

## Appendix 2 – Amended Homes 4 Wiltshire Policy

# Policy 2010

## Homes 4 Wiltshire

Version 9

|   |           |
|---|-----------|
| <b>Statement on Choice</b>                  | <b>3</b>  |
| <b>1 Introduction and Aims</b>              | <b>3</b>  |
| 1.1 Homes 4 Wiltshire Partnership           | 3         |
| 1.2 The Aims                                | 4         |
| <b>2 Equalities statement</b>               | <b>5</b>  |
| <b>3 Applying to Register</b>               | <b>6</b>  |
| 3.1 Who is Ineligible                       | 6         |
| 3.2 How to Apply                            | 7         |
| 3.3 Local Connection                        | 7         |
| 3.4 Identification Required                 | 8         |
| 3.5 Change of circumstances                 | 8         |
| 3.6 Fraudulent Applications                 | 8         |
| 3.7 Deliberately Worsening Circumstances    | 9         |
| <b>4 Banding</b>                            | <b>10</b> |
| 4.1 Banding Structure                       | 10        |
| 4.2 Multiple needs                          | 10        |
| 4.3 Banding Categories                      | 10        |
| 4.4 Health Housing & Safety Rating System   | 14        |
| <b>5 Homes 4 Wiltshire Housing Register</b> | <b>15</b> |
| 5.1 Assessment of Applications              | 15        |
| 5.2 General need applicants                 | 16        |
| 5.3 Transfers                               | 16        |
| 5.4 Homeless applicants                     | 16        |
| 5.4.1 Statutorily Homeless                  | 16        |
| 5.4.2 Homeless & Insecurity of Tenure       | 17        |
| 5.4.3 Intentional Homelessness              | 17        |
| 5.5 Rent arrears and anti-social behaviour  | 18        |
| 5.6 Waiting Time                            | 18        |
| 5.7 Vulnerable Applicants Assessment        | 19        |
| 5.8 Financial Capability                    | 19        |
| <b>6 Finding a Property</b>                 | <b>19</b> |
| 6.1 Bidding Cycle                           | 19        |
| 6.2 Bidding Method                          | 20        |
| 6.2.1 Assisted bidding                      | 20        |
| 6.2.2 Autobid                               | 20        |
| 6.3 Advertising                             | 20        |

|           |   |           |
|-----------|---|-----------|
| 6.4       | Property Labelling                              | 21        |
| 6.4.1     | Adaptations                                     | 21        |
| 6.5       | Monitoring of Labelling                         | 21        |
| 6.6       | Excluded dwellings                              | 22        |
| 6.7       | Short listing                                   | 22        |
| 6.8       | Unsuitable bidders                              | 27        |
| 6.8.1     | Homes 4 Wiltshire – reasons for overlooking     | 27        |
| 6.8.2     | RSL/Council – reasons for rejecting             | 28        |
| 6.9       | Refusals by applicants                          |           |
| 6.10      | Disabled applicants                             |           |
| <b>7</b>  | <b>Outcomes</b>                                 | <b>29</b> |
| <b>8</b>  | <b>Other Housing Options</b>                    | <b>29</b> |
| 8.1       | Supported Housing                               | 30        |
| 8.2       | Extra Care                                      | 30        |
| 8.3       | Alternative Affordable Housing                  | 30        |
| 8.3.1     | Low Cost Home ownership                         | 30        |
| 8.3.2     | Home Buy  | 30        |
| 8.4       | Short listing of alternative Affordable Housing | 31        |
| 8.5       | Private Rents                                   | 31        |
| 8.6       | Mutual Exchange                                 | 31        |
| <b>9</b>  | <b>Reviews &amp; Appeals</b>                    | <b>31</b> |
| <b>10</b> | <b>Monitoring</b>                               | <b>32</b> |
| <b>11</b> | <b>References</b>                               | <b>33</b> |
| <b>12</b> | <b>Appendices</b>                               | <b>35</b> |
| 1         | Vulnerable person policy                        | 35        |
| 2         | Multiple need matrix                            | 38        |
| 3         | Bedroom eligibility                             | 39        |

## **STATEMENT ON CHOICE**

This policy has been developed to offer a choice of housing options to the widest number of applicants, including those with specialist needs. Applicants are given the opportunity to express their choice of accommodation and this choice will be maximised to cover a wide range of housing options, including RSL vacancies, private rented tenancies, mutual exchanges, supported housing and low cost home ownership options. General affordable housing has been advertised from the launch of the scheme, with the other aspects of the housing options taking a phased approach to advertising. The policy meets the statutory requirements for the allocation of social housing by ensuring that appropriate priority is given to applicants with multiple needs and that reasonable preference is given to those with the most urgent housing need.

The partnership advertises the majority of their vacant stock through the scheme. Applicants are given advice and assistance to allow them to make informed choices about the type of accommodation which best meets their housing needs and aspirations.

The partnership is committed to ensuring that their approach to letting properties is fair, accountable, provides equality of opportunity and maximises the potential for making the best use of all the available housing.

The property adverts provide valuable information about the property attributes, together with links to information about the local neighbourhood, to enable applicants to make informed decisions about which accommodation they want to be offered.

### **1. INTRODUCTION AND AIMS**

A partnership of Wiltshire Council and housing associations within Wiltshire has come together to develop a shared vision and policy for letting and selling affordable housing in Wiltshire. Wiltshire Council together with the housing associations providing affordable homes in Wiltshire have adopted a shared approach to providing a Choice Based Lettings service. This has led to an integrated service across the Wiltshire, which has improved access for housing applicants, created better opportunities for mobility for tenants and housing customers and created opportunities to share advertising and other services. The partnership is called the Homes 4 Wiltshire partnership.

#### **1.1 The Homes 4 Wiltshire Partnership is made up of the following:**

Wiltshire Council  
New Futures  
A2 dominion  
English Churches HA  
Version 8 Page 4  
Fosseway HA  
Guinness Trust  
Hanover HA  
Hastoe HA\*  
Housing 21 HA

James Butcher HA  
Jephson HA  
John Groom HA  
Kennet Housing Society\*  
Kingfisher HA  
Knightstone HA  
New Downland HA  
Orbit HA  
Raglan HA  
Ridgeway Community HA  
Salvation Army HA  
Sarsen HA  
Somerset Community Housing Trust  
Sanctuary Shaftesbury HA  
Signpost Housing Association  
South Western Housing Society  
Sovereign HA  
Swaythling HA\*  
Westlea HA  
Western Challenge HA  
West Country HA  
Selwood Housing\*  
Wiltshire Rural HA  
\* Housing Associations without Charitable Status

Each RSL has its own Allocations Policy, which complements this policy. Applicants should note these different policies mean that different landlords may have different rules about who is eligible for a property. The Allocations Policy for each RSL is available on their website, or by contacting their offices.

## **1.2 The Aims of Homes 4 Wiltshire**

The Homes 4 Wiltshire partnership has met the Government target of having Choice Based Lettings Services in operation in all districts by 2010 and has simultaneously developed a countywide Choice Based Letting Scheme.

The objectives of the shared service are:

- To help meet the housing needs of households across Wiltshire, in the most effective way.
- To maximise housing opportunities for households across Wiltshire by eliminating artificial boundaries, at the same time promoting the principle of creating sustainable communities by reducing areas with concentrations of households with high needs.
- To meet the statutory requirements of Wiltshire Council, whilst working genuinely in partnership with the partner landlords to deliver a common vision for a fair and accessible service.
- To have a Common Housing Register
- To provide a simple to use, customer-friendly lettings service for affordable housing vacancies in the County.
- To set up joint services which will improve the experience for our customers and simplify the application process.

- To widen the choice of properties for customers beyond the previous district boundaries and provide seamless access to one housing register across Wiltshire.
- To give preference to those with a local connection to Wiltshire.
- To simplify processes and procedures for landlord organisations advertising their vacancies so that it does not matter which part of Wiltshire a home is located in the procedures and lettings policy will be the same.
- To take full advantage of the economies of scale available through joint commissioning and procurement of services to generate savings.

## **2. EQUALITIES STATEMENT**

Homes 4 Wiltshire is committed to promoting equality of opportunity in housing services.

We aim to deliver quality services without prejudice and discrimination to meet the needs of all the community, regardless of age, cultural or ethnic background, disability, gender, marital status, religious or political persuasion or sexual orientation.

The Homes 4 Wiltshire Partnership members will adhere to the Commission for Racial Equality's "Code of Practice in Rented Housing."

