



**Tamworth Borough Council  
Landlord Services  
March 2010**

**Finding a Home  
Allocations Scheme**



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1. The Housing Act 1996 (Part 6), as amended by the Homelessness Act 2002 (*the Act*), requires all Local Authorities to have an allocation scheme for determining priorities and for defining the procedures to be followed in allocating housing accommodation.

The purpose of this document is to set out Tamworth Borough Council's (TBC's) *Finding a Home* allocation scheme.

The Policy has been drawn up with regard to TBC's statutory duties and other TBC policies. The policy has been informed by wide-ranging statutory consultation with all parties and a summary is set out at Appendix 1.<sup>1</sup> TBC remains committed to the sub-regional choice based lettings scheme – UCHOOSE – and this policy is compatible with that common allocations framework to maximise advertising and other opportunities with allocations at a later date.

This policy represents the first fundamental review of the Allocations Scheme since 2004 and therefore will be subject to frequent and robust impact assessments as outlined in section 1.8 to ensure it complies with the principles of the Equality Impact Assessment.

The aims of this policy are to:-

- ✓ Ensure greater choice and maximise options for prospective and existing tenants', preventing homelessness.
- ✓ Create more mixed and sustainable communities within Tamworth supporting greater community cohesion
- ✓ Promote greater mobility by removing barriers to housing
- ✓ Make best use of stock through 'incentive to move schemes' for releasing under-occupied properties or adapted properties
- ✓ Provide an open, transparent and equitable service to all customers that is tailored to individual needs and vulnerability
- ✓ Ensure value for money by improving customer satisfaction and sustaining tenancies longer-term

The Allocations Scheme is available free of charge<sup>2</sup> and summary details are available routinely to everyone making an application for housing in accordance with Chapter 5 of the 2008 Code of Practice and detailed guidance. This is part of TBC's commitment to providing an open and transparent allocations scheme.

Advise and assistance is also available free of charge.

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<sup>1</sup> S3a Local Government Act 1999 (as amended by the Local Government and Public Involvement in Health Act 2007) and Part 6 of the 1996 Housing Act

<sup>2</sup> S.168 Housing Act

## 1.1. Policy Links

The Allocations scheme contributes directly to the corporate priorities and vision in ensuring that “By 2020, Tamworth will be an ideal place to live, work and raise your family in the heart of England”.

With an emphasis on **Tamworth - the Place** the refreshed corporate priorities place a growing emphasis on choice. Specifically for housing “working with local people and partners we will widen Housing Choice and address housing needs for the people of Tamworth”. This policy helps to underpin and realise that ambition.

Further The Sustainable Communities Strategy (2008-2021) reflects the overall direction of travel for the economic, social and environmental well being of Tamworth. This policy compliments that and by removing barriers (for example local connection, equity) this promotes social mobility regionally supporting the principles around place, people and prosperity.

Consideration has also been given to the wider objectives set out in the Strategic Housing Market Assessment and complimentary Housing Strategy (2009-2012) and Homelessness Strategy (2009-2012) Documents.

It is intended that a complimentary Annual Lettings Plan will be published by strategic colleagues each year that seeks to review, challenge and impact assess how the Allocations Scheme is being delivered strategically and operationally. Specific emphasis has therefore been placed on homelessness prevention and maximising housing options in the public and private sector through nominations and other arrangements.

Further this policy also links to other key policies and procedures including:-

- ✓ Corporate Hate and anti social behaviour policy
- ✓ Suspension Policy on anti social behaviour
- ✓ Landlord Financial Inclusion Strategy 2009-2012
- ✓ Tenancy Management Policy 2009
- ✓ Private Sector Housing Policy

## 1.2. What is an Allocation?

*The Act* states that TBC allocate housing accommodation when they<sup>3</sup>:

- ✓ Select a person to be a secure or introductory tenant of housing accommodation held by them
- ✓ Nominate a person to be a secure or introductory tenant of housing accommodation held by them

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<sup>3</sup> S159 Housing Act 1996 as amended by the Homelessness Act 2002

- ✓ Nominate a person to be an assured tenant of housing accommodation held by a registered social landlord

### 1.3. What is not an Allocation?

Secure, introductory or demoted tenancies arising in the following circumstances are not covered by the allocations provision of the Act<sup>4</sup>, and therefore, fall outside of the scope of this document. These are contained within the revised Tenancy Management Policy (2009):-

- ✓ Succession to a tenancy on the death of a previous tenant; and
- ✓ Assignment of a tenancy by way of a mutual exchange; and
- ✓ Assignment of a tenancy to a person who would be qualified to succeed to the tenancy on the death of a current tenant; and
- ✓ Transfer of the tenancy pursuant to a court order under family law or the Civil Partnership Act 2004; and
- ✓ Where a person becomes a secure tenant on ceasing to be an introductory tenant.

### 1.4. *Finding a Home* and the Housing Register

TBC operates a housing register (waiting list), which is a list of people (applicants) who have applied for housing in Tamworth. Section 2 sets out how TBC administers this list.

The function is currently split between the strategic and landlord arm of TBC integrated housing service.

Evidence shows that applicants on Tamworth's waiting list have varied over the last 5 years<sup>5</sup> with a marked reduction between 2008 and 2010. With demand lower than previous years this allows for greater flexibility in the approach, although it does mask peaks and trough in demand across local areas.

<b>2005</b>	<b>2772</b>
<b>2006</b>	<b>1520</b>
<b>2007</b>	<b>2015</b>
<b>2008</b>	<b>2842</b>
<b>2010<sup>6</sup></b>	<b>1843</b>

### 1.5. Choice Based lettings - *finding a home*

TBC's policy allows for three methods to allocate properties.

As this is the first year of the new policy in terms of moving from points to bands as well as introducing choice based lettings, specific local

<sup>4</sup> S160 Housing Act 1996 as amended by the Homelessness Act 2002

<sup>5</sup> Source: HSSA 2008 Section C: Housing waiting lists

<sup>6</sup> As at February 2010

lettings targets will not be implemented until the strategic impact assessment and annual lettings plan for 2010/11 have been fully considered.

To that end, the majority of council properties will be let through Choice Based Lettings known as *finding a home*. This method of allocating involves the property being advertised and the applicants expressing an interest, otherwise known as a bid. This process is described in more detail in section 5.

