



Housing Allocations Policy

Housing Service

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Contents

1. Introduction
 - 1.1 The purpose and scope of the policy
 - 1.2 The Council's vision
 - 1.3 Partnership in Dacorum

2. Administration of the housing register
 - 2.1 Registration
 - 2.2 Bidding
 - 2.3 The use of direct offers
 - 2.4 Checks and assessments
 - 2.5 Renewal of applications
 - 2.6 Removal from the housing register
 - 2.7 Reviews
 - 2.8 Disclosure of information
 - 2.9 Councillors, council employees and their close relatives
 - 2.10 Access to advice and information
 - 2.11 Information on the housing register
 - 2.12 Equal opportunities

3. Eligibility
 - 3.1 Eligibility
 - 3.2 Subject to immigration control
 - 3.3 Persons from abroad
 - 3.4 The household

4. Qualification
 - 4.1 Qualification
 - 4.2 Age
 - 4.3 Local connection
 - 4.4 Home-ownership
 - 4.5 Financial means
 - 4.6 Anti social behaviour
 - 4.7 Rent arrears
 - 4.8 Deliberately worsened circumstances
 - 4.9 Deliberately giving false or misleading information or withholding relevant information
 - 4.10 Three offers of housing turned down
 - 4.11 Meeting priority criteria
 - 4.12 Armed forces

5. Bedroom criteria
 - 5.1 The bedroom standard
 - 5.2 The bidding process
 - 5.3 Prospective adoptive or foster parents

- 6. Points**
 - 6.1 How points are used**
 - 6.2 People who are 'homeless'**
 - 6.3 Insanitary, overcrowded housing or otherwise unsatisfactory housing conditions**
 - 6.3.1 Insanitary conditions, disrepair and lacking or shared facilities**
 - 6.3.2 Overcrowding**
 - 6.3.3 Under-occupation**
 - 6.4 Medical and welfare**
 - 6.4.1 Medical grounds**
 - 6.4.2 Welfare grounds**
 - 6.5 Applicants who need to move within the Borough due to hardship**
 - 6.6 Armed forces priority**
 - 6.7 Other additional preference criteria**
 - 6.8 Allocating in cases of equal preference**
- 7. Ground floor and adapted properties**
- 8. Village lettings**
- 9. Local lettings schemes**
- 10. Sheltered Housing and Flexi Care**
- 11. Exemptions to policy**
- 12. Exceptions to policy**
- 13. Other landlords**

Appendix 1. Table for allocating points to applicants on the Active Register

1. Introduction

1.1 The purpose and scope of the policy

The primary function of this policy is to set out:

- Dacorum Borough Council's (the Council) local priorities in allocating housing accommodation; and
- The Council's local approach to eligibility and qualification to its housing register.

This document will:

- Establish the essential framework enabling the Council to determine the relative priorities between applicants for housing; and
- Provide a comprehensive statement of the procedure that should be followed when considering applications and making allocations.

For these purposes 'procedure' includes all aspects of the allocation process, including the persons or descriptions of persons by whom decisions are to be taken.

The Council holds two housing registers, the Active Register for qualifying applicants, and a Deferred Register for non-qualifying applicants (please see 'Qualification' section 3).

Applicants on the Active Register are able to bid for available properties by using a choice based lettings (CBL) scheme (please see 'Administration of the housing register' section 2).

The Council is committed to giving fair opportunity to all applicants and reserves the right to make limited numbers of properties available to only homeless applicants; or home-seekers; or transferring tenants, if at any time one or more of these groups starts to dominate allocations.

This policy will set out:

- The procedures and priorities involved in the initial consideration of an applicant's application to the housing register; and
- How a bid made by an applicant through the CBL scheme is to be treated.

A summary of this policy is available for all members of the public, without charge, at all the Council offices and websites www.dacorum.gov.uk and www.movingwithdacorum.org.uk.

1.2 The Council's vision

The current levels of housing demand in the Dacorum local housing authority area are very high and the Council is under pressure from this high demand to effectively and fairly manage its housing register and stock.

In April 2012 the Council approved its Housing Principles. Of those principles a number relate to allocations and these include:

- Two 'key' Housing Principles

"Give priority to households in the greatest housing need when allocating affordable housing."

"Aim to maximise the use of our housing stock in order to meet housing need."

- Three ‘further’ Housing Principles

“Give preference to local people where possible when allocating housing.”

“Work with the local private sector in housing, including the private rented sector.”

“Ensure that due consideration is given to any vulnerable client groups.”

In its Homelessness Strategy the Council sets out its preventative approach to alleviating the causes of homelessness, which is intended to reduce the pressure on allocations to social housing.

The Council takes the view that this policy should support efforts to prevent homelessness wherever possible and to manage its consequences, and that this should be viewed as an explicit aim.

The Council is committed to ensuring that allocations are fairly distributed between homeless applicants, home-seekers and transferring tenants, while always taking into account both the current demand and the stock that is available to let at any one time.

1.3 Partnership in Dacorum

The Council has a strong partnership with the registered providers (housing associations) operating within the local housing authority area. This partnership is known as *Moving with Dacorum*.

The aims of the partnership are to:

- Shape a shared vision and policy for letting affordable housing;
- Operate an integrated service;
- Improve access for housing applicants;
- Create better opportunities for mobility for existing tenants; and
- Create opportunities to share advertising and other services.

The Moving with Dacorum Partnership includes the following organisations:

Dacorum Borough Council	Circle Anglia
Guinness Trust	Genesis Housing Group
Hanover HA	Paradigm HA
Aldwyck HA	Metropolitan Housing Trust
Hightown Praetorian and Churches HA	Home Group
Affinity Sutton HA	
Co-operative Society Development Ltd	

Each housing association has its own allocations policy and may have different rules about who is eligible for a property. Through the Moving with Dacorum partnership the Council aims to ensure broad compatibility of its partner’s policies with this Allocations Policy. Each housing association’s policy should be available on their website, or by contacting their offices.

2. Administration of the housing register

2.1 Registration

Individuals wanting to apply to the housing register (Active or Deferred) will need to complete an application form online at www.movingwithdacorum.org.uk.

