

Hastings Borough Council
Homemove Allocation Scheme
June 2010

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1.0 Introduction

1.1 Statement of choice

It is the policy of Hastings Borough Council and its Registered Social Landlord (RSL) partners to operate a choice based lettings scheme (Homemove). This is the scheme as required under Section 167 of the Housing Act 1996 (as amended by the Homelessness Act 2002). It sets out the priorities and procedures for the Council's nominations to Registered Social Landlords (RSLs). The scheme applies to both existing RSL tenants wanting to move 'Transfer Tenants', and to new applicants applying to the register for the first time 'Homeseekers'.

The Council is committed to having a lettings scheme that offers greater choice to all those seeking housing, enabling people to make well informed decisions about their housing options. The Homemove scheme will help improve the sustainability of social housing stock to maximise its effectiveness and encourage residents to have a stake in their community.

1.2 Summary of scheme

When an applicant registers with the Homemove scheme they will be placed into one of four broad bands determined by their housing need. Once the applicant's housing need has been determined they will become eligible to express an interest, 'bid', for vacant properties.

Vacant properties are advertised on a fortnightly basis in the Sussex Homemove magazine. Applicants can bid for the properties they are interested in as long as the property is suitable for their requirements.

All bids for properties must be made by 2pm on the closing date (stated on the front page of the Homemove magazine). All bids received after this time will not be counted.

Once the bidding cycle has ended, applicants with the greatest priority will be considered for each available property.

1.3 Related documents

In compiling this scheme, due consideration has been given to all relevant legislation including, but not exclusively:

- Fair and Flexible: statutory guidance on social housing allocations for local authorities in England (2009)
- Allocation of Accommodation: Choice Based Lettings, Code of Guidance for Local Housing Authorities (2008)
- Code of Guidance for local housing authorities on the allocation of accommodation (2002 revision)
- The Race Relations Act 1976
- The Disability Discrimination Act 1995
- The Human Rights Act 1998
- The Data Protection Act 1998
- The Freedom of Information Act 2000

Regard has also been given to Hastings Borough Council's own policies including, but not exclusively:

- The Hastings and St Leonards Housing Strategy 2009-13
- The Hastings and St Leonards Homelessness Strategy 2008-13
- Local Plan 2004
- Local Development Framework
- Hastings Community Strategy 2003-13
- Sussex Coast Sub-regional Strategy 2005

1.4 Homemove RSL partners

The following Registered Social Landlords are partners to Homemove in Hastings:

- AmicusHorizon
- Brighton Housing Trust (Hastings Community Housing)
- Downland Housing Association
- Home Group
- Housing 21
- HydeMartlet
- Moat Housing Group South
- Orbit South
- Places for People
- Raglan Housing Association
- Southern Housing Group

2.0 The Housing Register

2.1 How to apply

All Homeseekers and Transfer Tenants that wish to apply for social housing must complete an application form in order for their housing need to be determined. Information provided by the applicant will be held on the Council's housing register.

Details of how to register with the Homemove scheme can be obtained from:

Hastings Borough Council

Aquila House
Breeds Place
Hastings
TN34 3UY

Tel: 01424 451100

Email: homemoveteam@hastings.gov.uk

Web: http://www.hastings.gov.uk/housing_advice/default.aspx

AmicusHorizon

PO BOX 322
Sittingbourne
Kent
ME9 8PQ

Tel: 0800 121 6060

Email: contactus@amicushorizon.org.uk

Orbit South

1-3 The Oaks
Little Ridge Avenue
St Leonards on Sea
TN37 7UW

Tel: 0800 678 1221

Email: info@orbit.org.uk

If you or somebody you know would like the information contained in this document to be provided in an alternative format please let us know.

2.2 Who can apply

The Homemove scheme is open to anyone who is 16 years of age or over (subject to the statutory exclusions provisions) although applicants under the age of 18 will only be offered accommodation in certain circumstances (see section 2.6).

2.3 Exclusions from the Register

By virtue of Section 160A of the Housing Act 1996 (as amended) (but subject to certain exceptions set out therein) the Council cannot allocate housing accommodation to the following people:

- (a) A person who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996, unless that person falls within an exemption specified by the Secretary of State.
- (b) A person from abroad who is ineligible for an allocation of housing accommodation by virtue of any regulation made by the Secretary of State.
- (c) A person or a member of that person's household, who has been found guilty of unacceptable behaviour serious enough to make him unsuitable to be a tenant of the RSL.

Section 160A (7) defines unacceptable behaviour as:

- behaviour of the person concerned which would entitle the authority to a possession order under Section 84 of the Housing Act 1985 (c. 68) on any ground mentioned in Part 1 of Schedule 2 to that Act (other than Ground 8), or
- behaviour of a member of his household which would (if he were a person residing with a secure tenant of the authority) entitle the authority to such a possession order.

If the Council decides that an applicant is ineligible for housing accommodation for one of the above reasons, the Council shall notify the applicant of their decision and the grounds for it in writing. Such a notice, if not received by the applicant, shall be treated as having been given if it is made available at the local authority housing office for a reasonable period for collection by the applicant or on his behalf.