A small percentage of properties may be directly matched where TBC would not want to advertise the property. They will however be let in accordance with this policy and the only difference is they will not be advertised

Thomas Hardy Court will be let in accordance with the extra care local lettings plan appended.

#### 1.6. Local Lettings Policies

*The Act*<sup>7</sup> allows TBC to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall TBC demonstrates compliance with s.167. This policy provides a framework for local lettings policies and as annual impact assessments are undertaken local lettings plans will, subject to member approval, be appended separately.<sup>8</sup>

This allows for detailed consultation, review, monitoring of each local lettings policy as appropriate and allows TBC to respond to a changing social and economic climate.

#### 1.7. Impact Assessment and Outcomes

Aligned to the aims of this policy will be SMART<sup>9</sup> actions and indicators to evidence key achievements and these are set out at Appendix 1

In addition there will be annual impact assessments on the current policy and a commitment to continuous improvement as the allocation scheme is embedded and realised. In conjunction the housing strategic arm will publish, review and monitor the annual lettings plan to compliment this.

TBC fully accepts the need to develop people's understanding of how social housing is allocated<sup>10</sup> and will seek to improve this through:-

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<sup>7</sup> S167(2E) 1996 Housing Act

<sup>8</sup> Thomas Hardy Court – Extra Care in Sheltered Housing (49 units let through nominations)

<sup>9</sup> Specific Measurable Achievable Realistic Timed

<sup>10</sup> The Ipsos Mori survey reports that 8% of the general public know how social housing is allocated – 48% said they know a little and 41% said they know nothing – source:Fair and Flexible le CLG 12/2009

- ✓ Dedicated web and online information
- ✓ Regular articles in TBC's Talkback and Landlord publication  
Open House
- ✓ Regular Press and positive news statements
- ✓ Open and transparent performance information
- ✓ Discussion through the Housing Thematic Block within the Local  
Strategic Partnership
- ✓ Regular dialogue with tenants' through tenants forums and  
involvement groups
- ✓ Monitoring customer satisfaction arrangements

1.8. Equality Impact Assessment - This allocations scheme has been framed in accordance with equality legislation. The Equality Impact Assessment (Appendix 2) was completed within a multi-agency environment and access and monitoring tailored to known equality strands. This will be reviewed and published following the annual impact assessment in relation to lettings outcomes.

- 2.0. In order to be made an allocation, or take part in choice based lettings – *finding a home* -, a person(s) has to be registered on TBC's waiting list and be eligible for an allocation. TBC's waiting list is open to anyone over the age of 16<sup>11</sup> subject to the eligibility arrangements set out in sections 2.1-2.9.

This section sets out the framework for determining that eligibility. A key driver behind the scheme is preventing homelessness<sup>12</sup>. The value of homelessness prevention can not be underestimated. It is widely acknowledged that households which experience homelessness have poorer health, education and employment outcomes than households who do not. This policy supports prevention through:-

- ✓ Prioritising and making best use of stock
- ✓ Utilising private sector housing as appropriate
- ✓ Matching and prioritising applications under the Disabled Facility Adaptation/Grants route
- ✓ Signposting financial assistance for customers' to remain in their own home, i.e. mortgage rescue
- ✓ Multi-agency working to prevent homelessness
- ✓ Making use of internal trained mediators to return people home

- 2.1. Making an Application to join the Housing Register

An Application to join the waiting list must be made using a TBC housing application form. Applications are available from Marmion House and can be downloaded online at [www.findingahometamworth.gov.uk](http://www.findingahometamworth.gov.uk)

Having paid attention to the number of lettings compared with numbers on the waiting list, verification of the customers details will be completed at Offer stage.

To access the housing waiting list the form must be submitted with the relevant proof of identification. These details including other declarations on the form will be further verified at offer stage.

Advice and Assistance is free of charge and customers can either drop in to Marmion House or book an appointment for a home visit to help complete the necessary forms through the Housing Advise Team.

- 2.2. Who can be included on the application form?

TBC will accept single and joint applications. Generally people listed on an application form will be considered either members of the

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<sup>11</sup> See section

<sup>12</sup> See TBC's Homeless Prevention and Housing Strategy 2009-2012

applicants' household or members of the host household, with whom they currently live.

Children of applicants' will only be allowed on separate applications where parenting duties fall equally on two parents or carers and this can be evidenced.

In accordance with the Tenancy Management Policy, tenancies can be held on Trust for minors where succession rights apply.

Multiple or duplicate applications for the same family will not be allowed and could result in delays to housing whilst details are verified.

Applications are subject to verification checks

### 2.3. Who is eligible to join the Housing Register?

Anyone over the age of 16 can apply to join the Waiting List.

Acceptance on the list does not mean that the applicant is eligible for an allocation of housing. Some applicants will be ineligible as described in 2.4.

### 2.4. Who may be eligible for an allocation of housing?

All applications will be assessed to determine the applicants' eligibility in line with s160 of the Housing Act 1996 and as expanded on in the CLGs code of guidance.<sup>13</sup>

Specific policy responses are detailed below and will be treated in accordance with all statutory instruments at the time of the application.

#### ***Persons Subject to Immigration control and persons from abroad***

If an applicant(s) is considered ineligible or not habitually resident due to their immigration status or by virtue of living abroad then this will be dealt with by virtue of *the Act* and the Housing Advice team will confirm the reason for this decision and keep under review. In order to assess eligibility TBC would require proof of identity (passports or identity cards) and declarations to confirm that they intend to occupy a property in Tamworth as their principal dwelling.

#### ***Applicants Under 18 years Old***

Applicants aged 16 or 17 are able to join the waiting list, but will not be made an allocation or be able to bid for properties until they are 18.

The exceptions to this are where:-

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<sup>13</sup> Communities Local Government – Code of Guidance (as amended) 4/12/09

- ✓ A referral has been made by a partner agency supporting move-on containing a comprehensive support and tenancy sustainment package
- ✓ Is in the care of Staffordshire County Council or is a care leave with the appropriate move-on support
- ✓ Has had a s17 statutory assessment<sup>14</sup>
- ✓ Is owed the full statutory duty<sup>15</sup>
- ✓ There is full compliance under safeguarding responsibilities<sup>16</sup>

As part of TBC's commitment to homeless prevention all attempts will be made to relocate 16/17 year olds back into former family homes through trained mediators and/or external counselling.

