

Housing Nominations Policy

Implemented from*

This Policy will be implemented from XX with an exception made to residency connection and banding for applicants who have submitted a homelessness application to Watford BC **before** this implementation date. The previous Policy will apply to these cases in respect of residency connection and banding.

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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 Borough Council does however have nomination agreements with the Registered Providers (RPs) 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 Borough 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 Borough 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 Localism Act 2011, associated Code of Guidance and other relevant legislation.

The council is developing a policy in order to discharge its homelessness duty into the private rented sector. This policy will include details of how the offer of private sector tenancies will operate in relation to the council's Housing Nomination Policy.

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 Providers (housing associations)

Equality

The council is committed to ensuring equal access and treatment for all applicants including those with protected characteristics as defined by the Equalities Act 2010.

We are mindful of our duties under the Act to:

- **eliminate** discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- **advance** equality of opportunity between people who share a relevant protected characteristic and people who do not share it
- **foster** good relations between people who share a relevant protected characteristic and people who do not

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. The council can arrange a translation service for people who visit the council offices. If you need a copy in larger print, translation or another format, please contact our Homeless Prevention and Options Team on 01923 226400.

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.

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

CONSULTATION DRAFT

1 Introduction

This is Watford Borough Council's (WBC)'s Housing Nominations Policy.

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 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
- How properties are allocated
- How to request a review of decisions related to this policy

Hertsmere, St Albans, Three Rivers, Watford and Welwyn Hatfield Councils have joined up under the name of Herts Choice Homes to work together to increase social housing choice and mobility within Hertfordshire. Each council will have its own Housing Allocation/Nominations Policy but will share a common Choice Based Lettings (CBL) system.

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

2 Aims and Objectives

Through this policy the council aims to:

- **Meet local 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, encouraging planned pathways into housing and minimising 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 Herts Choice Homes, as detailed on the HCH website (www.hertschoicehomes.org.uk)

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 B)

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 housing register. The scheme follows an 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 need 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 different housing options can be obtained from the council's website, Herts Choice Homes website or from the Homeless Prevention and Options Team at the council. Please refer to the end of this document for contact details.

5 Links to Other Policies

The Housing Nomination 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 2013-18**
The Housing Nomination 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**
- **Watford Borough Council Tenancy Strategy 2013**
- **Watford Borough Council Private Sector Discharge Policy (under development)**

6 Monitoring and Reviewing the Housing Nominations Policy

The Housing Service will monitor the operations of the Housing Nomination Policy by:

- Regularly reviewing the policy to ensure that the policy meets its stated objectives and complies with legislative changes
- Publishing annual performance data.

7 Applying for housing

7.1 What is the Housing Register?

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

7.2 Who can 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 an 'eligible person' as described by law.

- be habitually resident in the common travel area (England, Scotland, Wales, Ireland, Channel Islands and the Isle of Man).
- meet the residency connection criteria defined in paragraph 12.13
- be qualifying persons* as defined in this Policy

*A qualifying person is defined as:

- A person who falls within one or more of the categories of housing need set out in bands A – E inclusive and
- A person who also meets the residency connection criteria (see 12.13)
- A person who is not excluded from the register by any of the other provisions of this Policy

7.3 Unacceptable behaviour

Applicants will normally be excluded from joining the Housing Register if they or a member of their household has engaged in unacceptable behaviour serious enough to make them unsuitable to be a tenant. The decision will be made by the Housing Options Officers in the Homeless Prevention and Options Team. When making the decision Officers will consider whether the behaviour was of a serious enough nature that it would warrant possession by a landlord. Examples of such behaviour include;

- Previous or current rent arrears
- Providing false or misleading information
- Breaches in your tenancy agreement
- Previous or current property damage
- Harassment or anti-social behaviour
- Any relevant criminal activity

Please note that this list is not exhaustive and applies regardless of who the landlord was at the time the unacceptable behaviour took place. The applicant did not (does not) have to be a secure tenant of the Council (or any Council) at the time and neither does an eviction have to have taken place. When making decisions regarding unacceptable behaviour the Council will consider:

- When the unacceptable behaviour took place. Consideration will be given to the length of time that has elapsed and whether there has been any change in circumstances.
- What action the landlord would have taken against the perpetrator of the unacceptable behaviour. The behaviour must be serious enough for the landlord to be granted a possession order.
- Whether the unacceptable behaviour is due to a physical, mental or learning disability.

Watford Borough Council, its partner landlords and the residents of Watford have a right to expect certain standards of behaviour. Therefore, before you are accepted onto the housing register, or made an offer of a property, we may seek certain references to see if you qualify to join the register and will be a suitable tenant of the registered provider. Any household can be excluded from the register for unacceptable behaviour,

not only those who were previously a local authority (council) or Housing Association tenant.

Where a decision is made to exclude an applicant, the applicant will have a right to request a review of the decision. Where exercised, a review date will be set.

7.4 How to apply

The council is introducing a pre assessment questionnaire on the Herts Choice Homes website. Once this system is active, it will be necessary for all applicants to complete this stage before applying to the Housing Register.

Applications to the Housing Register are made by completing a formal online 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 which may include the following in support of their application:

- Proof of identity e.g. passport, birth certificate or drivers license for all members of the application
- Proof of residency connection e.g. length of residency
- 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 wage slips for all adults included in the 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 the application
- Proof of pregnancy

7.5 Notification of successful application

After assessment the council will write to applicants confirming:

- Whether the applicant is eligible and qualifies 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 priority date)
- Their unique reference number
- The grounds for any negative decisions on eligibility or qualification
- How to have the decision reviewed

7.6 Notifying an ineligible applicant

If the council decides that an applicant is ineligible in law or does not qualify to join the housing register under this Policy, the applicant will be notified in writing and be given clear grounds for the decision and how to request a review of the decision.

7.7 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.