If applicants cannot access the internet, either at home or at public terminals such as in the library or the Council offices, there is a paper form available.

Along with the application documentation may be requested including:

- Proof of residency of children (Child Benefit);
- Proof of pregnancy (MATB1 Form);
- Confirmation of immigration status and right to work if from abroad;
- Medical evidence; and
- Notice of eviction (if relevant).

2.2 Bidding

The Moving with Dacorum CBL scheme operates through the partnership's central website www.movingwithdacorum.org.uk. All properties advertised on this website are available for bidding to all home-seekers and transferring tenants.

The complete bidding process operates through www.movingwithdacorum.org.uk and applicants will need their login details, which they will have set up at registration.

Properties are advertised each week at www.movingwithdacorum.org.uk and in a newsletter available from the Council offices at Hemel Hempstead and Berkhamsted Civic Centres and Victoria Hall in Tring.

The adverts state:

- The landlord, location, size (including bedroom sizes), rent and other features of the property to help applicants decide which properties are suitable;
- If there are any specific criteria (for example, age criteria for sheltered housing) that applicants must meet to bid on the property; and
- If the property is restricted for bidding to homeless applicants, home-seekers or transferring tenants.

Properties are advertised on the website for five days, from one minute past midnight on a Thursday. Applicants are able to express interest in these properties until one minute to midnight on the following Monday.

When an advert closes the Housing Options team checks the applicants on the shortlist and decide who to offer the property to using the allocation scheme.

This allocation scheme is in the 'downloads' section of www.movingwithdacorum.org.uk and can be found at www.dacorum.gov.uk.

Applicants can bid on up to three properties each week, in the following ways:

- Online at www.movingwithdacorum.org.uk;
- Over the telephone on 0300 111 3570;
- By text message to 07786 201131; and
- In person at the Customer Service Centre at Hemel Hempstead Civic Centre.

2.3 The use of direct offers

A direct offer is defined by the Council as those offers made outside of the CBL scheme, but which are still covered by this policy. In each case where the right to make a direct offer is used it is specified in the table in appendix 1.

Where applicants are not bidding or refuse offers beyond a specified number of cycles the Council considers that it is reasonable to make direct offers where an offer is considered suitable to meet an applicant's needs.

For applicants in high-risk priority groups it may not be appropriate for applicants to bid, and a sensitive letting may be sought through the making of a direct offer.

Direct offers will also be used as part of the Council's preventative approach to homelessness. For applicants given a Homelessness Status at the point of receiving the full statutory homelessness duty there will be a presumption to give one direct offer of suitable accommodation (please see 'People who are homeless' section 6.2).

2.4 Checks and Assessment

Upon receipt of application forms and accompanying documentation the Housing Strategy team will carry out any appropriate checks. Applications will be considered on the basis of eligibility, qualification, and any additional information provided on the form and supporting documentation.

Full verification will be carried out at the point of offer.

2.5 Renewal of Applications

The Council requires every applicant, whose details have been placed on either the Active Register or Deferred Register, to confirm their details on an annual basis (or sooner period if formally requested in writing to do so by the Council). Therefore the Council will normally send a reminder letter on or about the anniversary of every application.

The renewal is done online at www.movingwithdacorum.org.uk, and needs to be completed within 28 days of the date of the reminder letter. If the renewal is completed within the 28 days then the applicant's details will be maintained on the relevant register for a further year (or lesser period if an earlier renewal is requested by the Council).

Failure to renew will mean that the applicant's details will normally be deleted from the register on which he or she had been placed, and it will be assumed that the applicant no longer requires an allocation of housing accommodation. An applicant will be notified in writing of the deletion of their details under such circumstances.

If a reminder letter is returned to the Council as undeliverable then the applicant's details will be deleted from the register on which he or she had been placed. A letter advising of this will be held on file and one sent to the last known address of the applicant.

If an applicant starts the renewal process online but does not complete, then the Council will write to the applicant and ask for the missing information to be provided. If this is not supplied to the Council's satisfaction within 21 days of the date of the letter making the request (or such longer period as the Council may agree in writing), then the details of the applicant will be deleted from the register on which he or she had been placed. It will be assumed that the applicant no longer requires an allocation of housing accommodation, and the applicant will be advised of this in writing.

In all the above the applicant will retain the right to request a review of the Council's decisions (please see 'Reviews and appeals' section 2.7).

An applicant who is deleted from either the Active Register or Deferred Register may re-apply to the Council for an allocation of housing accommodation. A new application will then be considered at that time by the Council in accordance with this policy.

2.6 Removal from the Housing Register

Applicants will be removed from either the Active Register or Deferred Register in circumstances such as (this list is not exhaustive):

- At their request, in writing;
- Where they have failed to renew their application at the appropriate time;
- Where they have knowingly withheld or given false, misleading or incomplete information to obtain a tenancy;
- Where they no longer meet the eligibility criteria to remain on the list, or the Council has evidence to suggest that they should never have been registered;
- Where they experience a change in circumstances which means they no longer qualify to remain on the register; or
- When they have accepted an offer of accommodation from the Council or other housing provider.

When applications are cancelled, the Council will write to applicants or their representatives to notify them. Where applicants have been highlighted as vulnerable, the Council will contact them to check their circumstances before cancelling an application. All applicants whose applications have been cancelled have the right to ask for a review (please see 'Reviews and appeals' section 2.7).

2.7 Reviews and appeals

The Council will provide an open and fair review process, in accordance with the legislation, with appropriate support being offered.

Applicants have the right to request a review of decisions on the following grounds:

- Misadministration of registration;
- Misadministration of short listing or points; and
- Misadministration of a renewal or removal from either the Active Register or Deferred Register other than at their own request.

Any review request must be made in writing to the Housing Options team within 21 days of receipt of notice of points.

The review will be conducted by a Senior Officer who was not involved in the original assessment.

Applicants have the right to request an appeal of the outcome of review decisions. Any appeal request must be made in writing to the Housing Options team within 21 days of receipt of the letter informing the applicant of the outcome of the review.

The appeal will be conducted by the Group Manager for Strategic Housing.

