



# Housing Allocations Policy

Last reviewed September 2021

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# 1.0 Allocations policy overview

This policy will be reviewed annually



## 1.1 Introduction

Dacorum Borough Council is committed to allocating all social and affordable housing within the borough to those in most need, and ensuring people have the best possible chance of sustaining their tenancy. This Housing Allocations Policy sets out how we prioritise applications for council and housing association homes based on a person's circumstances and level of housing need.

To deliver this, we manage a choice based lettings system in Dacorum, and households wanting to apply to be on the council's housing register will need to complete an online application form at [Moving with Dacorum](#). Support is available to those applicants who are unable to submit their application online, either by booking an appointment for the Customer Service Unit at The Forum or by requesting a paper application. Applications are usually assessed within 4-6 weeks.

Whilst Moving with Dacorum advertises all social and the majority of affordable housing options, each housing association within the borough may have its own allocations policy, which may have different rules about who is eligible. These policies should be available on their websites or by contacting the housing association directly.

Many people who apply for housing will never be allocated a property by the council because of the shortage of social housing in the borough. Even if you have a high housing need, it is likely that you will have to wait for a considerable time before you are offered a property.

The council is required to respond to any local or national restrictions imposed by central government. The administration of this and other council policies could, therefore, be impacted by a pandemic or other emergency for the period that such restrictions are in operation.

## 1.2 Aim(s) of the policy

Discharge the council's statutory duties as contained in Part 6 of the Housing Act 1996, as amended by the Homelessness Act 2002, Civil Partnership Act 2004, Housing and Regeneration Act 2008, Localism Act 2011 and the Homelessness Reduction Act 2017.

The aims of this policy are to:

- Ensure we allocate homes appropriately and fairly to those in need;
- Ensure that the allocations and assessment policy is transparent, simple, and easy to understand for all;
- Offer as much choice as possible to customers, to create genuine customer choice and empowerment;
- Help increase the housing options for homelessness applicants;
- Prioritise households that have been assessed to be in most need and to those who make a positive contribution to our community;
- Ensure we make best use of local housing stock;
- To reduce the time properties are empty between lettings;
- Create strong, mixed and sustainable communities, and;
- Set out our approach to eligibility for and qualification to the council's housing register.

## 1.0 Allocations policy overview (continued)



### 1.3 Links to the council's corporate aims

This policy supports the council's corporate priorities of providing good quality affordable homes, in particular for those most in need; and building strong and vibrant communities. Our corporate priorities are set out in the [Corporate Plan 2020 - 2025](#).

### 1.4 Equality and diversity

All applicants will be invited to provide details of ethnic origin, sexuality, disability and other equalities information. Provision of this information will not be obligatory or a requirement for acceptance of an application. Such information however will help the Council monitor the number and types of applicants with protected characteristics seeking housing and their position under the policy, and therefore applicants will be encouraged to supply the relevant information to be used for this purpose.

Equalities data will be kept and monitored on a regular basis to ensure properties are being allocated fairly. This policy itself will be monitored to ensure it does not operate in ways that discriminate against, or unfairly disadvantage, any particular group.

The Council will seek to ensure that this policy is operated in a manner that is fair to all sections of the community. The information provided will be kept confidential and treated with respect at all times.

### 1.5 Policy Statement(s)

- Applicants will need to meet eligibility and any applicable qualification requirements in order to be active on the housing register (see **2.0**).
- We will administer the housing register and allocate homes by adhering to a fair and transparent process (see **3.0**).
- Points will be awarded to applicants based on their housing need and priority group status (see **4.0**).
- We will offer additional priority to applicants who fit specialist criteria (see **5.0**).
- There are a number of exemptions and exceptions to the guidelines laid out in this policy (see **6.0**).

## 2.0 Eligibility and Qualification



## 2.0 Eligibility and Qualification

As a local authority, we must adhere to all legal requirements that affect whom we allocate social and affordable housing to. We are required to consider an applicant's **eligibility** at the time of their initial application and again when they have been successful in bidding for a property in order to allocate them a home. If an applicant is found not eligible at any time during this process, the allocation cannot continue and neither a sole nor a joint tenancy can be granted.

Under this policy, an applicant is *not eligible* if:

- They are subject to immigration control (unless covered under the exceptions stated at section 160ZA(2) of the Housing Act 1996).
- They are prescribed as being 'persons from abroad' other than a person subject to immigration control as defined by regulations made under section 160ZA(4) of the Housing Act 1996.

If you have any doubts as to whether or not you are "eligible" to apply join the register please do not hesitate to contact us for advice and guidance.

Where an applicant lacks **capacity**, the housing service will liaise with the relevant appointed representative to ensure that their housing needs are fully assessed and, where appropriate, arrangements are made to meet future accommodation needs. This may include liaison with alternative housing agencies to provide specialist packages of support.

In addition to eligibility, applicants must also meet the criteria outlined at 2.1 to 2.10 in order to **qualify** for the housing register and bid on homes. Eligible but non-qualifying applicants will not receive a sole tenancy under this policy; however, they will be able to enter into a joint tenancy as long as the other applicant is both eligible and qualifying. The qualifying

criteria do not apply to applicants to whom a 'reasonable preference' must be given under the Housing Act 1996 and Regulations made by the Secretary of State.

Reasonable preference categories:

- People who are homeless as defined by the Housing Act 1996, Part 7;
- People who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985), or who are occupying accommodation secured by any such authority under section 192(3);
- People occupying insanitary or overcrowded housing, or who are otherwise living in unsatisfactory conditions;
- People who need to move on medical or welfare grounds (including any grounds relevant to a disability); and
- People who need to move to a particular locality in the district of the Council, where failure to meet that need would cause hardship (to themselves or to others).

## 2.1 Age

Applicants must be 18 or over, unless age 16 or 17 and are either entitled to a reasonable preference under Part 6 of the Housing Act 1996 or are otherwise considered as part of a high risk property group (see 4.0).