8. Active and Inactive Applications

In order to be considered for housing, an application will need to be active.

There may be situations where the council will make an application inactive. The decision will be made by the Housing Options Officers in the Homeless Prevention and Options Team in consultation with other agencies as necessary.

If it is decided an application should be made inactive the applicant will be notified in writing giving:

- the reasons for the inactive status
- the date the decision will be reviewed (if applicable)
- their right of review

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

8.1 Current rent arrears and making applications inactive

If an applicant is currently in rent arrears or owes other housing related costs to the council or a Housing Association or partner organisation their application may be made inactive. 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. Where an applicant clears the arrears on their account and notifies the council, their status will be reviewed and where the decision is made to make the application active again, it may be up to a period of 10 working days before their application does become finally active.

Discretion can be exercised for example where a tenant is underoccupying a social housing tenancy or releasing an adapted property, subject to the agreement of the relevant housing associations or partner organisation involved.

8.2 Former tenants arrears

If an applicant owes former tenant arrears or other housing related costs to the council, or a Housing Association or a partner organisation and has not agreed to or is not adhering to an acceptable repayment plan their application may be made inactive. 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.

8.3 Neglect or damage to social housing property

If an applicant or a member of their household has damaged a council, Housing Association or other partner organisation's property their application may be made inactive 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.

8.4 Aids & Adaptations

If an applicant has been granted significant funding for aids and adaptations to their current home and is subsequently requesting to move, their application may be made inactive. The relevant Occupational Therapist and representatives from Adult Care Services and/or Childrens Services will be involved in the decision as appropriate. Any changes to the applicant's circumstances and needs will be taken into consideration

8.5 Supported accommodation

Applicants in supported or specialist housing who are not ready to move on and are considered unable to sustain an independent tenancy by the council in consultation with their current housing provider or support agency, including those in the direct access hostels may be made inactive. A review date will be set.

8.6 Rent Deposit Guarantee Scheme

If an applicant has been given assistance to access the private rented sector through a bond or another private sector landlord incentive scheme by Watford Council, but fails to maintain their tenancy appropriately, they may be made inactive. Examples include damage to the property or rent arrears. Applicants may be made inactive until any damage has been repaired or a repayment plan is being followed.

8.7 Refusal of properties

Applicants are expected to consider property details carefully before placing a bid, including the location, rent level and features of the property.

Where applicants have been accepted as homeless, they will be advised of the situation regarding any refusal of properties and the time limits which apply.

For other applicants, if they refuse 3 properties their application may be discontinued and a review date will be set for them to reapply. This decision will be made by the Housing Options Officers in the Homeless Prevention and Options Team, taking into account any extenuating circumstances behind the refusal such as the feasibility of adapting the property if this was not known at time of bidding.

8.8 Moving out of Watford Borough

Applicants who move out of the borough for a period of up to 1 year may be made inactive. On their return to the borough, their application will be reviewed to establish if

they are eligible to remain on the register. Applicants who move out of the borough for a period of over 1 year will be removed from the register.

8.9 HM Prison and other similar institutions

Applicants in prison or similar institutions who still fulfill the residency connection at the time of release may have their application made active on their return to the Watford Borough area.

9. 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. People included on the application as part of the household will normally be either partners or dependent children.

If a decision is made that people will not be included in the household, the applicant will be notified in writing, explaining the reasons for the decision and the applicant's right to request a review.

9.1 Dependent children

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

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

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

9.2 Dependent Adults

Friends, siblings, non dependent children or extended family members will not normally be considered to be part of the household, unless there is some form of dependency. For example, full time care givers or receivers. This is due to the shortage of family sized social housing and the high demand for larger properties by reasonable preference groups.

9.3 Carers

If an applicant requires an extra room for a carer the council will need supporting documentation from Adult Care Services, Children's Services or another independent organisation confirming a 'live in' carer is needed.

In such cases the applicant will need to explain what care is given and when. The council may also seek guidance from our Independent Medical Advisor.

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

9.4 Joint applications

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

10 Cancelling of Applications

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

- At the request of the applicant
- Where an applicant does not respond to any other relevant correspondence, within the specified time limit
- If an applicant becomes ineligible for housing or has a change of circumstance that stops them from remaining on the register
- When an applicant is housed by a Registered Provider or council
- If an applicant has 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 during which the application was cancelled.

11 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 Housing Association 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 the Housing Act 1996 Part VI s171 (2). A person found guilty of this offence is liable on summary conviction to a fine up to £5,000.

12 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.

Band E applications will be limited to those who are either tenants of a registered provider living in the Watford Borough or where Watford Borough Council has nomination rights to the property or applicants who are eligible only for designated older persons accommodation.

The bands are designed to give those households in greatest need reasonable preference for housing, whilst maximising use of the available housing stock.

Applicants who are living in temporary accommodation arranged by Watford Borough Council or within other hostel accommodation will be assessed according to the banding designated for this type of temporary arrangement and not the same criteria for overcrowding and other issues which would be applied if the accommodation was a permanent home.

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 without an identified housing need but who are either over 60 (for older people's housing only) and/or social housing tenants who are living in Watford or where Watford Borough Council has nomination rights to the property who are adequately housed but requiring a transfer.

For the full banding criteria please see Appendix A.

12.1 Priority date

Applicants will also be given a "priority date" which will identify priority within the bands. Initially, the priority date will be the date that the assessment of the housing application is completed i.e. when all the supporting documents are provided. Should an applicant's circumstances change, and their band changes, so may their priority date (see below).

There is an exception to the priority date criteria for certain members or former members of the armed forces.

The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 determine that local authorities must give “additional preference” where a client who falls within the reasonable preference categories, has urgent housing needs and who;

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

Should an applicant as described above be assessed as having Band A - C status, their application will be backdated by a period of 12 months.