At this stage any applicant wishing to pursue their appeal will need to make their case through the Council's complaints procedure. Only after the Council's internal complaints procedure has been fully explored may any complaint ultimately be taken to the Local Government Ombudsman.

Applicants making a Homelessness Application under the Housing Act 1996, Part 7 are subject to a separate reviews and appeals process.

2.8 Disclosure of information

The Council will not tell any other members of the public if a person is on its housing register, or give any other information about them.

The Council is unable to discuss the details of any application with another member of the public, even members of the applicant's family, without the applicant's written permission.

The Council will take reasonable steps to ensure that any member of the public is indeed the applicant before dealing with the enquiry.

In certain circumstances, disclosure will become necessary (for example, to prevent and detect fraud, or where an applicant has particular support needs that need to be met in order to enable them to maintain a tenancy). In such cases information could be disclosed to housing officers, occupational health officers, doctors, social services, probation services, police, other local authorities, and housing associations, on a need to know basis.

By signing the application form, an applicant is stating his/her agreement with the above.

2.9 Councillors, council employees and their close relatives

Councillors and council employees, and their close relatives, can apply to join the housing register. Any such association with the Council must, however, be clearly stated and disclosed on the application form.

If any such applicant applies for housing or makes a successful bid, the Corporate Director (Housing and Regeneration) will be informed and must approve the allocation, prior to the formal offer being made.

2.10 Access to advice and information

The Council's Housing Strategy team provides a free advice and assistance service to all housing applicants and tenants seeking a transfer covering all aspects of the scheme.

This includes dealing with enquiries on the following issues:

- Who can apply for housing and how to go about it;
- The processes and procedures that an applicant will need to comply with, to successfully register;
- How an applicant is likely to be treated under the scheme including the level of priority awarded;
- What accommodation an applicant is eligible for, and the chances of receiving an offer, insofar as this can be meaningfully given; and
- The lettings process including the functioning of the CBL scheme, offers outside of CBL, and any special circumstances that might be applicable.

2.11 Information on the housing register

A person on the housing register of a local housing authority is entitled to:

- See the entry relating to him/herself and to receive a copy of it free of charge;
- Be given such general information as will enable him/her to assess how long it is likely to be before accommodation appropriate to his/her needs becomes available for allocation;
- The information in writing that is provided to each applicant following registration, to the address provided within the application, at no charge.

2.12 Equal Opportunities

The Council is committed to securing equality of opportunity in all aspects of its activity as a service provider. This means that every effort is made to ensure that all sectors of the community have equal access to services offered by the Council and its housing association partners.

The Council recognises its statutory duties under the Equalities Act 2010 to ensure that no person will receive less favourable treatment than others because of age, disability, race, religion or belief, sex, marriage or civil partnership, pregnancy or maternity, sexual orientation, or gender reassignment.

The Housing Strategy team ensures:

- That advice and information is available about the right to make an application for housing; and
- That assistance is given to anyone likely to have difficulty making an application for housing.

Information about the allocation scheme will be made available in alternative formats and languages on request.

To monitor the effectiveness of this policy, applicants will be asked to complete an 'Equality and Diversity' section in the application form for the housing register.

Regular monitoring and evaluation of data and information on homelessness, the housing register and lettings outcomes, will all be fed back into policy reviews and service development.

3. Eligibility

3.1 Eligibility

The Council is committed to following the guidance in the English Code, which advises that authorities consider applicants' eligibility at the time of the initial application and again when considering making an allocation to them, particularly where a substantial amount of time has elapsed since the initial application.

If an applicant is found ineligible for an allocation of accommodation for any reason, he or she will not be allocated a sole tenancy, nor be allocated a joint tenancy with others, under the allocation scheme.

3.2 Subject to immigration control

The Council does not recognise as eligible those applicants subject to immigration control *unless* they fall within a class prescribed as eligible in the regulations as stated in the Housing Act 1996, Part 6.

3.3 Persons from abroad

The Council does not recognise as eligible those applicants who may not be subject to immigration control but who are prescribed by regulations as being 'persons from abroad' as stated in the Housing Act 1996, Part 6.

3.4 The household

Non-dependent children (aged 18 or over) or other adults joining the household will be considered as part of the household if they have lived in the property for a minimum of 12 months and will continue to do so for the foreseeable future.

Dependent adult relatives who have joined the household because they are unable to live independently may be considered as part of the household. Such cases will need to be referred to the Council's independent medical adviser.

The Council will check to make sure that any arrangement for access to children does take place and will need to see proof such as court papers or a letter from both parties' solicitors confirming the arrangements between the two parties. A child will not be considered part of the household if:

- The applicant has staying contact with the child for less than 50% of the time; or
- In the case of equal contact time, the property will not be the child's main or principle home.

Where the applicant is eligible (as per the criteria in sections 3.2 and 3.3) but there are other, non-eligible individuals living in the property, only dependent children and other dependant family members who are not eligible may be taken into account as part of the household. Any other non-eligible individuals living within the property will **not** be considered as part of the household.

4. Qualification

4.1 Qualification

New legislation amending the Housing Act 1996 in the Localism Act 2011, and Code of Guidance 2012 (Allocation of Accommodation: Guidance for Local Authorities 2012), has allowed local housing authorities to define criteria for qualification to their housing registers.

Dacorum Borough Council has chosen to operate an 'Active Register' as the main housing register for all qualifying applicants and a 'Deferred Register' for all non-qualifying applicants. All applicants on both registers will be written to at the point of registration to confirm their housing register status, and will be required to renew their application every 12 months at least.

The criteria relating to qualification are in addition to the eligibility criteria and only apply to applicants, not to their dependents or others in the household, who may appear on the application to be housed with them.

In contrast to the eligibility restrictions, while an allocation may not be made to a non-qualifying person as a sole applicant, a joint tenancy may be granted as long as both of the joint tenants are eligible, and one of the applicants is an eligible **and** qualifying person.

The qualification criteria are explained in more detail below.

4.2 Age

The Council considers that it is appropriate and reasonable to expect that children up until the age of 18 will live in a parental home, or that of a legal guardian.

Applicants choosing to register before their 18th birthday will be placed on the Deferred Register.