The Homes 4 Wiltshire Partnership will offer a translation service to anyone who needs to access housing services.

The Homes 4 Wiltshire partnership will adhere to the Equality and Diversity policy developed by the Wiltshire Council.

Effective monitoring of homelessness, the register and lettings outcomes will be regularly undertaken and the evaluation of this fed back into policy and service developments.

## **3. APPLYING TO REGISTER**

Housing Authorities have a duty to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation.

Homes 4 Wiltshire operates an open housing register; all members of the public are able to apply for housing within the Homes 4 Wiltshire Partnership; however there may be some occasions where a customer is not eligible for housing. This is clarified in point 3.1.

Applicants aged 16-17 will be entitled to register and will be considered for young persons supported accommodation. 16/17 year old applicants will only be considered for general needs housing if applicants have a support package in place and have engaged in life skills training. A guarantor could be requested although a landlord is expected to accept a young person who has a support package in place and has embarked upon life skills training for a tenancy.

### **3.1 Who is ineligible**

Applicants are ineligible for the Housing Register if they are:

(i) Persons from Abroad (s.160A(1) of the Housing Act 1996) That is persons who are subject to immigration control and do not have refugee status or exceptional leave to remain in the UK

(ii) Persons whom the Authority have decided to treat as ineligible (s.160(1)(b) of the Housing Act 1996) – see below

Three requirements must be satisfied by an Authority to treat an applicant as ineligible:

- (i) the applicant, or a member of his/her household, has been guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant of the landlord;
- (ii) The unacceptable behaviour must be behaviour which would (if s/he were a secure/assured tenant of the landlord) entitle them to a possession order under s.84 of the Housing Act 1985 on any ground mentioned in Part 1 of Schedule 2 to that Act (other than ground 8). The Code advises that such conduct should be such as to justify an immediate order for possession ([4.22(ii)]); and
- (iii) The circumstance at the time his/her application is considered, he/she is unsuitable to be a tenant of the landlord by reason of that behaviour.

The applicant will be entitled to be notified in writing of the decision and the grounds for it (s.160A(9)of the Housing Act 1996). The applicant may (if he/she considers that he/she should no longer be treated as ineligible by the authority) make a fresh application to the authority.

### **3.2 How to apply**

Homes 4 Wiltshire has one joint housing application; this application gathers information about the customer's housing circumstances, future requirements and preferred areas of choice within the Homes 4 Wiltshire area.

On receipt of the customer's application, the Homes 4 Wiltshire team will administer the application, assessing the applicant's circumstances to ascertain the level of need that the household has.

This may at times require further assessment or investigation which will take place over the phone or by a home visit.

Customers will be advised in writing the outcome of their application with details of their band and the accommodation they are eligible to bid for.

At the registration process customers are required to provide a number of forms of identification and proofs. An application cannot be activated for bidding if the necessary information has not been provided. Point 3.4 indicates the information required, this information is also clearly highlighted on the application form.

Applicants can apply for housing in a number of ways, these are detailed below:  
- In person at the council or Housing Association offices

- Completing an online application at [www.homes4wiltshire.co.uk](http://www.homes4wiltshire.co.uk)
- Completing an application and returning it to the Council or housing association partners

Officers will be available to provide assistance in completing the application form if required.

### **3.3 Local Connection**

Homes 4 Wiltshire covers the whole Wiltshire Council area.

A local connection to the Wiltshire Council area is:

- Normal residence in the Wiltshire Council area for at least 6 out of the last 12 months or 3 out of the last 5 years (with the exemption of those referred to and living in Supported Accommodation from outside the area)
- Close family association with, for example, parent, grandparent, sibling or child of at least 18 years old who has been living in the Wiltshire Council area for at least 6 out of the last 12 months
- Permanent employment in the Wiltshire Council area

Applicants with a local connection to the area covered by Homes 4 Wiltshire (please refer to appendix 4 for map) will be given preference over applicants with no local connection within the same band.

In some rural locations, further local connection restrictions may apply to properties subject to planning conditions, restricting occupancy to people from a particular village or locality. (Section 106 of The Town and Country Planning Act 1990)

### **3.4 Identification required**

3.4.1 The following evidence is required at the point of applying to activate and assess the banding:

- Proof of identification for every applicant on the register (drivers licence, birth certificate, or passport)
- Proof of address, (Utility bill, bank statement council tax statement/bill, drivers licence).
- Proof of residency of children (Child Benefit award letter, Child Tax Credit award letter, court order)
- Proof of pregnancy (maternity notes, letter from GP)
- Proof of income/benefits (bank statement, wage slips, DWP documentation)
- Proof of savings/stocks and shares (bank statement, relevant paperwork)
- If owner/occupier of property, most recent mortgage statement
- Confirmation of immigration status and workers registration certificate (if relevant) for persons from abroad
- Medical evidence (GP or occupational therapist report assessing the suitability of the applicant's current accommodation)
- Notice of eviction (notice to quit from landlord)

### **3.5 Change in circumstances**

If a customer's circumstances change, it is their responsibility to advise Homes 4 Wiltshire of the change. The customer will be required to evidence any change in their circumstances e.g. birth of child, birth certificate required; being threatened with eviction from their accommodation, notice to quit required. If a customer fails to inform Homes 4 Wiltshire of a change in their circumstances and are subsequently offered accommodation the offer may be withdrawn.

If any member of the Homes 4 Wiltshire partnership is unable to contact an applicant using the information provided, that application will be suspended until such time as up to date contact information is provided. If this is as a result of a change in circumstances, the application will remain suspended until proofs of the change are provided.

### **3.6 Fraudulent Applications**

If an applicant/tenant does not disclose the full facts, gives false information or does not inform Homes 4 Wiltshire of any important changes to their situation between the first contact and the time a decision about their case is made, the applicant may be breaking the law as set out in s171(i) of the Housing Act. Anyone doing so may be prosecuted by the relevant landlord and if found guilty may be ordered to pay a fine. The applicant may also lose any property that has been allocated to them.

### **3.7 Deliberately Worsening Circumstances**

Where there is evidence that an applicant has deliberately worsened their circumstances in order to qualify for higher banding on the Homes 4 Wiltshire register, the application will be placed in bronze band.

Examples of (but not limited to) where someone may have deliberately worsened their circumstances would include:

- Selling a property that is affordable and suitable for the applicant's needs in order to qualify for higher bands on the register.
- Moving from an assured/assured shorthold tenancy to insecure, overcrowded accommodation with family or friends in order to qualify for higher band.
- Moving family, friend and/or any other household into the property in order to qualify for higher band.

For an applicant to have deliberately worsened their circumstances there must be evidence that it would have been *reasonable* for the applicant to have remained in their original accommodation.

Deliberately worsening circumstances, also accounts for applicants who have a history of arrears (past or present) with a landlord (social or private) or antisocial behaviour, where the applicant's circumstances are not unacceptable to the level that they have been made ineligible for housing.

Where an applicant's housing need is assessed as platinum band, this level of need will override history of rent arrears or anti-social behaviour.

Where an applicant has made no attempt to rectify their previous behaviour (arrears or ASB) they will be considered to be deliberately worsening their circumstances and will be placed in bronze band, until efforts have been made to rectify the circumstances.

## **4 BANDING**

Full banding definitions will be outlined in pages 10-14

### **4.1 Banding Structure**

### **4.2 Multiple Needs**

An applicant in silver band who has two or more needs categories will be moved into the gold band in the Multiple Needs category.

An applicant in gold band who has two or more needs will be placed in the gold plus band.

### **4.3 Banding Categories**

The criteria for each band are detailed below.

#### **Platinum**

All applicants within platinum band will be reviewed after 3 months to ensure their circumstances haven't changed. The Homes 4 Wiltshire IT system will flag all customers within the platinum band after 3 months to enable the Homes 4 Wiltshire staff to review the customer's needs for housing.

Applicants within platinum band will be expected to actively bid for accommodation due to the urgency of their housing need. Applicants within this band will be regularly monitored. If no bid has been made within 3 months the Housing Options Team will work with the customer to actively bid for accommodation. Consideration will be given to the households' requirements and the availability of the relevant stock.

#### Exceptional circumstances

Such as a medical emergency, applicants under the Witness Protection Programme, extreme harassment, some tenancy successions, ADHAC (Agricultural Dwelling House Advisory Committees) referrals, and applicants who need to move to a suitable adapted property as a result of a serious injury, medical condition or disability sustained as a result of service in the Armed Forces.

