

Draft Housing Nominations Policy

Draft August 2008

Foreword

Watford Borough Council no longer has housing stock of its own, therefore applicants seeking accommodation through the Council's housing register can no longer be allocated a council property. Watford Council does however have nomination agreements with the Registered Social Landlords (RSL's), also known as housing associations, that own properties within the borough. These agreements ensure a percentage of their available properties are allocated to applicants from Watford Council's housing register. This process is referred to as nominating.

The Council is required by law to have a nominations scheme for determining priorities and a procedure to be followed when nominating applicants to housing associations. Watford Council's scheme is set out within this document

The policy is introduced in line with the requirements of Part 6 of the Housing Act 1996 as amended by the Homelessness Act 2002, the associated Code of Guidance and other relevant legislation

Lettings covered by the Housing Nominations Policy

This Housing Nominations Policy sets out the Council's arrangements for nominating to housing accommodation within the meaning of Part 6 of the Housing Act 1996, ie:-

- offers of secure or introductory tenancies from other councils, or other bodies able to grant such tenancies.
- offers of assured or starter tenancies from registered social landlords.

Equality

The Council is committed to ensuring equal access and treatment for all applicants. No one will be treated any less favourably because of race, colour, origin, religion, sex, disability, sexual orientation and age.

The operation of a clear and consistent Housing Nominations Policy goes hand in hand with careful monitoring to ensure that housing nominations are fair and seen to be fair by everyone.

It is important that the Housing Nominations Policy is understood by everyone. Information leaflets that are easily understandable and other communications materials such as audio and large print versions will be made available as appropriate. The Council can arrange a translation service for people who visit the Council Offices. If you need this service, please contact our Housing Needs Department.

Nominations are monitored on a quarterly basis and compared against census information and historical trends to ensure that no group is adversely affected.

The results of monitoring will be published and reported to all relevant agencies on a periodic basis.

The Council will have regard to and implement the provisions of the Race Relations Code of Practice in Rented Housing. The Council will also abide by the Race Relations Act 1976.

An Equality Impact Assessment has been carried out on this policy to assess and mitigate any undue disadvantage to any group

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Service Charter

Posh Nominations Criteria

1 Introduction

This is Watford Borough Council's (WBC)'s Housing Nominations Policy incorporating Herts Choice Homes (HCH) sub-regional choice based lettings scheme.

Hertsmere, St Albans, Three Rivers, Watford and Welwyn Hatfield Councils have teamed up under the name of Herts Choice Homes. HCH are working together to increase social housing choice and mobility within Hertfordshire. Each Council will have its own Housing Allocation/Nominations Policy but will allocate a proportion of homes that become vacant in their area to a pool from which applicants on the Housing Register in the other Councils can bid (apply) without having a local connection.

This policy has been developed in consultation with applicants from the Housing Register, Herts Choice Homes partners and representatives from the voluntary and statutory organisations.

The Policy enables the Council to consider the individual needs of applicants whilst making best use of the scarce housing resource. The policy sets out:

- How properties are allocated
- How to apply for housing
- Who is eligible to be accepted onto the housing register
- Who is not eligible to be accepted onto the housing register
- How priority for housing applicants will be given
- Eligibility for different property types
- How nominations will be made

2 Aims and objectives

Through this policy the Council aims to:

- **Meet housing need** through providing access to affordable housing in Watford Borough based on a full assessment of individual circumstances and a fair and transparent system for deciding who gets priority.
- **Offer more choice** through the provision of good quality information and the operation of Choice Based Lettings.
- **Give good quality information to applicants** to enable people to see what their chances are of being offered a home and what other steps they can take to meet their housing need

- **Provide a simple system** that is easy to understand and which customers feel to be fair
- **Meet our legal duties** in carrying out nominations and fulfilling our duties to homeless people
- **Prevent homelessness** where possible and minimise the use of bed and breakfast accommodation for homeless households
- **Promote opportunities for people to move** within social housing to meet their housing needs
- **Build sustainable communities** by having the flexibility to respond to issues of supply, demand and social inclusion.
- **Ensure the speedy nomination of applicants to housing association void properties** to adhere to nomination agreements and ensure that housing within the Borough is being effectively used for those in need

The Council is also committed to the aims and objectives of HCH, as detailed in the HCH Allocation of Housing Leaflet

3 Our Service Charter

The Council sets minimum service standards that applicants can expect. These are published in a separate leaflet titled 'Service Charter for Housing Applicants' (see Appendix A)

The Council will ensure that advice and information is available free of charge to people in the Borough about making a housing application and homelessness prevention.

4 Statement of choice

Choice based lettings (CBL) allows eligible applicants to select properties that they are interested in, rather than the Council allocating the property to the next applicant on the waiting list. The Scheme will follow a more open and transparent process, helping applicants make informed choices about where they want to live and the type of property they would prefer.

The Council is fully committed to enabling applicants to play a more active role in choosing where they live, whilst continuing to house those in the greatest need.

The Council believes that social housing should be seen as one of a range of options available to applicants and that they may also like to consider other Housing Options such as:

- Low Cost Home Ownership
- An exchange (the existing scheme is called 'Homeswapper', it applies to Council and Housing Association tenants)
- Renting in the private sector

- Moving to other parts of the country where there is a better balance between supply and demand of social housing

Information on all available housing options and more can be obtained from the Customer Service Centre and the Housing Needs Team of the Council or can be accessed directly via the web. Please refer to the end of this document for contact details.

