Chorley

Allocations Policy Summary





Aim of this Allocations Policy

Chorley Borough Council aims to provide affordable housing for rent for people in housing need and to create sustainable, balanced communities.

The Council aims to ensure that social housing that it has nomination rights to will be allocated to those households with the greatest underlying need for long term, settled accommodation.

The aims of the Allocations Policy are:

- To ensure that applicants in need are provided with accommodation.
- To contribute to balanced communities.
- To create sustainable communities where people want to live and feel safe.
- To promote choice to applicants.
- To ensure that no group or individual is discriminated against as a result of this policy and to promote equal opportunities.

This information can be made available to you in larger print or on audiotape, or translated into your own language. Please telephone 01257 515515 to access this service.

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

What is an Allocations Policy?

An Allocation Policy sets out how the Council will nominate properties to customers who have been given priority for housing. Chorley Council no longer owns Council Housing having transferred its homes to Chorley Community Housing Association(CCH) in 2007 and therefore is given nominations to Housing Association properties as and when they become vacant.

About the Housing Register

Chorley Council's Housing Register contains details of all those persons who are in need of housing.

Who can apply?

Any United Kingdom Resident 16 years or over can apply for accommodation by completing an Application for Accommodation form. However, a Housing association will not normally grant a tenancy to anyone under the age of 18 years unless they are able to provide a guarantor to cover rent and a support worker

Applicants who are eligible persons under 18 years of age may be required to have adult or organisation acting as guarantor for rent until they reach the age of 18 as a condition of being allocated a property.

Customer Choice

Customers are able to specify an unlimited number of areas within Chorley where they would accept an offer of accommodation.

Homelessness Applicants will be made one reasonable offer anywhere in the Borough unless there are special circumstances, in order to fully discharge the Council's legal obligations to those cases accepted as being owed the full homelessness duty.

Equality and Diversity

Our aim is to implement and maintain services which ensure that no potential or current applicant is treated less favourably on the grounds of gender, marital status, race, nationality, ethnic or national origin, disability, age or sexual orientation, nor is disadvantaged by the application of a rule, condition, or requirement, which has a discriminatory effect which cannot be justified by law.

Confidentiality

The fact that a person is an applicant on the Housing Register will not be disclosed (without their consent) to any other member of the public.

Data Protection

All information held is subject to the Data Protection Act 1998. The Council will seek the express consent of applicants joining their housing register to share personal information about the applicant, and any member of the household.

Information sharing without consent

Information can be shared relevant to organisations providing support services in supported housing.

Information may be shared about the individual and their history irrespective of whether their consent has been obtained in exceptional circumstances, which will include:

What is an Allocation under this Scheme?

Given that Chorley Council no longer owns Council Housing an allocation under this Scheme is defined as:

The nomination of a person to be an Assured Tenant for a registered social landlord (Housing Association). This includes, (where a Housing Association chooses to operate such a scheme), the nomination to be a 'Starter Tenant' of a Housing Association whereby the Housing Association will provide an Assured Shorthold Tenancy for a set period. Following this period if the tenant has proved themselves to be a suitable tenant the Housing association will then normally grant an Assured Tenancy.

Existing tenants of any Housing Association in Chorley who wish to transfer to another Housing Association property are able to register under this scheme, although if they are seeking a transfer to another property owned by their landlord, that landlord may have its own transfer scheme and its own transfer rules. Either the Council or the Housing Association concerned, can give advice on these circumstances.

How can I apply?

Applications for Housing can be made to the Council directly using a standard form, which will give applicants the option of applying to the Council list. The initial assessment of the applicant's housing needs under the Chorley council allocation scheme will be carried out by staff from the Council.

The allocation of properties will be undertaken by the Council including nominating applicants to other Housing Association properties that the Council has nomination rights to. The Council has agreed nomination rights to all Registered Housing Associations in Chorley. These will be reviewed on an annual basis.

Making An Application

Every applicant who requests it will receive a pack containing an application form and an Allocation Policy summary, including the complaints procedure.