## 2.0 Eligibility and Qualification (continued)

### 2.2 Local Connection

Subject to the exceptions outlined below, applicants must meet the local connection criteria by providing evidence of at least one of the following:

- A 10 year residency within the borough at some point in their lifetime;
- Family connection where an immediate family member (parents, children, siblings) who are over the age of 18 and has continuously been a resident within the borough for 10 years immediately preceding the date of application;
- Currently in permanent employment within the borough boundary, consisting of 16 hours a week or more, and which has been continuous for the last 24 months. Applicants that are home working must provide evidence that their main workplace is in based in Dacorum. The employment must be based on actual place of work and not based on where the head/ regional office is based.
- Additional local connection criteria apply to certain villages within the borough; applicants will need to meet criteria above for the specific village and applicants with a connection to the specified village are given priority at the short listing stage (see **5.2**). There are, however, a number of circumstances which mean that an applicant may not need to meet the local connection criteria in order to qualify.

These are as follows:

- Current council or housing association resident living within the borough;
- Applicants for sheltered housing aged 60 and over or between 50 – 59 when there is a medical or social isolation need, recognised by the internal Housing Panel;
- Members of the armed forces where the application is made within five years of discharge (includes bereaved spouses and civil partners leaving service family accommodation following the death of their partner);
- Existing social housing tenants seeking to transfer from another local authority district in England because they work in the district, need to avoid hardship or need to move to take up an offer of work in the area (see below 'Right to Move')
- Where the requirement of a local connection may infringe equality and diversity legislation (e.g. Equality Act 2010) considered on a case-by-case basis by the Housing Panel; or
- Residents living in refuges within the Dacorum area.

### 2.3 Right to Move

Applicants applying for housing within Dacorum from another local authority due to an offer of work within the borough must demonstrate a genuine intention to take up the offer. Evidence can include a contract of employment, wage slips or bank statements, tax/benefit information and a formal offer letter.

Any contracts must be for more than 12 months, consisting of 16 hours or more a week. Voluntary work does not qualify for the Right to Move. We must also be satisfied that the required move is based on applicants' needs, rather than wishes.

Things considered when assessing this include (but are not limited to):

- Distance / time to travel between work and home;
- Opportunities available closer to home;
- Impact on opportunity to improve employment circumstances (e.g. promotion);
- Availability and affordability of transport.

The council may contact the employer to verify an application at the point of joining the housing register or before making an offer.

### 2.4 Home Ownership

Applicants must not hold a legal or beneficial interest in a property within the UK and/or internationally. This does not apply to supported housing applicants aged 60 or over. However, if a supported housing applicant has sufficient means (including financial interest in a property) to purchase suitable accommodation for their needs in the Dacorum area they may not qualify for an allocation. If exceptional circumstances preclude this from happening they may still be eligible for supported housing. Such cases will be looked at on a case by case basis. An applicant will need to evidence a housing need to move into Supported Housing if they hold a legal interest in a property (see Appendix 1 for how the council allocates points on a housing need).

## 2.0 Eligibility and Qualification (continued)

### 2.5 Financial Means

Applicants will not qualify if they have the financial means to meet their own housing need. We define this as the applicant and/or their partner having in excess of the gross annual income limits which are set out below, or £16,000 in savings (except where a lump sum has been paid to a current or former member of the armed forces as compensation).

- 1 Bedroom/studio Property £40,000
- 2 Bedroom Property £50,000
- 3 Bedroom Property £60,000
- 4 Bedroom Property £60,000

Supported Housing applicants over the age of 60 will be exempt from this criteria.

These income thresholds have been based on a housing affordability model completed by an external consultant.

### 2.6 Unacceptable Behaviour

Applicants will not qualify where there is evidence that serious action or legal proceedings have successfully been brought against the applicant or any member of their household due to unacceptable behaviour, including breaches of tenancy and misuse of social housing (such as sub-letting), within the two years immediately preceding the date of application.

Applicants with any of the below legal orders will not be considered to qualify and will be unable to access the housing register for a period of one, three or five years (see below). The serious action or legal proceedings include but are not limited to:

- Acceptable Behaviour Agreements (one year exclusion from the register);
- Community Protection Notices (one year);
- Legal Undertakings (three years);
- Anti-Social Behaviour Injunctions (three years);
- Premises Closure Orders (five years); or
- Criminal Behaviour Orders (five years);
- Current Non-molestation order/ Occupation order (one year);
- Current Restraining order (five years).

In addition, applicants will also not qualify if they or any members of their household:

- Have an existing notice (such as a notice seeking possession, section 21 notice requiring possession or notice to quit) or a possession order.
- Have been evicted on the grounds of unacceptable behaviour in the five years immediately preceding the application;
- Have held a demoted tenancy due to unacceptable behaviour in the two years immediately preceding the application;

- Are a person known to be or have been involved with serious unacceptable behaviour within the two years immediately preceding the application, as per the advice of the council's Tenancy Management and Enforcement team or Community Safety team.

Any household can be removed from the register for unacceptable behaviour.

### 2.7 Rent Arrears

Applicants will not qualify where there is evidence that they or a member of the household has property-related arrears owed to the council (including Council Tax and service charges), a housing association or a private rented sector landlord, unless six months of an agreed repayment plan have been adhered to. This includes both current and former arrears. Applicants will also not qualify if they or any member of their household:

- Have been evicted on the grounds of rent arrears from a council or housing association property in the five years immediately preceding the application; or
- There is an existing notice or a possession order on the property.

Exceptions may be made in certain circumstances, e.g. a current tenant downsizing to make rent payments more manageable, which will be considered at the discretion of the internal Housing Panel. When exceptions are made, and an applicant with arrears owing to the council is permitted to move, any debt owed will still be required to be paid.

## 2.0 Eligibility and Qualification (continued)

### 2.8 Deliberately Worsened Circumstances

An applicant will not qualify if there is evidence that they have deliberately changed their circumstances in order to qualify to and/or receive additional priority on the housing register.

This may include but is not limited to:

- Homeowners who have transferred their property to another family member within the last five years from the date of application.
- An applicant moving from accommodation that was available for their occupation that was suitable or more suitable for them than the accommodation they have moved into and which it was reasonable for them to continue to occupy.
- Applicants who have disposed of or deprived themselves of assets which reasonably could have been used to secure housing within the last three years from the date of application.