The notice shall inform the applicant of their right to request a review of the decision and of the time within which such a request must be made. A request for a review must be made before the end of the period of 21 days beginning with the day on which the applicant is notified of the Council's decision and reasons (after such time the reviewing officer shall use their discretion as to whether there is a good reason why the applicant could not have requested a review with the 21 days).

The applicant shall be required to submit their reasons as to why they are requesting a review, and the reasons why they feel the Council's decision is wrong. Please see Section 17.0.

2.4 Submitting a fresh application following exclusion from the register

A person who is being treated as ineligible by virtue of S160A (7) may, if s/he considers that s/he should no longer be treated as ineligible by the authority, make a fresh application to the authority for an allocation of housing accommodation.

2.5 Who can be included on the Homemove application

- Anyone who is part of the household at the date of registration and is still in occupation

- A partner, someone living with the applicant or who are married or have undertaken a commitment through a civil ceremony or otherwise would be reasonably expected to reside with the applicant
- Dependent children under the age of 18 who live with the applicant, or who might reasonably be expected to reside with them, where the applicant is the parent or guardian in receipt of Child Benefit or an agreement for residency is in place. Where shared residency arrangements exist, each application shall be assessed on its own merits
- Someone not currently living with the applicant but for whom it would be reasonable to do so e.g. a relative requiring care but unable to live with the applicant at present
- A carer whereby the applicant can demonstrate that a live-in carer is essential, and one has been identified and has moved in with the household or is ready to do so when accommodation becomes available
- Any other non-dependant adult who normally permanently resides with the applicant

2.6 Applicants under 18 years of age

Anyone aged 16 or over can join the housing register, although they will not usually be offered a permanent tenancy until they reach the age of 18. In the event that there is an urgent housing need, a further assessment will be carried out and we will work with the individual to find the most suitable accommodation to meet their need. An offer of permanent accommodation will only be made if the authority is satisfied that the young person is able to live independently; is able to sustain a tenancy and has an identified package of support available to them.

A person under the age of 18 does not have the legal capacity to hold a tenancy. Therefore, any tenancy granted to persons aged 16 or 17 will be held by trustees or issued as a licence/equitable agreement.

2.7 Financial resources available to meet own housing costs

Section 167 (2A) of the Housing Act 1996 (as amended) allows an authority to take into account the financial resources available to an applicant in meeting their own housing costs. Applicants who are considered to have adequate financial resources may be placed into Band D.

In instances whereby the above applies, the Council shall ensure that appropriate advice and assistance is made available to the applicant.

Each application shall be carefully considered, and banding decisions will be made on a case-by-case basis. Examples of where an applicant may be awarded a higher Band are:

- Where it is too expensive to adapt the existing accommodation to meet the needs of the applicant's medical condition and they cannot afford to buy or rent suitable alternative housing
- The sale of the property would not enable the owner occupier to purchase or rent an alternative property suitable for their needs

2.8 Reviews of the register

The Council will carry out an annual review of applicants on the Housing Register to confirm whether or not they wish their application to remain active. Applicants will be contacted and asked to confirm within a 4 week period. Applicants that do not respond to the annual review or no longer wish to remain on the Housing Register will have their application cancelled. Applicants may re-register at a later date by completing a new Homemove application form.

2.9 False statements and withholding information

Applicants are required to notify the Council of any change of circumstances that may affect their application for housing assistance. Section 171 of the Housing Act 1996 makes it an offence if any member of the housing application:

- (a) knowingly or recklessly makes a statement which is false in a material particular,
- (b) knowingly withholds information which the authority have reasonably required him to give in connection with the exercise of those functions

A person found guilty of an offence under this Section is liable on summary conviction to a fine not exceeding Level 5 on the standard scale.

The Council/RSL will take appropriate action against anyone who gains a tenancy through point (a) or (b) above. This may result in the loss of the home gained through deception.

2.10 Data Protection Act 1998

The Data Protection Act 1998 is designed to protect personal data about living individuals (data subjects). The Act also places obligations on those organisations that process personal data (data controllers). As a data controller, the Council and its partners of the Housing Register are committed to complying with this legislation by applying the principles of good information handling across all services related to the Homemove scheme.

3.0 Current RSL tenants who wish to move (Transfer tenants)

3.1 Who is a Transfer tenant

An assured tenant of one of the Council's Homemove RSL Partners listed in Section 1.4 and permanently resident in the borough. Transfer tenants will be required to complete a Homemove application as set out in Section 2.0.

3.2 Exclusions

An offer of accommodation will not normally be made to a Transfer tenant if the tenant is in breach of their current tenancy. This includes:

- A valid Notice of Seeking Possession or Postponed Possession Order for rent arrears/anti-social behaviour
- Housing Act Injunction
- Anti-Social Behaviour Order
- Demoted Tenancy

Tenants holding a 'Starter Tenancy' may not be eligible to request a transfer until their Tenancy has been made permanent by their RSL.