5 Links to other policies

The Housing Nominations Policy will work in parallel with a number of other key policies and priorities of the Council and these include the strategies listed below.

- **Watford Borough Council Homelessness Strategy 2008-2013**
The Housing Nominations Policy links to priority actions around the prevention of homelessness, keeping the number of households in temporary accommodation as low as possible and maximizing opportunities for move on from hostel accommodation.
- **Watford Borough Council Housing Strategy 2008-2011**

Due to be published in December 2008, the Housing Strategy will include objectives to implement Choice Based Lettings and increase mobility within social housing.
- **Herts County Council Supporting People Strategy 2007-2012**

This strategy sets out the county wide programme to review and commission housing related support. The Housing Nominations Policy links to the objective of the strategy which is to enable vulnerable people to access and maintain independent accommodation.
- **Watford Borough Council Corporate Equality Plan (2005) and Disability Equality Scheme (2007-2010)**

Through these action plans, the council aims to ensure equality of opportunity for residents and the promote disability equality in the delivery of services. These objectives are reflected in the Housing Nominations Policy.

6 Monitoring and review the Housing Nominations Policy

The Housing Needs Team will monitor the operations of the Housing Nominations Policy by:

- Regularly reviewing the policy to ensure that the policy meets its stated objectives and complies with legislative changes

- Assessing the impact, if any, that offering choice has upon specific client groups such as people with disabilities or mental health issues, older people, young people and people from different ethnic groups.
- Publishing annual performance data.

7 The Officer Panel

The purpose of the Officer Panel is to consider information relating to applicants on the Housing Register whose housing needs require additional assessment under the Housing Nominations policy as there may be exceptional or complex circumstances.

The Panel includes a minimum of two managers from a nominated pool, one of whom has not had previous involvement in the case to ensure an independent assessment.

Panel cases and decisions are recorded and monitored. Applicants will be notified in writing of any decision relating to their application.

8 Applying for housing

8.1 What is the Housing Register?

The housing register is a list of people who have applied for social housing. It also includes those who are existing tenants of a housing association or another Council. Applications are assessed in accordance with this policy. A banding system is used to determine priority for housing.

8.2 Who can apply to join the Housing Register?

To join the Housing Register applicants must:

- be aged 16 years of age or over
- not be subject to immigration control or be an applicant from abroad unless the applicant is a 'qualifying person' as described by law.
- be habitually resident in the common travel area (England, Scotland, Wales, Ireland, Channel Islands and the Isle of Man).
- not have a history of unacceptable behavior.

8.3 Unacceptable behaviour

Applicants will normally be excluded from joining the housing register if they or a member of their household is guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant.

The decision to exclude an applicant due to unacceptable behaviour will be made by the Officer Panel. When making the decisions the Officer Panel will consider whether the behaviour was of a serious enough nature that it would warrant possession by a landlord. Unacceptable behaviour includes anti-social behaviour and providing false or misleading information.

8.4 How to apply?

Applications to the Housing Register are made by completing a formal application. Applicants will be required to provide written answers to such questions as the Council deems appropriate to allow an assessment of their entitlement to housing to be made.

Applicants will be asked to provide documentary proof of the following in support of their application:

- Proof of identity e.g. passport, birth certificate or drivers license for all members of your application
- Proof of eligibility e.g. home office letter or passport
- Proof of address e.g. tenancy agreement or utility bill
- Proof of income e.g. benefit letters or wageslips for all adults included in your application
- Proof of any capital, savings or equity
- Proof of child benefit, Adoption/foster certificate or court order confirming main custody of any children included in your application
- Proof of pregnancy

8.5 Notification of successful application:

After assessment we will write to applicants confirming:

- Whether the applicant is eligible and suitable to join the housing register.
- The Priority Band in which the application has been placed
- The date that the application was placed in the band (the applicable date)
- Their unique reference number
- How to have a decision reviewed

8.6 Notifying an ineligible applicant

If the Council decides that an applicant is ineligible to join the housing register due to age, immigration status or unacceptable behaviour the applicant will be notified in writing and be given clear grounds for the decision.

If the Council decides to exclude an applicant from the Housing Register due to anti-social behaviour the applicant will also be informed of how long they will be excluded. At the end of the exclusion period the applicant can reapply and the Council will reconsider their circumstances.

8.7 Keeping Information Up to Date

Applicants must report any material change in their circumstances without delay and supply documentary proof where necessary to confirm their situation.

It is the applicant's responsibility to tell the Council if their circumstances are about to change, or as soon as possible afterwards. Not informing the Council about a change of

circumstance could affect the applicant's priority for housing and/or result in an offer of accommodation being withdrawn.

Where a change of circumstance results in an increase in the applicant's priority band their new applicable date will be the date the Council receives all proofs required confirming the change.

Applicants will be required to renew their application every 12 months. The Council will write to the applicant's last known address asking them to renew their application. If they fail to do so a reminder will be sent and if no reply is received by the deadline the application will be cancelled.

9. Local Connection

Applicants may be considered as having a local connection to Watford Borough Council, if one of the following criteria applies.

Applicants must:

- Have lived three years out of the last five years in the borough of Watford
- Have lived six months out of the last 12 months in the borough of Watford
- Have a permanent job in the borough of Watford, working sixteen hours or more per week
- Have a close relative who presently lives in the borough of Watford and who has lived in the borough for at least five years (such as parents, children or siblings)
- Live in temporary accommodation outside the borough, placed there by Watford Borough Council.
- Have been placed in temporary accommodation outside the borough by a statutory agency and Watford is the applicants originating authority.
- Prove there is special circumstances which Watford Borough Council considers give rise to a local connection.