1) Completing the application form

Applicants are encouraged to complete the form themselves. However, staff will go through the form with the applicant to ensure that the required information is collected. Staff will give support in completing the form if required.

Applicants that have any difficulty reading or understanding this Allocation Scheme will be offered the following services:

- An interpretation service if your first language is not English.
- Signing if your speech or hearing is impaired.

- Provide documents in large print if you are visually impaired.
- An interview with a Housing Officer to explain the content of this document.
- An appointment with an independent housing advisor or the Citizens Advice Bureau.
- Advice on what Housing associations are.
- Advice and help on renting in the private sector if there are few homes available in the areas where you may wish to live.

Assessing Applications

In order to assess an applicant's place on the Housing Register, the Council uses needs based Banding system scheme.

The Bands are awarded to reflect housing need, whereby the needs reflected in the highest Band indicates the greatest need for rehousing.

Where applications have been accepted under the Council's scheme, applicants will be written to informing them of the Band allocated to their application and the Council's policy on choice.

The Council can also provide a regular update of approximately how long applicants are likely to have to wait for a nomination taking account their areas of choice.

An officer will then allocate a banding to the application or if a homeless applicant, once a decision has been reached on a persons' homelessness application.

Where there is a need to visit an applicant or make further enquiries to confirm an applicants circumstances, any points awarded will be provisional pending that a visit or confirmation of circumstances. If there is a need be visit an applicant or an interview arranged to clarify details contained on the form, arrangements will be within days of receipt of the application. Confirmation of any final Banding in writing will be made within 28 days of any such interview, visit or the completion of further enquiries.

Joint Applications

When two applicants complete an application for Accommodation the Council will explain to the applicant the relevance of Joint Tenancies. However, it is for the Housing Association for which the Council makes a nomination to decide whether to allow a Joint Tenancy.

Including a carer in a housing application

A carer is someone, who, with or without payment, provides help and support to a partner, relative, friend or neighbour, who could not manage without their help. This could be due to age, physical or mental illness, addiction or disability. In all cases the carer must have been identified by the applicant as the person who is primarily responsible for providing them with care and needing to live with them or near them.

Medical Priority

Applicants who have a medical need will be asked to complete a Medical Form, which will either be assessed by the Council's administering officer for the Policy or where the

condition is serious may be passed to the Councils' Medical Adviser. The applicants and any members of the applicant's household can complete a Medical Form.

Applicants will only be offered additional priority if their medical condition significantly affects their need for accommodation

Owner Occupiers

Applicant's financial circumstances will be taken into account in assessing the priority they may receive through this Allocation Scheme even if they qualify for consideration under one or more reasonable preference categories.

Where an applicant is considered to be in a position to provide their own accommodation they may be offered the opportunity of a shared ownership option available through partnership working with a Registered Social Landlord or referred to the approved landlord scheme if available.

Owner-occupiers who are adequately housed or with the resources to secure accommodation locally, would normally not attract any priority under the Council's scheme

The Banding Scheme

Band 1: Urgent Need Band due to additional preference or cumulative need	
Emergency Medical	Emergency Medical Emergency banding is granted only in exceptional circumstances, when the applicant or a member of the applicant's household has a life threatening condition, which is seriously affected by their current housing, or their home cannot be accessed due to ill health or disability
Management Transfer. Severe Anti Social behaviour nuisance, domestic violence, racial harassment (Report required)	Agreed in exceptional circumstances due to significant problems associated with the tenant's occupation of a dwelling in the Social or private rented sector and there is high risk to the tenant or their family's safety if they remain in the dwelling/area.
Release adapted property	Where a tenant does not require a specially adapted property for disabled use, and there is a demand for its use
Cumulative need	Applicants that fall into 2 or more reasonable preference criteria outlined in Band 2 below