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

Where a change of circumstance results in a decrease in the applicant’s priority band the priority date will be amended as follows:

If entering a band equal or lower to the lowest band previously held, the oldest priority date since registration of the current housing application

If entering a band higher than previously held since registration of the current application, a new priority date will be given

An exception applies for statutory homeless applicants, if placement in temporary accommodation reduces their banding, once accepted for rehousing under the homelessness legislation a new priority date will be given which reflects the date of this decision.

Applicants will be required to renew their applications every 12 months. The council will write to the applicant’s last known address or contact them by email or telephone asking them to renew their application. If they fail to do so and if no reply is received by the deadline given the application will be cancelled.

12.2 Statutory Homelessness

Those households who are accepted as statutorily homeless by the council will not necessarily qualify to join the Housing Register. All the eligibility and qualifying criteria

will need to be satisfied in order for them to join the register. Where a household is placed into Band D while their homelessness application is investigated or Band C because a main homelessness duty is owed, their application will not be assessed for a higher banding under the other criteria as it is already recognised that the accommodation is temporary and they will need to move.

12.3 Overcrowding

Applicants who are overcrowded would normally fit into one of the following two categories: lacking one room, or, lacking two rooms or more.

Overcrowding bands will be assessed by calculating the number of rooms needed (see table at 13.1) compared to the number of rooms the applicants and their household have use of. Bathrooms and kitchens are not included in the assessment.

Under this policy, the council assumes that a single person with their own bedroom has an adequate number of rooms whereas a couple would need access to a living room, whether sole use or shared. Households with children are assessed as needing sole access to a living room plus the appropriate number of bedrooms.

For example:

A couple with two girls aged 4 and 5 need two bedrooms and a living room, so need three rooms. If they live in a one bedroom flat with one reception room then they have a total of two rooms. They need three rooms but only have two rooms so are lacking one room.

A couple with a boy aged 5 and a girl aged 10 need three bedrooms and a reception room so need four rooms. If they live in a one bedroom flat with one reception room then they have a total of two rooms. They need four rooms but only have two rooms so are lacking two rooms.

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 Housing Options Officers. 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 Housing Service.

The priority given to households living in an overcrowded situation reflects the detrimental impacts including but not limited to stress, strain on relationships, disrupted sleep, lack of space for essential possessions, impact on schoolwork, increased susceptibility to infection. For this reason, where priority is already given for overcrowding, additional priority will not be given for the same issues under another priority ground e.g. medical or welfare.

12.4 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 may be referred to the council's Independent Medical Adviser if the Officer needs more advice or guidance.

The Independent Medical Advisor may also advise on any other re-housing need such as a need for ground floor accommodation or adaptations.

The council will review all advice and information provided from the customer or other professional involved in their care. It is the Housing Officer's final decision whether or not to award priority on medical grounds. When doing so they will look at:

- how the current accommodation is causing or affecting the condition
- how social housing would improve it
- the severity of the effect the housing is having on the condition
- the duration of the condition and any expected recovery time
- the severity in comparison to housing needs of other applicants
- what other housing options are viable that could improve the situation
- a comparison to the awards made to other applicants on medical grounds.

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

12.5 Unsatisfactory housing conditions

The Housing Officers will assess whether conditions are considered to be unsatisfactory in consultation with the council's Environmental Health Service. 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.

The priority given to households living in unsatisfactory housing conditions reflects the detrimental impacts including but not limited to discomfort, stress, strain on relationships, increased susceptibility to infection. For this reason, where priority is already given for unsatisfactory housing conditions, additional priority will not be given for the same issues under another priority ground e.g. medical or welfare.

Where the council receives a report of unsatisfactory housing conditions, the council will work with the landlord and tenant as appropriate in order to ensure that the accommodation is made satisfactory and the housing application will be reassessed.

12.6 Other homeless

Applicants who have a homelessness application with Watford Borough Council who have been placed into temporary accommodation under section 188(1) (interim duty to

accommodate) or 188(3) (discretionary duty to accommodate) will qualify as other homeless. These applicants will be placed in Band D until a homelessness duty is accepted or rejected, irrespective of whether factors apply which would otherwise result in a higher priority were they not occupying temporary accommodation as it is already recognised that they need to move and the accommodation is temporary. Applicants who are homeless as defined under S175 of the Housing Act 1996 will also be considered as other homeless.

Applicants whom the council does not have a statutory homeless duty towards, but who are in one of Watford's partner organisation hostels will also qualify as other homeless.

These hostels are:

Watford YMCA

GROW

Watford New Hope Trust cluster flats and houses (not night shelter)

HPCHA young person accommodation in Watford.

If an applicant from a direct access hostels is successful in bidding, checks will be made with the hostel provider to ensure they are ready to move on, have a clear rent account and the correct support is in place. Without this they may be made inactive, see 8.6

12.7 Social and welfare needs

Social and welfare needs will be assessed by the Housing Officers in the Homelessness Prevention and Options Team or by the housing association where this is within a formal agreement with the council. 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 Childrens Services (Herts CC)
- 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). See Appendix D
- 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
- Households who need to move for safety reasons, away from harassment or imminent danger

- Management moves required by housing associations for tenants in Watford where there is an urgent situation and the landlord does not maintain their own housing transfer lists
- Retiring or Redundant former or current Watford Borough Council Staff in Tied Accommodation (Service Occupiers) where TUPE provisions have applied (for former staff).

12.8 Under occupation and releasing properties.

Social housing tenants living in the Watford Borough or where Watford Borough Council has nomination rights to the property will be given priority where they are:

- under occupying family sized accommodation
- releasing significantly adapted property
- occupying one bedroom or bedsit general needs properties who wish to move into sheltered housing
- occupying ground floor flats who would be willing to move to flats on a higher floor

12.9 Composite Need

Applicants who have two reasons to be in the same band, where at least one reason is overcrowding or medical need, will be given composite need and move to the next band up. However, composite need will not be awarded where the grounds for overcrowding priority and medical priority duplicate each other and there are no separate factors to consider.