In all circumstances, the tenants conduct and rent history will be taken into account when determining their suitability for an offer of accommodation.

3.3 Tenancy assignments

Assignments pursuant to Section 92 of the Housing Act 1985 are not included within this Allocations Scheme.

4.0 The Homemove registration and assessment process

4.1 Homemove Registration

Homeseekers and Transfer tenants must apply by completing a Homemove application form. Details of how to apply can be found in Section 2.1.

The applicant and all members of his/her household must provide proof of (not exhaustive):

- Identity
- Income
- Child Benefit
- Current/previous address
- Proof of Nationality e.g. Birth Certificate, Immigration Status
- Pregnancy

Proof of the above must be provided to the Council in the form of the original document. Copies will be taken and logged with the applicants Homemove application. Photocopies of original documents will not normally be accepted.

4.2 Housing Needs Assessment

Once accepted onto the Housing Register a housing needs assessment will be completed, based on the information provided by the applicant. This will take into account all of the relevant information provided by the applicant, inclusive of any medical details supplied.

When considering medical information supplied as part of the assessment process, priority shall be awarded based on:

- How the individuals medical condition is affected by their current living arrangements e.g. if the medical condition(s) is not affected by the current living arrangements then a decision not to award additional priority may be made

The housing needs assessment will determine the applicants:

- Bedroom entitlement (see Appendix A)
- Priority Band
- Priority date (the date the Homemove application was received)
- Mobility Level (if applicable) (see Appendix A)

The Homemove Team will aim to process a Homemove application within 10 working days of receipt of all the requested documentation.

4.3 Change of circumstances

Applicants are required to notify the Council of any change of circumstances that may affect their application for housing assistance.

In the event the Council are notified of a change in circumstances that affects the applicant's status on the Housing Register, the Homemove Team will notify the applicant in writing of that change.

5.0 The Banding structure

When a Homemove application is received it will be assessed by either the RSL or the Council. The applicant will be placed into one of four priority bands described below.

Band A

- The applicant is homeless, Hastings Borough Council has accepted a duty¹, and the applicant is staying in bed & breakfast accommodation or other short term temporary accommodation and the applicant's needs can only be met in permanent accommodation
- The applicant is homeless, Hastings Borough Council has accepted a duty¹, and the applicant is staying in longer term temporary accommodation and the landlord wants the property back, or the accommodation is not suitable for the applicant and it is not possible to find suitable further temporary accommodation
- The applicant is homeless, Hastings Borough Council has accepted a duty¹, and the applicant is staying with family or friends, or the family is split because of a lack of housing, and the applicant's needs can only be met in permanent accommodation
- Applicants awarded a high medical priority by the Council's medical advisor, where a member of the household has a life threatening condition which is seriously affected by their current accommodation, or some other medical related emergency need to move
- A transfer applicant currently under-occupying family sized accommodation
- A transfer applicant requiring a permanent decant where the property is imminently required for major repair
- A transfer applicant living in an adapted property they no longer need but which could be used by someone else, or where the existing property cannot be adapted to meet the applicant's needs
- A priority transfer² requiring an urgent move as a result of a serious imminent personal risk if they remain
- Members urgently requiring move-on from supported housing or care as part of an agreed care plan that has been approved under a special scheme
- Applicants considered to be in severe housing need as a result of exceptional or cumulative circumstances (to be agreed by the Manager of the Homemove Team or other equivalent)

¹ Within the meaning of Section 193 of the Housing Act 1996 Part VII (as amended)

² As defined by the RSLs own internal Policy

Band B

- The applicant has been assessed as lacking two or more bedrooms
- Applicants awarded a medium medical priority by the Council's medical advisor, where the current accommodation is having a significant adverse effect on a member of the household's medical condition
- Applicants with dependent children and are living in insecure accommodation with no bedroom and lacking or sharing facilities
- Successors and non statutory successors to a housing association tenancy approved by the RSLs Housing Management Team for an offer of smaller and/or suitable accommodation (applies to Hastings residents)
- Management transfers agreed by Housing Management for transfers on management grounds, to properties of same size and type (excluding priority transfers)
- Applicants meeting three or more needs from Band C

Band C

- The applicant has been assessed as lacking one bedroom
- Accepted homeless households¹ occupying temporary accommodation on an assured shorthold tenancy/non-secure licence, until such time as the landlord requires the property back, or the household's needs are no longer met unless offered permanent accommodation
- Applicants awarded a low medical priority by the Council's medical advisor
- Applicants requiring a move because of unsatisfactory housing conditions such as overcrowding or insanitary conditions
- Elderly applicants wishing to move to a Housing for Older Persons Scheme or sheltered housing with no other housing need
- Applicants requiring a move for welfare or social reasons to a particular area where failure to meet that need would cause hardship e.g. to give or receive support

Band D

- All other transfer tenants and homeseekers with no identified housing need and not included in the above Bands A, B, or C
- Applicants who are considered to have adequate financial resources

¹ Within the meaning of S193 of the Housing Act 1996 Part VII (as amended)

Full details of how assessment and banding decisions are made can be found in Appendix A.