Band 2 Need to move – Reasonable Preference	All of the following are owed statutory reasonable preference.			
Homeless Households owed a full homeless duty under section 193(2) or 195(2)	Accepted statutory homeless cases owed a full homelessness duty by Chorley Council			
Private sector statutory duty to re-house	Closing order issues i.e. properties unfit for human habitation as advised by Environmental Health where there is no way to make the property fit or properties served with a category one hazard notice (HHSRS)			
Supported Housing	Applicants living in supported housing who are threatened with homelessness, in priority need and not intentionally homeless.			
Leaving care	Applicants who are due to leave the care of the Children and Families service and who are who are threatened with homelessness, in priority need and not intentionally homeless. This must be in accordance with the Council's Leaving Care Protocol.			
Statutory overcrowding	Applicants living in statutorily overcrowded accommodation.			
Severe overcrowding	Applicants who lack two or more bedrooms in comparison with the bedroom standard in Appendix 2.			
Under occupying	Tenants of housing association rented accommodation in Chorley who are under-occupying family accommodation by two or more bedrooms.			
Adapted property	Tenants of a Chorley Housing Association who need to move because they are living in a property that has been built or adapted for a person with a disability or where support is provided, which is no longer needed.			
At risk of homelessness who have accepted a prevention option	Applicant with dependant children • Living in insecure accommodation • Not having a bedroom • Lacking or sharing amenities • Poor state of repair Who are at risk of homelessness but have accepted a prevention option from the Council's Homelessness & Housing Advice Team and where that option is			

Band 2 Need to move – Reasonable Preference	All of the following are owed statutory reasonable preference.
	likely to remove that risk of homelessness for a minimum period of 6 months.

Medical grounds	Applicants who have an urgent need to move on medical grounds because their current home is having a severe adverse effect on the health of a member of the household, but who do not qualify for Urgent priority as their condition is life threatening and being adversely affected by their living conditions.
Urgent and exceptional need to move	See section above on how and when reasonable preference will be awarded to such cases. These cases are likely to be exceptional with very few applicants qualifying under this group.

Band 3: Recognisable need	
Applicants who are entitled to reasonable preference as being non priority homeless, intentionally homeless or homeless but not owed the full duty.	
Employment Opportunity	To enable an unemployed person take up an offer of employment or to be closer to current employment
Applicants who would have been owed reasonable preference but whose priority has been downgraded according to section 11 of the policy	Applicants with arrears of rent, poor behaviour, savings or no local connection in accordance with Chorley's downgrading policy

Band 4

Applicants who do not qualify for Bands 1,2, 3 but would like to move to alternative accommodation.

Offers of Accommodation

Considerable care is taken to match an Applicant's requirements and preferences with accommodation that becomes available. However, where an applicant has refused one suitable offer of accommodation, their priority for re-housing may depending on the circumstances be downgraded by one Band for a 12 month period. The exception to these rules is for Homeless applicants owed a full homelessness duty under section 193(2) or 195(2) of the Housing Act 1996. (See below).

In any low demand area, the Council in agreement with the Housing association, may use its discretion to vary these guidelines.

Chorley Council does not have any housing stock, it receives nomination requests from Housing Associations and the locations of these can vary. Nominations will be made in line with the Council's allocations policy; however applicants need to be aware that each Housing Association operates their own separate allocations policy and eligibility criteria, which they will apply. It is therefore possible that the Housing Association may reject a nomination where the applicant fails to meet their policy or criteria.

Offers to Homeless Applicants

All homeless applications made to the Homelessness & Housing Advice Team will be investigated and decisions made in accordance with the law. Where a full duty to accommodate a household is accepted under the homeless legislation, the household will be placed on the Housing Register.

Homeless Applicants who are owed a housing duty by the Council under s.193 (2) or s.195 (2) of the Housing act 1996 will be made one suitable offer that the Council determines is both suitable and reasonable for their households needs.

If the offer is refused, the Council will discharge its homeless duty and if in temporary accommodation, the applicant will be given notice to quit their temporary accommodation. All applicants will be advised that they have the right to request a review of the decision.

Whether or not a Homeless Applicant accepts an offer of permanent accommodation, they have the right to request a review of the suitability of the accommodation they have been offered. Homeless Applicants are therefore encouraged to accept the offer that has been made to them, even if they intend to request a review of its suitability.