#### Statutory Requirements

Applicants who meet the statutory requirements of Wiltshire Council:

Statutorily Homeless  
Statutorily overcrowded

Applicants living in a property assessed by the Private Sector Housing Team in accordance with the HHSRS as being sufficiently serious that a prohibition notice might be appropriate.

Applicants who are lacking 3 bedrooms or more will be assessed by a Home Visiting Assessment Officer and once confirmed as being statutorily overcrowded will be placed in platinum band.

Move on (priority need)

This applies to applicants in shared or supported accommodation where there is a move on protocol in place with Homes 4 Wiltshire. The applicant must have been assessed as ready to move into independent living accommodation by the Housing Options link worker. The Housing Options Advisor will then make their recommendations to the Homes 4 Wiltshire Assessment Officers.

### **Gold Plus**

Applicants meeting 2 or more criteria within gold.

Applicants within gold plus band will be reviewed after 6 months to ensure their circumstances haven't changed. The Homes 4 Wiltshire IT system will flag all customers within the gold plus band after 6 months to enable the Homes 4 Wiltshire staff to review the customer's needs for housing.

### **Gold**

Seriously Overcrowded

Applicants living in overcrowded accommodation (in need of at least two additional bedrooms)

Hazards

Applicants living in a property assessed by the Private Sector Housing Team in accordance with the HHSRS as having 3 or more category 1 hazards that cannot be remedied.

High medical needs

Applicants assessed as having high medical needs, who are living in unsuitable accommodation and medical condition would be improved by being re-accommodated.

There are 2 levels of Medical Need; an assessment will be required to establish the level of need.

Applicants assessed as having a high medical need will be reviewed after 6 months to ensure their circumstances haven't changed.

Insecurity of tenure

Where an applicant is under written notice to leave their accommodation and this has been verified by a Homes 4 Wiltshire officer. This includes armed service

applicants with priority need and local connection to the Wiltshire Council who have insecurity of tenure i.e. 93 day notice to vacate married quarters.

Applicants assessed as being insecure in their accommodation will generally be under a 2 month or 93 day notice to vacate their accommodation. After 6 months all customers will be reviewed to establish their continued eligibility for this band.

#### High welfare or support needs

Where an applicant has an identified support need which cannot be alleviated in the current accommodation.

Applicants may need to live closer to family or support networks to give or receive support. Consideration will be given to the obstacles relating to the applicants need, such as the distance and transport links between the two areas.

There are 2 levels of support need; an assessment will be required to establish the level of need.

Applicants assessed as having a support need will be reviewed after 6 months to ensure their circumstances haven't changed

Applicants who are receiving support from a recognised support provider may be awarded welfare needs if their need to move is evidenced by that support provider, at the discretion of the Assessment Team Leader or the Head of Homes 4 Wiltshire.

#### Move on

Applicants who need to move from residential care homes into alternative affordable accommodation

Applicants who are ready to move on from supported accommodation where there is no move on protocol in place with Homes 4 Wiltshire. The applicant must have been assessed as ready to move into independent living accommodation by the Housing Options link worker. The Housing Options Advisor will then make their recommendations to the Homes 4 Wiltshire Assessment Officers.

#### Harassment

Applicants who are suffering from serious harassment, violence, or threat of violence at their current property, providing evidence exists to substantiate their claim.

#### Underoccupation

Current partner RSL and Council tenants under-occupying accommodation and willing to move into a smaller home. For example an applicant in a partner RSL property not occupying all of the bedrooms and wishing to move to smaller accommodation. This criterion will only apply to tenants of a partner RSLs who are listed at the beginning of this document and does not apply to households in flats or maisonettes, except in exceptional circumstances with agreement between Homes 4 Wiltshire and the landlord.

#### Multiple needs

Applicants meeting more than two needs criteria within silver band.

#### No fixed accommodation

Applicants who have no fixed accommodation, who are not considered to be in priority need. This includes prisoners with a confirmed release date but no suitable accommodation.

#### Split households

Applicants whose family have formerly lived together as a household unit, with dependent children or expecting a child, who are unable to live together because of factors beyond their control, and as a result are living in separate households.

### **Silver**

#### Medium medical needs

See Gold Band "High Medical Need" for definition

#### Medium welfare or support needs

See Gold Band "Welfare or Support" for definition

#### Serious Disrepair

Applicants living in a property assessed by the Private Sector Housing Team in accordance with the HHSRS as having 1 or 2 category 1 hazards that cannot be remedied.

#### Overcrowded

Applicants living in overcrowded accommodation (in need of one additional bedroom).

#### Children in flats

Applicants with a child / children under 10 and living in a flat above the ground floor.

#### Sharing Facilities

Applicants sharing facilities - e.g. kitchen, bathroom, and toilet - with people who are not included on the housing register application form. This does not include applicants who choose to share their home with someone who is not included on the housing application.

#### Armed Forces

Applicants from armed forces with a local connection to the Wiltshire Council area, due to be discharged within the next 12 months and in need of affordable housing.

#### Tied Accommodation

Applicants living in accommodation tied to their employment.

#### Intentionally Homeless

Applicants who have been found to be intentionally homeless by the Housing Options Team. Please note that this category will not be considered when assessing Multiple Needs, as the applicant will be considered to have deliberately worsened their circumstances.

### **Bronze**

Adequately Housed

Applicants who are currently housed in a property that is appropriate for their needs in terms of size and facilities.

Deliberately worsening circumstances

See 3.7

Financial capability

See 5.8

#### **4.4 Housing Health and Safety Rating System (HHSRS) clarification**

The Housing Health and Safety Rating System is a way of assessing properties to calculate the level of hazard or risk to a household of living in that property. It was introduced across England and Wales in 2006, and is used by all Local Authorities.

For the purposes of the HHSRS assessments, “cannot be remedied” is explained below:

Wiltshire Council would look to ensure that the owner of the property makes the necessary improvements to alleviate category 1 hazards. This may be through informal negotiation or formal action.

Where the property is occupied by the owner, the Private Sector Housing Team will ask the applicant prove or disprove that they are able to get financial assistance from the council or borrow the money commercially.

To evidence this the applicant should be required to see if they can get a loan or remortgage to raise the necessary funds.

Once this has been established the Private Sector Housing Team will advise Homes 4 Wiltshire if they property “cannot be remedied”.

For the purposes of HHSRS assessments, the Private Sector Housing team will not include overcrowding when considering the hazards as this is assessed in a separate way.

## **5. HOMES 4 WILTSHIRE HOUSING REGISTER**

### **5.1 Assessment of applications**

The scheme will assess all applicants according to their level of housing need whilst facilitating more choice of accommodation to its applicants. Upon registration, eligible applicants will be placed into one of five bands in accordance with the guidelines set out in this chapter and in the light of appropriate advice.

Reasonable preference will be given to the following categories of people, as set out in s167 (2) of the 1996 Act:

- (a) people who are homeless (within the meaning of Part 7 of the 1996 Act); this includes people who are intentionally homeless, and those who are not in priority need;
- (b) people who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3);
- (c) people occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- (d) people who need to move on medical or welfare grounds; and
- (e) people who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others).

**However, there is no requirement under the Act to give equal weight to each of the reasonable preference categories.**

Factors that may be taken into account include:

- The financial resources available to the applicant.
- The behaviour of the applicant (or any member of the household) which affects his/her suitability to be a tenant. Examples may be unacceptable behaviour or rent arrears.
- Any local connection between the applicant and the area covered by the allocations scheme

Additional preference can also be given to people with an urgent housing need, such as victims of domestic violence, racial harassment, witnesses of crime and victims of crime at risk of intimidation amounting to violence and people with urgent medical reasons.

## **5.2 General Need Applicants**

General need applicants are customers seeking affordable housing who are not currently a tenant of a partner RSL or Council within the Homes 4 Wiltshire area; and who are have not been accepted by Wiltshire Council as statutorily homeless.

Once a general need applicant has applied for housing and provided the relevant information they will be advised of their band and allowed to bid.

If a general need applicant has previous arrears with a private or social landlord the applicant may be deemed to have deliberately worsened their circumstances, and may be placed in the bronze band. If, however, the applicant has been making regular payments in an attempt to clear the debt they may be eligible for bidding. Please see section 5.5 for further information.

General need applicants are advised of the number of bedrooms they can bid for at the point of applying.

## **5.3 Transfers**

All existing Housing Association / Council tenants living in the area covered by Homes 4 Wiltshire can register for a transfer and will be assessed and banded accordingly.

