



HOMES 4 WEST WILTS

CHOICE BASED LETTINGS IN WEST WILTSHIRE

1. INTRODUCTION

All parties signed up to the 'Homes 4 West Wilts' partnership intend to provide a common housing register of all prospective tenants for properties provided by registered social landlords (RSLs) within the district and to make nominations in accordance with the Council's allocation policy.

Homes 4 West Wilts Partnership

The partnership is made up of West Wiltshire District Council and a number of housing associations. It has been formed to provide one transparent application and allocation service to those wishing to be housed in West Wiltshire. The housing partners are:

Guinness Trust Housing Association
Hastoe Housing Association
Housing 21 Housing Association
James Butcher Housing Association
Jephson Housing Association
Knightstone Housing Association
Orbit Housing Association
Sarsen Housing Association
Somer Housing Association
Shaftesbury Housing Association
Sovereign Housing Association
Westlea Housing Association
Western Challenge Housing Association
West Wiltshire Housing Society
Wiltshire Rural Housing Association

2. MISSION STATEMENT

To rejuvenate West Wiltshire District Council's lettings service, making it accessible and open, and giving greater choice than ever before for people in housing need.

3. AIMS

The partnership aims to:

- Meet the Government objective of introducing 'choice' into social housing before the deadline of 2010
- Work in partnership to meet housing need in West Wiltshire
- Make the fullest and most effective use of social housing
- Ensure that new homes contribute towards balanced and lasting communities
- Meet the objectives of West Wiltshire District Council's Housing Strategy
- Promote equality of opportunity in housing services

4. EQUAL OPPORTUNITIES

The partners are committed to securing genuine equality of opportunity, whether required in law or not, in all aspects of our activities as service providers.

In practice, this means that every effort is made to ensure that all sectors of the community will have equal access to services offered by the Council and its partners. No person will receive less favourable treatment than others because of gender, disability, age, ethnic or national origin, marital status, religious creed, sexuality or responsibility for dependants.

5. WHO CAN APPLY

Anyone over 18 can apply for accommodation. People who are aged 16 to 18 can apply but will need a guarantor before being offered a tenancy. There are exceptions to this rule and they are detailed below.

5.1 People from overseas

Some people travelling to the United Kingdom to settle are not entitled to be nominated for rehousing by the local authority (section 160A Homelessness Act 2002). These persons include:

- Immigration - any person subject to immigration control within the meaning of the Asylum and Immigration Act 1996, unless he is of a class of persons prescribed for consideration by regulations made by the Secretary of State.
- Habitual residence test - any person who does not satisfy the habitual residence test prescribed by law. This will usually only apply where the applicant has entered the country within the last two years.

5.2 Rent arrears

General need applicants owing any rent, licence charges, mesne profits or other debts to a current or previous landlord will be able to apply - however, they will not be able to bid for a property until this debt has been cleared. The applicant will be placed in Band D until the debt is cleared - once this has happened, they can then apply to be placed in the appropriate band for their needs. The date the band is changed will be the new registration date.

Statutorily homeless applicants with rent arrears or other debts to a former landlord will be offered temporary accommodation. However, they will be ineligible to bid for advertised vacancies until the debt is repaid in full or until they have consistently maintained a satisfactory agreement to repay their debt for at least six months.

Existing housing association tenants with arrears or other forms of debt to any of the partner landlords will be allowed to register but will be ineligible to bid until the debt is cleared. They will be placed in Band D until this happens or until they have consistently maintained a satisfactory agreement to repay their debt for at least six months.

Where a tenant with arrears has an urgent need to move, the landlord will consider whether to make an exception to this rule based on the individual merits of the case. Representatives from the partnership will be called together to make this decision.

All applicants will be entitled to follow the appeal procedure.

5.3 Anti-social behaviour

The Anti-social Behaviour Act 2003 describes anti-social behaviour as “conduct which is capable of causing nuisance or annoyance to any person and which directly or indirectly relates to or affects the housing management functions of a relevant landlord”.

Applicants will be prevented from bidding and will be placed in Band D if the partnership has information, whether from a landlord reference or another source, that they or a member of their household may be guilty of unacceptable behaviour. This would include an applicant or a member of the household being subject to an anti-social behaviour order (ASBO), an injunction, a notice seeking possession, or an acceptable behaviour contract (ABC).

The partnership review panel will consider the case for removal out of Band D if the household has conducted a subsequent tenancy satisfactorily for two years, proving they are no longer a risk to the community. There could be occasions where this would be over-ridden, for example a suspended court order, or when the individual has abided by the ABC or ASBO for a reasonable period of time

If an applicant has been placed in Band D, and believes they should no longer be in this band, they can ask in writing for their case to be reviewed. The partnership will only consider the new application if there has been a relevant change of circumstance. Examples could include additional information regarding an applicant's unacceptable behaviour coming to light, or the circumstances at the time of the fresh application having changed from those existing at the time of the earlier decision.