12.10 Sufficient Resources

If an applicant owns a property or has an interest in a property, they will not qualify to join the housing register and will include properties either in the United Kingdom or abroad.

If an applicant has sufficient resources to resolve their own housing need, either through renting or buying a suitable property, the applicant may not qualify to join the Housing Register.

Before making the decision that an applicant has sufficient resources to resolve their housing need the Housing Officer will complete a full financial assessment considering their income, savings, financial commitments, outgoings, family size and personal circumstances. A housing options assessment will also be completed e.g to identify whether the existing property can be made suitable through adaptation.

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

- Household capital or savings of £16,000 or more
- Total household net income equal to or greater than four times the Local Housing Allowance (LHA) rental level of a suitable property annually (with the 1 bed LHA rate being used to assess the income of single people including those who are under 35).

Applicants who do not qualify to join the housing register on these grounds will be notified in writing with the following information:

- the reasons for the decision
- their right to request a review of the decision
- any circumstances under which the council recommends they could reapply in the future

12.11 Deliberately worsened circumstances.

If the council has reasonable evidence to suggest that an applicant has deliberately worsened their circumstances or failed to take reasonable action to improve their circumstances and as a result has gained extra priority on the Housing Register, the applicant will be placed in the priority band they held or would have held before their circumstances changed.

Applicants who have their band reduced will be notified in writing with the following information:

- the reasons for the decision
- their right to request a review of their banding
- the timescale after which their application will be reviewed and what will be taken into account in the decision
- the options they have available to them in the meantime and what the council expects them to do in terms of working to improve their housing situation e.g. looking for suitable accommodation in the private sector, registering for the council's HomeLet Scheme, saving for a deposit or seeking assistance from the Credit Union

The review period will be set on a case by case basis, usually at 1 year from the date of change of circumstances. This is with the intention of allowing sufficient time for the applicant to demonstrate that they have followed the advice of the Housing Service to source alternative housing options.

Examples of worsening circumstances include:

- An applicant moving from accommodation that was available for their occupation, that was suitable or more suitable for them than the accommodation they have moved into, and which it was reasonable for them to have continued to occupy

- Homeowners who have transferred their property to another family member within the last five years from the date of their application
- Applicants who have disposed of or deprived themselves of assets which could have reasonably been used to secure housing within the last five years from the date of application
- Applicants who have moved family members or others into a property unsuitable for their needs, when suitable accommodation was being occupied by them elsewhere
- Applicants who have chosen not to access reasonable and affordable accommodation

12.12 Utilising other housing options.

Applicants will be expected to consider other housing options to improve their housing situation without reliance on social housing. The council will support these applicants by providing advice and assistance, guidance on benefit entitlement and how to find housing and in some cases assistance through the rent deposit guarantee scheme or similar incentive schemes.

If it is felt that an applicant does have other options available that they are not pursuing or if an applicant will not cooperate with the Housing Options Officers, their priority on the Housing Register may be reduced. This will be decided by the Housing Options Officers.

Transfer applicants have been excluded from this rule as it would be poor advice to encourage them to give up the security of their tenancy. However if they wish to consider other housing options they will be fully supported.

Applicants who have their band reduced will be notified in writing as at 12.11

The review period will be set on a case by case basis, usually at 1 year from the date of change of circumstances. This is with the intention of allowing sufficient time for the applicant to demonstrate that they have followed the advice of the Housing Service to source alternative housing options.

12.13 Residency Connection

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

Applicants must:

- Be living in Watford now and have lived five years out of the last six years in the borough of Watford or
- Live in temporary accommodation outside the borough, placed there by Watford Borough Council and would otherwise meet the residency criteria or

- Have been placed in temporary accommodation outside the borough by a statutory agency and would otherwise have met the residency criteria e.g. care leavers placed outside the borough who would otherwise have met the residency criteria. HM prison will not be considered as temporary accommodation of this kind.

In order for a residency 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.

12.14 Residency connection exceptions

An exception will apply for tenants of a registered provider whose existing home is within the borough of Watford or where Watford Borough Council will have nomination rights to any resulting vacancy.

An exception will apply for households nominated through the cross partner pool as part of arrangements with Herts Choice Homes, or where Watford Borough Council is a signatory to an agreed working protocol regarding specific client groups and where granting residency connection is part of the agreed protocol.

An exception will also apply for cases referred through the National Witness Mobility Scheme and homeless applications where the cause of homelessness is domestic violence and Watford Borough Council has accepted the duty to assist.

An exception will apply in accordance with the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 which state that local authority allocation schemes must not disqualify members of the British Armed Forces and former Services Personnel on the grounds that they do not have a residency connection where they are:

- serving in the regular forces or who have served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act;
- recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where—
 - (i) the spouse or civil partner has served in the regular forces; and
 - (ii) their death was attributable (wholly or partly) to that service; or
- (c) is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.

Any periods of residency in Watford Borough Council area as a result of a placement by a different Local Authority's homelessness service or by a statutory agency, where

Watford is not the applicant's originating authority, will not be considered towards residency connection.

13. Eligibility for different property types.

13.1 Bedroom Entitlement

The table below indicates the criteria that will be used for assessing overcrowding and the number of bedrooms that an applicant can bid for. This assumes that where there are 2 reception rooms in a property, 1 will be used as bedroom accommodation:

HOUSEHOLD SIZE	NUMBER OF BEDROOMS
Single person (including where expecting first child)	Bedsit /1 bedroom
Single person with staying access to children	Bedsit/1bedroom
For the following, access to one living room whether sole or shared plus:	
Couple	1 bedroom
For the following, sole use of one living room plus:	
Parent (s) plus 1 child	2 bedrooms
Parent (s) plus 2 children, same sex (where under 16 or one or more is over 16 but the age gap is less than 7 years)	2 bedrooms
Parent (s) plus 2 children of opposite sex (under 10 years)	2 bedrooms
Parent (s) plus 2 children of opposite sex (over 10 years)	3 bedrooms
Parent (s) plus 2 children, same sex where there is an age gap of 7 years or more and one child is 16 or over	3 bedrooms
Parent (s) plus 3 children	3 or 4 bedrooms depending on ages and gender
Parent (s) plus 4 children or more	3 or 4 bedrooms depending on ages (limited number of 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 (see below).