At the point of applying, the Homes 4 Wiltshire team will contact the landlord and request that a landlord reference is completed. A transfer applicant will not be activated and eligible to bid until the reference is completed. The landlord reference will include:

- Right to transfer
- Clear rent account
- Satisfactory condition of the property
- Anti-social behaviour

If an applicant is a joint tenant of a housing association/council and wishes to give up their part of the tenancy to live elsewhere, they will be registered and eligible to bid for accommodation. If they are successful in bidding, they will be required to relinquish their interest in the tenancy before a formal offer can be accepted.

#### **5.4 Homeless Applicants**

Applicants who are homeless, or believe they are under threat of losing their home will be assessed under a separate housing approach.

The Housing Options Team will identify the applicant within one of the following categories:

##### **5.4.1 Statutorily Homeless**

Applicants with a homeless duty accepted will be placed in platinum band and will be expected to actively bid for suitable accommodation. The applicants will be monitored and where an applicant is not bidding for accommodation a member of staff will actively work with them to ensure they bid when suitable properties become available.

Applicants with a homeless duty will be considered to have an urgent need for accommodation and will, therefore, be expected to accept an offer of a property they have bid for. Should they refuse a property the homelessness duty will cease unless the applicant has a valid reason for refusal. The applicant must put their reasons for refusal in writing within 2 working days of viewing the property to Wiltshire Council who will assess within 3 working days if it is unreasonable to accept.

When a homeless applicant's duty ceases due to one offer being refused, they will be re banded accordingly and still allowed to bid, however, any temporary accommodation provided by Wiltshire Council will be withdrawn.

Applicants who are owed the main homelessness duty and occupying temporary accommodation provided under part 7 of the Housing Act 1996:

Temporary accommodation is in short supply throughout the county and Wiltshire Council is under pressure from government targets to reduce the number of households and amount of time spent in temporary accommodation.

If the homeless applicant has not bid successfully within a 3 months period a bidding assessment will take place. The assessment will take into account the pressure on social housing in the area of their choice, the applicants' reasons for not bidding and any special requirements.

If working with the customer to encourage involvement in the bidding process is unsuccessful, the Housing Options Team may then bid on the applicant's behalf in order to make them a final offer of accommodation under Part VI of the Housing Act 1996 and discharge the duty owed to them. Housing Options will aim to bid for a property in one of the 5 preferred areas of the applicant's choice but this cannot be guaranteed.

Where the applicant has been accepted under the homelessness legislation, Wiltshire Council will cease to be subject to the homelessness duty if the final offer of accommodation is considered to be suitable and reasonable to occupy following a review of suitability by a senior member of staff.

#### **5.4.2 Homelessness & Insecurity of Tenure**

Applicants who have insecurity of tenure or are unintentionally homeless, but do not have a priority need, will be assessed and placed in gold band. Their circumstances will be monitored every 6 months to identify if they still require this priority.

#### **5.4.3 Intentional Homelessness**

Applicants who have been found to be intentionally homeless can register their need and will be placed in silver band unless they or a member of their household has been found guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant (see point 3.1 ineligible applicants). This category will not be considered when assessing Multiple Needs, as the applicant will be considered to have deliberately worsened their circumstances.

#### **5.5 Rent arrears and anti-social behaviour**

All eligible applicants will be considered for suitable accommodation through Homes 4 Wiltshire, including applicants who have an outstanding housing related debt (current or previous) to any landlord (private or social) or who have a history of anti-social behaviour.

Applicants with current or previous housing related debt to the landlord however, will be required to maintain a consistent repayment plan. Applicants who fail to do this may be overlooked by the landlord under their own Allocations Policy.

Any applicant with a history of anti-social behaviour, (which is not serious enough to make them ineligible for housing but has led to action being taken by the landlord) will have to have maintained a successful tenancy for 1 year since

behaving anti-socially or demonstrate that the person who had been guilty of such anti-social behaviour is no longer part of the applicant's household.

If applicants' do not meet the above requirements then they may be considered under the criteria for deliberately worsening their circumstances (see 3.7) which may lower their priority.

Partner landlords will be expected to consider all applicants for their properties where they are placed in platinum band.

The landlord will also be expected to consider any applicant who has housing related debt, where there is evidence to suggest that the housing related debt accrued as a result of insufficient support being provided or where the rent has been shown to have been unaffordable.

If an applicant with housing related debt or a history of anti-social behaviour is successful in bidding for accommodation, and the managing landlord is minded to refuse the application due to its exceptional nature, the landlord must advise Homes 4 Wiltshire their reasons for refusing the applicant.

The managing landlord will be required to write to the successful applicant advising them why they are not being considered for the property and setting out the process of appeal as indicated in section 9.

Landlords will be expected to set out their intentions through the advertising process.

## **5.6 Waiting Time**

The date of application will be determined by the date the application has been received by the local authority. Applicants who are subsequently reassessed and are moved to a higher band will begin a new start date (the date moved into the higher band) and those applicants who are moved to a lower band will retain their original start date.

## **5.7 Vulnerable Applicants Assessment**

Homes 4 Wiltshire will identify applicants who may need support from the information contained in the application form.

Where it is evident from the application form that a person may require support, contact will be made to establish what support or advice is required. This may in some cases require a home visit to assess a person's need.

A vulnerable applicant's policy and procedure has been produced to enable Homes 4 Wiltshire to identify potentially vulnerable people who may have difficulties in accessing suitable accommodation.

The policy aims to highlight vulnerable applicants when initially assessing the application and from this the local authority will contact the applicant to arrange an assessment.

Please refer to the policy for full terms, which is attached at the end of the policy as Appendix 2

## **5.8 Financial Capability**

The aim of the Homes 4 Wiltshire scheme is to provide affordable housing for people who need it most. People who have the financial means to purchase a suitable property in the open market (including home owners with sufficient equity in a property they currently own and are able to sell) will be placed in the bronze band on the register.

All applicants will be asked to provide evidence of their income, savings and capital assets, which will be assessed against an affordability matrix. The affordability matrix based on government affordability criteria will assess the families current income and the Wiltshire average house prices to ascertain whether the applicant is financially capable. A copy of the matrix is available on request.

Homes 4 Wiltshire reserve the right to check an applicants financial capability at the point of offer.

Any home owner housed from the Housing Register will be expected to sell their property within 12 months of accepting a tenancy unless there are legal grounds preventing the sale. This will be monitored annually; any cases failing to meet this requirement will be investigated in line with the fraudulent applications process.

## **6. FINDING A PROPERTY**

The majority of properties will be advertised through Homes 4 Wiltshire. The properties will be advertised on the website, in the local authority's and housing associations main reception areas and at information points across the County.

For a full list of advertisement points, please contact Homes 4 Wiltshire.

### **6.1 Bidding Cycle**

The properties will be open for bidding on Thursday 00:01am and will close on Monday 23:59 pm.

### **6.2 Bidding Method**

- Online – [www.homes4wiltshire.co.uk](http://www.homes4wiltshire.co.uk)
- By phone – Bid line 0845 270 2500
- In person at Local Authority offices
- In person at your local library
- By phoning 01380 734734

#### **6.2.1 Assisted bidding**

Staff are available to take bids over the phone for vulnerable applicants who have no way of accessing any option of bidding.

Training will be given to external agencies that would also be in a position to help their clients with bidding.

Vulnerable applicants will be identified from the application form. Homes 4 Wiltshire staff will contact potentially vulnerable clients and offer them a home visit or interview. Staff will seek to establish what the support needs are, and identify ways of enabling the applicant to participate in the lettings system. If the applicant agrees, staff will contact any family member, professional or voluntary worker from health or social services with whom the applicant is involved; to ensure that they understand the procedures and that necessary support is provided. All agencies funded through Supporting People will be able to provide their clients with help on housing issues.

### **6.2.2 Autobid**

Where an applicant is identified as vulnerable and unable to actively participate in bidding for accommodation, the autobid function is available to automatically bid for suitable properties.

This option will be used as a last resort as it reduces the element of choice for the customer and goes against the ethos of choice based lettings.