### 2.9 False, Misleading or Withheld Information

Applicants will not qualify if they have deliberately provided fraudulent information by:

- Giving false information;
- Not disclosing all information required; or
- Not informing the housing service of any important changes to their situation.

If an applicant is found to have provided any false or misleading information or they have withheld information that is relevant to their housing application, their current and any future applications will be suspended. Action may also be taken against the applicant by the corporate anti-fraud team. This may result in prosecution.

It is an offence (under Section 171, Housing Act 1996), for an applicant to knowingly or recklessly provide the council with information that is materially false or deliberately withhold or misrepresent their housing circumstances.

Applicants who have sourced accommodation via the council that have provided false, misleading or withheld information during the Housing Register process will be subject to eviction proceedings and the council will support other landlords who are seeking to gain possession of accommodation through an applicant providing false or withholding information.

### 2.10 The Household

As part of the application, applicants will be required to prove they have lived at their current address for a minimum of 12 months immediately before application and give details of all members of their household.

Any non-dependant children (aged 18 or over), or other adults who are considered part of the applicant's household, must have lived with the applicant for a minimum of 12 months and continue to do so. Any changes to the household may affect the level of priority afforded to them under the qualification criteria.

Household members over the age of 18 that can be considered as part of your household:

- Partner
- Child over the age of 18
- Carer (medical evidence and support package will need to be submitted)

Household members over the age of 18 that do not fall into one of the above categories will not be considered for an additional bedroom or awarded lacking bed space points.

Subject to a review of supporting evidence by the council's independent medical advisor, dependant adults who have joined or wish to join a household because

they are unable to live independently are not required to have lived with the applicant for the minimum of 12 months.

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## 2.0 Eligibility and Qualification (continued)

If an applicant holds responsibility for residency of a child through a court decision, the child is immediately considered part of the household.

Residency arrangements agreed by parents require the applicant to provide supporting evidence of the arrangement, including evidence that the child has been living as part of their household for a minimum of six months and any documents required by Housing Benefit to support this claim.

Any child residency arrangements submitted as part of a housing application will be checked throughout the application process and the period of the tenancy.

A child is not 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 principal home.

A baby will be considered a household member from the date of birth, and not during the pregnancy.

However, some housing associations will consider an unborn baby as a household member at the point that the mother receives her MATB1 certificate. For this reason, the council will still take a record of the MATB1 and in these cases an applicant may be able to bid for larger housing association properties before the birth.

Where the applicant is eligible (see **2.0**) but other members of the household are not eligible, they may be considered as part of the application if they are dependant. This applies to both adults and children.

Applicants applying as part of a couple will need to decide who is the primary applicant, as both partners will be considered as members of the household and will not be able to hold an active application in both names. These applications are assessed on the primary applicant's housing need only.

All applicants can be subject to a home verification visit or other appropriate investigations by a Housing Needs Officer. The purpose of a visit is to check that all information relating to the applicant's housing application is properly recorded, and that their housing needs have been correctly assessed, and that they are a Qualifying Person and otherwise eligible for an offer.

## 3.0 Administration of the Housing Register

### 3.1 Bidding

Applicants who have applied to be on the housing register, are eligible, and qualify can then begin bidding on properties through [Moving with Dacorum](#). Alternative options for bidding include:

- Over the phone on 0300 111 3570;
- By text message to 07786 201131; or
- In person at The Forum, Hemel Hempstead.

Due to the operation of a choice based lettings system, whereby applicants pick which properties they wish to bid for, we consider it reasonable to expect that - where an applicant has been successful in bidding for their chosen property - they will accept the offer of that property.

Therefore, successful applicants will only receive one property offer. If an applicant refuses the offer of accommodation, the housing register application will be suspended for six months. A refusal of a property will only be considered if the applicant can provide evidence of a valid reason, of which the Service Improvement and Projects Team Leader shall be the final arbiter, as to why they cannot accept it. Examples of reasons which are unlikely to be considered valid include (but are not limited to);

- Location, size or layout of property;
- Condition of property; or
- Lack of garden and/or parking facilities (unless required under a medical needs assessment).

Where an applicant can provide evidence to support their refusal, and this is accepted by the Independent Reviewing Officer, they will be able to continue bidding on other properties.

Where an applicant cannot provide evidence to support their refusal of a property, their offer can be cancelled and they may be unable to bid on any future homes for six months. Supported Housing Applicants over the age of 60 who are downsizing from the council or Housing Association property, will be eligible to have three refusal options. After the third refusal, where an applicant cannot provide evidence to support their refusal of a property, their offer can be withdrawn and they may be unable to bid on any future homes for six months.

### 3.2 Approved Bidding

Applicants who have sensitive cases may still be able to bid themselves, but the council will have the right to review and approve the offer as suitable. This would happen if an offer of accommodation put the applicant or existing tenants at risk or in danger. The council would work with the applicant and potentially with third parties to discuss the reasoning and what alternatives are available.



## 3.0 Administration of the Housing Register (continued)

### 3.3 Property Adverts

All properties (except supported housing), advertised through Moving with Dacorum will be made live on any given weekday. They will then remain live for a minimum of three days, closing at one minute to midnight on the final day. The first day of advertising will be the day on which an advert goes live, provided it goes live before midday; and will otherwise be the day afterwards.

We recommend that applicants check for properties a minimum of every two days to avoid missing opportunities to bid.

Supported Housing properties are advertised on a weekly cycle and adverts will be live for a minimum of five days, from one minute to midnight on a Wednesday until one minute to midnight on the following Monday.

Supported Housing applicants can also request a weekly newsletter to be posted to them to assist them in alternative ways of bidding. Please state in your Housing Register application or contact Housing Needs if you would like this service.