The council will assess the size and particular features of the home and set a minimum or maximum occupancy which may include criteria about the amount of children to be accommodated in order to make best use of stock.

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
- For households that include a pregnant woman, the baby will not count towards bedroom entitlement until it is born
- Two children are expected to share the same room where they are:
 - Same sex unless at least 1 is over 16 and there is a 7 year plus age gap
 - Opposite sex and under 10 years of age
- A bedsit flat is appropriate for a single person household.
- The assessed size does not include children who are not permanently resident within an applicant's household on a full-time basis
- Households including related or unrelated adults who have been assessed as needing to reside together (see 9.2) will be individually assessed e.g. dependent adults or applicants with carers.

Where an additional bedroom may be required for exceptional circumstances, the council will make an assessment to determine whether this can be accommodated.

These exceptional circumstances will be limited to:

- Medical conditions or disabilities caused or made worse by sharing a bedroom or not having an additional bedroom
- The need for a live in carer which has been verified by appropriate professional agencies
- The need to implement a local lettings policy in order to achieve a mix of tenants in a certain housing development or location

The assessment of exceptional circumstances will take into account:

- Whether there is a verified need for an additional bedroom supported by appropriate independent agencies
- Whether there is a proven link between the issues identified and the property size
- Whether a larger property would be affordable to the household in the long term

- Whether a larger property is likely to become available within a reasonable timescale and whether this could be justified bearing in mind pressures on properties of that size
- Whether there are alternative solutions for the household e.g. independent arrangements for some family members
- Whether there are risks to the sustainability of a particular development or location which justify the implementation of a local lettings policy relating to bedroom entitlement

Note: Housing benefit is not necessarily granted in all these cases.

13.2 Ground Floor Flats

Priority for ground floor flats may 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. If this is the case it will be explained in the property advert.

13.3 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 the property it becomes apparent that the property is not suitable and further adaptations would be needed the landlord will make an assessment as to whether or not an offer can be made. HCH will be working closely with local Occupational 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.

Adapted properties may be advertised in the cross partner pool in order to make the most use of the adaptations. As this is done on a voluntary basis and not part of the 5% cross selected randomly the priority will be as follows.

1. Applicants from Watford's housing register who need the adaptations
2. Applicants from other councils' housing registers who need the adaptations
3. Applicants from Watford's housing register who do not need adaptations
4. Applicants from other councils' housing register who do not need adaptations.

13.4 Housing List Types

The majority of properties will be advertised for both Homeseekers and Transfers. There may be occasions where properties are advertised for one specific group. This could be to meet local nominations agreements or service level agreements, meet local lettings policies to help sustainable communities, or to ensure regular movement by transfer applicants to the supply of properties by creating a chain of moves.

The council will monitor how many properties are ring-fenced for a particular housing register type.

14. How Nominations are made

With the exception of specialist housing and properties to be let directly by a housing association, 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.

14.1 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 Housing Association partner) will take responsibility for assisting the applicant to place bids. The applicant is not obliged to accept any bids made through supported bidding.
- **Active Bidding.** Active bidding is where the council (or Housing Association 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.

14.2 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. The Housing Officer will review each case 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 the 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.

- The applicant's priority may be extended with a further review date
- The applicant may lose their priority status and their application may be made inactive for a period of up to 12 months subject to review.

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 applicant's circumstances remain the same?

14.3 Homeless Households

Applicants who are accepted by the council as being statutorily unintentionally homeless and in priority need will be given two months from acceptance to bid for accommodation. After that the council will review their application and may make bids on the applicant's behalf, through assisted bidding. They will then receive **one offer** of suitable accommodation, taking account of all the relevant circumstances of the applicant.

14.4 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. Priority date. Where more than one applicant meets the preceding criteria, the applicant with the earliest priority date will be 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. This decision will be made by the Housing Officer.

Registered Providers may hold additional eligibility criteria. Details can be found within the policy of the specific Registered Provider.

See Appendix C for a list of registered providers operating in Watford and their websites where their allocation policies can be found. If you are unable to find the policy you are looking for, please contact the registered provider or the council's Housing Supply Team.

The landlord of the property will decide how many people they require to be 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 Registered Provider. 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.

14.5 Sub-Regional Choice Based Lettings.

As part of the Herts Choice Homes Partnership, the five local authority partners can advertise properties on a voluntary basis that all applicants on the five local authority Housing Registers would be able to bid for. This may be if, for example, there is a property with significant disabled adaptations and no suitable applicants within the borough. Applicants on the council's Housing Register can therefore bid for properties advertised by Watford Borough Council and also properties which are part of the Herts Choice Homes cross partner pool.

If a property is in the cross partner pool the nominations policy of the Local Authority with nominating rights to the property will be applied when setting eligibility and when short listing.

For more details on using the HCH scheme please refer to the HCH website

14.6 Home Visits

The council will complete robust investigations into applicants' circumstances, including home visits.

The council works to a very tight deadline when providing nominees to a housing association. If that deadline is not met the council may lose the nomination right. As social housing is in such short supply and high demand the council can not risk losing a nomination. Therefore 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.

Applicants may be asked to bring original documents to the Town Hall for checking in addition to copies provided at the home visit.

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

14.7 Applicants subject to multi-agency public protection panel arrangements

Housing applications received from the Multi Agency Public Protection Panel will be considered by the Homeless Prevention and Options Team for priority under welfare grounds and suitability for the housing options on offer and, if successful, will be subject to approved bidding, as detailed above.