### **6.3 Advertising**

All properties are advertised to all active bands and customers will be invited to bid for the properties they are eligible for. The order of banding is platinum, gold plus, gold, silver, bronze. However, there may be occasions when platinum may not have the highest priority. This could be because of one of the following:

- The Landlord wants to let a property sensitively. This is where there is a single property on a street, estate or within a block of flats that has been a cause of significant problems and the landlord wants to be sensitive to the neighbours with the new tenant. This approach may also be taken for properties in the immediate vicinity of the property in question, for a fixed period, by agreement with Homes 4 Wiltshire.
- On new schemes, lettings with a new build letting plan will be agreed to ensure the sustainability of the new development. For example, child density may be evaluated to allow for some natural growth of the families housed. This means that some homes, particularly flats, may be allocated to individuals or families without children. This will also include letting the properties to a mixture of bands.
- A local lettings plan may be developed for any neighbourhood where it is considered that the community will benefit from such a plan. The local lettings plans will be drawn up in consultation with the Homes 4 Wiltshire and all local lettings plans will be reviewed on an annual basis.
- In extra care schemes where a balance of care needs are sought in order to make such schemes sustainable.

Occasions where properties will not be allocated to applicants within the highest band will be at Homes 4 Wiltshire's discretion in agreement with the landlord.

Landlords will provide as much information as possible in the property advertisements, in order to allow applicants to make informed choices. This

particularly applies to the accessibility of a property, and to any adaptations that have been carried out to or installed in the property.

## **6.4 Property Labelling**

Landlords will advertise their properties as they become aware of imminent vacancies.

The landlord will input the following information into the advert for the customer to view when bidding.

- Type of property
- Location of property
- Number of bedrooms
- Any adaptations done to the property
- Any services provided (e.g. warden)
- Rent level
- Council tax band
- Energy rating for the property
- If you are able to have pets
- Heating type
- If it is a shared ownership property
- Service charges
- If the property is only suitable for an applicant with a local connection to that village
- Any restrictions to applying (i.e. age restrictions for sheltered housing)

In order to make best use of housing stock, landlords may label up to 20% of properties for Transfer applicants only (i.e. for current tenants of that landlord). Overall, in line with legislation, priority must be given to applicants in the Reasonable Preference categories.

Please see appendix 4 which refers to the household make up and the property types they are eligible to bid for.

### **6.4.1 Adaptations**

General needs properties that have been adapted to meet the needs of disabled people will be offered in the first instance to those applicants requiring adaptations. If no such person is available and the property is considered to be suitable it may be used as temporary accommodation for a homeless household until such a household is identified.

## **6.5 Monitoring of labelling and its effects on lettings**

Both Homes 4 Wiltshire and individual landlords will be responsible for monitoring the effect of labelling to ensure that communities are sustainable and that there is consistency and fairness throughout the letting process by monitoring;

- Number of properties advertised by type, area and landlord
- Number of properties with s106 (exception site)
- Number of bids and method of bidding
- Number of bids for each property by band
- Profile of those bidding, i.e. ethnicity, transfer, vulnerable, homeless applicant

- Number of accepted offers by band and application type
- Number of tenancies refused and reasons
- Number of properties re-advertised due to hard to let
- Number of properties for new households

## **6.6 Excluded Dwellings**

There are some exceptions to the Policy based on Primary and Secondary Legislation:

Part 6 of the 1996 Act does not apply to Mutual Exchanges between tenants of RSLs or Councils (including those arranged via national schemes such as Homeswapper)

The following cases are also exempted:

- Where a tenant dies (whether secure, assured or fixed term) and a succession takes place under the Housing Act 1985
- Where a secure or assured tenancy is granted by order of a Court under Matrimonial Causes Act 1973, or Matrimonial and Family Proceedings Act 1984, or Children Act 1989
- Where an Introductory Tenancy, Assured Shorthold Starter, or Probationary Tenancy becomes an assured or secure tenancy
- Where a Tenancy is demoted by Court Order, or, following the expiry of the Demotion period, where a Demoted Tenancy reverts to Assured Tenancy status

Occasionally the Homes 4 Wiltshire partnership will exclude properties from the letting system. This will include the following occasions:

- Where a property is allocated to a relative or carer of a tenant who has died, but there is no statutory right for that person to succeed to the tenancy
- Changes to a tenancy that do not result in a vacancy e.g. from joint to sole or sole to joint tenancy
- A vacancy is required to enable Wiltshire Council to discharge their duty to statutorily homeless households.
- A vacancy is required for a customer with acute support needs from supported housing
- A landlord needs to temporarily rehouse an existing tenant in order to carry out repairs, renovation or refurbishment.
- A vacancy is required under the high risk offenders' protocol.
- A vacancy is required because a Homes 4 Wiltshire Partnership member has management reasons to provide accommodation.
- Other exceptional circumstances agreed by the partnership.

At the end of each year, the partnership will publish how many excluded dwellings have accrued.

## **6.7 Short listing**

When the bidding cycle concludes on Monday night at 23:59 a shortlist of all bidders is available to Homes 4 Wiltshire.

The process involved in short listing is simplified by the IT system which automatically places customers into their correct position and generates the list ready for the Homes 4 Wiltshire team.

On a Tuesday, Homes 4 Wiltshire will aim to match the applicants who have come top of all of the properties. This information will be sent to the landlord to enable them to accept or reject the successful bidder. A list of reasons detailing why Homes 4 Wiltshire may not match the top bidder and a list of reasons detailing why the landlord may not accept a bidder are shown in section 6.8.

The list of bidders is based on the standard short listing criteria indicated below:

- 1 – Band
- 2 – Local Connection to Homes 4 Wiltshire area
- 3 – Use of accommodation
- 4 – Effective date

#### 1 – Band

All lists are prioritised in order of band. Generally platinum will be given the highest priority (see 6.3 for an explanation of when platinum will not be the highest priority). For example, applicants within platinum band will come above applicants within gold plus and applicants in gold plus coming above applicants in gold etc.

Within the banding priority there have to be other methods of identifying the applicant who is successful otherwise all applicants in platinum will be of the same priority and the decision would not be fair, transparent and consistent. Therefore other prioritising criteria must be in place as per points 2, 3 and 4.

#### 2 - Local Connection

Where a customer has a local connection to the Homes 4 Wiltshire area, they will be prioritised above those who do not have a local connection to the Homes 4 Wiltshire area but are within the same band.

There are two types of local connection that Homes 4 Wiltshire refers to:

- Local connection to Homes 4 Wiltshire. This relates to the short listing criteria and those who have a local connection to the Homes 4 Wiltshire area will be prioritised above those with no local connection to the area who are within the same band.
- Local connection to a particular village or parish. This relates to the eligibility criteria. Properties with a s106 planning restriction will be advertised to only those who have an identified connection to that village or parish. If a customer does not have a connection to the advertised village or parish they will be restricted from bidding for that property.

For the purpose of this short listing section of the policy the first point is how local connection will be assessed.

#### 3 – Use of accommodation

Customers are given a minimum and maximum bedroom allowance. In some cases this minimum and maximum allowance is the same and in other cases it is different. When a customer's maximum is higher than their minimum allowance

this enables customers to bid for a property larger than their minimum requirement. This is to allow for growth into the property resulting in sustainable tenancies.

However, due to the large demand for housing it would be unacceptable to allow couples to occupy all 2 bed houses or couples with 1 child to occupy a high percentage of 3 bed houses. Therefore Homes 4 Wiltshire needs to ensure that the household who best suits the accommodation is prioritised above those who will not need all of the bedrooms. Therefore the “use of accommodation” considers a family with 3 children for a 3 bed house, before considering a family with 1 child.

This “use of accommodation” criteria sorts the maximum, minimum bedroom requirement in descending order. A number of examples have been provided later in this section.

#### 4 – Effective date

When a customer applies for housing, they are given an effective date. This is the date that the application is received by Homes 4 Wiltshire. If an applicant’s circumstances change and they move into a higher band, the effective date will become the date that they have moved into the higher band.

The date is used to prioritise those applications that have the same criteria allowing for the time customers have accrued on the register to make a difference to their success in being offered accommodation.

If two or more applicants have equal band, local connection priority, use of accommodation and effective date, the date that they applied for housing (if different from their effective date) will be the deciding factor. If this date is also equal, Homes 4 Wiltshire will consider the personal circumstances of each applicant to assist in making the decision.

An example based on this standard short listing criteria.