There will also be a requirement for a 16/17 year old to have a trustee to act as a guarantor in relation to the tenancy agreement. This would normally be a family member or third party and is at the discretion of Housing Advice. A tenancy can not be legally held until the person(s) is 18 or over.

### ***Applicants Suspended on the basis of Unacceptable Behaviour***

*The Act*<sup>17</sup> permits TBC to decide whether an applicant(s) or member of that applicant(s) household can be treated as ineligible for an allocation. This is in accordance with TBCs policy to suspend people from the waiting list for reasons of anti social behaviour. Consideration can be given to this either at the time of application, during an application or before an allocation is made.

This policy should be read in conjunction with that referred to above, but essentially there is a two-stage test:-

- ❖ That the applicant, or a member of his/her household has been guilty of unacceptable behaviour serious enough to make them an unsuitable tenant of TBC and
- ❖ In the circumstances at the time the application is being considered that behaviour would have resulted in possession action by the courts.

In deciding this housing staff will consider and take into account all circumstances such as:-

- ❖ Whether one or more grounds for possession would exist<sup>18</sup> and
- ❖ If so, would the court consider it reasonable to make a possession order under 1985 Housing Act (s84) and if so
- ❖ Would the court make an outright order for possession.

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<sup>14</sup> Children Act 1989

<sup>15</sup> S193(2) and s195(2) Housing Act 1996

<sup>16</sup> Tamworth Borough Council's safeguarding Policy 2009

<sup>17</sup> S160A(7) Housing Act 1996 as amended by Homelessness Act 2002

<sup>18</sup> Schedule 2 Housing Act 1985

If the housing officer decides that these apply then a suspension report will be compiled and submitted to a grade 8 officer or above detailing:-

- ❖ Whether the circumstances that caused the behaviour have changed and this must involve third party evidence to show rehabilitation or confirmation of resolution
- ❖ Whether a member of that household is still a member of that household
- ❖ Whether TBC can accept reassurances that behaviour has changed and this can be supported
- ❖ What support is required, if any, to support any physical, mental or learning difficulties to sustain a tenancy going forward
- ❖ What reasonable adjustments or letting can be made to support and sustain a tenancy
- ❖ What impact this would have on other members of the family

If considered appropriate suspension will be applied for not less than 1 year and not more than 5 years with a review after each year instigated by either party. Customers will be informed of their right to review.<sup>19</sup>

### ***Right to Review***

Applicant(s) have the right to request a review against any decision made in the allocation process.

An independent senior officer at Grade 8 or above from TBC will carry out all reviews. The applicant(s) will be given the opportunity to make representations in writing for consideration by the reviewing officer. The reviewing officer will not have been involved in the previous and/or original decision. The applicant(s) will be informed within 28 days, the reply will contain the decision made, the reasons for the decision and facts taken into account when making the decision.

Further appeals or reviews must be received within 7 days of the notification of the reviewing officers' decision and will then be considered by the Deputy Director of Housing and the Council's Solicitor / Monitoring Officer.

The outcome from this is still challengeable via the Ombudsman and through judicial review.

### ***Repeat Applications***

Repeat applications following a decision around ineligibility will only be considered in the context of the right to review or where there has been a material change to the applicants' circumstances. Where there has been no factual or material change TBC will rely on its previous decision.

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<sup>19</sup> S167(4A(b))

## 2.5. Assessing Applications

Once applicant(s) are assessed as eligible then they will be treated in accordance with this policy to ensure that those in greatest need are given preference for an allocation.

### **Elected Member Involvement**

Where an over-ride to the allocations policy is necessary then this will be approved by the Deputy Director of Housing (and where appropriate the Councils solicitor/monitoring officer). These will be logged and routinely reported to the Portfolio Holder – Quality of Life. Examples of the need for an over-ride could include:-

- ❖ No-one eligible from the waiting list
- ❖ Direct match for reasons of vulnerability or witness protection
- ❖ Adaptation suitable for a specific family type not necessarily eligible for that property type
- ❖ Need to decant for major repairs

### **Escalation Policy**

Housing staff should abide by the escalation policy where an elected member or known relative applies for a council property (including garages). This policy is attached at appendix 3.

## 2.6. Notification of Registration

Once an applicant(s) has been registered they will receive written confirmation of key details including their band, registration date and entitlement. The letter will also confirm how to bid for properties, summarised in the *finding a home* guide.

## 2.7. Confidentiality

TBC will abide by the Data Protection Act and other relevant legislation to protect confidentiality and information will only be shared if prior approval is sought from the applicant(s). Unless there is an exception to this:-

- ❖ TBC is permitted to disclose information under data protection legislation
- ❖ There is a requirement by law to disclose information
- ❖ TBC believes consent has been obtained and given for a third party disclosure

## 2.8. Misrepresentation or with-holding Information

It is a criminal offence for anyone to try and obtain accommodation from TBC by knowingly and recklessly giving a false statement or deliberately withholding information. Offences are prosecuted in the magistrates' court (punishable by up to a fine of £5000).

Applicants found guilty of such an offence will be subjected to the unacceptable behaviour test and treated in accordance with the procedure detailed under 2.4.

TBC may also seek possession of any tenancy granted as a result of information later found to be false or misleading.

## 2.9. Keeping the Housing Register up-to-date

### **Annual Review**

Each year, on the anniversary of a customer's registration date, an annual review letter will be sent to the customer asking if they want to remain on the waiting list and if they want to update their housing needs / circumstances.

If no reply is received within 28 days then a reminder will be sent. If there is no reply within 14 days then the application will be cancelled. Applications can be re-instated at the discretion of the Housing Advice Manager if there were reasonable grounds for not responding, e.g. applicant was / is on holiday or hospital.

If a customer is assessed as vulnerable then the housing advice team will arrange to make all reasonable contact through known third parties or by visiting known addresses.

TBC will take a robust approach to managing the waiting list to ensure the focus remains on those in housing need.

### **Changes in Circumstances**

Applicant(s) have the responsibility to keep the housing advice team up-to-date on changes in personal circumstances.

If the change in circumstances results in a change to the priority banding or position within a band then a new letter will be issued.