Management Discretion – Exceptions Policy

So far as is possible the Council will use the banding system to allocate accommodation. However the Council recognises that there may be exceptional circumstances where the only way housing need can be fully taken into account is the use of Management Discretion.

Bedroom Standard and Type of Accommodation

When deciding the size of property for which applicants will be eligible, the following Bedroom Standard will be used.

Bedroom Standard					
		Number of bedrooms			
Household Size	1	2	3	4	
Single Person	✓				
Couple wishing to live together	✓				
28+ weeks pregnant woman with or without partner and no other children	✓	√			
In exceptional cases e.g. where there are care needs adult siblings wishing to live together	✓	✓			
Parent(s) with one child		✓			
Parent(s) with two children		√	√		
Parents with three or more children regardless of age or sex			✓	✓	

When deciding whether an applicant and his or her household is under-occupying accommodation, or lacks two or more bedrooms to assess eligibility for Priority Band 2, the lower number of bedrooms shown against each size of household will be used as the "standard" number of bedrooms required for the household concerned. For example a parent with two children who is living with parents and has the use of one bedroom will be deemed to lack one bedroom.

Type of accommodation

Sheltered housing will normally be available only for applicants over state pension age. Accommodation that is designated as supported housing will be available only for applicants who are eligible for that particular accommodation. For example, some supported housing is provided exclusively for people with learning difficulties, or for young people leaving care.

Where accommodation is available only for applicants who satisfy such special criteria, this will be made clear in the advertisement of the vacancy.

Size and type of property for which applicants are eligible

In order to make the best use of the available housing stock, it is essential to let vacancies to those who need that size and type of property. Examples include houses with two or more bedrooms to be let to families with young children, sheltered housing flats for older people and properties that have been built or adapted for a person with a physical or sensory disability.

In exceptional circumstances the Strategic Housing Manager may exercise discretion in deviating from the Bedroom Standard.

Sheltered housing

Applicants for sheltered housing must be aged 60 or over or have a need for sheltered accommodation due to vulnerability or disability. It is a condition of all tenancies in sheltered housing schemes that tenants agree to take the Care Line and Warden Service. Separate charges are made for these services on top of the rent.

Method of Selection for Nominations.

When matching vacancies against applicants, vacancies will normally be matched in the sequence in which they are recorded as available for nomination. Vacancies will be faxed or e-mailed to each Housing Association. They will be recorded by the Council on a list and prioritised for a nomination based on the date the notification was received of the vacancy and the date that a nomination has to be made which in turn depends on the nomination agreement with the particular Housing Association.

When a nomination may be made outside of this method.

Vacant properties which are adapted or which are suitable for adaptation or which are otherwise potentially suitable for applicants with a substantial disability or other special reasons may be allocated outside of this method and outside of any strict Band date order. This will include cases where a ground floor flat is available and an applicant with very high priority requires such accommodation. Rather than nominate an applicant with general needs to the property the Council reserves the right to nominate a high priority applicant in need of such accommodation.

Review of Decisions

Any applicant has the right to request a Review of any of the following decisions:

- That they are not eligible under the Allocation Scheme; this includes decisions where the Council has deemed an applicant ineligible due to unacceptable behaviour.
- The categorisation of an application as a reduced priority band or suspended application or where reduced priority has been given due to behaviour, current or former rent arrears, local connection, or an applicants financial resources.
- About the facts of an applicant's case which have been, or is likely to be taken into account in considering whether to make an allocation to him.

How to Seek A Review

Any applicant wishing to request a Review of a decision must do so by contacting the Council directly in writing seeking a review.

All Reviews will be dealt with by an officer of the Council within 56 days of the request. All decisions following Reviews will be notified to the applicant in writing giving the reasons for the decision.

Changes of Circumstances

Applicants should notify the Council in writing of any change in their circumstances, for example:

- A change of address, for themselves or any other person on their application.
- Any additions to the family or any other person they would wish to join the application (N.B. it is for the council to decide whether they will allow a person/s to join the application).
- Any member of the family or any other person on the application who has left the accommodation.
- Any change in income or savings.

Members of the Council, Chorley Community Housing, other RSL, staff members and their relations.