Any periods of residency as a result of a placement by a different Local Authority's homelessness service or by a statutory agency, where Watford is not the applicants originating authority, will not be considered towards local connection.

In order for a local connection to give an applicant priority for a nomination it must apply and be relevant at the point in time that they bid for and are offered a property.

10. Active and Non-Active applications

In order to bid for a property through the CBL scheme an application will need to be active. There may be situations where the council will make an application non-active.

The Housing Needs Manager will decide when to make an applicant non-active giving

- the applicant reasons for the non-active status

- the date the decision will be reviewed

Examples of when an application may be made non active are listed below:

10.1 Current Rent Arrears

If an applicant is currently in rent arrears or owes court costs to the Council or a Housing Association their application may be made non active. A review date will be set, however if the applicant clears their rent arrears before the review date it is their responsibility to notify the Council.

Discretion will be exercised if the arrears amount to less than one months rent and there is a repayment agreement in place which is being followed. In these cases applications may be left active however any arrears would need to be cleared before any bids or offers of accommodation. If after applying this discretion an applicant continues to bid for properties without taking steps to clear their outstanding arrears their application may then be made non active.

10.2 Former tenants arrears

If an applicant owes former tenant arrears to the Council or a Housing Association and have not agreed to and are not adhering to an acceptable repayment plan their application may be made non-active. A review date will be set, however if the applicant clears the former tenant arrears before the review date it is their responsibility to notify the Council.

10.3 Neglected or damage to Property

If an applicant or a member of their household has damaged a Council or Housing Association property their application may be made non active until the damage has been repaired or they have paid the landlord the repair costs incurred. A review date will be set, however if the applicant puts right the damage before the review date it is their responsibility to notify the Council.

10.4 Aids & Adaptations

If an applicant has been granted significant funding for aids and adaptations to their current home and are then subsequently requesting to move, their application may be made non-active.

The Disabled Adaptations Group, which includes Occupational Therapist and representatives from Adult Care Services and Children Schools and Families, will be involved in the decision. Any changes to the applicants circumstances and needs will be taken into consideration

10.5 HM prison: Applicants in prison will have their application made non active until 3 months before their release date, and official confirmation of this date will be required.

11. Deliberately worsened circumstances.

If the Council thinks an applicant has deliberately worsened their circumstances to gain extra priority on the Housing Needs Register the applicant will be placed in the priority band they held or would have held before their circumstances changed.

12. Applicant's household.

In most cases, only people living with the applicant as part of their household on a permanent basis can be included in the application.

12.1 Children

Applicants will need to be in receipt of Child Benefit for all dependents included on their application.

If dependent children join the household during the application, the applicant will need to prove that they are the principle guardian and their home is the dependants principle home and will be for the foreseeable future.

Where the applicants home is not the child's principle home and the applicant is not the principle/main guardian the child will not be counted as part of the applicants household when assessing their priority and bedroom need.

12.2 Dependent Adults

Dependent adult relatives who live with an applicants because they are unable to live independently may be considered as part of an applicants household. This will generally be because of age, disability or for medical reasons. Such cases will need to be referred to the Council's Independent Medical Adviser.

12.3 Carers

If an applicant requires an extra room for a carer the Council will need supporting documentation from Adult Care Services, Children School and Families or other independent organisation confirming a 'live in' carer is needed. The Council would also take guidance from our Independent Medical Advisor.

Voluntary carers such as family and friends will be put on the tenancy agreement, however employed carers will not.

Only one extra bedroom for a carer will be considered. Extra rooms for a carer's dependants cannot be considered.

12.4 Joint Applications

For a joint application both applicants have to meet the eligibility conditions.

12.5 Civil Partnerships

Civil partners will have equal treatment with married couples, including:

- Parental responsibility

- Protection from domestic violence
- Immigration and nationality purposes

13 Home Visits

The Council will complete robust investigations into applicants' circumstances, including home visits. Home visits may be conducted at short notice and applicants will have to ensure they are available. If an applicant is not available or refuses a home visit this will affect their chances of being offered accommodation.

If an applicant does not have any settled accommodation, they will be visited at the care of address/location provided.

14 Cancelling of applications

A housing register application can be cancelled by the Council in the following circumstances:

- At your request
- Where you do not respond to an annual review or any other relevant correspondence, within the specified time limit
- If you become ineligible for housing or have a change of circumstance that stops you from remaining on the list
- When you are housed by a Registered Social Landlord or Council
- Have knowingly withheld or given false, misleading or incomplete information in order to obtain a tenancy

When an application is cancelled, the Council will write to the applicant to notify them. Where an applicant has been highlighted as vulnerable, the Council will contact the applicants to check their circumstances before cancelling the application.

If an applicant then wishes to re-join the housing register at a later date this will be treated as a new application, and a new registration date will apply.

Any request to reinstate the application must be made in writing giving reasons why the application was not renewed. Where the Council agrees to reinstate an application it reserves the right to amend the original date of registration or the applicable date to disallow the period the application was cancelled.

15 False statements and withholding information

It is the applicant's responsibility to provide the necessary information and documents to assist the Council to carry out enquiries into their housing application.

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

The Council and its RSL partners will take action where it is considered appropriate in any case where a tenancy has been obtained as a result of fraud or false information.