### **Cancelling Applications**

Applications will be cancelled in the following circumstances:-

- ❖ A request has been received to do so from all applicant(s) in writing
- ❖ There is no reply to the annual review within 28 days and there is no reason to extend this for reasons of vulnerability

- ❖ The customer has been re-housed

### **Tell Us**

The right to review is included under 2.4. If there are any complaints, compliments or comments about this process than applicant(s ) are encouraged to use either the review procedure or the TBC's Tell Us scheme.

## 3.0 Assessment and priority for Housing

### 3.1 Reasonable Preference Groups

*The Act* requires all Local Authorities to have an allocation scheme for determining priorities.<sup>20</sup>

TBC operates a choice based letting system known as finding a home. Simply and to improve transparency TBC operates a banding system, prioritising reasonable preference groups set out in *the Act*<sup>21</sup>. *The Reasonable preference categories set out in Part 6 are:-*

- ✓ People who are homeless (within the meaning of part 7 of the Housing Act 1996)
- ✓ People who are owed a duty under s190(2); 193(2); Or 195(2)
- ✓ People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- ✓ People who need to move on medical or welfare grounds, including grounds relating to disability and
- ✓ People who need to move to a particular locality in the district of the Authority, where failure to meet that could lead to hardship (to themselves or others)

In addition section 167(2) gives local authorities the power to frame their allocation schemes to give additional preference to particular descriptions of customers who fall within reasonable preference categories and who have cumulative and urgent housing needs.

TBC has framed Band 1 to ensure that all those in reasonable preference groups are awarded the highest priority. To reflect combined needs Band 1+ is for those customers that exhibit a range of needs within Band 1 itself.

### 3.1 Bands and Cumulative Categories

Each of the bands are categorised according to need. There are 5 bands, with Band 1+ being the highest priority. If two or more needs are evidenced within a band then they are promoted to the band above. Where needs are assessed as the same priority within a band then they will be placed in date order.

Initially all applications moved from points to band on the customers' application date. But as priorities are awarded then the date of the priority will be used to prioritise within a band. Effectively this means some-one receiving a high medical award will only claim the date from

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<sup>20</sup> S167(1)

<sup>21</sup> S167(2)

the date of that award as opposed to the date of registration which may be months earlier and not when the medical need arose.

### **Band 1+**

Applicants in the following circumstances will be placed in this band which is the highest band (Band 1+).

- Applicants assessed as statutory homeless from Tamworth Borough Council who are owed a full housing duty in Tamworth and who also display exceptional cumulative housing needs where the needs in question were not specifically related to their homelessness application.

### **Band 1**

#### **Band 1**

Applicants in the following circumstances are deemed to have an urgent need for re-housing and reflect all the reasonable preference categories:-

- Applicants assessed as statutory homeless by Tamworth Borough Council and are owed a full housing duty in Tamworth (*see paragraph 3.3*)
- Applicant's current home is within Tamworth and is due to be demolished, or is subject to a Demolition Order or to a Prohibition Order covering a main part of the dwelling, or has been included within a Clearance Area or has a lack of facilities. This would include situations where the condition of the property occupied is seriously detrimental to the health of any of the household and the defects to the property cannot be readily remedied.
- Where applicants are unable to continue to occupy their current accommodation due to high medical need or disability (*see paragraph 3.8*)
- Applicants with a high need for alternative accommodation on the grounds of significant social welfare need including issues of vulnerability (*see paragraph 3.9*)
- Applicants with a need to move to a particular locality where significant hardship would be caused if they did not move (*See paragraph 3.9*)
- Applicants who are overcrowded because their present home is short of at least 3 bedrooms
- Applicants who can not continue to live in their current home because of serious harassment or violence
- Applicants that are presently the tenant of Tamworth Borough Council, and are prepared to move to a flat or bungalow, thereby making their current home available to a household that needs a house.(*see paragraph 3.11. incentive to move*)
- Applicants that are presently living in medium term supported housing

and are required to move on. Confirmation from the organisation providing the supported accommodation that the applicant(s) is ready to move on and have completed a programme will be required in accordance with Service Level Agreements or other specific arrangements in place. (Provided applicants are eligible to register for housing).

- Applicants who are non-successor or joint tenancy termination households and require move on to more suitable accommodation releasing larger accommodation

## **Band 2**

Applicants in the following circumstances will be placed in Band 2

- Applicants who are assessed as homeless or threatened with homelessness but to whom a full housing duty is not owed and who may be from other Local Authorities where there is no statutory duty to obtain housing (see *paragraph 3.31*)
- Applicants with a medium need for alternative accommodation on the grounds of serious social/welfare need including issues of vulnerability (see *paragraph 3.9*)
- Applicants with a medium medical need who have been assessed as requiring suitable alternative accommodation because their medical condition and/ or disability is having a significant detrimental affect on their ability to live independently at home (see *paragraph 3.8*)
- Applicants who are overcrowded because their present home is short of at least 2 bedrooms
- Applicants who are in Armed Forces accommodation and have received a discharge notice

## **Band 3**

Applicants in the following circumstances will be placed in Band 3

- Applicants with a low medical need or disability where a move to more suitable alternative accommodation would improve their health (see *paragraph 3.8* and not subjective to cumulative need)

- Applicants who have a low housing need on welfare grounds will be placed in Band 3 (see paragraph 3.9 not subject to cumulative need)
- Applicants who are overcrowded because their bedroom is short of 1 bedroom
- Households with children aged 5 and under and live in accommodation above the ground floor will be placed in Band 3 (this automatic banding will be removed when the child / children reaches the age of 5)
- Applicants who are sharing facilities with more than 1 household, with non family members this would include sharing the bathroom or kitchen
- Applicants who are currently adequately housed but who want to live independently of family or friends

#### **Band 4**

Applicants in the following circumstances will be placed in Band 4

- Applicants who have no identified housing need or who have the financial resources and ability to find their own housing solutions

### **3.3. Band 1+**

Applicant(s) meeting 2 or more of the categories described in Band 1 will be promoted to Band 1+. This is to recognise the exceptional and urgent housing needs.

#### **Homeless Applicants**

TBC have a legal duty under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002) to ensure that homeless applicants who are owed a duty under s193 (2) are provided with suitable accommodation. Applicants' meeting this criteria will receive a letter or be contacted<sup>22</sup> confirming that it has a duty to assist the applicant obtain housing. Homeless applicants will be automatically placed in band 1 once that decision has been made. Where there are additional and cumulative needs as outlined in the policy then they will be promoted to Band 1+.