The order for a 2 Bed House:

| Name     | Band     | Min bed | Max bed | Local Connection to Homes 4 Wilts area | Effective  |
|----------|----------|---------|---------|--|------------|
| Smith    | Platinum | 2       | 3       | Y                                      | 19/08/2005 |
| Lewis    | Platinum | 2       | 3       | Y                                      | 22/09/2005 |
| James    | Platinum | 2       | 3       | Y                                      | 31/10/2005 |
| Richards | Platinum | 1       | 2       | Y                                      | 30/04/2005 |
| Ford     | Platinum | 1       | 2       | Y                                      | 21/09/2005 |
| Small    | Platinum | 2       | 3       | N                                      | 28/06/2005 |
| Jones    | Platinum | 1       | 2       | N                                      | 25/06/2005 |
| Brown    | Gold +   | 2       | 3       | Y                                      | 21/07/2004 |
| Hills    | Gold +   | 2       | 3       | Y                                      | 25/01/2005 |
| Price    | Gold +   | 2       | 3       | Y                                      | 19/02/2005 |
| Lewis    | Gold +   | 2       | 3       | Y                                      | 22/09/2005 |

|          |        |   |   |   |            |
|----------|--------|---|---|---|------------|
| Davis    | Gold + | 1 | 2 | Y | 30/11/2004 |
| Edmund   | Gold + | 2 | 3 | N | 28/06/2005 |
| Phillips | Gold   | 2 | 3 | Y | 31/08/2004 |
| Robins   | Gold   | 2 | 3 | Y | 30/04/2005 |
| Cole     | Gold   | 1 | 2 | Y | 21/02/2005 |
| Sharp    | Gold   | 2 | 3 | N | 21/09/2004 |

The above shortlist, places those with a local connection above those with no local connection within the same band. However those in platinum that have no local connection will be placed above those in gold plus with a local connection. This allows for the need of accommodation to be prioritised above those who have been assessed as having less need for accommodation.

As local connection is 2 in the order of priority, this comes above “use of accommodation” therefore if an applicant in platinum had a local connection to the area, but did not make best use of the accommodation they would come above someone who did not have a local connection to the area but made best use of accommodation.

If there was more than one successful bidder who were in the same band; had a local connection and made use of accommodation, they would be distinguished by their effective date, subsequently the person who has been waiting the longest would be placed at the top of the equal applicants.

#### Adapted accommodation

Where a property has been adapted to suit a certain client group, Homes 4 Wiltshire will strive to allocate that accommodation to a household that will best suit the property and make use of the adaptations.

There are two ways to advertise this type of accommodation. One way is to advertise the property and only allow those who have been identified as requiring adapted accommodation to bid. This will restrict anyone who doesn't need this type of accommodation from bidding. Alternatively the property can be advertised to everyone but prioritising those households who require adapted accommodation above those who do not within the same band.

The shortlist criteria would therefore look like this:

- 1 – Band
- 2 – Local connection to Homes 4 Wiltshire
- 3 – Adapted required
- 4 – Use of accommodation
- 5 – Effective date

An example of this short listing criteria is outlined below. This is based on a 3 bed house, with full adaptations for a wheelchair user:

| Name  | Band     | Min bed | Max bed | Local Connection to H4W | Adapted Required? | Effective  |
|-------|----------|---------|---------|-------------------------|-------------------|------------|
| Ford  | Platinum | 3       | 3       | Y                       | Y                 | 30/04/2005 |
| James | Platinum | 2       | 3       | Y                       | Y                 | 31/05/2005 |
| Small | Platinum | 3       | 3       | Y                       | N                 | 28/06/2005 |

|          |          |   |   |   |   |            |
|----------|----------|---|---|---|---|------------|
| Richards | Platinum | 3 | 4 | Y | N | 21/04/2005 |
| Jones    | Platinum | 2 | 3 | N | N | 25/06/2005 |
| Smith    | Platinum | 2 | 3 | N | N | 19/08/2005 |
| Lewis    | Gold +   | 3 | 4 | Y | Y | 21/09/2004 |
| Brown    | Gold +   | 2 | 3 | Y | N | 22/09/2004 |

This example shows that if there was a family who had an adapted requirement but didn't make full use of the accommodation, they would come above a household who would make full use of the accommodation. This is because a fully adapted property is very rare therefore it needs to be prioritised to those families in need of this type of accommodation.

#### Ground floor

In some schemes, particularly retirement schemes, ground floor flats will be prioritised to those evidencing a need for ground floor accommodation. To enable us to do this, customers requiring ground floor accommodation will be sorted above those who have not stated a need for ground floor accommodation.

The short listing criteria would be in this order:

- 1 – Band
- 2 – Local connection to Homes 4 Wiltshire
- 3 – Ground Floor required
- 4 – Use of accommodation
- 5 – Effective date

A shortlist for a 2 bed ground floor flat would look like this:

| Name     | Band     | Min bed | Max bed | Local Connection to H4W | Ground floor? | Effective date |
|----------|----------|---------|---------|-------------------------|---------------|----------------|
| Ford     | Platinum | 1       | 2       | Y                       | Y             | 30/04/2005     |
| James    | Platinum | 1       | 2       | Y                       | Y             | 31/05/2005     |
| Small    | Platinum | 1       | 2       | Y                       | N             | 21/04/2005     |
| Richards | Platinum | 1       | 2       | Y                       | N             | 28/06/2005     |
| Smith    | Platinum | 1       | 2       | N                       | Y             | 19/08/2005     |
| Jones    | Platinum | 1       | 2       | N                       | N             | 25/06/2005     |
| Lewis    | Gold +   | 1       | 2       | Y                       | Y             | 21/09/2004     |
| Brown    | Gold +   | 1       | 2       | Y                       | N             | 22/09/2004     |

The above shortlist places those with a local connection above those with no local connection and those with a ground floor need above those with no ground floor need. However evident from this shortlist, those with a ground floor need but with no local connection are below those with a local connection but no ground floor need. This is because local connection is above ground floor need in the order of priority.

Local connection, adapted and ground floor requirements are all identified at the application stage.

Homes 4 Wiltshire will identify the local connection from section 7 of the application form to ascertain the connection that the household has to the Homes 4 Wiltshire area.

Similarly with adapted and ground floor requirements, these are identified from the application form and customers are advised in their registration letters what they are eligible to bid for and what they have been assessed as requiring.

## **6.8 Unsuitable bidders**

As stated above in 6.7, the Homes 4 Wiltshire team, the RSL or the Council may believe that the successful bidder is not suitable for the property.

### **6.8.1 Homes 4 Wiltshire reasons for overlooking an applicant.**

It is Homes 4 Wiltshire's responsibility to advise the household that they have been overlooked for a property, detailing the reason for this.

The reasons that Homes 4 Wiltshire may overlook an applicant will be for one of the following reasons:

- Does not meet the age criteria

On some properties, age restrictions may apply. Generally the IT system will prevent anyone from bidding on a property if they do not meet the age restrictions however if for some reason a customer bids and they do not meet the age restrictions they may be overlooked to enable the Homes 4 Wiltshire team to identify the next suitable bidder.

- Does not meet the Local Lettings Plan

Some properties/developments/estates throughout the area may have a local lettings plan. Local lettings plans can be developed for a number of reasons:

- Sometimes there is a high density of children on a particular street and the landlord wants to limit the number of families with lots of children
- There has been a history of anti-social behaviour in the area and the landlord is working on regenerating the area.

A local lettings plan will be developed by the landlord in agreement with Homes 4 Wiltshire and any property being advertised under such an agreement will be clearly highlighted on the advert. On these grounds if the successful bidder does not fulfil the local lettings plan criteria Homes 4 Wiltshire may overlook the applicant.

- Sensitive Letting

As stated in 6.3, at times a landlord may want to allocate a property sensitively. This could be to protect a prospective tenant or the tenants around the vacant property. The exact criteria will be agreed between the landlord and Homes 4 Wiltshire prior to advertising. However some examples could be:

- There is a block of flats with a known drug problem. The landlord is trying to alleviate the problems and has therefore requested that the vacant flat is not allocated to an applicant with known drug problems who is not engaging with support. On this occasion Homes 4 Wiltshire may overlook the top applicant if they are known to have a drug habit and are not engaging with the relevant support workers.

- A tenant has recently been evicted due to anti-social behaviour; the landlord has spent a significant amount of time on the particular case and wants to ensure the neighbours surrounding the property are not subject to any further anti-social behaviour. In this instance Homes 4 Wiltshire may overlook an applicant with a history of antisocial behaviour.
- Non engagement of services. If an applicant requires support to enable him/her to sustain a tenancy, however they are not engaging in support and there are concerns that the tenancy will fail without engagement. Homes 4 Wiltshire may overlook the applicant and they will not be considered for accommodation until he/she is actively engaging with the required support worker.
- Offered on another shortlist. An applicant can only be considered for one property, therefore if they have been matched to one property they will be overlooked on any subsequent properties.
- Does not meet shared ownership criteria. Generally applicants meeting the shared ownership criteria will be assessed as eligible to bid for all shared ownership properties within their bedroom ranges. However the prices of low cost home ownership vary and although a household may be suitable for one property they may not meet the criteria of all properties. Therefore on occasions Homes 4 Wiltshire may need to overlook a household if they do not meet the criteria.