This action includes:

- Application to the Courts for possession of the property and eviction of the tenant.
- Prosecution under Part VI s171 (2). A person found guilty of this offence is liable on summary conviction to a fine up to £5,000

16 Assessment of housing need

When an applicant's housing need is assessed they will be placed in one of five bands. Applicants in Band A will have the highest priority, with applicants in Band E the lowest priority. The bands are designed to give those households in greatest need reasonable preference for housing, whilst maximising use of the available housing stock.

Applicants will also be given an "applicable date" which will identify priority within the bands. Initially, the applicable date will be the date of application. Should an applicants circumstances change, and their band changes so may the applicable date.

Priority band A – Applicants with an Urgent Need to move.

Priority band B – Applicants with a Very High Need to move.

Priority band C – Applicants with a High Need to move.

Priority band D – Applicants with an Identified Housing Need

Priority band E – Applicants with Other Housing Requirements.

Full details of banding and applicable dates can be found in the HCH Allocation of Housing Leaflet.

16.1 Applicants with children in insecure accommodation

The Housing Needs Officers will assess whether or not accommodation is considered insecure. Insecure accommodation would normally be accommodation where the applicant has no tenancy agreement or licence, such as living with relatives or friends. Private sector rented accommodation will not be considered as insecure.

16.2 Unsatisfactory Housing Conditions

The Housing Needs Officers will assess whether conditions are considered to be unsatisfactory. This would normally be when an applicant does not have use of a bathroom or kitchen or has no amenities such as heating or water. Sharing facilities with other residents, having no garden or living in a flat will not be considered as unsatisfactory housing conditions.

16.3 Financial hardship

The Housing Needs Officers will make an assessment as to whether or not an applicant is in financial hardship which is affecting the applicant's ability to secure accommodation. The applicant's income and capital will be compared to the outgoings needed to secure accommodation. Housing and Council tax benefit will be considered as an income. If an applicant is not claiming a benefit that they are entitled to, they will be asked to make a claim and a notional income will be taken into account. Essential outgoings will be taken into consideration as will personal circumstances such as medical treatment costs, child care and child support costs. The Housing Needs Officers will make a judgment as to whether or not a financial hardship assessment is required when processing the application form. An applicant may also request an assessment.

16.4 Severe Overcrowding

Applicants who are overcrowded would normally fit into one of the following two categories: lacking one room, or, lacking two rooms or more. Severe overcrowding will only be considered if the applicant is lacking a minimum of 3 rooms plus there are other factors in the property affecting the overcrowding problem further. This will be assessed by the Officers Panel. Applicants applying for priority on the grounds of severe overcrowding will firstly be asked to look for alternative more suitable accommodation with the assistance of the Homeless Prevention and Housing Advice Team.

17. How the Council will nominate to accommodation

With the exception of specialist housing, all properties will be advertised through the HCH scheme. Applicants will need to bid (express an interest) in any properties they wish to be considered for. Advertised properties will have details of who is eligible to bid for the property. If applicants are not eligible their bid will not be considered. By advertising properties and inviting applicants to apply, the Council is enabling them to choose where they want to live.

17.1 Shortlisting

When nominating to a general needs property the following factors will be taken into account:

1. Property Eligibility. Does the applicant's household fit the requirements of the property as outlined in the advert?
2. Priority band on the Housing Needs Register.
3. Applicable date. Where more than one applicant meets the preceding criteria, the applicant with the earliest applicable date will be made nominated to the accommodation.
4. Where two applicants have met the preceding criteria and have the same applicable date, the property will be offered to the applicant for whom the property is considered most suitable, taking all other factors into consideration

RSL's may hold additional eligibility criteria. For details you should refer to the policy of the specific RSL.

The landlord of the property will decide how many people they want shortlisted. This will normally be between 3 to 5 applicants. All those on the shortlist may be invited to view the property. Viewings will only be able to take place during the time specified by the RSL. This saves time should the highest priority bidder not want the property. A viewing is not a guarantee of an offer of accommodation.

Should an applicant be offered the property the landlord will give them a timescale in which the applicant must notify them whether or not they wish to accept or refuse the offer (this will usually be 24 hours). If the applicant does not reply within the set timescale it will be assumed they are refusing the offer.

17.2 Sub-Regional Choice Based Lettings.

As part of the Herts Choice Homes Partnership, the five local authority partners will advertise a small percentage of properties that all applicants on the five local authority Housing Registers can bid for. This will give applicants the opportunity to move to neighbouring areas. Applicants on the Council's Housing Register can therefore bid for properties advertised by Watford Borough Council and also properties part of the Herts Choice Homes sub-regional pool.

For more detail on using the HCH scheme please refer to the HCH Allocation of Housing Leaflet.

18. Bid types

The majority of bids will be made by the applicant. However in certain circumstances the following may apply.

- **Assisted Bidding.** This is where an applicant may be vulnerable and no third party has been identified to assist them. The Council (or RSL partner) will take responsibility in assisting the applicant to place bids. The applicant is not obliged to accept any bids made through supported bidding.
- **Active Bidding.** This may apply to applicants in band A or B. Active bidding is where the Council (or RSL partner) will bid on behalf of the applicant. E.g. a final offer for a statutory homeless household or a formal offer for a succession case.
- **Approved Bidding.** This will apply for sensitive cases, witness protection or fleeing domestic violence. The applicant may still bid themselves but the Council will need to approve the bid as appropriate.