#### **Priority Cards**

<sup>22</sup> Contacted based on vulnerability assessment

Band 1+ and Band 1 will be subject to a 2 month priority card. This will ensure that housing staff are monitoring and supporting applicant(s) in bidding or identifying housing options. At the end of the 2 months, subject to a satisfactory review, then the priority can be extended for 2 months by which time there is an expectation that the applicant(s) housing needs would have been met or the duty to re-house discharged.

#### 3.4. Band 1

##### **Reasonable Preference**

All Band 1+ and Band 1 will be reported to senior managers monthly to ensure local case management and housing options are being fully explored.

Band 1 reflects all the reasonable preference categories and will be placed in date order. On transition this will be the application date as priorities' are updated and awarded this will be the priority date. Where two or more needs are displayed then this will promoted to Band 1+.

##### **Making Best Use of Stock**

In addition to the reasonable preference categories TBC has sought to make best use of its stock by awarding priorities to those applicants who:-

- Can be matched for a disabled facility adaptation
- Approved under the incentive to move scheme releasing larger accommodation
- Supported through move-on and supported housing
- Priority for non-successors who are under-occupying properties

#### 3.5. Band 2

Band 2 seeks to give priority to those whose housing needs are less than Band 1.

Band 2 would give priority for a 2 bedroom deficiency and is assessed based on the overall household needs. This is similar to points based approaches where points are given for each bedroom deficiency, but is much more transparent to the customer.

TBC also gives Band 2 priority for members of the armed forces who have a discharge notice. This is intended to prevent applicants being forced down the homelessness route and is in line with the CLG circular issued April 2009.<sup>23</sup>

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<sup>23</sup> Communities and Local Government Circular 04/2009 Housing Allocations Members of the Armed Forces

### 3.6. Band 3

Band 3 is intended to reflect lower level housing needs, but recognises that there is still a housing need as opposed to simply wanting to move.

Based on an impact assessment and feedback, Applicants who want to live independently of family and friends will be placed in Band 3, rather than band 4. This is in recognition that this in itself is a housing need, although it will not qualify an applicant to be promoted to a band if there is another need identified within band 3. To move from Band 3 to Band 2 would require meeting 2 of the other 3 criteria listed in that Band.

### 3.7. Band 4

Band 4 is a list of applicant(s) with no identifiable housing need that will be listed in date order.

### 3.8. Medical Grounds

TBC has three corresponding medical priorities that will require evidence from relevant care or medical professionals as part of the assessment process. As part of TBCs commitment to making best use of its stock, TBC will consider customers needs in relation to adaptations in the context of value for money when looking to address longer-term requirements.

Band 1 = High Medical Award

Band 2 = Medium Medical Award

Band 3 = Low Medical Award

#### **High Medical Award**

This is assessed as being where current housing conditions are having a major adverse affect on the medical condition of either the applicant or a member of their household. These customers will be placed in Band 1 and would require evidence from a senior health practitioner or a consultant and be a tailored assessment based on ongoing medical care.

Examples would include;

- A wheelchair user occupies a home where facilities are upstairs and therefore inaccessible;
- An applicant is due to be discharged from hospital and their current accommodation is totally unsuitable;
- A referral has been received from a consultant or other equivalent social health care professional stating that their current housing is having a severe effect on an applicant's mental well being or a member of their household
- An applicant or a member of their household who needs to move to suitable adapted accommodation as assessed by an Occupational

Therapist because of their serious injury, medical condition or disability. Consideration will be given to applicants eligible for Disabled Facility Adaptations or the Disabled Facilities Grant.

### **Medium Medical Need**

Applicants with a medium medical need who have been assessed as requiring suitable alternative accommodation because their medical condition and/ or disability is having a detrimental affect on their ability to live independently at home. This would require evidence from medical practitioners who can recommend suitable property types or characteristics based on knowledge of the applicants medical needs. Examples would include:

- An applicant who fulfils a risk assessment for the need to have sheltered accommodation
- An applicant who needs an additional bedroom for a carer
- An applicant who requires a different type of accommodation or a different layout of accommodation
- The applicant's medical condition requires a different type of heating or energy use due to the adverse effect the current heating system is having on their medical condition, where it is not possible to convert the current heating system.

### **Low Medical Need**

Applicants who have been assessed as having a low medical need or a disability where a move to suitable alternative accommodation would improve their health will be placed in Band 3. This is typically evidenced by a letter from the GP or family planning services and is based on the applicants' interpretation of their medical needs. Examples would include:

- Someone with a degenerative condition whose needs are likely to occur in the future, typically within 12 months time.

## 3.9 Social , Welfare and Hardship Grounds

TBC has three corresponding social/hardship grounds to reflect the levels of urgent housing needs. TBC seeks to sustain tenancies and will engage in multi-agency discussions to determine the best way to resolve issues. Social, hardship and welfare is an umbrella priority that will include anything other than medical.

- Band 1 – High Social, Welfare and Hardship Grounds
- Band 2 – Medium Social, Welfare and Hardship Grounds
- Band 3 – Low Social, Welfare and Hardship Grounds

### **High Social, Welfare and Hardship Grounds**

Those applicants needing to move urgently on social welfare grounds will be placed in Band 1. Priority of this level will only be awarded if the current situation is so significant it will have a serious impact on the well being of the applicants. This would require third party corroboration from an agency involved in the case.

Examples would include;

- ✓ Child/ children separated from parents (where they previously lived together) where the child can not currently occupy the home of the parent preventing them living as a family unit.
- ✓ Applicants with a high degree of vulnerability whose housing situation is having a detrimental affect on their life;
- ✓ Applicants who need to move to recover form the affects of violence, emotional or sexual abuse;
- ✓ People who need to move to for racial or homophobic abuse.
- ✓ An applicant needing to move to a particular area to take up employment and if they did not significant financial hardship would be caused;
- ✓ An applicant needing to move to be closer to a vulnerable relative where there is no alternative solution and not to do so would cause significant hardship

The Borough Council may also carry out a home visit, if this is deemed appropriate in order to verify the details provided by the applicant.