The national and regional housing agendas encourage new housing developments to be of a mixed tenure. Where the Council has the opportunity to nominate applicants to a new development, the Council will consider the needs of applicants in all Bands 'A' to 'D' to ensure new developments have a mix of residents.

6.0 Priority dates

6.1 Change of circumstances

In the event that an applicant's circumstances change resulting in a new priority Band, the Homemove Team will write to the applicant informing them of such change and any associated implications.

6.2 Moving up a Band

If an applicant moves up a Band their priority date will change as follows:

- Overcrowding due to the birth of a child: the date will be taken from the child's date of birth
- Priority Transfers: the date the information is received from the RSL
- Environmental Health reasons: the date the decision is received from the Environmental Health Officer
- Medical circumstances: the date the Medical Advisor assesses the additional need
- Homeless household: the date the applicant applied to the Council as homeless
- All other reasons: the date the application is received

6.3 Moving down a Band

If an applicant moves down a band, the priority date will revert to the date that applied when the applicant was previously in that Band, if applicable.

6.4 Multiple Needs

As part of the applicant's housing needs assessment, those applicants who have a range of needs will be identified. These cases will be assessed to identify those applicants whose needs, when considered cumulatively, are deemed to be so severe as to warrant them being placed in a higher priority Band.

7.0 How does the Council advertise empty properties

Empty properties are advertised in a regular free magazine called 'Sussex Homemove', published fortnightly. The Sussex Homemove magazine is available at various outlets listed in Appendix B. In exceptional circumstances e.g. the applicant is housebound, provisions may be made to enable the applicant to gain access e.g. assisted bidding. Details of how to bid are set out in the Scheme User Guide made available on the Sussex Homemove website www.homemove.org.uk. All properties will be advertised as available for either transfer tenants, homeseekers or both. All adverts will also contain the eligibility criteria such as:

- The number of bedrooms in the property
- The minimum and maximum number of people who can live in the property
- Floor level
- Age restrictions, if applicable
- Mobility Level, if applicable
- Whether available for Transfer tenants, Homeseekers, or both
- If pets are not allowed
- Whether it is a Housing for Older Persons Scheme
- Whether it is Sheltered Housing
- Who the landlord is
- The weekly or monthly rental charge, including any other charges

Where a property is advertised for applicants with restricted mobility (Mobility Level One, Two or Three), priority will be given to applicants assessed as requiring an adapted property. Please refer to section 7.1.

7.1 Mobility Level

- Mobility Level One – Typically suitable for a person who uses a wheelchair full time, indoors and outdoors. The property will provide full wheelchair access throughout.
- Mobility Level Two – Typically suitable to a person with restricted walking ability and for those that may need to use a wheelchair for some of the time. The property will have internal and external level or ramped access, but some parts of the property may not be fully wheelchair accessible.
- Mobility Level Three – Typically suitable for a person able to manage two or three steps, but unable to manage steep gradients. The property may have adaptations to assist people with limited mobility.

In cases where the applicant has been accepted as homeless in accordance with S193 of the Housing Act 1996 Part VII (as amended), a household may bid for accommodation that falls outside of the above criteria if it has been assessed that the property is reasonable for the applicant's needs. The offer will be regarded as discharging the Council's duty under Part VII Housing Act 1996 (as amended).

- No other applicants may bid for properties that would not meet their housing need

7.2 Extra Care housing

Extra Care housing will be allocated outside of the Homemove Allocations Scheme to applicants that have a care and housing support need, and have been assessed and approved in accordance with the associated scheme's Allocations Scheme. Please refer to Appendix E.

8.0 Sheltered Housing / Housing for Older People

8.1 Sheltered Housing

There are a range of sheltered housing schemes for older people provided by RSLs in Hastings. Some of these schemes are allocated outside of the Homemove scheme and others are included within the scheme. These schemes are designed to deliver integrated, onsite housing support and housing management service. To make best use of resources, bids would normally be considered from applicants aged 60 and over who would benefit from support to live independently.

8.2 Housing for Older People Schemes (HOPS)

AmicusHorizon has a variety of HOPS generally for people aged 50+. Where it has been agreed with the RSL, bids for HOPS may be considered from applicants with restricted mobility under the age of 50.

HOPS are designed for those who can live independently but who prefer the added security of having a Lifeline system. This includes people who can live independently with a Social Care & Health Care package in place.

9.0 The Bidding process

Eligible applicants can make bids for properties advertised in the Homemove magazine by text message, telephone, submitting a completed coupon or online via the Sussex Homemove website. Full details of how to bid are set out in the Scheme User Guide made available on the Sussex Homemove website www.homemove.org.uk.

Applicants unable to bid as a result of a support need and those who have difficulty with written English will be supported by the Homemove Team, an appointed support provider or a translator.

Applicants that have been awarded a high priority Band and fail to bid within 6 weeks may be contacted to check whether they understand how to bid. The Council may decide to bid on their behalf for suitable properties.

All bids are checked against the eligibility criteria associated with the individual property. Ineligible bids will be excluded from the shortlisting process. Applicants who regularly bid for properties they are not eligible for will be contacted and offered advice and assistance.