5.4 Violence & aggression

Violence and aggression towards staff at the RSLs, the Council, the partnership or connected to the partnership scheme will not be tolerated. If behaviour of this nature, by either by the applicant or a member of the applicant's household, has been serious enough for the partnership to take action, it will result in the applicant being placed in Band D for 12 months. At the end of this period, the position will be reviewed.

6. ASSESSMENT OF APPLICATIONS

The scheme will assess all applicants according to their level of housing need, and priority will place them within one of three bands. Each registration will be awarded a banding and a registration date. The criteria for each band are detailed below.

6.1 Band A

Applicants in this band will have an urgent need to seek affordable accommodation as a result of statutory requirements or due to a serious risk to their health, safety and well being.

Homeless/threatened with homelessness	Homeless applicants accepted as homeless (in priority need, not intentional and eligible to receive a full housing duty) by the local authority under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002).
Under-occupation	When the applicant is the tenant of a member of the partnership, resides in the district, under- occupies their existing property and is looking to move to smaller, more suitable property.
Unfit accommodation	The applicant is living in property assessed as being unfit for habitation by an environmental health officer.
Statutorily overcrowded	An applicant stating that they are overcrowded will be assessed to see if this meets the Housing Act 1985 requirements for statutory overcrowding - this will be assessed by an environmental health officer.
Supported accommodation	When an applicant residing in a supported housing project is ready to move on to independent accommodation. This will need to be confirmed in writing by the project provider and will only apply where there has been a service level agreement between the Council and provider.
Right to succession	Applicants who have the right to succeed to a tenancy on the death of the tenant but who are required to move to more suitable accommodation (Housing Act 1985 & 1988).
High medical needs	Applicants awarded a high medical priority requiring an urgent move (see

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Appendix 1 for definition)

Harassment

When the applicant is a victim of harassment (including racial harassment or domestic violence) at their current property, providing evidence exists to substantiate their claim, e.g. police/housing officer etc.

6.2 Band B

Applicants in this band will have a genuine need to seek affordable accommodation but there is not a serious risk to their safety, health and well being and they do not meet statutory requirements. Examples would be:

Insecurity of tenure

Applicants in temporary or insecure accommodation with notice to leave.

Other homeless

Homeless/threatened with homeless households not accepted under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) or those who have nowhere to live (e.g. no fixed abode).

Medium medical needs

Applicants awarded a medium health priority (see Appendix 1 for definition).

Serious disrepair but not unfit

Applicant living in a property assessed as being in serious disrepair but not unfit by an environmental health officer.

Children living in flats

Applicant has a child/children under the age of 10 and lives in a flat above ground floor.

Applicants sharing accommodation

Applicant sharing facilities - e.g. kitchen, bathroom, toilet - with non-household members.

Separated households

Applicants live in separate households but wish to be rehoused together.

Employment

Applicant has been offered full-time permanent employment of more than

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16 hours a week within West Wiltshire.

Non-statutory overcrowding	Applicant lacks bedrooms for the size of their household but does not meet statutory requirements.
Support and welfare	Applicant needs to move to a particular area of the district to give or receive support and failure to meet that need would cause hardship.

6.3 Band C

Those who want to move to affordable accommodation but do not meet the criteria for Bands A & B. The Homes 4 West Wilts partnership recognises that some applicants may not have an identified housing need but will still wish to be rehoused within West Wiltshire. It is considered that such applicants should be provided with an opportunity to apply for housing, and in some instances it might be desirable to house such applicants in order to ensure that communities are balanced, mixed and sustainable.

Out of district	Applicants who live outside of West Wiltshire who do not fit into Bands A & B.
Currently housed appropriately	Applicants who are currently housed in a property that is appropriate for their needs in terms of size and facilities and who have no overwhelming reason to move that would place them in a higher band.
Financial capability	Applicants who have financial capability to afford suitable alternative accommodation, including the market price of property or a market rent for a private landlord in West Wiltshire.
Low medical needs	Applicants awarded a low medical health priority.
Relationship breakdown	Applicant whose relationship has broken down and is still residing in the same property (a new tenancy cannot be granted to an individual who is still a joint tenant of another

property). The applicant would need to assign their interest in a joint tenancy prior to an offer being made.

6.4 Band D (ineligible to bid)

- Applicants who are in rent arrears with a current or previous landlord
- Applicants who own any monies to an RSL (see section 5.2)
- Applicants who have been assessed as having unacceptable behaviour under section 5.3

6.5 Medical points

Applicants with a medical issue will be visited by a member of staff from the partnership and a medical assessment form will be completed. This will enable the applicant to be placed in the correct band. All urgent medical issues that would be placed in Band A will require supporting evidence from a GP, a consultant or a statutory agency (e.g. social services). See Appendix 1.