19 Time limited bidding

All priority band A (Urgent Housing Need) cases and some categories of priority band B (Very High Housing Need) will be subject to time-limited bidding. This means applicants will be given a time frame for how long this priority will stand. This is because the Council acknowledges the urgency of the situation, both for the applicant and for the Council. All priorities will be monitored. Each case will be reviewed on its own merits, and a decision will be made as to whether:

- The Applicant should lose their priority status if the circumstances under which they were placed in band no longer apply. The applicant may then be re-assessed and placed in a lower band
- The Council may actively bid on the applicant's behalf. This is referred to as assisted bidding, further details can be found in the HCH Allocation of Housing Leaflet.
- The applicant's priority may be extended with a further review date

In conducting the review the Council will take into consideration the questions posed below.

- Have there been any properties advertised that would have met the applicant's needs?
- If so, did the applicant apply for them?
- Why were any bids unsuccessful?
- Did the applicant receive the appropriate support and help in accessing the choice based letting scheme?
- Did the applicants circumstances remain the same?

20 Homeless Households

Applicants who are accepted by the Council as being statutorily unintentionally homeless and in priority need will be given 3 months from acceptance to bid for accommodation. After that the Council will make bids on the applicant's behalf, through assisted bidding. The Council will write to the applicant to notify them that the set period has passed and that assisted bidding will begin. They will then receive **one offer** of suitable accommodation, taking account of all the relevant circumstances of the applicant.

21 Applicants subject to multi-agency public protection panel arrangements

Housing applications received from the Multi Agency Public Protection Panel will be considered by the Housing Needs Manager and, if successful, will be subject to approved bidding, as detailed above.

22 Applicants who require an adapted property

Where an applicant has been assessed by the Council's Independent Medical Adviser as requiring an adapted property, the application will be flagged so that it can later be identified. When a property with adaptations becomes available to let it will be advertised with the details of the adaptations. Applicants flagged as needing an adapted property will be given priority should they bid. If an applicant successfully bids for an adapted property however upon viewing it become apparent that the property is not suitable and further adaptations would be needed the landlord will make an assessments as to whether or not an offer can be made. HCH will be working closely with local Occupation Therapist teams to assess the need of applicants and to ensure those in the highest

need are identified and that properties are advertised appropriately with the correct information.

23 Local Lettings Policy

The Council, in partnership with Registered Social Landlords, may produce a local letting policy. These policies will outline any specific local letting initiatives for the neighbourhood taking into account supply and demand and other management factors.

The local letting policies are normally short term measures put in place to address specific local issues. These can include dealing with sustainable community issues such as:

- increasing the number of people in employment
- social mobility
- or reducing child density and anti-social behaviour on estates

Local lettings policies may therefore over ride the normal shortlisting rules for specific neighbourhoods, local housing estates or developments for a specific period of time. For examples, some properties may have criteria based on age or household composition to address specific local issues or may over-ride occupancy level agreements and demand issues to address local management or supply.

Local letting policies will normally be subject to local consultation. They will be monitored, developed and changed in line with changing situations and demands.

Copies of any local letting policies will be available from the Council and the RSL.

The Council will ensure that local lettings policies do not discriminate, directly or indirectly against any particular group.

24 Bedroom Entitlement

The table below indicates the size and number of bedrooms that an applicant can bid for:

HOUSEHOLD SIZE	NUMBER OF BEDROOMS
Single person	Bedsit /1 bedroom
Single person with staying access to children (see note 1)	Bedsit/1bedroom
Couple	1 bedroom
Couple/Single parent over 20 weeks pregnant	2 bedrooms
Couple/Single parent 1 child	2 bedrooms
Couple/Single parent 2 children, same sex – less than 7 year age difference	2 bedrooms

Couple/Single parent 2 children, same sex – 7 year age gap	3 bedrooms
Couple/Single parent 2 children of opposite sex (under 8 years)	2 bedrooms
Couple/Single parent 2 children of opposite sex (over 8 years)	3 bedrooms
Couple/Single parent 3 children	3 bedrooms
Couple/Single parent 4 children or more	3 or 4 bedrooms (limited number of Council 4 bedroom properties)

All properties that are advertised through the CBL scheme will be clearly labelled to identify the household size eligible to bid for each property.

The Council will assess the size of home each applicant requires according to their household size, composition and any other special considerations. This is the assessed size.

The assessed size takes account of the following:

- A single parent household is entitled to the same size of accommodation as a two parent household with the same number of children
- Households that include a pregnant woman where the pregnancy is aged over 20 weeks are assessed as if the baby had already been born
- Two children are expected to share the same room where they are:
 - Same sex with less than 7 years age difference
 - Opposite sex and under 8 years of age
- A bedsit flat is appropriate for a single person household.
- Households including related or unrelated adults who might reasonably be expected to reside together will be individually assessed e.g. extended families or applicants with carers.
- The assessed size does not include children who are not permanently resident within an applicant's household on a full-time basis.

25 Ground Floor Flats

Priority for ground floor flats will normally be given to applicants with medical problems who require this type of accommodation and who have been awarded urgent or high medical priority or who need disabled adaptations to their home.

26 Bungalows

Priority for bungalows will be given to people aged 60 or over who wants to move out of Housing Association family sized accommodation.

27 Withdrawal of offers

In the following very exceptional circumstances, the Registered Social Landlord (RSL) may withdraw an offer of accommodation:

- Where there has been a change in your circumstances
- Following verification, you are not eligible for the property
- Where an error has been made in the advertising criteria
- Where an offer of accommodation could put a vulnerable applicant at risk of harm
- Where an applicant is not eligible under the RSL's Letting Policy

28 Refusing an offer of accommodation

Generally, applicants may refuse any offer of accommodation they have successfully bid for without sanction. (This excludes applicants whose circumstances are detailed in section 20)

However, should an applicant refuse three offers they will be contacted to discuss their housing requirements and to ensure they fully understand the scheme? It may be appropriate to re assess the applicant's housing need and/or offer other housing options.