9.1 How many bids can I make

Applicants can bid for a maximum of three properties during each bidding cycle. Bids will only count if made within the bidding cycle. Shortlists will be created once the bidding cycle ends, and successful applicants will be contacted as soon as possible to be offered a viewing of the property they bid for.

10.0 The selection process 'shortlist'

All eligible bids for each property are placed into priority order called the 'shortlist'. Priority is determined in the following order:

- Priority Band
- Local connection (as defined by s199 Housing Act 1996 Part VII (as amended))
- Priority date

The applicant with the highest priority will be at the top of each shortlist.

If all three criteria are the same then the priority will be randomly generated by the Locata computer system.

When a property is advertised with an associated Mobility Level, bids from applicants awarded a Mobility Level will be prioritised in Band order over and above those applicants who do not require a Mobility Level property.

If there are no eligible bidders for a property the Homemove Team in consultation with the RSL may decide to make a direct allocation or re-advertise the property in the next Sussex Homemove magazine.

The shortlist will be provided to the RSL by the Homemove Team for them to make contact with the applicant(s) and arrange a viewing of the property. The final decision to offer a tenancy will rest with the RSL, and unless exceptional circumstances apply (see Section 11.0) the applicant with the highest priority will be offered the tenancy. In order to minimise delays the RSL may invite other bidders to view the property.

All applicants will be required to bring along the following to the viewing:

- Proof of identity
- Tenancy agreement of current property (if applicable)
- Any other relevant documentation that has not already been verified by the Council or RSL

10.1 Refusing an offer of accommodation

Once an offer of accommodation has been made, the applicant has the right to refuse the property. If the applicant refuses the offer they will be able to bid again during the next bidding cycle.

If the applicant has been accepted as homeless¹ and refuses an offer of accommodation, the Council may consider that this is a full discharge of duty. Any homeless applicant considering refusing an offer of accommodation should speak to the Council's Housing Options Team before formally refusing a property.

10.2 General needs housing

For all general needs housing the RSLs Lettings Officer will:

¹ Within the meaning of Section 193 of the Housing Act 1996 Part VII (as amended)

- Arrange accompanied viewings
- Advise of any non-essential repairs to be completed after the tenancy start date, and a target date for the completion of any repairs
- Allow the applicant 24 hours from viewing to confirm their decision to accept or refuse the offer of accommodation
- In the event the applicant refuses the offer of accommodation, note the reasons for the refusal and enter the details onto the Locata system, whilst also notifying the Council's Homemove Team. In such event, the applicant with the next highest priority will be offered the tenancy, and so on. With certain exceptions (see Section 10.1), applicants will not be penalised for refusing an offer of accommodation, although the applicant's Band status may be reviewed if the applicant repeatedly refuses an offer of accommodation.
- Allow the applicant 24 hours from viewing to provide any documentation essential to the offer of accommodation. If the applicant fails to provide any requests for documentation the tenancy may be offered to the next highest priority bidder.

Any issues relating to the property will be discussed with the applicant (where appropriate) prior to a tenancy being granted.

11.0 Shortlisting exceptions

Offers will normally be made to applicants at the top of the shortlist. In very exceptional circumstances the Council may need to reject an applicant on the shortlist for a particular property to ensure we meet the objectives set out in section 11.1 to 11.4 below:

11.1 To ensure communities are as balanced as possible

The Council and RSLs may adopt Local Lettings Plans (LLP) for specific areas. LLP can be used to promote social and economic mobility, and address skills shortages and worklessness. Properties subjected to a LLP will be clearly marked in the Homemove advert, and priority will be determined in accordance with the LLP.

11.2 To ensure that allocations are sensitively made

In exceptional cases, for housing management purposes, the Council/RSL may not offer the property to the person at the top of the shortlist. Certain properties are also subject to maximum and minimum age restrictions and these will be clearly labelled in the property advert.

11.3 To make best use of housing stock and to reduce under occupation

From time to time a property may be offered to those who are releasing larger RSL accommodation or offered to those who need to move urgently because the RSL is undertaking work on a property.

11.4 To ensure properties are let quickly

This is important to minimise rent loss and empty property turn around time. Applicants must be available and able to take up an offer of accommodation within 24 hours, although applicants can choose not to accept any offer made.

