applicant wants to return to the Bolsover District when they lived in the area up to their first birthday.
Lacking of amenities.	When an applicant is lacking amenities in their current accommodation. This will usually be confirmed by an inspection of the current home. This excludes amenities that are lacking due to the actions of the tenant. E.g. damaging fixtures or non-payment of utility bills. These points are only awarded to applicants who are within the District.
Sharing amenities.	When an applicant is sharing amenities in their current accommodation. This will usually be confirmed by an inspection of the current home. This excludes sharing amenities with family or friends, single people under 25, and people living in supported accommodation unless part of a planned move-on programme. These points are only awarded to applicants who are within the District.
Under occupation	When an applicant is living in a property that is too large for their current needs, as assessed using the criteria in this policy. This only applies to BDC tenants * who are moving into smaller accommodation and when the council will be given vacant possession of the current home. Note – this is not awarded ‘per room’
Current property has major adaptations that are no longer needed	When an applicant is living in a property where BDC have carried out major adaptations to meet the needs of the occupiers, and that need no longer exists. Major adaptation do not include handrails etc, but do include wetrooms, through the floor lifts, adapted kitchens etc. This only applies to BDC tenants* where the council will be given vacant possession of the current home.
Overcrowding (BDC tenants only)	When an applicant is living in a property that is not large enough for their current needs as assessed using the criteria in this policy. This only applies to BDC tenants* who are moving into larger accommodation and when the Council will be given vacant possession of the current home. Note – this is not awarded per room.
	* the Council will also award these points to applicants who live in RSL properties if the RSL confirm that the vacant property will be let to an applicant nominated by BDC.
Tenancy Management	These points are to assist the HARP Panel in the management of the Succession Policy.

Appendix B – Medical Points

Medical Need / Current Housing	Ground Floor / Property with adaptations	Property with external steps – but no internal access problems. (App can access WC / Bath / Bedroom)	Property with internal access problems – or facilities are lacking.
High	15 Points - Wheelchair bound & current home cannot be adapted	25 Points – Wheelchair bound & property cannot be adapted	30 Points – Wheelchair bound & property cannot be adapted - Chronic Lung Condition (needs oxygen full time)
		20 Points - Chronic Lung Condition (needs oxygen) - Above knee amputation	25 Points - Chronic Lung Condition (needs oxygen part time) - Above knee amputation
Medium	5 Points - Requires level access bathing (current home cannot be adapted)	15 Points. - Unstable epilepsy - Severe mobility impairment (unable to move around home) <ul style="list-style-type: none"> • Angina • Severe arthritis 	20 Points. - Unstable epilepsy - Severe mobility impairment <ul style="list-style-type: none"> • Angina • Severe arthritis - WC on different level <ul style="list-style-type: none"> • Chronic chrohns • Bladder / bowel / kidney problems
		10 Points - Blind or partially sighted - Moderate mobility impairment (unable to manage stairs) <ul style="list-style-type: none"> • Angina / Heart problems • Severe arthritis 	15 Points - Blind or partially sighted - Moderate mobility impairment (unable to manage stairs) <ul style="list-style-type: none"> • Angina / Heart problems • Severe arthritis
Low	2 Points - Need for sheltered accommodation	5 Points - Epilepsy controlled with medication - High blood pressure - Use of inhaler (mild mobility issues) - ME (mild mobility issues Heart problems / Angina / Arthritis controlled by medication	10 Points - Epilepsy controlled with medication - High blood pressure - Use of inhaler (mild mobility issues) - ME (mild mobility issues) - Heart problems / Angina / Arthritis controlled by medication
Other			2 points Use of inhalers if current home unheated.

Notes	Complex issues – eg Multiple sclerosis or Myalgic Encephalopathy always referred to medical advisors for determination Mental health issues only considered if housing would significantly improve issues – maximum 5 points to be determined by HARP panel (who may seek advice from medical advisors)
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Prepared by		Date prepared	
System updated by		Date system updated	

Referred to for medical assessment – Band A Also M1 points for limited period	Referred for medical assessment – Band B Also M2 points for limited period.
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Appendix C – Social & Financial Needs Points

SOCIAL (either section a or section b)		Points
a. Applicant receives support from family or carer		
Low – Help with shopping, social visits. Applicant has access to own or public transport and shops		2
Medium – Needs help with shopping, laundry & cleaning. No shop and cannot access shops alone. Limited access to public transport		4
High - Housebound. Cannot carry out household tasks. May need help bathing (permanently)		6
b. Applicant gives support to family member to medium or high level		
Low – Has own transport or lives in same village		2
Medium – Has no car during day – reliant on public transport or lifts.		4
High – Has no car and no access to public transport.		6
FINANCIAL – Not current Council Tenants or Housing Association Tenants		
b. If, the person provides a financial statement, and there income is not sufficient to meet the essential outgoings		
Shortfall of less than £5 per month		2
Shortfall of £5.01 to £25 per calendar month		4
Shortfall of £25.01 to £50 per calendar month		6
Shortfall of over £50.01 per calendar month		8
Prepared by		Date
System Updated by		Date

Note – If an applicant is awarded Social Need Points, and they live outside the District but with a connection to the District they are awarded additional S1 points