### 3.4 Direct Offers

On some occasions, properties will be allocated through a direct offer. A direct offer means that an applicant will not bid on properties but will receive one offer of suitable accommodation. Direct offers are made by the housing service outside of the choice based lettings system. When making a direct offer, the council is required to consider the suitability of a property for all members of the household. These offers are used as part of our approach to preventing homelessness. Applicants who are given a homelessness status at the point of receiving the main housing duty will receive one direct offer of suitable accommodation. If the direct offer is refused without a valid reason, the council will no longer have a duty to provide the applicant with accommodation. In addition to homeless applicants, direct offers may also be used:

- To match applicants requiring complex adaptations to a suitable property;
- For applicants living in Mother & Baby units;
- In the case of hard-to-let properties (advertised at least twice with no suitable bids);
- For applicants in high-risk priority groups (see **4.0**) where a sensitive letting is required; or
- For individual cases that would usually fall outside of this policy but have an urgent or high risk housing need (these offers can only be approved by the internal Housing Panel).
- Flexi Care applicants;
- Supported Housing applicants who do not have sufficient accessibility to placing bids can request to go on the assisted bidding system. Information surrounding location and scheme preference is taken and applicants will be contacted by the

Housing Needs team when there is a suitable vacant home to ascertain if they want the team to place a bid for them. Applicants will only receive one direct offer of accommodation.

### 3.5 Tenancies Offered

Home seekers will be offered an introductory tenancy. This usually lasts for 12 months from the start date of the tenancy. Upon successful completion of the introductory tenancy, a secure tenancy will be issued. Transfer applicants that already hold a secure tenancy with the council or a registered provider, will be issued with a secure tenancy. All Supported Housing applicants are issued with a secure tenancy from the date of the signed tenancy agreement.

Joint applicants could be eligible to be offered a joint tenancy. Both applicants will have equal rights to the whole property. Both parties are liable for the rent and any damage that may occur. Applicants are encouraged to research joint tenancies before signing or speak to the Housing Needs team. Joint applications are accepted by those who are married, in a civil partnership or living together as if they were. We do not offer cross generation tenancies.

Applicants that have been offered a council general needs property will be invited to complete a pre tenancy course before signing their tenancy agreement.

### 3.6 Types of Rent Offered

**Social Rents**- rents for these properties have been agreed based on a formula set by government.

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## 3.0 Administration of the Housing Register (continued)

This creates a 'formula rent' for each property, which is calculated based on the relative value of the property, local income levels, and the size of the property. An aim of this formula-based approach is to ensure that similar rents are charged for similar social rent properties. The majority of council properties are let on Social Rent.

**Affordable Rents-** In 2011, the government introduced affordable rent. This permits rents that are inclusive of service charges to be set up to 80% of market rent. Property size, location type and service provision must be taken into account when determining what gross market rent a property might achieve if let in the private rented sector. These properties are still defined as social housing.

**Rent Increases-** the government announced its intention to set a long term rent deal for both local authority landlords and housing associations. This would permit annual rent increases on both social rent and affordable rent properties of up to CPI plus one percentage point from 2020, for a period of at least five years. ([Gov.uk](http://Gov.uk))

More information about council's rent and service charges setting can be found in our [Rents and other charges policy](#)

### 3.7 Housing Support Provided

The Council has in-house support services:

**Tenancy Sustainment-** Supporting households from the initial stages of their tenancy to help them understand their roles and responsibilities as a tenant and how to sustain a tenancy and encourage and facilitate their independence, quality of life, health and well-being. All applicants under the age of 25 will automatically be referred to the Tenancy Sustainment team to ensure they have access to support and provide the best platform to sustain their tenancy.

**Welfare & Sustainment-** Provide support, advice and assistance to households in new or existing tenancies and to those who have been or are at risk of homelessness including applicants that are in temporary accommodation.

If an applicant is housed by the council via a homeless application, the support worker will continue to work with the applicant for a minimum of six months, ensuring a successful transition to their new tenancy.

### 3.8 Checks and Assessments

If an applicant is successful in bidding, a full verification is carried out at the point of offer. In some cases, a full verification may be carried out before an offer is made.

Documents required as part of this include (but are not limited to):

- Proof of identity (Full Birth Certificate or Passport);
- Proof of income and savings;
- Completed income and expenditure form\*;
- Proof of residency of children (Child Benefit) (court arrangement);
- Proof of pregnancy (MATB1 Form);

- Confirmation of immigration status and right to work if from abroad;
- Medical evidence; and
- Notice of eviction (if relevant).

\* We may use a credit checking agency to verify details and as part of our policy to prevent/detect fraud, share information with other departments within the council and other Housing Providers. By completing the Housing Register declaration and consent form you will be giving your consent for this.

Existing tenants seeking a transfer will also need to make themselves available for a home visit. Applicants can aid this process by ensuring they have accurately reflected their circumstances in their application and by making sure they have all the necessary documents required to evidence their situation. Applicants are able to use the document upload function on their Housing register application via [Moving with Dacorum](#)

At the point an offer has been made, if an applicant cannot provide their documentation within 48 hours (unless there are exceptional circumstances), the offer will be withdrawn and the property offered to the next eligible person on the shortlist.

### 3.9 Renewal and Removal

It is the responsibility of the applicant to inform us if their circumstances change and to provide us with up to date contact details. Failure to notify the Council of a change of circumstance may result in an offer of a property being withdrawn. Some changes in circumstances will mean that the application will be suspended, this is because it could affect applicant's priority or eligibility for an offer.

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## 3.0 Administration of the Housing Register (continued)

Applicants are required to confirm their details as part of renewing their application on an annual basis. The council can, however, ask for confirmation at any point during the application process.

All renewal requests must be completed within 28 days and completed through Moving with Dacorum. Failure to renew an application within this time will result in details being deleted from the register.

If a renewal application is started but not completed, a member of staff will contact the applicant directly to request the missing information.

If this information is not supplied to the council's satisfaction within 21 days then the details will be deleted from the register as above.

Deleted applicants may re-apply at any point and the new application will be considered. It is advised that applications are only submitted or renewed if there is a genuine housing need.

Applicants can also be removed from the register for other reasons including:

- At their request;
- Where they no longer meet eligibility or qualifying requirements;

- Where they have knowingly provided false, misleading or incomplete information; or
- Where they have accepted an offer of accommodation.

Any applicant who is active on the Housing Register and has not placed a bid in the last 12 months, will be written to. Failure to respond to the letter within 28 days will result in details being removed from the Housing Register.

### 3.10 Reviews and Appeals

As a housing service, we will provide an open and fair review process, in accordance with legislation, with appropriate support being offered.