12.0 Time limits

Households in the following Band A and B categories will have six months to successfully bid and accept an offer of accommodation:

- Accepted homeless households, with the exception of homeless households in bed & breakfast accommodation who will have a six week time limit
- Non-statutory successors
- Priority transfers, except for those placed in temporary accommodation who will have a six week time limit
- Permanent & temporary decants
- Under-occupiers who have succeeded to the tenancy where the RSL has grounds for seeking possession by offering suitable alternative accommodation

If an applicant in one of the above categories fails to successfully bid and accept an offer of accommodation within the prescribed time limit, their case will be reviewed. Once the review has been carried out, a decision will be made whether or not to:

- Extend the bidding period
- Review the applicant's banding status
- Offer a direct letting (see section 13.0)

13.0 Direct Lettings

The Council and RSLs need to retain some flexibility to deal with exceptional circumstances. Direct lettings may be made to the following categories of applicant in the form of one reasonable offer:

- Homeless households in temporary bed & breakfast accommodation (Band A) who have failed to exercise choice through the bidding process within the six week timescale, or who have bid within the timescale but have not been successful
- Transfer tenants who need to be temporarily decanted
- Transfer tenants who need a permanent decant and fail to bid successfully within the timescale. If refused, the RSL will review and/or begin proceedings for possession
- Non statutory successors. If refused, the RSL will review and/or begin proceedings for possession
- Priority transfers who fail to bid successfully within the prescribed timescale. If refused, the Council or RSL may recommend that their priority is lost
- Under-occupiers who have succeeded to a tenancy. If refused the RSL Housing Management Team will review and/or begin proceedings for possession

ALL DECISIONS IN RELATION TO DIRECT LETTINGS WILL BE AGREED BETWEEN THE COUNCIL AND RSL PRIOR TO ANY OFFER OF ACCOMMODATION.

13.1 Refusals following Direct Lettings

In relation to Section 13.0, the Council or RSL will ensure the offer, as far as reasonably possible, meets the applicant's requirements. The applicant must provide the reasons why they are refusing any offer of accommodation. The property will not be held empty whilst the refusal is reviewed and will be offered to another applicant.

If the direct let is made to discharge the Council's homelessness duty owed under s193 Housing Act 1996 Part VII (as amended) a member of the Housing Options Team will review the reasons for refusal and advise the applicant of the consequences of refusal.

Please note that this may result in the Council having no further duty under s193 to house the applicant, and it is therefore advisable that any such applicant seeks advice before refusing the offer in the first instance.

If the direct let is to any other category of applicant detailed in Section 13.0 the Homemove Team will consider the reasons for refusal. If there is a clear mismatch e.g. where the applicant or property details were incorrect, the offer will be withdrawn with no subsequent consequences.

If the offer is considered to be a reasonable one, either a Housing Options Officer or Homemove Officer will advise the applicant of the reasons why they believe the offer to be reasonable and the effect this decision will have on their current housing application.

14.0 Feedback on successful lettings

All properties successfully let will be listed in a future copy of the Homemove magazine along with the following details:

- Total number of bids
- Priority Band of the successful applicant
- Priority Date of the successful applicant

15.0 Local Lettings Policies

A Local Lettings Plan is an agreement between the Council, RSL, and local residents that awards priority to certain categories of applicant in a particular area. This is sometimes required to tackle a specific issue or problem that has been identified locally at block, street, estate or neighbourhood level.

Local Letting Policies have an important role in widening housing choices for local people and ensuring good housing contributes to regeneration and renewal.

The national and regional housing agendas encourage new housing schemes to be of a mixed tenure, catering for a range of households with varying needs and aspirations. Where there are such developments in Hastings, properties may be prioritised for households that would not otherwise have the opportunity to access affordable housing. This is to ensure the development caters for a variety of residents as opposed to concentrations of households with particular support needs.

In areas of the borough where there is a higher than average concentration of deprivation or vulnerable households with high support needs there may be instances where the Council will target working households or those with limited housing need. Through this process lettings can contribute toward balanced, sustainable communities, with a positive impact on education, local businesses and health.

The Council will work with RSL partners to develop Local Letting Policies for new developments and disadvantaged areas where appropriate. These policies will be carefully considered to ensure that in correcting an imbalance in one area they do not create another.

16.0 Other linked schemes & Housing Options

Due to the pressures on social housing across the borough applicants will receive advice and information about a range of housing options e.g. low cost home ownership, and private rented sector solutions.

The Council may be able to offer the following solutions:

- Hastings Letstart
- Tenancy Finders Fee
- Mortgage Rescue
- HomeSwapper - to assist existing social housing tenants to exchange their property with other tenants outside of the bidding scheme

If you would like to find out how the above solutions may be of assistance please ask a member of the Housing Options team.

17.0 Appeals and Reviews

This section sets out the procedure for requesting a review of the following decisions:

- To exclude someone from the Housing Register (or to exclude them from bidding), or to remove someone from the Housing Register other than at his or her request
- That a household is ineligible for an offer of accommodation
- Where a priority has been removed
- Where a Direct Let has been offered and/or refused
- Priority Band and Priority date. Please refer to Section 17.2
- Any other decision in relation to the Homemove Scheme

17.1 Procedure to be followed where a decision has been made to exclude/remove an applicant from the housing register

An officer of appropriate seniority to the original decision maker, and who was not involved in the original decision, will be responsible for carrying out the request for a review.

A request for a review must be made within 21 days from the day on which the applicant is notified of the Council's decision and the reasons for it. The Council has discretion to extend the time limit in exceptional circumstances.

A request should be made in writing. Assistance is available from the organisations listed at Appendix C.

The reviewing officer will carry out an investigation, and, if further information is needed, invite the applicant to write or if unable to do this, make oral representation. The applicant may also appoint someone on his or her behalf to do this.