Applicants under the age of 18 on the Deferred Register will have an opportunity for review on the date of their 18th birthday. Applicants will not automatically be placed on the Active Register.

The exemptions to this criteria will be those 16 and 17 year olds identified as qualifying to a high-risk priority group (please see 'Meeting priority criteria' section 4.11).

4.3 Local connection

Demand for affordable housing in Dacorum local housing authority area far out-strips supply – both locally and from outside the Borough. The Council has made a commitment through one of its Housing Principles, that:

“The Council will maximise the use of our housing stock to meet local priorities”

The Council has reflected the above principle by introducing qualification criteria for local connection.

To meet the local connection criteria an applicant must have proof of **at least one** of the following criteria:

- 10 years residency within the Borough at some point in their lifetime;
- Family connection where immediate family members (parents, siblings or children) have been continuously resident within the Borough for the last 10 years; or
- 24 months of permanent continuous employment within the Borough of more than 16 hours per week.

Applicants who cannot demonstrate a local connection will be placed on the Deferred Register. These applications will have an opportunity for review at a 12 month renewal date.

The local connection criteria make exempt applicants to sheltered housing aged 60 years and over. This decision reflects a local need to meet an increasing housing demand from older people requiring specialist housing.

The local connection criteria also makes exempt members of the armed forces and former service personnel, where the housing application is made within 5 years of discharge, including bereaved spouses and civil partners leaving service family accommodation following the death of their spouse or partner (please see 'Armed Forces' section 4.12).

Note: Further local connection criteria are applied to certain villages, however these criteria are applied at the short-listing stage and give priority to applicants with a village connection, rather than 'qualification' (please see 'Village lettings' section 8).

4.4 Home-ownership

The Government's Code of Guidance 2012 states that local housing authorities should avoid allocating social housing to people who already own their own homes. Where they do so this should only be in exceptional circumstances, for example elderly owner occupiers who cannot stay in their own home and need to move into sheltered accommodation.

The Council has reflected the above guidance by introducing qualification criteria for home-ownership. Applicants will need to demonstrate that neither they nor their partner has an existing freehold or leasehold interest in a property in the UK or elsewhere.

Applications from home-owners will be placed onto the Deferred Register. These applications will have an opportunity for review at a 12 month renewal date.

The home-ownership criteria make exempt applicants to sheltered housing aged 60 years and over. This is to meet the increasing housing demand from older people requiring specialist housing, who currently own a property that is unsuitable for their needs.

4.5 Financial means

As with home-owners, it is felt by the Council that applicants with the financial means to meet their own housing need should not qualify to the Active Register.

The Council has reflected the above by introducing qualification criteria for applicants with financial means. Applicants will need to demonstrate that their income and savings fall below a threshold that is considered sufficient to meet housing need. The Council will

include in its calculations the income and savings of the head or heads of the household, whether there is a joint tenancy or a single tenant is living with a partner or spouse.

The Council has set its threshold cut-off points for income and savings to be in line with cut off points set by central Government. Therefore applicants will only be placed on the Active Register where they can demonstrate that neither they nor their partner have:

- In excess of £16,000 savings (in line with the housing benefit cut off point); or
- In excess of £60,000 income (in line with the Homes and Communities Agency cut off point for shared ownership).

In the case that the Government changes its thresholds the Council will adopt new cut-off points accordingly.

Applicants whose financial means fall above the threshold cut-off points will be placed on the Deferred Register. These applications will have an opportunity for review at a 12 month renewal date.

Any lump sum payment made to a current or former member of the armed forces as compensation received for injury or disability sustained in active service will not be included in an assessment of financial means.

4.6 Anti-social behaviour

Applicants will not qualify where there is evidence that legal or other serious action has been taken against any member of the household, due to anti-social behaviour (ASB), and is current within the last 6 months.

Applicants with any of the legal orders and injunctions listed below will be placed on the Deferred Register:

- ASB order;
- ASB order on conviction;
- ASB injunction;
- Individual Support order;
- Intervention order;
- Drink Banning order; and
- Drink Banning order on conviction.

This policy would equally recognise any orders or injunctions brought into force by legislation to change the existing set of tools for tackling ASB (the Government has submitted a draft Anti Social Behaviour Bill 2012).

In addition, applicants will also be placed on the Deferred Register if they, or member of their household:

- Has been evicted on the grounds of ASB in the last 5 years;
- Has held a demoted tenancy due to ASB in the last 6 months; or
- Is a person known to be involved with serious ASB, or to have been involved in the last 6 months, as per the advice of the Council's ASB team.

Due to the nature of the criteria there will be six monthly review opportunities for applicants, to allow for behaviour to be reviewed.

4.7 Rent arrears

Applicants will not qualify where there is evidence that a member of the household has a property-related arrear owed to the Council, a housing association or a private rented sector landlord, *unless* six months of regular repayments have been made.

Applicants with a property-related arrear will be placed on the Deferred Register. Due to the nature of the criteria there will be six monthly review opportunities for applicants, to allow for repayments to be reviewed.

Property-related arrears will be considered whether from current or former tenancies.

4.8 Deliberately worsened circumstances

Applicants will not qualify if there is evidence that they have deliberately worsened their circumstances by purposefully causing a change in their circumstances in order to:

- qualify to; and/or
- receive additional priority on

the housing register.

Applicants found to have deliberately worsened their circumstances will be placed on the Deferred Register. These applications will have an opportunity for review at a 12 month renewal date.

For an applicant to be considered to have deliberately worsened his/her circumstances by moving there must be evidence that it would have been *reasonable* for the applicant to have remained in his/her original accommodation.

Examples of (but not limited to) where someone may have deliberately worsened his/her circumstances would include:

- Selling or transferring a property that is affordable and suitable for an applicant's needs;
- Moving from an assured/assured shorthold tenancy to insecure and/or overcrowded and/or otherwise unsatisfactory accommodation; and
- Moving additional household members into a property.

4.9 Deliberately giving false or misleading information or withholding relevant information

Applicants will not qualify if they have been found to have provided fraudulent information by:

- Giving false facts;
- Not disclosing the full facts; or
- Not informing the Housing Options team of any important changes to his/her situation.