In order to ensure that the Council is treating all applicants fairly, any application for housing or re housing from members of the Council, employees of the Council or Chorley Community Housing/other RSLs or associated persons must be disclosed.

These applications will be assessed in the normal way but registrations and any nomination to accommodation will require special approval by a senior manager of the Housing Service or the Council.

Reduced Priority applications and Exclusions

An applicant may be eligible and be in housing need but still be allocated no priority within that category or a reduced priority. If an applicant falls into one of the following categories their application will be suspended or they will be given a reduced priority under the Council's scheme. These categories are

- 1) Where an applicant has refused two reasonable offers within the past 18 months. In such cases the application will be suspended.
- 2) The applicant has a social housing tenancy related debt (for example, for current or former rent arrears, (including temporary accommodation arrears); damage to the property or legal costs arising from court action in connection with a current or former tenancy. Whether the claimant has taken debt advice, acted on it; and entered into and began to implement any arrangement to clear the arrears.
- 3) Applicants who do not have any local connection with Chorley Council defined as within the meaning of section 199 Housing Act 1996. Such applications will have their priority reduced by one band until they acquire a local connection with the Council. The definition of acquiring a local connection is determined by section 199 Housing Act 1996 and the Council can give any applicant advice on this criteria. Applicants who do not have a local connection with Chorley but have been determined as being owed the full Homelessness duty under section 193(2) by the Council will not be subject to any reduction in their priority..
- 4) The Council is reasonably satisfied that the applicant (or a member of their prospective household) has failed to maintain any previous rented or owner occupied property within the terms of their tenancy agreement, or has committed acts causing or likely to cause a nuisance or annoyance to their neighbours or others in the locality of where they live or where they previously have lived.

In such cases the application will be suspended from consideration. The suspension will be removed when the applicant (or a member of their prospective household) has

demonstrated, to the reasonable satisfaction of the Council, the necessary ability to modify their conduct.

Exclusions

Where the applicant or a member of the household is considered to be guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant and at the time of application for housing they are still considered unsuitable to be a tenant by reason of that behaviour, their application will be suspended.

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

Unacceptable behaviour includes:

- Owing serious rent arrears and failing to comply with a current or past tenancy agreement with a Council, housing association or private landlord.
- · Conviction for illegal or immoral purpose.
- Causing nuisance and annoyance to neighbours or visitors.
- Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community
- Being violent towards a partner or members of the family.
- Allowing the condition of the property to deteriorate.
- Allowing any furniture provided by the landlord to deteriorate due to ill treatment.
- Obtaining a tenancy by deception, for example, by giving untrue information.
- Paying money to illegally obtain a tenancy.

Each application will be assessed on its own merits and a decision regarding eligibility will be made accordingly. Anyone subsequently excluded from the register will be provided with a full explanation for the exclusion and will be able to appeal against the decision.

If at any time, the Council obtains information that leads it to believe that an applicant already on the Housing Register is ineligible it will inform the applicant in writing. If an applicant is ineligible and therefore refused access to the Council's scheme, they will be advised in writing of the decision and the reasons for the decision.

This restriction does not prevent applicants from necessarily being considered for any 'Shared Ownership' or 'Homebuy' schemes. The rules for acceptance under these schemes are different and are applied on a scheme-by-scheme basis. Many such schemes are administered directly by Housing associations.

Serious offenders

It is sometimes necessary to provide housing, which will minimise the risk to the community and where supervision of the individual can be maintained. This may also apply to individuals currently living in the community who are considered to pose a risk to themselves and/or others, although they have not been convicted of an offence.

Chorley Council will work with the Police and Probation Services to assess and manage risk and will apply special arrangements where cases are referred through either the Multi-Agency Public Protection Panel (MAPPA) or the Probation Protocol. Officers will attend case conferences with the Police, Adult Social Care and Health professionals. A planned and managed relocation pathway will be agreed, including a full discussion of a range of housing options which is most appropriate to the customer's circumstances and supervision needs.