Applicants have the right to request a review of decisions under the Housing Act 1996:

- concerning their eligibility; or
- concerning their qualification to the scheme.

Review requests must be made in writing within 21 days of the applicant being notified of the decision. The review will be conducted by the Service Improvement and Projects Team Leader who is not involved in original case assessments.

Applicants have the right to request an appeal of the outcome of review decisions. Any appeal request must be made in writing within 21 days of the applicant being notified of the review decision.

An appeal investigation will be carried out by the Group Manager for Strategic Housing.

### 3.11 Disclosure of Information and Conflicts of Interest

Information on any housing applicant is confidential and will not be disclosed with any member of the public.

This also applies to any information related to applications. Applicants' family members will need written permission from the applicant to access any information.

In certain circumstances, disclosure of an applicant's information to other professionals or services may be necessary. This will only apply in certain circumstances - 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, any information that is disclosed will be shared on a need-to-know basis. Examples of services include but are not limited to:

- Housing officers or tenancy sustainment officers;
- Corporate anti-fraud team;
- Occupational health officers;
- Doctors or social services;
- Police or probation services; or
- Other local authorities or housing associations.

Councillors, council employees and their close relatives applying to join the housing register must disclose their association with the council on their application form.

Applicants with an association to the council that are successful in bidding on a property require approval from the Corporate Director of Housing and Regeneration before the formal offer being made.

## 4.0 Points and Additional Priority



All applications are reviewed and assessed by a Housing Needs Officer who will make the decisions in terms of allocating points to each applicant on the housing register. Points awarded are reflective of housing need and are used to bid on a property. Applicants with the highest number of points will be made an offer on the property at the close of bidding (see appendix 1 for a detailed table of points awarded).

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

### 4.1 People Who Are Homeless

Part 7 of The Housing Act 1996 distinguishes between people who are homeless and owed the main housing duty to have accommodation secured for them by a local authority and those who are homeless with no main housing duty. Applicants who are homeless but are owed either no main housing duty or a limited duty may receive points. Those whom we have a full duty to house will receive a direct offer as stated in section 3.4.

Before receiving the main housing duty decision, applicants will receive assistance to prevent homelessness and to bid through the choice based letting scheme, with points awarded for relevant priority need criteria.

### 4.2 Insanitary, Overcrowded and Unsatisfactory Housing

As a council, we recognise that tenants in the private rented sector are more likely to be in insanitary or otherwise unsatisfactory dwellings which can lead to potentially harmful health and safety risks.

As a local authority, we use the [Housing Health and Safety Rating System \(HHSRS\)](#), introduced by the Housing Act 2004 to formally score and demonstrate the seriousness of hazards in dwellings.

To address these issues, we will give additional priority to applicants currently in private rented sector accommodation if the property is found to:

- Lack facilities or have shared facilities; or
- Be in a state of disrepair.

This additional preference will only be given once and will not increase where applicants identify both of the above issues. Points awarded will either be of a 'high' or 'low' category (see Appendix 1) based on the following:

Low:

- Minor disrepair
  - Category 2 hazard from bands D – F under the HHSRS; or
- Sharing kitchen and/or bathroom facilities.

High:

- Major disrepair
  - Category 1 hazard from bands A – C under the HHSRS; or
- Lacking kitchen and/or bathroom facilities.

Both minor and major disrepair will need to be confirmed by an officer from the Private Sector Housing Team and there must be evidence that the landlord is non-compliant in carrying out the repairs.

As a local authority we recognise that overcrowding in a property can cause stress and have other negative impacts on a household. In light of this, we will give additional priority to those applicants who are overcrowded according to our [Bedroom Standard](#).

## 4.0 Points and Additional Priority (continued)

### 4.2 Insanitary, Overcrowded and Unsatisfactory Housing (continued)

Any points allocated to an applicant for overcrowding will reflect the need set out within the Bedroom Standard. Applicants are advised to read the standard when making an application for further information on the size of property they may be entitled to. Overcrowding points are not awarded to applicants currently residing in temporary accommodation.

In order to make best use of our available housing stock, we encourage tenants under-occupying their home (see 4.8 bedroom criteria) to downsize to a smaller property, as this is more reflective of their housing need.

Applicants who wish to downsize will receive points based on how many bedrooms they would like to downsize by. This will need to be specified in the application. As a result, the applicant will be limited in the size of property they can bid for.

### 4.3 Medical and Welfare

We will award additional points on medical grounds when there is evidence that an applicant's current housing situation is having a direct impact on their and/or a household member's medical condition. The term 'medical grounds' also covers disability.

Points will be awarded based on four categories (Extreme, high, medium or low) and reflect the level

of risk caused by remaining in the current housing (see Appendix 1).

Medical cases are assessed by a Housing Needs Officer and may seek advice from an independent medical advisor who will advise the council when making our final decision.

Applicants need to state how their medical condition will be improved or alleviated by a move to alternative accommodation.

We will also award additional points on welfare grounds, which we define as care and support needs or other social needs that do not require medical care or support e.g. victim of domestic violence. These points are awarded using four categories that are reflective of the level of risk involved in the applicant remaining in their current accommodation. Where appropriate, we may request information from relevant professionals involved in the applicant's case to assess the level of need. All welfare cases are presented to and assessed by the internal housing panel.

### 4.4 Moving Due to Hardship

In some cases, we understand that current tenants may need to move within the borough in order to avoid hardship. We consider that hardship may be personal or financial. Due to this, we will allocate points to applicants who need to move within the borough due to hardship.

### 4.5 Armed Forces

Members of the armed forces who qualify to our housing register will receive additional points if:

- They are serving in the regular forces and are suffering from a serious injury, illness or disability which is attributable to their service;

- They formally served in the regular forces;
- They have recently ceased, or will cease to be entitled to reside in the accommodation provided by the Ministry of Defence following the death of their spouse or civil partner who served in the regular forces and whose death was attributable to that service; or
- They are serving or have served in the reserve forces and are suffering from a serious injury, illness or disability which is attributable to their service.

Armed Forces points will only be awarded once. If the applicant is housed by the council but wishes to move again in the future, the additional points will not be awarded again.

### 4.6 Right to Move

Applicants who meet the 'Right to Move' qualifying criteria (see 2.3) will receive additional points.