Applicants found to have given false or misleading information, or having withheld relevant information, will be placed on the Deferred Register. These applicants will also be investigated by corporate anti-fraud who will take action to prosecute.

Applicants found guilty will not have an opportunity to have their application reviewed at a later date and the Council will consider such applicants to not qualify to the Active Register in any future applications.

4.10 Three offers of housing refused

The Council considers that it is reasonable to expect that where an applicant has made the choice to bid for a property, and is successful in their bid, that the applicant will accept that offer.

In the case that an applicant refuses three offers to properties, each successfully bid for through CBL, this will be considered unreasonable.

Applicants refusing a third offer will be placed on the Deferred Register. Due to the nature of this criteria there will be six monthly review opportunities for applicants.

4.11 Meeting priority criteria

The Council is committed to giving priority to legally recognised groups of applicants, identified in the Housing Act 1996, Part 6:

- People who are homeless (statutory and non-statutory groups);
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- People who need to move on medical or welfare grounds (including any grounds relating to a disability); and
- People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or others).

The Council has reflected the legislation, and its Housing Principle 'to meet housing need', by introducing qualification criteria based on these priority groups.

Additional priority criteria relating to high-risk applicants have been identified to support the work of the Council's partners and to meet local needs.

Although these applicants may not meet one of the legally defined priority criteria above, these applicants will be people who are hard-to-house and require sensitive lettings, , and include (this list is not exhaustive):

- Care Leavers; Move-on from Supported Housing; Witness protection cases; and Individuals identified through multi-agency groups.

Applicants meeting the additional priority criteria are not expected to be frequent or high in number and will always be considered on a case-by-case basis.

Applicants not meeting any of the priority criteria will be placed on the Deferred Register. These applications will have an opportunity for review at a 12 month renewal date.

4.12 Armed forces

The Council is committed to providing access to housing accommodation to members of the armed forces.

Members of the armed forces and former service personnel, making an application for housing within five years of discharge, will qualify to the Council's Active Register whether or not there is a local connection.

This includes bereaved spouses and civil partners leaving service family accommodation following the death of their spouse or partner.

Any lump sum payment made to a current or former member of the armed forces as compensation received for injury or disability sustained in active service will not be included in an assessment of financial means.

The Council also recognises its duty to provide additional priority to those members of the armed forces and former service personnel on its Active Register (please see 'Armed Forces priority' section 6.6)

5. Bedroom criteria

5.1 The bedroom standard

The Government's Code of Guidance 2012 defined a 'bedroom standard', which allocates a separate bedroom to each:

- Married or cohabiting couple;
- Adult aged 21 years or more;
- Pair of adolescents aged 10-20 years of the same sex; and
- Pair of children aged under 10 years regardless of sex.

One of the Council's Housing Principles is that: "The Council will maximise the use of our housing stock to meet local priorities".

The Council is committed to ensuring that at the point of allocation households are allocated to properties for which they have the need of all the bedrooms available, while not allocating households to properties where they would be overcrowded.

The Council's procedure is to allocate one bedroom to the main applicant on the housing register, and then any partner sharing this bedroom will not receive any further bed-space award. Additional adults and children making up the household will then be allocated bed-space in accordance with the bedroom standard.

The Council's bedroom criteria for one, two and three bedroom properties are given below, (the same principles are applied to four and five bed properties):

Property description	First bedroom	Additional bedroom options
Studios	a single adult or couple	
One bedroom properties	a single adult or couple	
Two bedroom properties	a single adult or couple	one adult (aged 21 or above)
		an only child
		two children under 10 of any gender
		two children under 21 where both are the same gender
Three bedroom properties	a single adult or couple	two other adults (aged 21 or above) of any gender
		one adult (aged 21 and above) and an only child or two children under 10 of any gender
		two or three children where one is of a different gender and aged 10 or above
		three or four children under 10 of any gender

Note: All bedroom sizes are given on each property advert to aid applicants in making decisions about the suitability of any property to meet their needs.

5.2 The bidding process

Each property advert states the number of available bedrooms. Applicants will **only** be able to bid for those properties where they meet the following criteria:

- The household has a need for all the bedrooms available; and
- The household would not become overcrowded (except for households needing four or more bedrooms who may bid for three bedroom properties due to the shortage of large family homes available and in recognition that a three bedroom property may go some way to help a large family address their housing need).

To encourage single tenants and couples who are only eligible for one bedroom to downsize from three, four and five bedroom properties, in the case that a household is under-occupying by two bedrooms, they will be able to bid for properties with one bedroom above their need (please also see 'Under-occupation' section 6.3.3).

5.3 Prospective adoptive or foster parents

Prospective adoptive or foster parents will be considered for exemption of the bedroom criteria on a case-by-case basis only at the discretion of the Housing Panel (the Housing Panel is defined in more detail in 'Welfare grounds' section 6.4.2).

6. Points

6.1 How points are used

Points are given to applicants on the Active Register who meet certain levels of need within the priority categories, plus certain other additional factors. At the point of bidding, applicants with the highest points will be considered above otherwise equal applicants.

6.2 People who are homeless

'Homelessness' is a term defined in the Housing Act 1996, Part 7.

Part 7 distinguishes between people who are homeless with a statutory duty to be re-housed by a local housing authority, and those who are homeless without any statutory duty. The statutory duty will occur in cases when the applicant is assessed to be eligible and unintentionally homeless, and the household contains:

- dependent children; or
- a pregnant woman; or
- an adult who is assessed as vulnerable.

The Housing Act 1996, Part 6 requires councils to give additional priority to those who are homeless for any reason and in any circumstances, including rough sleepers. To meet the Part 6 definition of 'homeless' an applicant need not have made an application for homelessness assistance to any local housing authority.

The Council will give:

- A low points award to applicants who are homeless without the statutory homelessness duty (please see table in appendix 1); and
- A 'Homelessness Status' to applicants **at the point** that they receive the full statutory homelessness duty.

At the point of receiving the full statutory homelessness duty there will be a presumption to give one direct offer of suitable accommodation (please also see 'The use of direct offers' section 2.3).