### **Medium Social, Welfare and Hardship Grounds**

Applicants who have a medium housing need on welfare grounds will be placed in Band 2; this would require third party supporting evidence.

Examples would include;

- Applicants who need to move to receive care or support;
- Applicants who need to move as part of an agreed support plan to re-integrate them into the community.
- Applicants who need to move and if they did not do so they would not be able to take up a full time educational opportunity
- Applicants who need to move to a particular area provide support and not to do so would cause personal hardship.

### **Low Social, Welfare and Hardship Grounds**

Applicants who have a low housing need on welfare grounds will be placed in Band 3.

Examples would include:

- Applicants who have a family member returning to their household at a later date
- Applicants with limited access arrangements
- Applicants who are part time students who need to move into the areas to study courses on a term time basis and want to become resident in Tamworth.

### **Assessment of medical and/ or social priorities**

To ensure consistency around these assessments where applicants are considered to have **high** needs this will be subject to an officer completing a report and being approved by an officer grade 8 and above. It will then be reported along with other Band1 and Band1+ for monitoring and case review.

All housing officers who are responsible for case management can prepare cases for approval and pass to housing advice for recording on the applicant's housing application form.

### 3.10 Reduced Preference

The legislation prevents blanket exclusions and TBC will consider all applications in the context of this policy. It will not reduce preference for local connection<sup>24</sup> or equity as it wants to promote the widest access and social and economic mobility.

Reduced preference will however be applied for rent arrears. Where £250 or 4weeks rebated rent is owed this will lead to a demotion in band. So if an applicant is in band 3 they will move to Band 4. Where arrears are between 1p - £249.99 then they will not be demoted but expected to clear the arrears before the new tenancy commences.

### 3.11 Incentive to Move Scheme

In making best use of stock TBC uses its incentive to move scheme to encourage people to move out of under occupied properties. The policy covers moves from

- Houses to flats or bungalows
- Adapted properties to non-adapted properties where a suitable match has been made
- Chain lets – effectively giving up 2 or 3 properties to move into 1 larger property that is assessed as solving multiple needs

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<sup>24</sup> Local connection is only applied to homeless decision where the duty is not owed by Tamworth – in this case an application would be placed in Band 2

People will need to sustain a tenancy for up to 3 years where an incentive payment has been made before making a further application to transfer home again. Moving within 3 years will result in the payment being recovered unless there is an exception such as:-

- Moving into residential care or long-term hospice
- Death
- Moving in with relatives

The terms of the incentive to move scheme are subject to review and set out in the Guide.

### 3.12 Sheltered Housing

TBC has a number of sheltered schemes across the Town and allocations are in accordance with the policy. In addition to meeting the eligibility criteria outlined, prospective tenants will be required to meet the requirements of a needs and risk assessment before an offer is made. This is shown in appendix 4

To promote financial inclusion the independent living manager covering a scheme will also explain the costs of living in the scheme in terms of rent, service charges, scheme charges and community alarm services. This will allow customers to make an informed choice about living there.

Equity (savings and/or disposable income) will not be a barrier to allocating properties and accommodation is not means tested, although maximising welfare benefits will subject to the normal benefit application process.

### 3.13 Disrepair

TBC will seek to deal with any council tenancy repairs before it considers moving applicants. Decant or temporary relocation may be assessed as necessary in the event of major works and these types of lettings will be done on that temporary basis.

Any decant will be on the basis of a licence agreement as their substantive and principle dwelling will remain their tenancy, whilst under repair.

Private Sector Housing will be managed in accordance with the Housing Act 2004 and/or other relevant legislation or statutory instruments.

### 3.14 Child / Children in Need

A child in need is defined under the Children Act 1989 as:

“A child who is unlikely to maintain or to have the opportunity of achieving or maintaining a reasonable standard of health or development without the provision of services by the Local Authority; the child’s health or development is likely to be significantly impaired for further impaired without the provision of services...”

A high social need award will be granted, allowing the household into band 1, if there is evidence to confirm: \_

- The child has been assessed by social services – children’s services via a statutory assessment procedure
- Social services have clearly indicated the aspect(s) of the Child’s development hindered by the current housing circumstances
- TBC’s safeguarding and designated officers within housing are satisfied that the evidence supports this high social award.

For the purposes of this assessment the household is considered that which has care and control of the child for the majority of the time.

### 3.15 Move-On

TBC works in partnership with a number of agencies who support move-on arrangements. Whether this is through hostels, supporting people funded and/or other specialist accommodation.

Applicants moving on from short term accommodation (up to 2 years duration) who are capable of independent living (with or without care and support plans) will be placed in Band 1 if there is evidence from the support provider to confirm

- Their rehousing requirements confirm a high social and/or medical need and have the appropriate move on package in place
- Or
- This will free up a place for a vulnerable person(s) to occupy that place

In accordance with service level agreements or specific move on arrangements agreed with providers.

### 3.16 Vulnerability Assessment and Support

TBC has described in the policy its commitment to reviewing applications.

As medical and social needs are given, case officers will review those applications and work with customers to bid for properties and maximise their housing choices.

TBC supports the approach to vulnerability through the sub-regional scheme of UCHOOSE and that vulnerability checklist and approach will be followed and is shown at Appendix 5

### 3.17 Nominations to RSLs

RSLs have a duty under s 170 of the 1996 Housing Act to co-operate with Local Authorities – where the Authority requests it – to such an extent as reasonably practical. TBC are reviewing the nominations arrangements and will be monitoring RSLs against that agreement in terms of :-

- Numbers of voids / properties as per the nominations agreement
- Lettings arrangements and contributions to wider housing options in Tamworth.