### **6.8.2 RSL/Council reasons for rejecting an applicant**

RSLs or the Council may need to refuse an applicant for one of the following reasons.

In that case, it is RSL/Council's responsibility to inform applicant of the reasons.

- Area unsuitable/Anti-social behaviour

Where there is evidence that an applicant might endanger the health and safety or well being of neighbouring residents because they have a history of violent or abusive behaviour against particular individuals in the area, the landlord may refuse the right to offer them accommodation in that particular area. However if the client's behaviour is not unacceptable and they are eligible to register, the partnership must agree what areas will be acceptable and ensure appropriate support is in place.

For example, where an applicant has been prosecuted for assaulting a local resident or where the applicant is a Schedule 1 Offender and there are a number of young children living locally.

- Property unsuitable – Health and Safety

Where there is reasonable evidence to suggest a property is unsuitable for the applicant due to health and safety concerns.

For example, where the applicant has mobility needs that cannot be met without making considerable adaptations to the property. Every effort will be made to find a property that meets the requirements of the customer.

- Suspected fraudulent application

Where there is reasonable evidence that an applicant has provided false information in their application for housing, the Homes 4 Wiltshire partnership reserves the right not to offer accommodation.

- Does not meet financial criteria

Where an RSL/Council has charitable status, households on certain incomes (varies depending on RSL/Council) may be refused access to their accommodation.

- Rent Arrears

Where rent arrears have accrued since registering and the applicant is unable to clear, the RSL/Council may refuse the applicant

- No vacant possession guarantee

Where an RSL/Council has advertised a property which has since become unavailable

- Where a landlord refuses an applicant because they will not allow underoccupation on the property, the Homes 4 Wiltshire team will not suggest any further matches where the household make-up is the same of the household that has been refused.

## 6.9 Refusals by applicants

Where an applicant refuses an offer of a property for which they have placed a bid, Homes 4 Wiltshire will consider whether or not the refusal is reasonable.

If the refusal is considered unreasonable, the applicant will be advised in writing of this, and given the opportunity to appeal against this decision.

If an applicant unreasonably refuses 3 properties for which they have bid, their application will be placed in the bronze band for a period of 6 months.

Applicants will be advised of the potential consequences of refusing properties after each unreasonable refusal.

This sanction will not apply to applicants for whom the autobid function is used, as they have not specifically bid for the properties in question.

## 6.10 – Disabled applicants

Consideration will be given by the landlord to extend both the notice period given to accept or reject an offer of accommodation and/or the tenancy commencement date in circumstances where a disabled person(s) requires such additional time on account of their personal circumstances.

## 7. OUTCOMES

All outcomes of advertised properties will appear on the website once the property has been let. The details in the outcomes page will be of the applicant who has been offered the property, and has accepted the tenancy.

The outcomes will provide details of the successful applicant, such as the band, bedroom requirements, whether they had a local connection to the Homes 4 Wiltshire area, their effective date and any other information relevant to the property that was advertised. No personal details of the applicant will be displayed. This will give customers an indication of the priority of the successful applicant how long they had been waiting for accommodation.

This information can be used by applicants to assist them in assessing the likelihood of their bidding for a property being successful.

## **8. OTHER HOUSING OPTIONS**

The additional housing options will not be introduced at the initial launch of Homes 4 Wiltshire, but will be implemented in a phased approach.

### **8.1 Supported Housing**

Throughout the Homes 4 Wiltshire area, there are a number of supported housing schemes. These vary from customers with specific needs for the accommodation such as support for customers with learning disabilities or those with mental health requirements to supported accommodation for young people. Following the launch of Homes 4 Wiltshire, the team will be working with the relevant agencies to develop a supported housing module enabling certain schemes to be advertised through choice based lettings, allowing all customers freedom to choose their accommodation, whether that may be general affordable housing or something more specialist.

### **8.2 Extra Care**

Extra care vacancies will be advertised and short listed within the Homes 4 Wiltshire choice based lettings policy. However, extra care schemes in the county have the requirement for a balance of individual care needs in order to be sustainable. Therefore, Homes 4 Wiltshire will make available to RSLs a list of all bidders in order of banding priority. The final decision will rest with the allocations panel for each scheme which includes representatives from Homes 4 Wiltshire, the RSL and The Wiltshire Council Adult Care Department which provides the support packages within the schemes. The customer who the panel decides best meets the care criteria for the vacancy will be allocated the accommodation.

### **8.3 Alternative Affordable Housing**

Homes 4 Wiltshire will not only advertise social rented housing but will also aim to advertise:

#### **8.3.1 Low Cost Home Ownership**

Properties owned or managed by one of the partner RSLs or the Council on a part buy/part rent or reduced market value scheme will be advertised by both the Homebuy Agent and through Homes 4 Wiltshire. It is a requirement of the Homes and Communities Agency that all Government funded Low Cost Home Ownership schemes are allocated through the Homebuy agent. Only those identified as eligible for this type of accommodation will be eligible to bid.

### **8.3.2 Homebuy**

Additional opportunities for alternative affordable housing are provided by Homebuy Agents. The Homes 4 Wiltshire website will provide a link to the Homebuy agents covering this area who are South West Homes. There are a number of schemes available for people who would like to buy a property but lack the financial resources to purchase on the open market.

### **8.4 Short listing of alternative affordable housing**

At the application stage of Homes 4 Wiltshire, any customers requesting low cost home ownership schemes will be advised to apply to the Homebuy Agent and will be considered eligible when they have been assessed and accepted by the Homebuy Agent. When a low cost home ownership property is advertised only those identified as eligible will be able to bid and the list of bidders will be short listed in order of priority which is explained in point 6.7.

### **8.5 Private rents**

Privately rented properties may also be advertised through the Homes 4 Wiltshire system. Landlords accredited with Wiltshire Council can advertise their properties on Homes 4 Wiltshire.

Applicants will not be able to bid for these properties but will need to contact the landlord directly. All information relating to private rented accommodation will be made clear on any adverts.

### **8.6 Mutual Exchanges**

Current housing association or council tenants will be advised of the services offered by Homeswapper. A link to this service will be available on the Homes 4 Wiltshire website and all tenants wishing to exchange will be directed to this service. Where the landlord has signed up to this service their tenants can view the site free of charge. If the landlord is not a member of the Homeswapper scheme the tenant is charged a nominal fee. Homes 4 Wiltshire will work with all RSL/Council partners to encourage them to sign up to the scheme.

There will be no need for the tenant to be on the housing register for this service, however, the tenant must be a secure / assured tenant. Both tenants must have clear rent accounts before an exchange will be granted. Restrictions may apply i.e. s106, household size, adapted properties etc.

**Any mutual exchange must be agreed by both landlords.**

## **9. REVIEWS & APPEALS**

An applicant has the right to request a review of Homes 4 Wiltshire partnership decisions on the following:

- They consider they have not been awarded the correct banding

Any review requests must be in writing to the Homes 4 Wiltshire team and within 21 days of receiving notice of the banding status. Any necessary evidence or information must be supplied at this stage to substantiate the request. Requests

to review banding, will be undertaken initially by the Home Visiting Assessment Officers. If the applicant is still unhappy with the outcome, 2<sup>nd</sup> line appeals will go to the Assessment Team Leader. Customers who are unable to put their appeal in writing can arrange a meeting with a Home Visiting Assessment Officer where the appeal will be heard and any supporting evidence can be provided. Where necessary the customer may bring a support worker or advocate to the meeting.

Where a review is requested on the following grounds:

- Not having their application included on the Homes 4 Wiltshire register or
- Removing someone from the Homes 4 Wiltshire register other than at the applicant's request;

In these cases a senior officer from Homes 4 Wiltshire who has not been involved in the original decision will carry out the review. As above any review request will need to be made in writing and within 21 days of receiving notification. As above, if the applicant is unable to put their review request in writing they can request a meeting for their review to be heard and any supporting evidence to be provided. Where necessary the customer may bring a support worker or advocate to the meeting.