6.6 Notification

All applicants will be assessed and entered onto the Homes 4 West Wilts register. The applicant will be notified in writing of this and will be told of the outcome of the assessment, including what band they have been placed in and any information about bidding, the registration date and details about how to bid.

Applicants will need to notify the partnership of any changes of circumstances, so that the register can be updated and the applicants informed in writing. If the applicant has been successful in getting a property, but has not updated their application because of a change of circumstance, the offer may be withdrawn.

6.6 Transfers

Existing tenants are entitled to apply to the partnership and will be subject to the same rules as non-tenants.

The partnership will approach the applicant's landlord for a reference. This will state the following:

- The current property is in a good state of repair and cleanliness
- The property has a well maintained garden (if applicable)
- There is a clear rent account
- There is no outstanding possession action for breach of tenancy (notice seeking possession or notice to quit served, or a suspended possession order, injunction, ASBO or acceptable behaviour agreement)
- No other outstanding debts are owed to the landlord (e.g. rechargeable repairs)

Offers will not be made if there is an issue with any of the above.

The partnership may give its consent to a transfer proceeding in circumstances where the above conditions are not met if there is a good management reason or exceptional circumstance (e.g. harassment, domestic violence). The review panel will consider each case on its merits.

7. ADVERTISING

Once a landlord receives notification of a property becoming vacant, they will input the information onto the Homes 4 West Wilts system in an advert format.

All of the information will be collated by the Council once a week to meet the weekly advertisement cycles. The adverts will be placed in:

- Local paper
- Website
- Advert sheet
- Reception areas

7.1 Property labelling

The partnership will use an advert format, and the description of the property will include the following:

- Type of property
- Location of property
- Number of bedrooms
- Any adaptations done to the property
- Any services provided (e.g. warden)
- Rent level
- 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)

Each RSL will decide how to band their own vacancies. However, the expectation will be that the breakdown for all vacancies will be as follows:

- 25% - Band A
- 50% - Bands A & B
- 25% - All bands

West Wiltshire District Council will monitor this on a monthly basis and it will be kept under review according to supply and demand. Each RSL under Housing Corporation guidelines is expected to carry out a certain number of transfers each year so some properties could be labelled for applicants needing a transfer only.

8. BIDDING

Applicants who meet the eligibility criteria specified in the advert can register a bid for the property. They can make as many bids as they wish in any weekly cycle - however, there is no need to bid more than once for any one property.

Each advert will have a deadline (usually within five days of the advertisement date). Expressions of interest received after this deadline will not be accepted.

Applicants can register a bid for the property by:

- Telephone
- Using the website
- Text message

To register a bid, the applicant will need to supply the following information:

- Registration number
- Name
- Date of birth
- Property reference number

8.1 Restrictions

- Applicants under 18 (who do not have a guarantor)
- Applicants who are in Band D

8.2 Assisted bidding

Staff will be available to help customers with the bidding process as and when necessary. 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 West Wilts 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 to identify ways of enabling the applicant to participate in the lettings system.

If the applicant agrees, staff will contact any 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 that are funded through Supporting People will be able to provide their clients with help on housing issues.

This process will be monitored by West Wiltshire District Council. Vulnerable applicants will be able to have a home visit, or to nominate a person to bid on their behalf or to help them bid for suitable properties in the office.

The applicant can also nominate a family member or friend to receive correspondence or make applications for vacancies on their behalf. An alternative will be that Homes 4 West Wilts will automatically put them forward for vacancies that would be suitable.

9. ASSESSMENT OF BIDS

Following close of bidding, a report will be generated from the Homes 4 West Wilts system identifying all applicants who have bid for each property. The Homes 4 West Wilts partnership will produce a shortlist, using the following criteria:

- Highest band
- Registration date

In the rare instance that there is more than one applicant with the same application date and banding, preference will be given to the applicant with a local connection to that area of the district and/or the partnership can look into the individual's circumstances and make a decision about who will get the property.

10. DIFFICULT TO LETS

If a property has been advertised and the bid list is exhausted, the following options could be considered:

- Readvertising
- Relaxing banding and eligibility

11. REFUSALS

There will be no penalty for refusing an offer of accommodation for general needs applicants. However, if the applicant has been accepted under the homeless legislation, only one refusal will be accepted.