This may result in restrictions being placed on the choice of property that is open to an applicant. Where this is the case, the applicant will be advised of the restrictions, but will whenever possible be given the opportunity to exercise some choice.



REVIEW OF DECISIONS AND COMPLAINTS

Asking for a decision to be reviewed

Applicants have rights under the Act to ask for the review of a decision. The following decisions are subject to the right to request a review:

- 1) The applicant's housing application has been refused on the grounds they are not eligible
- 2) The applicant is removed from the housing register on the grounds they are no longer eligible.
- 3) The applicant has been given reduced priority or no priority on the grounds of serious unacceptable behaviour
- 4) Any decision about the facts of a particular application which have been taken into account to assess whether an allocation should be made
- 5) The applicant has refused a direct allocation of accommodation.

Applicants should request a review within 21 days of being notified of a decision.

Reviews will be carried out by a senior member of Chorley Community Housing staff who was not involved in the original decision.

Complaints

An applicant who is not satisfied with the service that they receive may register a complaint with the Council's Complaint procedure by telephone, e-mail or in person at the Council's main office. All complaints will be acknowledged and investigated.

The applicant may also make a complaint to the Local Government Ombudsman if he/she believes that mal-administration has taken place.

False or withheld information

Under Section 171 of the Act, it is a criminal offence for applicants knowingly to give false information or to withhold information relevant to their application. An offence may be committed if an applicant knowingly gives false information or knowingly withholds information which has reasonably been requested on the housing registration form, in response to correspondence at the renewal of the application, or relating to any other review of the application. An offence is also committed if the applicant allows a third party to provide false information on his or her behalf, or at his or her instigation.

Change of Circumstances

All applicants are required to notify the Homelessness & Houisng Advice Team immediately of any change to their circumstances, which may affect their priority for rehousing. Applicants who have had a change of circumstances and have not informed Housing Options may be deferred while investigation takes place.

Cancellation of Applications

Applications will be cancelled for one or more of the following reasons:

applicant requests cancellation;

Applicant's circumstances change and they are no longer eligible;

Applicant fails to return a review form;

Applicant is found following investigation to have made a false or deliberately misleading statement in connection with their application.

Applicant has been housed in a secure or assured tenancy by another Local Authority or a Housing Association in or outside of the Chorley area.

Deferred Applications

Applicants who do not wish to be immediately considered for housing can request to be placed on a deferred list and will not be considered for housing until they request that their application is placed on the active Housing Register.

MONITORING AND EVALUATION

The operation of this policy is reviewed annually and will be subject to periodic refresh light of experience gained from their operation and emerging best practice.

The Council will monitor the administration of this policy and this includes:

- ✓ Average re-let times & void rent loss
- ✓ Ethnicity of applicants and allocations
- ✓ New customers with disabilities compared to Census data
- ✓ Customer refusals
- ✓ Reasons for rejection and exclusion
- ✓ Customer satisfaction levels
- ✓ Numbers of nominations, direct applicants, and transfers
- ✓ CORE Data
- ✓ Reports on the above monitoring areas are submitted to Senior Managers in the Council, and results published for the public.

APPENDIX 1

Reasonable Preference

This Policy assesses the relative priority of applicants by placing them in the Priority Bands in section 8.

The Allocation of Accommodation: Choice Based Lettings code of guidance for Local Housing Authorities (consultation published by Communities and Local Government in August 2008) says:

In the Secretary of State's view, a banding scheme will normally need to distinguish between at least four broad levels of priority in order to comply with the requirements of s.167, as follows:

People with no entitlement to reasonable preference.

People entitled to reasonable preference on a single, non-urgent basis.

People entitled to reasonable preference on a cumulative basis.

People entitled to additional preference (being persons with urgent housing needs).

The reasonable preference categories in section 167(2) of the Housing Act 1996 are:

People who are homeless (within the meaning of Part 7 of the Act);

People who are homeless and in priority need but homeless intentionally;

People who are homeless and in priority need and not intentionally homeless;

People threatened with homelessness and in priority need and not intentionally homeless;

People who are not intentionally homeless but not in priority need;

People occupying unsanitary 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).

People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship to themselves or others.