### 4.7 Other Additional Priority Criteria

The council is also committed to recognising a number of other criteria, and in all cases the additional priority will be awarded as points (see Appendix 1). The additional priority criteria are as follows:

- Existing tenants of supported housing accommodation who wish to move from a dispersed property in the community to a supported housing scheme (CAT1 to CAT2 property);
- Existing tenants aged 60 or over in general needs accommodation who wish to move into sheltered accommodation;

*(Continued on next page)*

## 4.0 Points and Additional Priority (continued)

### 4.7 Other Additional Priority Criteria (continued)

- Applicants with a dependant child or children who occupy a flat on the first floor of a building or above which does not have a lift.
- Applicants that express an interest in moving to a Supported Housing property to prevent social isolation, be part of a community or require additional support.

Referrals received from Multi-agency public protection arrangements (MAPPA) panel. One nomination to us per year. All necessary information will need to be provided to us before an offer is made. All MAPPA referrals will be considered at the internal Housing Panel

Additional priority criteria have been established in relation to other high-risk applicants who are hard-to-house and may require sensitive lettings. These applicants include:

- Witness protection cases;
- Applicants moving on from supported housing; or
- 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.

### 4.8 Move on Accommodation for Young People and Care Leavers

Applicants who are ready for settled accommodation after a successful placement can make an application to the Housing Register. Evidence will need to be submitted from the applicant and Support Worker to show that that the applicant is ready to live independently. These cases will be heard at housing panel.

The evidence required but not limited to:

- Up to date rent statement showing no rent arrears
- Tenancy reference confirming young person has had no tenancy breaches as a result of nuisance, anti-social behaviour or other such behaviour that requires enforcement action
- Evidence that young person is ready to move on and able to sustain a tenancy
- Recently updated risk assessment
- Recently updated support plan
- Move on application form

### 4.9 Applicants involving Domestic Abuse

The definition of Domestic Abuse can be found [here](#):

Domestic Abuse cases through the Housing Register may be presented at the Domestic Abuse Panel. Where appropriate, we may request information from relevant professionals involved in the applicant's case to assess the level of need.

Points are awarded using four categories that are reflective of the level of risk involved in the applicant remaining in their current accommodation.

### 4.10 Bedroom Criteria

To ensure homes reflect people's housing need, we operate in line with the Government's Code of Guidance 2012 as well as the Dacorum Borough Council [Bedroom Standards](#)

Households who fall between the criteria within the standards will be able to bid for properties in two size categories to provide maximum choice.

For the purpose of this policy, the reference to children sharing a room shall be considered to mean siblings or step-siblings, not other relations or non-relations. We understand there may be mitigating circumstances where it is not appropriate for siblings or step-siblings to share a bedroom as required by the standard. These cases, including supporting evidence, will be reviewed on an individual basis by the internal Housing Panel.

Exceptions to the bedroom criteria will also be considered if medical evidence is provided to the Housing Panel showing that a member of the household is unable to share a room or requires an additional room for medical equipment.

Prospective adoptive or foster parents will also be considered for exemption at the discretion of the Housing Panel.

Where these cases are approved, it is essential that applicants consider the affordability of separate bedrooms as the household will be considered under-occupying their home, which may affect Housing Benefit entitlement.

Some housing association tenancy agreements may differ from the bedroom standard used within this policy. In these cases, we will restrict the size of the household able to bid for the property based on the details received from the relevant housing association.



## 5.0 Further Specific Criteria

### 5.1 Adapted Properties

Due to the low number of properties available in the borough that are suitable to meet the needs of people who have mobility and physical health conditions, we are committed to making sure that people who need adapted properties are prioritised for them. Applicants will be asked to provide a completed Occupational Therapist (OT) report that states all the recommendations for future housing.

When properties become vacant they are assessed by the adaptations team to determine if the property can be adapted and what level of adaptations can be completed. When completing direct offers we will consider individual needs, area preference and length of time they have been waiting for a property, unfortunately this means we are not able to offer in order of length of time an applicant has been waiting as it depends on the attributes of any available property.

### 5.2 Village Lettings

When shortlisting for village properties, applicants must meet the Local Connection to the borough (see **2.2**). To be considered for an additional village connection, applicants must meet the following criteria:

- A five-year residency within the village at some point in their lifetime;
- Family connection where an immediate family member (parents, children, siblings) who are over the age of 18 and has continuously been a resident within the village for 10 years immediately preceding the date of application;
- Currently in permanent employment within the village boundary, consisting of 16 hours a week or more, and which has been continuous for the last 24 months.
- Villages for which additional priority will be given for a local connection are:
- Aldbury, Bovingdon, Chipperfield, *Flaunden*, *Flamsted*, *Great Gaddesden*, *Gaddesden Row*, *Kings Langley*, *Little Gaddesden*, *Long Marston*, *Markyate*, *Northchurch*, *Potten End*, *Wilstone* and *Wigginton*.

### 5.3 Local Lettings Scheme

We reserve the right to implement local lettings schemes for new developments or to address issues on existing estates. These are used to ensure that communities are sustainable and contain an appropriate mix of households. Local Lettings Schemes may override the Council's normal lettings procedure. Examples include properties that may have criteria based on age or household composition to address specific local issues or may override occupancy level agreements and demand issues to address local management or supply.

The Council, in these circumstances, will ensure that their local lettings policies do not discriminate, directly or indirectly, on equality grounds. Local lettings policies will normally apply to new developments where over 10 affordable homes will be provided.

### 5.4 Supported Housing and Flexi Care

Supported housing properties are designed for people aged 60 and over. On occasion, the age limit is lowered to 55 and 50 when there has been no interest in a property. However, applicants below 50 years old that would benefit from Supported Housing will be required to demonstrate a medical or welfare need. These applications will be assessed by the internal Housing Panel.

Supported housing residents benefit from a Supported Housing Officer, who can offer differing levels of support as required and/or requested, as well as opportunities to socialise with other residents in their supported housing scheme.

The majority of our supported housing homes are one bedroom, however on occasion a two-bedroom property may become available. In these cases, the allocation of this property will be considered on a case-by-case basis, specifically taking into account the age of any additional household members living with the successful applicant and how this could impact the wider scheme.