12. EXCLUDED DWELLINGS

Occasionally the Homes 4 West Wilts partnership will exclude properties from the letting system. This will be on the following occasions:

- A vacancy is required to enable West Wiltshire District Council to discharge their duty to a statutorily homeless household
- A RSL needs to carry out a decant
- A vacancy is required under the high risk offenders protocol
- Other exceptional circumstances agreed by the partnership

The partnership will publish how many excluded dwellings occur at the end of the year

13. SPECIAL NEEDS

The district benefits from a range of supported housing schemes. These are managed by a range of agencies and have individual referral and allocation criteria, depending upon the client group and the level of support offered.

Given the specialist nature of these schemes, it will not be appropriate to advertise the vacancy.

Individuals with special needs who wish to apply for accommodation should complete the Homes 4 West Wilts registration form. This will be assessed and a separate register maintained specifically for supported housing.

To ensure that households are aware of supported housing schemes, and the need to register with the Homes 4 West Wilts partnership, general adverts will be included within the website, newspaper and advert sheets.

14. RIGHT TO REVIEW

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

- Not to include their application on the Homes 4 West Wilts register
- To remove someone from the Homes 4 West Wilts register other than at the applicant's request
- They consider they have not been awarded the correct banding
- They want to appeal being placed in Band D

The Homes 4 West Wilts partnership will advise an applicant in writing with the reasons why they have not been put on the register or have been removed.

Applicants will be notified of their right to request a review of this decision. Anyone wishing to do so must advise the partnership in writing within 21 days, giving their reasons for doing so.

A senior officer from West Wiltshire District Council who has not been involved in the original decision will carry out a review.

If the applicant does not agree with the outcome of the review, they have a further right to appeal on legal grounds only.

14.1 The Homes 4 West Wilts Panel

The panel will meet on a bi-monthly basis, subject to cases requiring decisions. If a decision cannot wait until the next Homes 4 West Wilts partnership panel date, the decision can be made by telephone or e-mail subject to three representatives reaching agreement.

The panel will consist of a minimum of three members, comprising of a Council officer and officers from any two of the RSLs from Homes 4 West Wilts.

Officers who were involved in the original decision, or who have a relationship with the applicant (for example, current landlord), will not form part of the panel for that decision.

14.2 Complaints

Where an applicant considers that they have been treated unfairly or believes that there has been maladministration of the scheme, they can make a formal complaint to the Council. This is distinct from the procedure to request a

review of a decision that has been made in accordance with the Homes 4 West Wilts policy. The Council's complaint procedure is detailed in the leaflet 'How to complain' and copies can be obtained from the Council Offices, Bradley Road, Trowbridge.

The Local Government Ombudsman can also investigate complaints but prefers to do so only after the Council has had a chance to deal with it. If the Council fails to solve your complaint to your satisfaction, you may refer your complaint to the Ombudsman. The address is:

Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry
CV4 8JB

15. MONITORING

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

- Number of registrations received
- Number of registrations completed within 10 working days
- Number of exclusions
- Number of suspensions
- Number of properties advertised by type, area and landlord
- Number of properties with local connection label
- 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
- Number of properties re-advertised due to hard to let
- Number of review requests
- Number of complaints

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 on a quarterly basis and minor amendments will be made. Should any significant amendments be required, consultation would be undertaken with relevant stakeholders prior to a decision being made.

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Health assessments

The partnership team, based on information contained within the registration form, will undertake a medical assessment for applications normally via a home visit.

The assessment will be made in accordance with this policy. Applicants who wish to request a review of their medical assessment are referred to in [section 14](#)

Disability is a consequence of physical, mental or sensory impairment of a body structure or function. It includes any restriction, or lack of ability to perform an activity in a manner or within a range considered normal for a human being.

Inappropriate housing can reduce a disabled person's ability to cope with their daily living activities or increase the risk of accident or injury. Appropriate housing can reduce the effect of a person's impairment and, for people experiencing medical distress, significantly impact on their recovery and social inclusion.

Health priority is awarded according to both of the following:

- The degree to which the health condition of the applicant, or a member of their household, affects their ability to cope with normal daily living activities in relation to his/her housing circumstances
- The degree to which a change in housing circumstances would enable the applicant, or a member of their household living with mental distress, to maximise their recovery potential and achieve enhanced social inclusion

Degrees of severity

- Severe health priority
The applicant is housebound, or reliant on others for assistance with activities of daily living, or completely unable to climb stairs or obtain access to their WC/bathroom facilities
- Moderate health priority
The applicant has a substantial physical, mental or sensory impairment, but routine activities of daily living can be accomplished independently, although with a level of difficulty and may be neglected. Their coping ability and quality of life in respect of that disability would be improved by appropriate rehousing.
- Minor health priority
The applicant is disadvantaged in coping with daily activities because of their disability, in comparison with a person who is not disabled. Suitable rehousing would materially improve their quality of life in respect of the disability.