14.8 Withdrawal of offers

In the following very exceptional circumstances, the Registered Provider (RP) may withdraw an offer of accommodation:

- Where there has been a change in the applicant's circumstances
- Following verification, the applicant is not eligible for the property or their band changes
- 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 Housing Association's Letting Policy

14.9 Refusing an offer of accommodation

See 8.7

14.10 Local Lettings Plan

The council, in partnership with Registered Providers, may produce a local letting plan where a deviation from the usual nomination criteria can be justified and there is evidence to support this. These plans will outline any specific local letting initiatives for the neighbourhood taking into account supply and demand and other management factors.

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

Local lettings plans may therefore over-ride the normal shortlisting rules for specific neighbourhoods, local housing estates or developments for a specific period of time. Where a large number of properties are becoming available within a short timescale, the local lettings plan may in some cases only be applied to part of the development to mitigate the impact on the normal functioning of the Nomination Policy.

Local letting plans 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 plans will be available from the council and the Registered Provider.

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

14.11 Private Sector Discharge of Homelessness Duty

The Council is developing a policy in order to discharge its duty into the private rented sector. The policy will include details of how the offer of private sector tenancies will operate in relation to the Housing Nomination policy.

15. Referrals

15.1 Prevention of Homelessness

The council is an active member of the Prevention of Homelessness Consortium (POsH) and has agreed a quota of up to 10 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 and must satisfy the residency connection and other qualifying criteria for the Housing Register and will be assessed by the Housing Officer. See also paragraph 15.3.

15.2 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 at 7.2 to appear on the housing register with the exception of the residency connection criteria.

15.3 Move on

The council has 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 to release support accommodation units for other vulnerable local people. The council will endeavour to house an agreed number of applicants nominated from these organisations each year. Examples of such organisations may include the Community Mental Health Team, Care Service, ex-offenders projects.

The Homeless Prevention and Options Demand Manager along with the other Housing Managers and Section Head will agree the annual quota for these nominees based on demand, local issues, local and national targets and priorities and housing supply.

15.4 Floating Support

Watford Community Housing Trust 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 .

16 Shared Ownership and Low Cost Home Ownership

Depending on how much you can afford, shared ownership allows you to buy a percentage share of a property while a local housing association retains the other share.

It is sometimes known as "part-buy part-rent" because you will then be charged a rental payment on the remaining share owned by the housing association. In most cases shared owners can choose to buy additional shares later on to increase their equity.

Shared ownership and other low cost home ownership schemes operate in Watford and are administered by BPHA. Their contact details are:

www.helptobuyeastandsoutheast.uk.com or call 03333 214044

17 Black & Minority Ethnic Accommodation

From time to time the council receives nominations to 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 is predominantly occupied by people of Asian origin.

18 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.

19 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 tenancy to a 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 Housing Association 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
 - the Civil Partnership Act

20 Data Protection and quality

When an applicant applies for housing, the council will seek only information that is required to assess their housing need and ability to conduct a tenancy safely and successfully. 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 (Councils or Registered Social Landlords).

The council will take all reasonable steps to ensure that the data held is accurate and assessed appropriately under this policy. Systems have been established to check the accuracy of assessments and data entry on a regular basis at management level to ensure adherence with this policy.

21 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 is required by law to make such disclosures
- Where disclosure is made to HCH partners in accordance with the HCH Information Sharing Protocol.

22 Right to Review of a Decision

Applicants may request a review of a decision on:

- Whether or not they are eligible for an allocation of accommodation e.g. subject to immigration control
- Whether or not they qualify to join the housing register e.g. residency connection
- The facts of their case which have been or are likely to be 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 and can be made by a representative.

Extensions to the 21 days may be allowed where justified by special circumstances.

The council will advise of any particular information that should be submitted as part of the review.

The council will make a decision within 8 weeks of the date of the request and advise of the outcome and the grounds for it in writing.

The review will be carried out by an officer senior to the officer who made the original decision and who has not been involved in the original decision.

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

23 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:

The Local Government Ombudsman
PO Box 4771
Coventry CV4 0HE

Tel: 0300 061 0614 or 0845 602 1983

Fax: 027 7682 0001

Email: advice@lgo.org.uk

24 Council Office for Contact Details

Watford Borough Council
Town Hall
Watford
Herts
WD17 3EX

Telephone 01923 226400

www.watford.gov.uk

CONSULTATION DRAFT

1. Housing Needs Bands Introduction

- 1.1 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 social housing stock.
- 1.2 Applicants will also be given a "priority date" which will identify priority within the bands. Initially, the priority date will be the date when the application is processed. Should an applicant's circumstances change, and their band change so may the priority date.
- 1.3 Where a change of circumstance results in a decrease in the applicant's priority band the priority date will be amended to the date they were placed originally in the lower band. If entering a lower band for the first time, the priority date will be amended to the date of registration.
- 1.4 If an applicant's need increases and they go up a band, their priority date will be the date they enter the band.

2. Band A. Urgent Housing Need (these priorities may be time limited see section 14.2)

- 2.1 Over-riding Medical Need
Applicants with an over-riding medical priority awarded by the Local Authority in consultation with a Medical Advisor. The applicant's medical condition will be such that it is being so severely adversely affected by their current housing situation as to warrant an emergency move.
- 2.2 Over-riding Social/Welfare Need
Applicants with an over-riding social/welfare priority awarded by the Local Authority. The applicant's social/welfare need will be such that it is being so severely adversely affected by their current housing situation as to warrant an emergency move.
- 2.3 Imminent Danger
Applicants needing to move urgently where there is a serious imminent personal risk if they remain.
- 2.4 Necessary Decant
Applicants who need to be moved out of their property on a permanent basis where:
 - their home needs major work which cannot reasonably be done while they are living at the property, or

- their home is in a block of flats or a group of properties being considered for a change of use, for example to be used for a specific client group, or
- their home is in a block of flats or a group of properties due to be modernised or refurbished, and the work cannot reasonably be done while they are living at the property.
- their home is in a block of flats or a group of properties being considered for demolition or redevelopment and planning permission has been granted.