29 Sufficient Resources

If an applicant has sufficient resources to resolve their own housing need, either through renting or buying a suitable property, the applicant would normally be given low preference on the Housing Register and be placed in band E.

Before making the decision that an applicant has sufficient resources to resolve their housing need the Council will complete a full financial assessment considering their income, savings, financial commitments, outgoings, family size and personal circumstances

Each case will be considered on its own merits however the following circumstances will trigger a financial assessment.

- Applicants with a total household equity or capital of £70000 or more
- Applicants with a total household income equal to or greater than four times the annual rent of a suitable property.

30 Medical Grounds

Where an applicant or a member of their household has a medical condition or disability that is affected by their housing circumstances, they will be asked to complete a medical self-assessment form. This will be reviewed by our Independent Medical Adviser, along with any other medical reports or occupational therapy reports. The Medical Adviser will advise on the relative medical priority of the applicant and/or their household in comparison to other applicants and taking into consideration local housing resources and availability. They will also advise on any other re-housing need such as a need for

ground floor accommodation. The Council will then review the advice and the applicant will be placed in the appropriate band.

Circumstances that will not be considered for medical assessment include:

- pregnancy
- overcrowding
- minor illnesses (e.g. colds/flu)
- poor conditions in the home such as damp
- temporary disability such as broken limb
- people who are adequately housed

31 Sheltered housing

Sheltered housing is designed for applicants over 60, however some schemes have a lower age limit. Sheltered housing will only be available to applicants if they require the level of support offered in this type of accommodation. Applicants bidding for sheltered housing will be subject to an assessment by the landlord to establish their support needs and suitability for scheme they have chosen.

Applicants under 60 years of age may be considered for sheltered housing if they have physical/learning disabilities and would benefit from sheltered accommodation or designated elderly applicants units.

If the assessment indicates that an applicant requires a higher level of support than can be provided by sheltered housing, they will be advised of this and referred for a further assessment by Adult Care Services.

31.1 Extra Care Housing

Some housing providers have extra care sheltered housing schemes. Referrals for extra care can come from a variety of sources including:

- Internal referrals through the Housing Department
- Adult Care Services
- Health Care professionals
- Carers
- Self-referral

Allocations to Extra Care scheme will be made through a multi-disciplinary panel outside of Choice Based Lettings.

Individual housing providers will have full eligibility and allocation criteria for their own schemes.

32 Social and welfare needs

Social and welfare needs will be assessed by the Officers Panel. Cases will be considered when there is an identified housing need not addressed in the banding assessment criteria. Examples of these will include

- Children leaving local authority care nominated by Children, Schools and Families (formerly Herts C.C. Social Services)
- Households who need to move for emergency reasons not covered in the assessment criteria.
- Nominations from approved local hostels actively involved with the multi-agency Prevention of Homelessness Consortium (POsH).
- People who may represent a risk to the public.
- People who are particularly vulnerable and/or occupying institutional accommodation: who could live independently with the necessary support, but could not obtain settled accommodation by their own efforts.
- Exceptional circumstances relating to giving or receiving care and support.
- Nominees through the National Witness Mobility Scheme

33 Referrals

33.1 Prevention of Homelessness

The Council is an active member of the Prevention of Homelessness Consortium (POsH) and has agreed a quota of up to 12 nominations per financial year to provide move-on accommodation for people occupying non-secure accommodation with partner agencies. Nominations will be made in line with agreed criteria (see Appendix B) and will be agreed by the Officers Panel.

33.2 National Witness Mobility Scheme

The Council supports the National Witness Mobility Scheme and may consider referrals made to house witnesses at its discretion and in line with outward referrals made under the scheme. Accepted referrals will not normally exceed two in any financial year (or a total of 6 within a 3 year period)

When making the decision to accept a referral, the Council will take into account the level of risk the applicant is facing and the demand and supply issues for the type of accommodation requested.

It will be necessary for applicants to meet the eligibility criteria to appear on the housing register.

33.3 Move-on

We will have some agreements with statutory organisations that provide specialist support and accommodation. These organisations deal in particular with vulnerable high need households who may require move-on accommodation. The Council will

endeavour to house an agreed number of applicants nominated from these organisations each year.

33.4 Floating Support

The Council operates a floating support scheme for single applicants with mental illness in partnership with Hightown Praetorian & Churches Housing Association (HPCHA) and Watford Community Housing Trust (WCHT). A quota of 9 one-bedroom properties at any one time is shared with Three Rivers District Council.

Applicants for floating support must be able to sustain a tenancy with a view to managing a tenancy independently within 2 years.

Applicants for the scheme are referred through the Community Mental Health Team (CMHT) and are assessed at a multi-agency panel comprising representatives from the Council, CMHT, HPCHA and WCHT.

Once an applicant is accepted as suitable for the scheme a designated member of staff from HPCHA will make the bids on the applicant's behalf through the assisted bidding scheme. Bids will then be checked for suitability by WCHT .

34 Key Workers

The Council works closely with a number of partner RSL landlords and the Key Worker Zone Agent for Hertfordshire (Lea Valley Homes) to provide a variety of housing options for key workers.