If the reviewing officer finds that the officer who took the decision did not take relevant information into account they will refer the file back to that officer for re-consideration.

The officer will notify the applicant of their decision and the reasons for it within eight weeks of the request for a review; there is no right to request a review of the decision unless the applicant's circumstances change.

17.2 Procedure to be followed for all other review requests (excludes those covered in Section 17.1)

All requests for a review concerning an applicant's status on the Housing Register should be made in writing to the Homemove Team. In circumstances whereby the applicant is unable to make a request in writing, alternative arrangements will be considered.

A Homemove Officer will be responsible for conducting the review. The applicant will be notified in writing of the outcome within 8 weeks of their original request.

Any further requests for a review will only be considered whereby the applicant is able to provide evidence of a material change in their circumstances that was not made available at the time of the original request for a review. A Homemove Officer will consider any material change in circumstances, and write to the applicant to confirm the outcome within eight weeks of the request for a review.

If the applicant is unable to provide evidence of a material change in their circumstances, they will be notified in writing that a further review will not be carried out.

Appendix A

Assessments and Banding Decisions

Upon application to the Council's housing register a decision will be made on what, if any, follow up action is appropriate e.g. referral to the Council's medical advisor, Environmental Health Team, Housing Options Team (if there is a threat of homelessness), Social Services, or other relevant support agency. The Homemove/Housing Options Team will determine which priority band the household should be placed into taking into account any relevant information, and with consideration of the following guidelines:

1. Medical Needs

Applicants who indicate that they or someone in their household have an illness or disability which is affected by their current housing conditions, or who may be vulnerable on physical or mental health grounds and in need of settled accommodation are required to complete a medical self assessment form. The Council's medical advisor will consider the information provided, together with any supporting information from the applicant's General Practitioner, Hospital Consultant, or Occupational Therapist, as appropriate. A second opinion may be sought if a decision is inconclusive.

The medical assessment is based upon the applicant's present housing and the effect this is having on their state of health. Upon reaching a decision the Council will consider whether the overall effect on the household or any member of the household is sufficiently severe to warrant inclusion in a higher band.

Each medical assessment is based on a judgement of need and will be made by the Council's medical advisor. Applications from members with a medical condition(s) will be placed into one of the following bands:

Band A – High Medical Priority

Band A will be awarded where any member of the household has a life threatening condition which is seriously affected by their current accommodation, or some other medical related emergency need to move

Band B – Medium Medical Priority

Band B will be awarded when the current accommodation is having a significant adverse effect on a member of the household's medical condition

Band C –Low Medical Priority

Band C will be awarded when the current accommodation is having an adverse effect on a member of the household's medical condition

If a household is considered to be living in overcrowded conditions and/or there are other adverse circumstances, these will be taken into consideration as part of the medical assessment.

2. Mobility Needs

Irrespective of the banding assessment, if a member of the household has a substantial and permanent physical disability a Mobility classification may be awarded. The Homemove Team may seek assistance from the Occupational Therapy Team to help in the assessment of the household's mobility requirements.

Mobility Group One:

Typically suitable for a person who uses a wheelchair full time, indoors and outdoors. The property will provide full wheelchair access throughout.

Mobility Group Two:

Typically suitable for a person with restricted walking ability and for those that may need to use a wheelchair some of the time. The property will have internal and external level or ramped access, but some parts of the property may not be fully wheelchair accessible.

Mobility Group Three:

Typically suitable for a person able to manage two or three steps, but unable to manage steep gradients. The property may have adaptations to assist people with limited mobility.

3. Unsatisfactory Housing Conditions and Statutory Duty

Households will be placed in Band C where there are:

- Insanitary conditions that cannot be addressed by the Environmental Health Team including lacking one or more of the following:
 - a kitchen (e.g. sink and space for a cooker),
 - an inside WC or a bathroom (e.g. basin and bath or shower).
- Other unsatisfactory housing conditions (e.g. substantial disrepair as assessed by the Environmental Health Team).

4. Overcrowding

Applications will be awarded a Band B status if the household is lacking 2 or more bedrooms, and Band C if they are lacking one bedroom. The minimum bedroom requirements are set out in the table below:

Household composition	Minimum requirements
An independent adult (16 years+)	1 bedroom, including a bed-sit or studio
Co-habiting couples	1 bedroom
A child dependent	1 bedroom
Two children of opposite sex	2 bedrooms

Two children of the same sex both under the age of 16	1 double bedroom
Two children of the same sex where at least one is over the age of 16, or an age difference of at least 8 years	2 bedrooms

Please note that if there is a second reception room it will generally be counted as available for use as a bedroom.