This category will only apply to applicants who are tenants of Watford Borough Council or one of the Local Authority's Partners living in the Watford Borough or where Watford Borough Council would have nomination rights to their property.

2.5 Applicant succeeding to a Tenancy

If someone who has succession rights to a tenancy after the death of a tenant, the applicant may be required to move to alternative housing in line with their assessed housing needs.

An applicant given priority because they are succeeding to a tenancy, is only able to apply for housing with the landlord of their current property.

Applicants should refer to the Allocation Policies of the individual Local Authority's Partners.

3. Band B. Very High Housing Need.

3.1 Applicants suffering from harassment

All cases of harassment will, in the first instance, be dealt with through the Local Authority or Registered Provider Anti-Social Behaviour Policy. Should the harassment reach a level where there is a recommendation from a senior officer of a relevant statutory or voluntary agency such as the police or Childrens Services, that a move is necessary, the applicant may be awarded band B priority.

Where an applicant receives band B priority resulting from harassment, they will usually only be able to bid for properties of the same size and type as their current accommodation.

3.2 Very High Medical Need

Applicants with a very high medical priority awarded by the Local Authority in consultation with a Medical Advisor. The applicant's medical condition will be such that should the applicant be moved to a more appropriate property the need would be lessened.

3.3 Very High Social/Welfare Need

Applicants with an very high social/welfare priority awarded by the Local Authority. The applicant's social/welfare need will be such that should the applicant be moved to a more appropriate property the need would be lessened.

3.4 Applicant is under-occupying by one or more bedrooms (social housing tenants only)

To enable the Local Authority Partners to make best use of their housing stock, the Local Authorities may offer accommodation to applicants who are under-occupying their homes if the home they are under-occupying is in demand. In

turn, family sized accommodation is released and offered to an applicant on the list.

To be considered as an applicant under-occupying you must be a current tenant of one of the Local Authority Partners and live within one of the HCH Local Authority areas.

This includes social housing tenants occupying a one bedroomed general needs property who wish to move to a sheltered housing scheme.

3.5 Severe Overcrowding

In extreme cases, the Local Authority will make an assessment as to whether they feel an applicant and their household are severely overcrowded. Where the Local Authority makes this assessment the applicant will be awarded band B priority. However, the applicant will only have band B priority with the Local Authority/ies who make the assessment that they are overcrowded.

3.7 Applicants with composite housing needs from Band C

This band also recognises applicants with a composite housing need. To qualify to move to band B an applicant should be assessed as having either high medical need, or lacking two bedrooms (or more) plus at least one other factor from the list under band C. This does not apply to households accepted as statutory homeless who are placed in Band C.

3.8 Realising ground floors or one bedroom social housing

Social housing tenants in Watford occupying one bedroom general needs properties who wish to move into sheltered housing may be given priority. However this priority can only be used when bidding for sheltered housing.

Social housing tenants in Watford occupying ground floor flats who would be willing to move to flats on a higher floor may be given priority. However this priority can only be used when bidding for other flats on higher floors, not other houses or other ground floor flats.

4. Band C. High Housing Need

4.1 Homeless households (Main homelessness duty owed)

A main homelessness duty is owed where the authority is satisfied that the applicant is eligible for assistance, homeless unintentionally, priority need or vulnerable and has a local connection with the authority applied to.

Priority banding will be awarded by the Local Authority who have accepted the main duty and local connection only. An applicant cannot be awarded priority for homelessness by more than one Local Authority at the same time.

4.2 High Medical Need

Applicants with a high medical priority awarded by the Local Authority in consultation with a Medical Advisor. The applicant's current accommodation will be deemed as not appropriate for their medical needs.

4.3 High Social/Welfare Need

Applicants with a high social/welfare priority awarded by the Local Authority. The applicant's current accommodation will be deemed as not appropriate for their social/welfare needs.

This includes nominations from approved local hostels actively involved with the multi-agency Prevention of Homelessness Consortium (POSH) under the POSH nomination arrangements.

4.4 Releasing an adapted property

An applicant releasing an adapted property, with no other housing need will only be placed in band C if the following criteria are met:

- a) The property has what the Local Authority Partners define as a major adaptation, and
- b) There is a current need for a property with that adaptation.

To be considered as an applicant releasing an adapted property you must be a current tenant of one of the Local Authority Partners and live within one of the HCH Local Authority areas.

4.5 Applicant is assessed as lacking two or more rooms

Applicants should refer to each Local Authority's policy to see how many bedrooms they are entitled to.

4.6 Retiring or Redundant Current or Former Council Staff in Tied Accommodation (Service Occupiers) where TUPE provisions have applied (for former staff)

A service occupier is someone occupying tied accommodation as a condition of their employment for the better performance of their duties with one of the Local Authority Partners or a contractor of one of the Local Authority Partners where that service occupier was transferred to that contractor as a result of TUPE provisions having been applied.

- Service occupiers may be re-housed in suitable alternative accommodation (not like for like) in accordance with the conditions of their terms of employment.

The service occupier will be eligible for re-housing by the Local Authority Partners only if:

- they are required to vacate their tied accommodation due to retirement or redundancy
- they meet stated requirements in their contract of employment
- they meet the eligibility criteria to appear on the housing list including immigration status
- regardless of the requirements of their contract of employment do not own another property elsewhere
- regardless of the requirements of their contract of employment do not have income or assets that would enable them to meet their own housing needs in the private sector.

Service occupiers accepted for re-housing can only apply for housing with the authority for whom they worked.