Further information on the government's definition of key workers and the full range of housing available to key workers please contact Lea Valley Homes the zone agent for Hertfordshire. Lea Valley Homes can be contacted on 01582 869440 or www.leavalleyhomes.org.uk

35 Shared Ownership

The Council is working in partnership with RSL's to provide shared ownership housing in the Borough.

Shared ownership is an alternative to renting and full ownership. Applicants buy a 'share' in the property and pay rent on the outstanding share which is owned by a housing association.

Applicants who are interested in shared ownership are requested to apply to Lea Valley Homes the zone agent for shared ownership in Hertfordshire. Lea Valley Homes can be contacted on 01582 869440 or www.leavalleyhomes.co.uk.

36 Specialist Low Cost Home Ownership Scheme

Lea Valley Homes, the zone agent for Hertfordshire, administrate other specialist Low Cost Homes Ownership schemes, for example Open Market Homebuy and First Time Buyers initiative. Eligibility and availability for these schemes can vary depending. For

more information please contact Lea Valley Homes on 01582 869440 or www.leavalleyhomes.org.uk

37 Black & Minority Ethnic Accommodation

From time to time the Council receives nominations to Ashiana Court, a sheltered housing scheme that is owned and managed by ASRA Housing Association. Applicants nominated for this scheme will meet the eligibility criteria set by the Housing Association which is for people aged 55 and over and of Asian origin.

38 Allocations to staff, Council members or their family.

Members of staff, their close family and elected members who require housing through the Council may apply for housing in the same way as other applicants. Their status should be disclosed on the application form at the time of applying.

If a member of staff, elected member or a member of their direct family make a successful bid for a property, the Head of Service will be informed and must approve the shortlist prior to the formal offer being made.

39 Tenancy management outside the Scope of Choice Based Lettings

The following tenancy management areas fall outside of Part 6 of the Housing Act 1996 and will be managed by Registered Social Landlords:

- Mutual exchanges
- Persons transferring from a starter or introductory to secure or assured tenancy in the same property
- Persons transferring from a non-secure or contractual tenancies to starter, introductory, assured or secure tenancy in the same property
- Where a secure tenancy is assigned by way of succession to the same property
- Where a secure tenancy is assigned to someone who would be qualified to succeed to that tenancy if the secure tenant died immediately before the assignment
- Temporary RSL decants where the tenant will be returning to their original property
- Where court orders are made under one of the following:
 - Section 24 of the Matrimonial Causes Act 1973
 - Section 17 (1) of the Matrimonial and Family Proceedings Act 1984
 - Paragraph 1 of schedule 1 to the Children Act 1989

40 Data Protection

When an applicant applies for housing, the Council will seek only information that is required to assess their housing need. The Council will collect and keep data in accordance with guidelines on handling personal data.

These guidelines are in accordance with the Data Protection Act 1998 that covers both electronic and manual records. The Act governs everything the Council does with the data, including collecting, storing, using and disposing of it.

As the Council will be nominating to properties through the HCH scheme, information on applications may be shared with other HCH partners (Council's or Registered Social Landlords).

40.1 Individual's rights to see data

Sections 7 to 9 of the DPA 98 entitled an individual on making a request in writing and upon paying the appropriate fee to:

- Be told whether they or someone else on their behalf is processing that individual's personal data; and if so
- Be given a brief description of
 - The personal data;
 - The purpose for which this has been processed; and
 - Those people to whom that personal data is being or may be disclosed

41 Confidentiality

Information about applicants shall not be divulged (without consent) to any other member of the public. This applies apart from:

- Where the individual who is the subject of the confidential information has consented to the disclosure
- Where the Council are required by law to make such disclosures
- Where disclosure is made to HCH partners in accordance with the HCH Information Sharing Protocol.

42 Right to Review of a Decision

Applicants may request a review of a decision on:

- The facts of their case which has been taken into account when considering whether to make a nomination
- Any decision not to give him/her any preference under the nomination scheme

Any request for a review should normally be made within 21 days from the date that the decision was notified to the applicant, and should include the applicant's reasons for believing that the decision made was inappropriate. The request can be verbal or in writing.

Extensions to the 21 days may be allowed where justified by special circumstances. The Council will make a decision within 8 weeks of the date of the request and advise of the outcome in writing.

The review will be carried out by an officer senior to the officer who made the original decision and who were not involved in the original decision. A member of the Housing Management Team will review Officer Panel decisions and the Housing Portfolio Holder will be informed.

Reviews for decisions made under Part 7 of the Housing Act 1996 (Homelessness) are outside the scope of this policy.

43 The Local Government Ombudsman

The Local Government Ombudsman investigates complaints of injustice arising from maladministration by local authorities and other bodies. They can be asked to investigate complaints about most council matters including housing.

If a complainant is not satisfied with the action the Council takes, the applicant can send a written complaint to the ombudsman. A complainant must give the Council an opportunity to deal with a complaint first, using its internal complaints procedure.

The Local Government Ombudsman can be contacted at:

Local Government Ombudsman
10th floor Millbank Tower
Millbank
London
SW1P 4QP
Telephone: 020 7217 4620
Email: enquiries@lgo.org.uk
website: www.lgo.org.uk

44 Council Office for Contact Details

Watford Borough Council
Town Hall
Watford
Herts
WD17 3EX

Telephone 01923 226400
www.watford.gov.uk

Service Charter

This Charter sets out what you can expect when applying to Watford Council's Housing Register.

The Service We Offer You

We promise to provide you with a professional and helpful service.