The Council considers this approach to be consistent with its preventative approach to homelessness. Applicants will receive assistance to prevent homelessness and continue to bid through the CBL scheme with points allocated for other priority need criteria (please see 'Points' sections 6.3 – 6.7).

The Council also considers that this approach to homeless applicants will support the Council to ensure that homeless applicants do not unfairly dominate allocations made by the Council to the detriment of other groups whom the Council is required to also give priority to in accordance with the legislation in the Housing Act 1996, Part 6.

6.3 Insanitary, overcrowded housing or otherwise unsatisfactory housing conditions

6.3.1 Insanitary conditions, disrepair and lacking or shared facilities

The Housing Health and Safety Rating System (HHSRS) was introduced in light of the Housing Act 2004. It is a risk assessment tool introduced to support local authorities to

enforce powers to take action against poor quality residential dwellings, particularly in the private rented sector. The Council uses the formal scoring system within HHSRS to demonstrate the seriousness of hazards that can cause harm in dwellings.

The Council recognises that tenants in the private rented sector are more likely to be in insanitary or otherwise unsatisfactory dwellings. The regulatory standards and minimum property conditions required in the social rented sector are set so that these tenants will not be living in properties with potentially harmful health and safety risks, and the necessary action has to be taken by the landlord where any risks are identified.

To reflect the above the Council will give additional priority, for applicants currently in private rented sector accommodation only, if the property is found to:

- lack facilities or have shared facilities; or
- be in a state of disrepair.

The additional preference will only be given once, and it will not increase where applicants identify both:

- a lack of facilities or shared facilities; and
- a state of disrepair.

The additional preference will be awarded as points (please see table in appendix 1) based on meeting criteria for one of two categories:

- high; or low.

The 'high' category is defined as:

- major disrepair
 - identified 'Category 1' hazard from bands A - C of the HSSRS (at least one hazard) confirmed by a local authority Environmental Health officer; or
- lacking kitchen and/or bathroom facilities.

The 'low' category is defined as:

- minor disrepair
 - identified 'Category 2' hazard from bands D - F under the HSSRS (at least one hazard) confirmed a local authority Environmental Health officer; or
- sharing kitchen and/or bathroom facilities.

6.3.2 Overcrowding

The Council uses the 'bedroom standard' that came from the Code of Guidance 2012 in defining its bedroom criteria. The bedroom criteria determine which properties applicants may bid for dependent on the size of their household (please see 'Bedroom criteria' section 5.1).

The Government recommends that this standard is used to provide an appropriate definition of overcrowding to meet modern expectations.

The Council will give additional priority to those applicants who are overcrowded, according to the bedroom standard.

Overcrowded applicants will receive a set points total for each bed-space by which the household is overcrowded (please see table in appendix 1).

The points the Council gives for overcrowding are to reflect the stress and anxiety arising from this situation. Therefore the Council would not expect applicants to also meet additional priority welfare criteria for reasons of overcrowding (please see 'Medical and welfare' section 6.4).

6.3.3 Under-occupation

One of the Council's Housing Principles is that: "The Council will maximise the use of our housing stock to meet local priorities".

To reflect this principle the Council incentivises its tenants currently under-occupying their homes to downsize (please see the Council's Under-occupation Policy).

In addition, at this time Central Government is proposing to introduce new bedroom eligibility criteria for housing benefit claimants below the pension credit qualifying age, to take effect from April 2013. These regulations will impact how much rent a household can claim through housing benefit, depending on how many of the bedrooms within the dwelling they are eligible to have.

For the purposes of housing benefit (where the claimant is below pension credit qualifying age) these proposed regulations will mean that from April 2013 one bedroom will be allowed for each person or couple living as part of the household with the following exceptions:

- A child of 15 or under will be expected to share with another child of the same sex; and
- A child of 9 or under will be expected to share with one other child aged 9 or under, regardless of sex.

No exemption or account will be taken of children whose main residence is elsewhere.

When the regulations come into effect in April 2013 households under-occupying their properties, and in receipt of housing benefit (where the claimant is below pension credit qualifying age), are likely to experience financial hardship. The Council considers that this situation will make their housing condition unsatisfactory.

These regulations will affect:

- Cases where single tenants and couples in receipt of housing benefit (where the claimant is below pension credit qualifying age) are continuing to live in a family home after some or all of their children move away; and
- Cases where a family in receipt of housing benefit (where the claimant is below pension credit qualifying age) may be occupying all bedrooms, but the new regulations require two of the household to now share.

The Council will provide points (please see table in appendix 1) for under-occupation for each bedroom a household is under-occupying, according to the bedroom eligibility criteria for housing benefit. This will apply equally to all households whether or not they are in receipt of housing benefit.

To incentivise single tenants and couples downsizing from three, four and five bedroom properties, a household that is under-occupying by two bedrooms will be able to bid for properties with one bedroom above their need (please also see 'The bidding process' section 5.2).

Note: If applicants in receipt of housing benefit (where the claimant is below pension credit qualifying age) are under-occupying by two bedrooms, and choose to move to a property with one bedroom more than their needs, there will continue to be some shortfall in their rent under the new regulations. The Council gives all tenants the right to make this decision based on their own personal situation as tenants will be required to pay any remaining shortfall in their rent.

All other applicants in receipt of under-occupation points, where they are under-occupying by one bedroom, will only be able to bid for those properties with the number of bedrooms for which they are eligible. For example, in the case of an applicant with two daughters, both under 15 years of age, occupying separate bedrooms in a three bedroom house, the applicant will only be able to bid for two bedroom properties.

6.4 Medical and welfare

6.4.1 Medical grounds

The Council will award additional priority on medical grounds when there is evidence that it is the current housing condition of the applicant, or a member of their household, which itself creates a particular need for the applicant to move.

The term 'medical grounds' includes any grounds relating to a disability.

Note: The Council will, where appropriate, first seek to meet an applicant's needs by providing aids and adaptations to the current accommodation, enabling the applicant and his or her household to remain in the current home.

The additional priority will be awarded as points (please see table in appendix 1) based on meeting criteria for one of four categories to reflect the level of risk to the applicant, or a member of their household, from remaining in the current accommodation:

- extreme; high; medium; and low.