The council has an obligation to maximise local housing resources. The Nomination agreement is attached as appendix 6 and is **under review. Until the review is complete then nominations will be directly matched from the waiting list.**

#### 4.0 Property Eligibility and Entitlement

4.0 TBC will make best use of its stock. Accommodation will normally be offered according to an applicants needs and detailed in the household criteria below:-

<b>Property Household Criteria</b>	
<b>Property type</b>	<b>Allocation Guide</b>
Bedsit / studio flat	Single person
One bed flat	Single person / childless couple
One bed Bungalow	Single person / couple one over age of 60 (younger people with a disability can also be considered)
High rise – one bed flats	Single person / Childless couples aged over 50+  Officers log must be completed where applicants are younger then 50+
High rise – two bed flats	Childless couples aged over 50+  Officers log must be completed where applicants are younger then 50+
Two bed bungalow	Couple with medical conditions requiring 2 bedrooms/couple with or without medical conditions over the age of 60/single person with live in carer/single person who is disabled subject to officer decision.
Two bed flat	Couples of households with one child or children who do not live with them but regularly visit * (proof of access required)
Two bed maisonette	Couples or households with one child or children who do not live with them but regularly visit* (proof of access)
Two bed house	Couples or households with one child or two children
Three bed flat	Households with 2 or more children
Three bed maisonette	Households with 2 or more children who do not live with them but regularly visit* (proof of access)
Three bed house	Households with 2 or more children
Four bed house	Households with three or more children
Five bed house	Households with four or more children
Seven bed house	Households with five or more children

Sheltered Housing	Single or couples aged 60+ with an assessed need for supported housing (in exceptional circumstances people below this age can be considered).
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The Council reserves the right to under occupy homes if this is the best use of housing stock led by demand, adaptation or through individual personal need and this type of over-ride will be approved by the Deputy Director of Housing.

It is intended, through the annual impact assessment, to review property household criteria based on base line data, churn and demand - this criteria is therefore subject to ongoing review.

#### 4.1 The Size of Properties and bedroom deficiency

The size of accommodation allocated will generally be determined by the size of the applicants household wishing to move. This is based on their age, gender and relationship to each other. TBC supports each household having enough bedrooms for each:-

- Couple in the household
- Each pair of the same gender children
- Each pair of opposite gender children over the age of 5
- A person(s) not meeting any of the above, e.g. live in carer

Statutory overcrowding will be defined by virtue of the legislation.

#### 4.2. Household size and Childs' Age

##### **Children in Flats**

If a child is under 5 and under and occupying a first floor flat then this will be treated as a bedroom deficiency for the purposes of banding.

##### **Expectant Parent(s)**

If an applicant(s) provides evidence of confinement between 3 months-9months then expecting a baby will allow for a bedroom to be claimed in the context of 4.1.

##### **Requirements of 4 or more bedrooms**

TBC has a limited number of 4 and 5 bedroomed properties. Where a family has more than 4 children then they will be allowed to bid for smaller properties but their housing options will be considered by the allocations team in terms of sustaining that tenancy and is always subject to not breaching overcrowding legislation.

## **Local lettings Plans**

Where local lettings plans exist then properties will be let in accordance with that, e.g. Extra care housing and the Local Lettings Plan is attached as appendix 7

## 5.0 Finding a Home through choice based lettings

### 5.0 Finding a Home

TBC uses Choice Based Lettings known as *finding a home* to advertise the majority of its properties. TBC believes that by providing applicants with more say and greater choice over the accommodation they are allocated is a key contributor to achieving balanced and sustainable communities.

TBC know that tenants who are offered a choice in their accommodation are more likely to be satisfied and live in their home for much longer.<sup>25</sup>

TBC will work with all registered social landlords to maximise housing choices and manage expectations locally in terms of general housing provision. The Strategic arm of housing will foster enhanced housing options through developing and providing information on:-

- Renting in the private sector
- Low cost home ownership options
- Nomination and accommodation in the social housing sector
- Homeswapper and mobility schemes including through the sub regional UCHOOSE scheme
- Monitoring mutual exchanges for existing TBC tenants'
- Home improvement schemes and investment in DFA/DFG schemes enabling applicants to remain in their own home
- Development of an older persons strategy investing in sheltered, supported and extra care housing provision

5.1 TBC has a dedicated web-site – finding a home –for people to access available properties. Access is also promoted through:-

- Advertising in the local press
- Advertising through the UCHOOSE website<sup>26</sup>
- Dedicated advertising and reception support in Marmion House
- Electronic catalogues emailed to all partners for dissemination
- Online access through the web and in the local libraries
- Posters at key sites such as sheltered schemes
- Regular finding a home events and campaigns

5.2 There are 5 key steps to finding a home, in summary

Step One	Advertising Each week all available properties will be advertised with a closing date. Properties will be clearly
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<sup>25</sup> Monitoring the longer term impact of CBL, Herriott Watt University and BMRB, October 2006 referenced by CLG code of Guidance 041209

<sup>26</sup> TBC supports the UCHOOSE sub-regional scheme and will go be added on in 2010/11

	labelled in terms of eligibility and bids invited.
Step Two	Expressing an Interest/Bidding Customers will be able to bid through the web, via the phone, in person or via a proxy bid during the weekly cycle
Step Three	Sorting Bids and Verification At the end of the cycle a list will be generated with all eligible applications and the allocations team will offer to the applicant in most need at the of that list
Step Four	Allocation The allocation will be verified by the allocations team and the customer given an expected move in date
Step Five	Publish Results Unsuccessful applicants will not be contacted but results will be published on the web including band details, waiting time and equality and diversity information.

### 5.3. Step One – Advertising

All available properties will be added to the web site each week as well as advertised as outlined in 5.1.

The adverts will be clearly labelled with eligibility and household criteria as well as displaying pictures and other useful property information, an example is shown below.

Accessibility | Skip Navigation | Sitemap | AAA Text size | Marmon House, Lichfield Street, Tamworth, Staffordshire B79 7JZ Phone: 01827 709709 enquiries@tamworth.gov.uk


**Tamworth Borough Council**

Home Properties Locations What can I bid for? Lettings results Contact Us FAQs

Home > Search > Results > Property Details > Register your bid [Back to Property Details](#)

### Register your bid

**CBL Ref: 1**  
**Property address: Masefield Drive**



To make a bid for this property please fill in the information requested below then click Submit Bid.

**Please note:**  
**All boxes must be completed before your bid will be accepted**

**✗ There was a problem with your bid**  
Please check the below:  
Your Housing Application number is incorrect. Please telephone Housing Advice on 01827 709459 for help.