We can also offer [Flexi Care](#) supported housing services for older people whose needs are beyond the provision available within traditional supported housing. Flexi care is different from other Supported Housing schemes as there is a care team based onsite which provides care packages and can attend emergency situations. Flexi Care offers are always made through a direct offer.

## 6.0 Exemptions and Exceptions

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 (including those arranged via national schemes such as Homeswapper);
- Successions of a tenancy following the death of a tenant;
- Where an introductory tenancy, assured shorthold starter, or probationary tenancy becomes an assured or secure tenancy;
- Where a secure or assured tenancy is granted by court order under Matrimonial Causes Act 1973, Matrimonial and Family Proceedings Act 1984, or Children Act 1989; or
- Where a tenancy is demoted by court order or where a demoted tenancy reverts back to secure tenancy status.

Other exemptions may include (but are not limited to):

- A property allocated to a relative or carer of a tenant who has died without a statutory right to succession being present;
- Changes to a tenancy which do not result in a vacancy (e.g. joint to sole tenancy);

- Where a vacancy is required to enable us to discharge duty to statutorily homeless households;
- The need to re-house an existing tenant temporarily in order to carry out repairs; or
- Any other exceptional circumstances agreed by the Housing Needs Team Leader and Strategic Housing Group Manager.
- A move agreed from a property with adaptations that are no longer required in line with Help to Move Policy.

### 6.1 Use and Occupation

A use and occupation account can be created when a person is left in occupation following the death or abandonment by the tenant(s).

- These accounts must only be created once the original tenancy has been properly terminated either by a Notice to Quit (NTQ) being served and expired or, in cases where the tenant is deceased, a signed termination form from the Next of Kin (NOK) will suffice.
- The use and occupation provision allows the person left in occupation to stay in the property on a short-term, temporary basis whilst they seek alternative accommodation. During this time, the person left in occupation is expected to pay a property charge which is known as mesne profits. This payment is not and must not be referred to as rent as this can have legal implications that could imply the person has a tenancy giving them rights to the property.

- In circumstances where the tenant has died, and the person left in occupation has no right of Succession, a use and occupation account can be set up. Please refer to Succession Procedure for details regarding eligibility to succeed to a tenancy.

The use and occupation account does not confer any legal rights to the person left in occupation and they have no legal right to remain in the property.

In exceptional circumstances the Assistant Director of Housing has authority to award additional priority to applicants and to amend or dis-apply the qualification criteria. All exceptions such as this will be monitored and reported on to the Corporate Director of Housing and Regeneration.

In the interest of fairness and good administration, such awards, amendments and dis-applications will operate at the sole and absolute discretion of the Assistant Director of Housing and, the Council expects, will be both rare and few in number.

Dacorum Borough Council has the right to change this Housing Allocations Policy at any given time and implement changes immediately.

## 6.0 Exemptions and Exceptions (continued)

### 7.0 Data Protection

#### 6.2 Ending your tenancy

To end your tenancy, there are several things that you must do.

- Give 4 weeks' written notice - you can end your tenancy by giving us 4 weeks' written notice that ends on a Monday. You can get a form sent to you by your Tenancy Management Officer.
- You need to allow our staff to inspect your property during the 4-week notice period.
- When your tenancy ends, you must clear the inside and outside of your property unless we have agreed for you to keep certain items.
- A key safe will be provided at the property, you will need to place the keys in the key safe by midday on the day of the termination.

Further information on changing your sole tenancy to a joint tenancy and other queries around ending tenancies can be found on the [Changing or ending your tenancy](#) page of our website.

#### 7.1 Data Protection

When an applicant applies for housing, the council will seek only information that they require to assess the applicant's housing need. The council is processing the personal data you provide to comply with its legal obligation, therefore processing is in accordance with Article 6 (1) (c) of General Data Protection Regulation ("GDPR").

If you are providing us with special category personal information (such as details about your health) we will be processing this under Art. 9(2) of GDPR. If you are providing us with criminal conviction personal information we will be processing this under Art.10 of GDPR.

We will use the data you have supplied for the purposes of your housing application. The Privacy Notice for Housing Applications details how the council will use the personal data, who this data will be shared with and how we will store your personal data.

Your personal data will be treated in accordance with the council's GDPR Personal Data Policy, the GDPR and Data Protection Act 2018.

Section 166(4) of the Housing Act 1996 provides:

"The fact that a person is an applicant for an allocation of housing accommodation shall not be divulged (without his consent) to any other member of the public."

# Appendix 1

## How we allocate points

Priority Category	Criteria within priority categories <i>For all priority categories, applicants will only receive points for meeting one level of criteria.</i>	Points
<b>People who are homeless and haven't received full housing duty under section 193(2) of the Housing Act 1996, Part 7</b>	All people who are homeless (within the meaning of the Housing Act 1996, Part 7). People with no fixed abode, rough sleepers and sofa surfers.	<b>10</b>
	Temporary Accommodation If you are placed into temporary accommodation, you will be awarded 'temporary accommodation points' however, applicants will be exempt from sharing, overcrowding and flats without a lift points.	<b>10</b>
<b>People who have received main housing duty under section 193(2) of the Housing Act 1996, Part 7</b>	The Elms Applicants who are residing at The Elms Hostel who have effectively engaged with support workers, have no licence breaches and no rent arrears at The Elms. Confirmation from The Elms support workers is required before these points are added.	<b>5</b>
	Successful Move on accommodation provided by the Elms. Applicants who have moved into 'Move on' accommodation through The Elms, once completed a satisfactory move on assessment. Confirmation from The Elms management is required before these points are added.	<b>10</b>
	People who are owed the full statutory duty by the housing authority under the Housing Act, 1996, Part 7 (as referred to in the Homelessness Reduction Act 2017 as the main housing duty). <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/ Direct Offer