You can ask to see the Council's leaflet called Watford Council's 'Customer Charter' that explains about the standards we try to meet when dealing with all its customers, including housing applicants.

When you contact us by telephone, our response will be:

- Quick
- Polite and professional
- Helpful

If you leave a message, someone will return your call within 1 working day.

When you contact the Housing Options Team by letter, fax we promise to reply within 10 working days. Emails will be replied to within 3 working days.

Our response will be clear and easy to understand.

Making Sure Your Application Is Treated Fairly

You can ask to see the Council's policy on Equal Opportunities. Our services are open to everyone and trained Council staff are happy to help with your application whether you have difficulty understanding English, have a disability or there is any other reason why you need assistance.

We keep records to show the race, gender and disability of housing applicants so that we can make sure that everyone has been treated equally and fairly without discrimination.

Your Housing Register Application

We aim to process your housing application form within **15 working days** BUT you must provide us with all the information we ask for if we are to keep to this target.

We will send you a letter to inform you when this has been done.

Appointments

If you have been given an appointment by an officer from the Housing Team, we promise to see you punctually and if you request it, in a private room at our offices. You have the right to be dealt with in a polite and helpful manner and you can expect the Officer you see to have your housing application details available.

Home Visits

Where possible, we will tell you before we visit your home.

We will always greet you appropriately, give you our name, show you an identification badge and treat your home with respect.

If for any reason you want a female or male officer to visit you, we will do our best to arrange this.

Interviews

If you need to discuss your housing application or need help in completing a form, one of the Council's staff will help you.

If you wish to speak to one of the Officers dealing with your housing application, you may need to make an appointment in advance.

We promise to make an appointment within 7 days of your request.

You can see a Prevention and Advice Officer without an appointment but you may be asked to wait as this is on a first come, first served basis.

Confidentiality

We handle the information you give us in accordance with the details specified in the Data Protection Act.

We promise that your housing application will be dealt with in the strictest confidence. However, all the details you have provided on your application form will be investigated and other Council departments and outside agencies may be contacted in the course of assessing your application for housing or if you are offered a housing association home.

Your Right to a Review

We promise to write to you giving 28 days notice before removing your name from the Housing Register. We will include information about how you can request a review of this decision.

You can also request a review if you are not satisfied with a decision that we have made about your application. You can do this verbally or in writing within 21 days of the decision. We will re-consider our decision and let you know the outcome in writing within 8 weeks of your request.

Changing Our Policy

If we make **significant** changes to our policy we must notify you about them.

Complaints

The Council has a leaflet called 'How to Make a Complaint About our Service'. You should ask for a copy of this if you are unhappy with the service you have received from the Housing Options Team.

POsH Referral Criteria - Nominations from POsH members

Our target for nominations is to try and use 12 vacancies a financial year for this purpose. Our ability to reach this target is dependent on suitable vacancies being available that do not impact on our ability to keep families out of B&B.

Partner organisations (*see definition below) are able to put forward two requests a year. However the pool of requests will be monitored to ensure that the spread of rehousing reflects the need for the subsequent vacancy to accommodate other Watford housing need clients and that the size of the resident populations within each organisation is taken account of. As some partner organisations are larger than others it is inevitable that there will potentially be those with a higher number of clients ready for moving on sooner than smaller ones. Therefore some organisations may only achieve one or none in a given year and others may end with more than two.

The eligibility criteria for applicants to be nominated are as follows:

- On moving into the accommodation they are presently occupying the client must have had a defined local connection with Watford council (see attached sheet for clear definition of local connection based on statutory homelessness guidance) *NB this does not prevent clients without a local connection being registered on the Councils list but it does mean they can not qualify for additional priority through nomination..*
- ALL CLIENTS SHOULD BE ENCOURAGED TO APPLY ON THE HOUSING REGISTER OF THIS AUTHORITY AND ANY OTHER COUNCIL WHOSE WAITING LISTS ARE OPEN AND RELEVANT TO THE CLIENTS NEEDS. THEY SHOULD ALSO BE ENCOURAGED TO APPLY TO ANY HOUSING ASSOCIATIONS WHO HAVE OPEN WAITING LISTS AND TO EXPLORE OPTIONS IN LOW DEMAND AREAS AND THE PRIVATE SECTOR. (AN INFORMATION PACK IS AVAILABLE FROM **GROW** TO ASSIST ORGANISATIONS AND INDIVIDUALS TO PURSUE ALTERNATIVE OPTIONS)
- The client put forward for nomination should have been vulnerable in some way, requiring support from the agency whilst living in their accommodation.
- The client should now be at a stage where they have been sufficiently rehabilitated or provided with support and assistance to enable them to re-integrate into the community and be capable of living independently.
- The nominating organisation must be prepared to put in place initial on-going support following their rehousing to ensure that the client successfully maintains their tenancy appropriately or be able to ensure that an appropriate support package has been set up through other relevant agencies.
- The nominating organisation must commit to using the subsequent vacancy to address the needs of local (see local connection criteria attached) homeless people either within the current system (e.g. in occupation of the night shelter or other less suitable temporary arrangements) or threatened with homelessness locally.

➤ The nominating organisation must inform the Council of the category of person that is offered the subsequent vacancy and whether or not it was possible to fulfil the above commitment

* A qualifying partner organisation is one that is a pro-active member of the POsH consortium. Pro-active relates to

- regular attendance at the meetings,
- providing resources to the POsH consortium to enable the work of the Consortium to flourish,
- providing services commissioned through the Consortium arrangements