- 4.7 Property is subject to a Compulsory Purchase Order.
Applicant is occupying a property which is subject to a compulsory purchase order and is unable to secure suitable alternative accommodation, and where the Local Authority accepts a duty to re-house.
- 4.8 Applicants with composite housing needs from Band D
This band also recognises applicants with a composite housing need. To qualify to move to band C an applicant should be assessed as having either medium medical need, or lacking one bedroom (or more) plus at least one other factor from the list under band D.

5. Band D. Recognised Housing Need

- 5.2 Medium Medical Need
Applicants with a medium level of medical priority awarded by the Local Authority in consultation with a Medical Advisor.
- 5.3 Medium Social/Welfare Need
Applicants with a medium level of social or welfare need as assessed by the Local Authority.
- 5.4 Applicant is assessed as lacking one room
Applicants should refer to each Local Authority's policy to see how many bedrooms they are entitled to.
- 5.5 Other homelessness
Applicants who are homeless as defined at ss. 175 of the Housing Act 1996

Applicants who have a homeless application with Watford Borough Council who have been placed into temporary accommodation under section 188(1) (interim duty to accommodate) or 188(3) (discretionary duty to accommodate) will qualify as other homeless.

Applicants whom the council does not have a statutory homeless duty towards, but who are in one of Watford's direct access hostels will also qualify as other homeless.
- 5.6 Unsatisfactory Conditions
Applicants will be awarded band D priority where it is determined by the Local Authority that they are living in unsatisfactory conditions.

6. Band E. Transfers and older people

- 6.1 Tenants of registered providers seeking alternative accommodation but are otherwise adequately housed who are living in the Watford Borough or where Watford Borough Council would receive nomination rights to the resulting vacancy.

6.2 Applicants who are over 60 and are seeking accommodation designated for older people only

7. Local Connection.

Each of the Local Authorities has differing criteria for local or residency connection. The details can be obtained by reading the Nomination Policy of the individual authority.

8. How are general needs properties allocated to applicants?

When allocating (or “matching”) a property and assessing the priority of applicants, we will take into account 4 factors, sequentially:

- i) Property Eligibility (i.e. applicants’ ages, household size and composition in relation to the size and type of property being allocated).
- ii) Banding Priority (A-E)
- iii) Time registered in band (priority date).
- iv) 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

CONSULTATION DRAFT

Appendix B

Housing Service Charter

This Charter sets out what you can expect when applying to Watford Borough 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 'Putting our Customers First' that explains about the standards we try to meet when dealing with all our 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 Demand Team by letter, fax or email we promise to reply within 10 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 5 working days of your request.

You can see a Housing 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 with decisions that affect your application. We will include information about how you can request a review of this decision.

You can 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, Comments and Compliments

The council has a leaflet called 'What do you think about our service'. You should ask for a copy of this if you wish to make complaints, comment or compliment about our service.

Alternatively, please see our website www.watford.gov.uk and see 'Putting our customers first'.

CONSULTATION DRAFT

Appendix C

Registered Provider Allocation Policies

Please note that Registered Providers may operate their own allocation policies which will determine whether a nomination may be accepted. The following Registered Providers operate in Watford and their contact details are below should you require a copy of their allocation policy.

If you are unable to obtain the Allocation Policy you require, please contact the Housing Supply Team at the council.

Affinity Sutton Group	www.affinitysutton.com
Aldwyck Housing Group	www.aldwycck.co.uk
Circle Housing Group	www.circle.org.uk
Hanover Housing Group	www.hanover.org.uk
Hightown Praetorian and Churches Housing Association	www.hpcha.org.uk
Home Group	www.homegroup.org.uk
London and Quadrant Group	www.lqgroup.org.uk
Network Stadium Housing Association	www.networkstadium.org.uk
Origin Housing	www.originhousing.org.uk
Paradigm Housing	www.paradigmhousing.co.uk
Places for People Group	www.placesforpeople.co.uk
Riversmead Housing Association	www.riversmead.org.uk
Sanctuary Housing	www.sanctuary-housing.co.uk
South Anglia Housing	www.circle.org.uk/south-anglia
St Pancras and Humanist Housing Association	www.originhousing.org.uk
Thrive Homes	www.thrivehomes.org.uk

Watford Community Housing Trust	www.wcht.org.uk
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Older Persons' housing

Abbeyfield Society	www.abbeyfield.com
Anchor Housing Association	www.anchor.org.uk
Asra Housing Association	www.asra.org.uk
English Churches Housing Group	www.riverside.org.uk
Home Group	www.homegroup.org.uk
Watford Community Housing Trust	www.wcht.org.uk

CONSULTATION DRAFT

Appendix D

NOMINATIONS FROM POsH MEMBERS

The Council's Housing Nomination Policy has been amended and a Housing Options Officer will be assessing all nomination requests.

Our target for nominations is to try and use two vacancies per nominating organisation in a financial year. Our ability to reach this target is dependent on suitable vacancies being available, that do not impact on our ability to complete our statutory homeless duties.

Partner organisations (*see definition overleaf) are able to put forward two requests a year.

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
- As some partner organisations are larger than others, they will potentially have a higher number of clients ready for moving on sooner than smaller ones. Smaller organisations may not achieve their quota due to a lower number of clients ready to move on.

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

- The client must have an active housing application on Watford Borough Council's housing register.
- The criteria for the housing register includes achieving the required residency connection.
- All clients should be encouraged to explore other housing options without reliance on social housing including private sector
- 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 be at a stage where they have 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 a period of on-going support following their rehousing and ensure that an appropriate support package has been set up through other relevant agencies if required. Thus ensuring that the client maintains their tenancy appropriately.
- The nominating organisation must commit to use the subsequent vacancy to address the needs of local (see residence 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 organisations must inform the Council of the category of the 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

Current partners who are able to put forward nominations are:

- Watford YMCA
- Hightown Praetorian and Churches Housing Association (Young People's Scheme)
- New Hope
- GROW