<p><b>Condition of private sector property</b></p>	<p>Major disrepair – the property has a high level hazard assessed using the HHSRS.  <i>Note: This needs to be confirmed by a local authority Environmental Health Officer.</i>  <b>Or</b>  Lacking kitchen and/or bathroom facilities.</p>	<p><b>50</b></p>
	<p>Minor disrepair – the property has a lower level hazard assessed using the HHSRS.  <i>Note: This needs to be confirmed by a local authority Environmental Health Officer.</i></p>	<p><b>10</b></p>
<p><b>Sharing kitchen and/or bathroom facilities</b></p>	<p>A household that does not have sole use of kitchen and/or bathroom facilities. At Dacorum Borough Council we consider this to be in cases when applicants are residing in:</p> <ul style="list-style-type: none"> <li>- A household that is living with family or friends and has resided there for a minimum of 12 months.</li> </ul> <p>A household that is residing in a House of multiple occupancy (HMO)</p>	<p><b>10</b></p> <p><b>15</b></p>
<p><b>Overcrowding</b></p>	<p>A household that is overcrowded.  At Dacorum Borough Council, we consider overcrowding to occur when an additional person does not have a bed-space, if one bedroom is allocated to each:</p> <ul style="list-style-type: none"> <li>- Married or co-habiting couple;</li> <li>- Adult aged 18 years or more;</li> <li>- Pair of children aged 0 - 16 years of the same sex; and</li> <li>- Pair of children aged 10 years regardless of sex.</li> </ul> <p>Applicants that reside in a bedsit who are overcrowded will receive points in addition to the above.</p>	<p><b>20</b>  (to be given for each additional personal lacking a bed-space if maximum use of available bed-spaces is assumed).</p> <p><b>5 per lacking bed-space</b></p>

<p><b>Under-occupation in Council or Housing Association properties within Dacorum</b></p>	<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"> <li>- A bedroom is unoccupied;</li> <li>- The household contains two same-sex children aged 15 or under who occupy separate bedrooms;</li> <li>- The household contains any two children aged 9 or under who occupy separate bedrooms.</li> </ul>	<p><b>30 points per bedroom if applicant wants to downsize to a general needs property</b></p> <p><b>50 points per bedroom if applicant wants to downsize to a Supported Housing property</b></p>
<p><b>Medical grounds</b></p>	<p>Extreme medical needs as awarded by a Medical Advisor- add in very high- 75</p> <p>Very high medical needs as awarded by a Medical Advisor</p> <p>High medical needs as awarded by a Medical Advisor</p> <p>Medium medical needs as awarded by a Medical Advisor</p> <p>Low medical needs as awarded by a Medical Advisor</p>	<p><b>100</b></p> <p><b>75</b></p> <p><b>50</b></p> <p><b>30</b></p> <p><b>10</b></p>
<p><b>Welfare grounds</b></p>	<p>Extreme welfare needs as awarded by the Housing Panel</p> <p>Very high welfare needs as awarded by the Housing Panel</p> <p>High welfare needs as awarded by the Housing Panel</p> <p>Medium welfare needs as awarded by the Housing Panel</p> <p>Low welfare needs as awarded by the Housing Panel</p>	<p><b>100</b></p> <p><b>75</b></p> <p><b>50</b></p> <p><b>30</b></p> <p><b>10</b></p>
<p><b>Children in flats</b></p>	<p>A household with one or more children aged 5 years or under in a flat (first floor or above) where no lift is available.</p> <p>These points can only be awarded when another housing need is established. Applicants will not be made active just on these points.</p>	<p><b>10</b></p> <p>(only to be given once, regardless or number of children in household).</p>
	<p>People who have:</p> <ul style="list-style-type: none"> <li>- Formerly served in the regular forces (including those suffering injury, illness or disability attributable to their service);</li> </ul>	

<b>Members of the armed forces</b>	<ul style="list-style-type: none"> <li>- 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);</li> <li>- Served in the reserve forces, suffering serious injury, illness or</li> </ul>	<b>10</b>
<b>Supported housing moves</b>	<p>Existing tenants of sheltered housing in Dacorum who wish to move from Category 1 to a Category 2 accommodation.</p> <p><b>Or</b></p> <p>An existing tenant aged 60 or over in general needs bedsit or one bedroom accommodation in Dacorum who wishes to move into sheltered accommodation.</p>	<b>25</b>
<b>Use and Occupation</b>	<p>Applicants that have been awarded points by Housing Panel in cases where they are under 'Use and Occupation' and Dacorum Borough Council require the property back.</p> <p>A Use and Occupation account will be created after the original tenancy has ended, a Notice to Quit has been served and any remaining household members are required to vacate the property.</p>	<b>50</b>
<b>Hardship</b>	<p>Applicants who need to move within the Borough due to hardship as noted by the Housing Panel.</p> <p><b>Or</b></p> <p>Applicants who have been awarded the 'right to move'.</p>	<b>10</b>

<b>High risk groups</b>	People from high-risk groups who meet hard-to-house or sensitive lettings criteria, such as (this list is not exhaustive): <ul style="list-style-type: none"> <li>- Care leavers;</li> <li>- Witness protection cases;</li> <li>- Move-on from supported housing; or</li> <li>- Individuals identified through multi-agency groups.</li> </ul>	<b>Direct offer or points at the discretion of the Housing Panel.</b>
<b>Management Reasons</b>	Housing management can award points as an additional priority. In rare circumstances that these points will be used, it will need to be agreed by two housing managers.	<b>10-100</b>



## Links to other corporate documents

This policy links to and should be read in conjunction with the following policies and strategies:

- Prevention of Homelessness & Rough Sleeping Strategy
- Tenancy Strategy
- Mutual Exchange Policy
- Help to move Policy
- Rents and other charges Policy
- Lettable standard?
- Adaptations Policy?
- PRS Enforcement policy? (Check titles of these documents)

## Legislation

The legislation listed below will be taken into consideration when implementing this policy:

- Housing Act 1996, Part 6 and 7
- Children Act 2004
- Equality Act 2010
- Localism Act 2011
- Homelessness Reduction Act 2017
- Domestic Abuse Act 2021
- Allocation of accommodation: guidance for local housing authorities in England (June 2012)
- Providing social housing for local people (December 2013)
- Right to Move (March 2015)
- Improving access to social housing for victims of domestic abuse in refuges or other types of temporary accommodation (November 2018)
- Homelessness Code of Guidance for Local Authorities (2018)
- Homeless Suitability of Accommodation