**CBL Property Reference:**

**Address:**

**Your Housing Application number:**

[? What is my Housing Application number?](#)

**Your full name:**

**Your date of birth:**

**Your contact number:**

**Additional contact number (optional):**

**Submit Bid**

Statistics | Help | Terms & Conditions | Complaints | Privacy Policy | Freedom of Information | Design by Emerald

#### 5.4. Step Two – Bidding

Applicants can place a bid anytime during the 7-day cycle in a number of ways:-

- Online
- Via the phone (text or call)
- In Person at Marmion House
- Via a third party
- Via a proxy bid

Applicants are restricted to 3-bids per cycle so that housing demand can be properly assessed. Research shows that serial bidding will have an adverse impact on avoidable contact and first time acceptance rates.

Applicants will need their housing application reference number to bid and this is a simple action. There is no penalty for refusal rates<sup>27</sup> and customers will only be placed in abeyance or overlooked if there is an unresolved enquiry on their application.

Bids will only be accepted on properties applicants are eligible for. The system has been designed to remind applicants of this eligibility test to avoid wasting their bids during the cycle.

Bids can be made by third parties or through proxy bids. Proxy bids are those made on behalf of an applicant. An example of a proxy bid would be in case of a homeless offer. To balance priority need with choice applicants will be invited to bid for themselves, but if a suitable property is identified the case officer will make a bid on the applicants behalf. The applicant is still able to refuse this offer, but it will be assessed as to whether this is a reasonable refusal and whether their priority should be reduced or the homeless duty is discharged.

#### 5.5. Step Three – Sorting Bids

Once the closing date is known, all eligible bids will be uploaded into Orchard and the top 3 applicants selected for verification by the allocations team. The Bids will be sorted by order of bands, Band 1+ being at top and continuing until band 4

The allocations team will confirm with housing advice that all proxy bids are in and that they have checked vulnerability issues via the waiting list to eliminate any access issues.

The applicant in most need, once verified, will be offered the property. If they refuse then the next applicant will be considered and so on.

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<sup>27</sup> There is no automatic penalty, but if a reasonable offer is refused then this will lead to a review of that priority banding especially in the case of homelessness decisions and Band1 & Band1+ cases.

Verification will include satisfactory identification, post inspection where appropriate and personal circumstances match the original form.

In the case of two applicants having the same needs and same waiting time - effectively joint first, then the Head of Housing Operations will determine the most suitable allocation based on best use of the stock.

In the case of the same applicant being first for a number of properties then they will be asked to choose their preference before an allocation is made.

#### 5.6. Step Four – Allocation

Once the allocations team have contacted the prospective tenant and confirmed they are successful an accompanied viewing will be arranged. If the offer is accepted this will be recorded on orchard until the void works are complete and the sign up can be arranged.

The customer will be informed of the lettable standard and the likely date of completion of the works . An appointment will also be made to see TBCs financial inclusion officer to ensure money management issues are discussed and rent payment schedules agreed.

#### 5.7. Publishing Results

Once the allocation has successfully been made then the results will be published on the lettings page confirming the property, successful band number, date of application, number of bids, times advertised and equality monitoring information.

Satisfaction will be monitored through the impact assessment in terms of successful and non-successful applications. Performance indicators will be set to capture access information and ensure that lettings mirror the profile on the waiting list. Performance reports will be available from the web and from orchard.

Properties allocated as direct lets will also be published, so that the scheme remains open and transparent.

Nominations will also be published once the scheme is reviewed fully.

On the *finding a home* website TBC has also given consideration to how long applicants might have to wait to improve customer perceptions of how properties are allocated. Included is information on:-

- General information by area on properties types and stock
- Information on properties coming available
- Published results on lettings in terms of access, satisfaction and numbers let

- Annual Impact assessment against letting outcomes<sup>28</sup>

## 5.8. Vulnerability and promoting customer access

Building applicant capacity to identify properties and bid is key to the success of TBCs scheme. Through the housing advice and allocations team, officers will check the waiting list each cycle to ensure that those in most need have had the opportunity to bid. This can be achieved through a number of ways:-

### Case Management

Officers' will case manage Band1 & Band1+ groups to ensure they are regularly encouraging applicants to bid and where necessary making proxy bids on their behalf.

Orchard will be kept up to date to show how this is being case managed and applicants still reserve the right to refuse any offer.

### Proxy Bids

Third parties can make proxy bids as long as they have the applicants housing application number and CBL reference. This will be encouraged to promote greatest access to the scheme. Customers will be informed of a proxy bid but retain the right to refuse this. Where this is considered a reasonable offer this will be part of the review in to an applicant's priority banding.

### Sheltered housing

Each of the Independent Living Managers, based at TBC sheltered Scheme will receive copies of available properties to display and disseminate to scheme residents and to advise prospective customers who routinely contact schemes.

Sheltered Housing will be allocated in accordance with choice based lettings – finding a home. A needs and risk will be an additional qualifying requirement to ensure the customer is suitable for enhanced housing related support.

## 5.9 Open Allocations – Lower demand properties

Properties that do not receive bids on the first cycle will be carried over for a second cycle. If there is still insufficient interest then the eligibility criteria will be reviewed and any over-ride agreed by the Deputy

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<sup>28</sup> The annual lettings plan is due 2010/11 in order to collect base line data from the implementation of bands and choice

Director of Housing. Results will be displayed in the same way to monitor the scheme overall.

#### 5.10 Direct Lets

By way of exception to choice based lettings there will be some direct lets, often referred to as management moves, direct offers or direct lets. These will occur where:-

- There is a sensitivity with the letting and it should not be advertised either due to the property or person, i.e. MARAC<sup>29</sup> referrals.
- An adapted property identified by an Occupational Therapist as a suitable match for some one on the DFA register
- The property is to be used as a decant or temporary accommodation
- At the discretion of the Deputy Director of Housing

A direct let is simply an offer straight from the waiting list, without being advertised and therefore will still be let in accordance with this policy. Allocations of this nature will be kept to a minimum to maintain a fair and transparent allocation scheme, with the majority of applications being made to applicants that fall within the reasonable preference categories as set out in the Housing Act 1996.<sup>30</sup>

5.11 Local Lettings plan will be allowed under this policy.<sup>31</sup> As new plans are developed they will be impact assessed in relation to this policy. At the time of writing extra care housing is the only available plan and is appended as referred to earlier.

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<sup>29</sup> Multi-Agency Risk Assessment Conference

<sup>30</sup> S167(2) Housing Act 1996 as amended by Homelessness Act 2002

<sup>31</sup> S167(e) 1996 Housing Act