If the applicant does not agree with the outcome of the review, they will be advised of the Wiltshire Council complaints procedure. With further grounds of appeal to the Local Government Ombudsman.

**If an applicant is unhappy with a partner landlord decision to refuse them for a vacant property they will be required to follow the landlord's appeal/complaints procedure.**

## **10. MONITORING**

The scheme will be closely monitored by Homes 4 Wiltshire to ensure that it is operating equitably and fairly. This will include:

- Number of applications received
- Number of applications registered within ten working days
- Number of applications excluded from the register
- Number of inactive applicants
- Number of properties advertised by type, area and landlord
- Number of properties with s106 local connection required
- Number of bids and method of bidding
- Number of bids for each property by band
- Profile of those bidding, i.e. ethnicity, transfer, homeless applicant
- Number of accepted offers by band
- Number of tenancies refused at sign up & reasons
- Number of properties with multiple adverts and no bids
- Number of review requests
- Number of complaints
- Number of properties excluded from choice based lettings
- Mobility across the County

Other information will be collected in order to complete the P1E returns and in order to assess any additional areas of operation, as appropriate. The Partnership will review the policy twice a year and minor amendments may be

proposed. Should any significant amendments be required, consultation would be undertaken with relevant stakeholders prior to a decision being made.

## **11. REFERENCES**

This policy has been framed with reference to:

### **Housing Act 1996 as amended by the Homelessness Act 2002**

Part VI of the housing act relating to the allocation of accommodation

### **Code of Guidance for local housing authorities – Allocation of Accommodation**

### **Code of Guidance for local housing authorities – Allocation of Accommodation: Choice Based Lettings**

### **Fair and flexible: statutory guidance on social housing allocations for local authorities in England**

### **Acts of the UK Parliament**

This policy has been framed with reference to the following Acts of the UK Parliament

### **Data Protection Act 1998**

Homes 4 Wiltshire is committed to adhering to the provisions of the Data Protection Act 1998. Individuals are entitled under the Act to request details of their personal data held by Homes 4 Wiltshire. There may be a charge for providing this information.

### **Disability Discrimination Act 1995**

The Disability Discrimination Act 1995 makes it unlawful for Homes 4 Wiltshire to discriminate against disabled people.

### **Freedom of Information Act 2004**

Homes 4 Wiltshire complies with the provisions of the Freedom of Information Act 2004.

### **Human Rights Act 1998**

In accordance with articles 8 and 14 of the Human Rights Act 1998, the Lettings Policy ensures that the right to respect for applicant's private and family life is taken into account when assessing housing need. The housing need is assessed taken into consideration a variety of factors including support requirements; bearing in mind the need to not discriminate on grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, or association with a national minority.

### **Race Relations (Amendment) Act 2000**

The Race Relations (Amendment) Act 2000 places the Council under a general duty to work towards the elimination of unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups. Homes 4 Wiltshire will not tolerate any form of racial discrimination.

## **Sex Discrimination Act 1975**

The Sex Discrimination Act 1975 makes it unlawful for Homes 4 Wiltshire to discriminate on the basis of sex or gender in the provision of housing.

## **12. APPENDICES**

### **Appendix 1. Vulnerable Applicant's Policy**

The Allocation of Accommodation Code of Guidance for Local Housing Authorities has highlighted the fact that certain applicants, for example those with physical or mental impairments, who may have difficulty in making an application for accommodation should not be denied the opportunity of exercising choice over the type and location of property offered.

Housing authorities should therefore ensure that help and support is made available to people who are likely to have problems in making an application without assistance. This is especially the case when the allocations scheme involves the participation of applicants in actively choosing their accommodation and housing authorities must ensure that these, more vulnerable applicants, are offered the assistance and support they require. Those considered potentially vulnerable include people who are or have experienced:

- 16-17 year olds
- Care leavers
- Chaotic lifestyles and those of NFA, including rough sleepers
- Deaf
- Domestic violence and other serious harassment victims
- Dual sensory impairment
- Equality group – religion and belief
- Equality group – sexual orientation
- Families with identified needs
- Homeless or in temporary accommodation (individuals and families)
- Learning disabilities
- Low literacy levels
- Mental health issues
- Offenders/Ex-offenders
- Older people and housebound people
- People in hospital ready for discharge
- People with HIV/AIDS
- Physical disabilities
- Prostitution
- Refugees and others for whom English is not their first language
- Substance misuse
- Teenage parents and lone parents
- Travellers
- Unemployed and those on low incomes
- Visual impairment
- Youth offenders

However, not every person in a vulnerable group will need support in order to participate in this scheme and there will be other individuals, not considered to be in a vulnerable group who will need assistance and support.

### **Identifying Vulnerable People**

There are several ways to identify people who may need assistance in making appropriate choices:

- Identifying those who are supported by a statutory or voluntary agency
- Asking people on the application form to indicate whether or not they are in need of support
- Identified by housing officer at the point of application
- Identifying those either not bidding or bidding for inappropriate properties

For vulnerable applicants there are three main barriers to active participation in Choice Based Lettings:

- Lack of access to advertising / scheme information
- Lack of access to bidding mechanisms
- Difficulty with making or articulating choices

### **Access to advertising/scheme information**

Properties will be advertised as widely as possible throughout the County, this will include the Homes 4 Wiltshire website, all council and housing association reception areas and at information points across the County eg Libraries, Doctors surgeries and Health Centres, Hostels, voluntary agencies and shops.

If the applicant cannot access any of these methods of advertising then the advert will be sent to the applicant's home or to a nominated contact for the applicant.

### **Access to bidding mechanisms**

Applicants are able to bid in person at council and housing association offices, on the website, by telephone through the bidline or by a nominated proxy bidder. There is also an option for the Homes 4 Wiltshire IT system to bid for suitable properties on behalf of the applicant.

### **Difficulty with making or articulating choices.**

Cooperation and good communication between partners in the scheme and all appropriate agencies in Wiltshire is vital to Homes 4 Wiltshire.

Homes 4 Wiltshire officers will establish what support needs the applicant has and how the applicant should be supported in order to participate in the scheme.

Training will be offered to support agencies to enable them to assist their clients in making informed choices.

All agencies funded through Supporting People will be able to provide their clients with help on housing issues.

### **Monitoring**

The effective use of monitoring information can be used to identify people who need assistance in bidding;

- Homes 4 Wiltshire will monitor:
- People not bidding
- People bidding for unsuitable properties
- People needing assisted bidding
- Speed of success for people considered vulnerable, comparing those with and without support

## **Appendix 2**

### **Multiple need matrix**

Multiple needs Gold Plus band  
X 2

Gold band criteria

High medical needs  
High welfare or support needs  
Insecurity of tenure  
Move on  
Harassment  
Under occupation  
No fixed accommodation  
Multiple needs (2 x silver)  
Split household

Multiple needs Silver band X 2

Silver band criteria

Medium medical needs  
Medium welfare or support needs  
Serious disrepair  
Overcrowded  
Children in flats  
Lacking facilities  
Armed forces  
Tied accommodation

### Appendix 3

#### Bedroom eligibility

**Any expected child will be included as part of the household when calculating minimum bedroom requirements**

| <b>Household make-up</b>                                   | <b>Minimum Bedroom</b> | <b>Maximum Bedroom</b> |
|--|------------------------|------------------------|
| Single person  | 1 Bed                  | 2 Bed                  |
| Couple   | 1 Bed                  | 2 Bed                  |
| Single or Couple with 1 Child                              | 2 Bed                  | 3 Bed                  |
| Single or Couple with 2 Children (both under 10yrs)        | 2 Bed                  | 3 Bed                  |
| Single or Couple with 2 Children (one of which over 10yrs) | 3 Bed                  | 3 Bed                  |
| Single or Couple with 3 Children (all under 10yrs)         | 3 Bed                  | 3 Bed                  |
| Single or Couple with 3 Children (one of which over 10yrs) | 3 Bed                  | 4 Bed                  |
| Single or Couple with 4 Children (all under 10yrs)         | 3 Bed                  | 4 Bed                  |
| Single or Couple with 4 Children (one of which over 10yrs) | 4 Bed                  | 5 Bed                  |
| Single or Couple with 5 Children (all under 10 yrs)        | 4 Bed                  | 5 Bed                  |
| Single or Couple with 5 Children (one of which over 10yrs) | 4 Bed                  | 6 Bed                  |
| Single or Couple with 6 or more Children                   | 4 Bed                  | 6 Bed                  |