Where appropriate, information is to be sought in the first instance from an applicant's own doctors and other relevant professionals.

Medical cases are to be presented to and assessed by an independent medical advisor. The decision is not delegated to the medical advisor; the advisor advises and the Council will have the decision making responsibility.

After a medical advisor has advised on the evidence available at a given time and a decision is made by the Council, if there is then further medical evidence or opinion, and/or subsequent events, the Council recognises its duty to have that new information considered by the medical advisor.

Where the poor condition of accommodation has caused a health condition, these points can be awarded to applicants from the private rented sector who may also be in receipt of points for the insanitary or otherwise unsatisfactory condition of their property.

6.4.2 Welfare grounds

The Council will award additional priority on welfare grounds when there is evidence that it is the current housing condition of the applicant, or a member of their household, which itself creates a particular need for the applicant to move.

The Council considers 'welfare grounds' to refer to care and support needs or other social needs that do not require medical care or support.

The additional priority will be awarded as points (please see table in appendix 1) based on meeting criteria for one of four categories to reflect the level of risk to the applicant, or a member of their household, from remaining in the current accommodation:

- extreme; high; medium; and low.

Where appropriate, information is to be sought in the first instance from relevant professionals involved in an applicant's case.

Welfare cases are to be presented to and assessed by an internal Housing Panel made up of the following staff representatives:

- Group Manager – Tenants and Leaseholders or Group Manager – Strategic Housing;
- Team Leader – Tenants and Leaseholders;
- Team Leader – Income Management;
- Team Leader – Housing Options; and
- Team Leader – Housing Advice and Homelessness.

The Council considers 'welfare grounds' to include (this list is not exhaustive):

- Domestic violence; Harassment; Threat of violence; Relationship breakdown; Social isolation; No or limited access to facilities; Access to child care; Caring responsibilities (with proof of receipt of Carers' Allowance); Adoption and fostering; and Issues associated with culture and/or identity.

6.5 Applicants who need to move within the Borough due to hardship

In these cases a 'need to move' must be to an identified location with the Dacorum local housing authority area, and be considered to be sufficiently great that 'hardship' would otherwise be caused, either to the applicant or to others.

The Council considers that hardship may be personal or financial.

The Council recognises that there is some overlap between this category and the category for medical and welfare grounds.

Due to this overlap the Council will give additional priority as a low points award for applicants who need to move within the Borough due to hardship (please see table in appendix 1).

6.6 Armed forces

Local housing authorities are required by law to give additional priority to members of the armed forces who have an urgent housing need, in accordance with the Additional Preference for Armed Forces (England) Regulations 2012.

Those members of the armed forces who qualify to the Council's Active Register will receive additional points (please see table in appendix 1) if it is the case that:

- The person is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service;
- The person formerly served in the regular forces;
- The person has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service; or
- The person is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

6.7 Other additional priority criteria

The Council is committed to recognising a number of other criteria and in all cases below the additional priority will be awarded as points (see table in appendix 1).

These include:

- Existing tenants of sheltered accommodation who wish to move from a Category 1 to Category 2;
- Children in flats without a lift (first floor and above only);
- Applicants meeting the qualifying criteria for the Active Register who have also completed a pre-tenancy training course;
- Existing tenants at the end of their Flexible Tenancy who have been assessed as needing to transfer to meet a change in housing need; and
- Length of time on the Active Register.

6.8 Allocating in cases of equal preference

In the case that two or more applicants are at the top of a shortlist and are in all other ways equal, a property will be offered to the applicant with the earliest registration date.

7. Ground floor and adapted properties

In drawing the short-list for a ground floor or adapted property, applicants with a specific need for the type of property will be considered above applicants without any specific need before points are taken into account.

If there are no bids made by applicants with a specific need for the type of property being advertised, the allocation will be offered to the applicant who has bid with the highest level of points.

8. Village lettings

In drawing the short-list for a village property, applicants with a local connection to the specific village will be considered above applicants without a local connection, where they meet the following criteria (applied using a cascade approach and listed in priority order):

- 10 years residency within the village at some point in their lifetime;
- Family connection where immediate family members (parents, siblings or children) have been continuously resident within the village for the last 10 years; or
- 24 months of permanent continuous employment within the village of more than 16 hours per week.

If there are no bids made by applicants with a connection to the village within which the property is located, the same cascade approach will be applied to those living and/or working in neighbouring parishes.

If there are no bids made by applicants with a connection to the village within which the property is located, or neighbouring parishes, the allocation will be offered to the applicant who has bid with the highest level of points.

Villages requiring a local connection in Dacorum are: Aldbury, Bovington, Chipperfield, Flaunden, Flamstead, Great Gaddesden, Gaddesden Row, Kings Langley, Little Gaddesden, Long Marston, Markyate, Northchurch, Potten End, Wilstone and Wigginton.

9. Local lettings schemes

Local letting schemes provide local housing authorities with the flexibility to identify particular housing accommodation that it wishes to use to achieve a variety of housing management and policy objectives.

Any proposal for a local lettings scheme will have:

- Clear objective(s) to be achieved, backed up by evidence;
- A method which is likely to achieve the objective(s);
- Information on how the scheme will be monitored and who will be involved;
- Mechanisms for reporting on and reviewing the scheme; and
- A clear exit strategy.

10. Sheltered Housing and Flexi Care

Sheltered housing properties are designed for people aged 60 or over, or for younger applicants of any age where a specific housing support need has been identified by an independent medical advisor. Sheltered housing will be available to applicants who wish to transfer and downsize from a general needs property or can demonstrate in an assessment that they require the level of housing related support offered in this type of accommodation.

Flexi Care sheltered housing services provide an alternative form of care for older people whose needs are beyond the provision available within traditional sheltered housing. A Flexi Care Housing Panel will determine and prioritise the housing related support and care needs of applicants. (Further information can be found in the Flexi Care policy).

11. Exemptions to policy

Lettings that are not treated as allocations under this scheme include:

- Mutual exchanges between tenants of the Council or housing associations, whether by Deed of Assignment or by commencement of new tenancies where a tenant with a Flexible Tenancy exchanges with a tenant with a Secure or Assured Tenancy (including those arranged via national schemes such as Homewapper);
- Where a tenant dies (whether secure, assured or fixed term) and a succession takes place;
- Where a secure or assured tenancy is granted by order of a court under Matrimonial Causes Act 1973, or Matrimonial and Family Proceedings Act 1984, or Children Act 1989;
- Where an introductory tenancy, assured shorthold starter, or probationary tenancy becomes an assured or secure tenancy; and
- Where a tenancy is demoted by court order, or, following the expiry of the demotion period, where a demoted tenancy reverts to secure tenancy status.

Other exemptions may include the following occasions:

- Where a property is allocated to a relative or carer of a tenant who has died, but there is no statutory right for that person to succeed to the tenancy;
- Changes to a tenancy that do not result in a vacancy, e.g. from joint to sole or sole to joint tenancy;
- A vacancy is required to enable the Council to discharge its duty to statutorily homeless households;
- A vacancy is required for an applicant with acute support needs from supported housing;
- A landlord needs to re-house an existing tenant temporarily in order to carry out repairs, renovation or refurbishment;
- A vacancy is required because a Moving with Dacorum Partnership member has management reasons to provide accommodation; and
- Other exceptional circumstances agreed by the Housing Options Team Leader, in consultation with the Strategic Housing Group Manager.

12. Exceptions to policy

In very exceptional circumstances the Assistant Director - Housing (who has responsibility for the Strategic Housing service) has delegated authority to award additional priority to applicants and to amend the eligibility or qualification criteria. All exceptions will be monitored and reported on a monthly basis to the Corporate Director of Housing and Regeneration.

13. Other landlords

A successful applicant for an allocation of an accommodation held by a housing association partner landlord will be nominated to the relevant landlord. Some partner housing associations operate their own procedures in the allocation of their properties. This means that an applicant may need to meet their selection criteria, for example income limits, before an offer of accommodation is made by them.

If an applicant is unhappy with a partner housing association decision to refuse him/her for an allocation he/she will be required to follow the housing association's appeal/complaints procedure.

Appendix 1

Table for allocating points to applicants on the Active Register

For all priority categories an applicant may only be given points for meeting one level of criteria.

Priority category	Criteria within priority categories	Points
People who are homeless	All people who are homeless (within the meaning of the Housing Act 1996, Part 7), which includes people who are intentionally homeless and those who are not in priority need. People with no fixed abode, rough sleepers and sofa surfers.	5
	People who are owed the full statutory duty by the housing authority under the Housing Act 1996, Part 7. <i>Note: Only to be given at the point that the duty is awarded and not before even if an applicant is considered likely to receive this.</i>	Homelessness Status
Condition of private sector property	Major disrepair - the property meets a Category 1 Hazard using the Housing Health and Safety Rating System. <i>Note: This needs to be confirmed a local authority Environmental Health officer.</i>	50
	Or Lacking kitchen/and or bathroom facilities.	
	Minor disrepair - the property meets a Category 2 Hazard using the Housing Health and Safety Rating System. <i>Note: This needs to be confirmed a local authority Environmental Health officer.</i>	10
	Or Sharing kitchen and/or bathroom facilities.	
Overcrowding	A household that is overcrowded. Overcrowding occurs when an additional person does not have a bed-space if one bedroom is allocated to each: <ul style="list-style-type: none"> - Married or cohabiting couple; - Adult aged 21 years or more; - Pair of adolescents aged 10-20 years of the same sex; and - Pair of children aged under 10 years regardless of sex. 	15 (for each <i>additional person</i> lacking a bed-space if maximum use of available bed-spaces is assumed)

Under-occupation in Council or Housing Association properties	<p>A household choosing to downsize by one or more bedrooms because they are currently under-occupying.</p> <p>Under-occupation will occur when:</p> <ul style="list-style-type: none"> - A bedroom is unoccupied - Two same-sex children aged 15 or under who occupy separate bedrooms - Any two children aged 9 or under who occupy separate bedrooms 	45 (to be given for each <i>bedroom</i> a household is under-occupying)
Medical grounds	Extreme medical needs <i>Awarded by Medical Advisor</i>	100
	High medical needs <i>Awarded by Medical Advisor</i>	50
	Medium medical needs <i>Awarded by Medical Advisor</i>	30
	Low medical needs <i>Awarded by Medical Advisor</i>	10
Welfare grounds	Extreme welfare needs <i>Awarded by Housing Panel</i>	100
	High welfare needs <i>Awarded by Housing Panel</i>	50
	Medium welfare needs <i>Awarded by Housing Panel</i>	30
	Low welfare needs <i>Awarded by Housing Panel</i>	10
Children in Flats	A household with one or more children aged 9 years or under in a flat (first floor and above) where no lift is available.	10 (only given once regardless of number of children)
Members of the armed forces	<p>People who have:</p> <ul style="list-style-type: none"> - Formerly served in the regular forces (including those suffering injury, illness or disability attributable to their service); - Ceased entitlement to accommodation provided by the Ministry of Defence following the death of their spouse or civil partner who served in the regular forces (whose death was attributable to that service); - Served in the reserve forces, suffering serious injury, illness or disability which is attributable to their service. 	10

Sheltered tenants in Council or Housing Association properties	Existing tenants of sheltered housing who wish to move from Category 1 to Category 2 accommodation.	25
Pre-tenancy training	People who have completed a pre-tenancy training course.	5
Length of time on register	A single point to be given to people for each year they have been on the Active Register, up to five years.	1 (to be given for each <i>year</i> on the register up to and including the completed 5 th year)
End of a flexible tenancy	Existing tenants at the end of their Flexible Tenancy who have been assessed as needing to transfer to meet a change in housing need.	50
Hardship	Applicants who need to move within the Borough due to hardship <i>Awarded by Housing Panel</i>	10
High risk groups	People from high-risk groups who meet hard-to-house or sensitive lettings criteria. Criteria include: <ul style="list-style-type: none"> Care Leavers; Move-on from Supported Housing; Witness protection cases; and Individuals identified through multi-agency groups. This list is not exhaustive.	Direct offer or points at the discretion of the Housing Panel