5. Homeless Applicants

Homeless households owed the main housing duty by Hastings Borough Council under Section 193 of the Housing Act 1996 (as amended) will be placed into one of the following Bands:

Band A

Where an accepted homeless household is provided with temporary accommodation by the Council and the landlord requires the property back, or the property is considered to be unsuitable in meeting the household's needs, the applicant will be placed into Band A. The Housing Options Case Officer will recommend when the temporary accommodation is no longer suitable. Examples of instances whereby further temporary accommodation would not be considered a suitable option include:

- A member of the household has obtained employment, resulting in severe financial hardship (e.g. through loss of benefits)
- There are severe medical or disability reasons
- Severe harassment or violence in the current property
- Severe disrepair of the current property
- It is no longer suitable for an applicant, or member of the applicant's household, to remain in supported accommodation provided by the Council.

Homeless households making their own temporary arrangements or suffering family split due to a genuine lack of accommodation will also be placed into Band A.

Band C

Accepted homeless households who are occupying an assured shorthold, non-secure tenancy, or supported accommodation (provided under the Housing Act 1996 Part VII) and who are not yet ready for move-on will be awarded a Band C status until such time as:

- the landlord requires the property back or
- their needs can no longer be met, or
- their housing situation whilst in assured shorthold, non secure tenancy, or supported accommodation warrants a higher priority banding under other Homemove criteria.

6. Social Welfare Considerations

Where there are social welfare needs the Homemove Team will consider the recommendations of Social Services and other relevant agencies, and take into account any multiple needs. The applicant will be placed into one of the following bands:

Band A - Severe Housing Need

Band A will be awarded when an applicant or member of the applicant's household is considered to be in 'severe need'. This will include exceptional circumstances and/or multiple needs warranting emergency priority (to be agreed by the Senior Housing Options Practitioner).

Band A or B – Multiple Needs

Band A will be awarded when a household is considered to have multiple needs e.g. the application meets three or more Band B reasons. This allows housing need to be considered cumulatively.

Band B will be awarded when a household is considered to have multiple needs e.g. the application meets three or more Band C reasons. This allows housing need to be considered cumulatively.

Band B - High priority hardship

Band B will be awarded when an applicant with dependent children is living in insecure accommodation e.g. with family or friends, and lacking a bedroom (see the minimum bedroom standards), and lacking or sharing facilities.

Band C - Other social welfare/hardship

Band C will be awarded when a member of the household requires a move to a particular area within the borough where failure to meet that need would cause particular hardship e.g. to give or receive care or support.

7. Other High Priority Categories (applicable to Transfer applicants only).

Band A - Priority Transfers

Band A will be awarded to priority transfers agreed in exceptional circumstances due to significant and insurmountable problems associated with the tenant's occupation and there is imminent personal risk to the household if they remain e.g. severe harassment. This priority will be agreed by the relevant RSL concerned under the relevant policy and communicated to the Council's Homemove Team.

Band A - Moving for major works

Band A will be awarded to transfer applicants if their property is imminently required for essential works and the tenant cannot remain in the property. Although the RSL and Council will encourage and assist such tenants to make bids through the Homemove system we recognise that the RSL has a duty to provide suitable alternative accommodation and a reasonable offer will be made within the necessary timescale whether a successful bid is made or not.

Band A – other categories

Band A will be awarded to:

- Release adapted accommodation. The decision to award Band A is made at the RSLs discretion if there is an unmet need for the property occupied e.g. where the tenant does not require the adaptations such as a walk-in shower and/or other wheelchair accessible facilities. **Where such a decision is made the RSL will inform the Council in order for the Council to make such changes to the applicant's housing assessment.**
- Enable tenants under occupying family sized accommodation to move to smaller accommodation under a Transfer Incentive Scheme (TIS). Tenants should make enquiries with their landlord to find out whether they offer a TIS. Under occupiers who do not qualify for the TIS will be placed in Band C.

NOTE: Any bid placed for a property that does not fall within the terms of the TIS will result in the applicant reverting to their original Band status for that particular bid.

Band B

Band B will be awarded to:

- Non-statutory successors - approved by the relevant RSL for an offer of suitable accommodation. **Where such a decision is made the RSL will inform the Council in order for the Council to make such changes to the applicants housing assessment.**

8. Move on from Supported Housing

Priority Banding will be made in accordance with the Council's 'Move-on from Supported Accommodation through Choice Based Lettings Policy'.

Band C

Band C will be awarded when an applicant is provided with supported housing and has no other housing need. The application will remain in Band C until such time as the accommodation is considered to be unsuitable e.g. the landlord requires the property back, the applicant no longer requires the support.

Other band

The appropriate band will be awarded if the applicant has other circumstances that may warrant them being placed into a higher band e.g. high medical need.

Appendix B

List of Freesheet points.

1. **Hastings Borough Council**
Aquila House
Breeds Place
HASTINGS
TN34 3UY

2. **Hastings Borough Council**
Hastings Information Centre
Queens Square
HASTINGS
TN34 1TL

3. **AmicusHorizon**
Queensbury House
Havelock Road
HASTINGS
TN34 1BP

4. **AmicusHorizon Neighbourhood Office**
5 Kennedy Court
Stonehouse Drive
ST. LEONARDS-ON-SEA
TN38 9DH

5. **AmicusHorizon Neighbourhood Office**
45-51 Chiltern Drive
HASTINGS
TN34 3PY

6. **Orbit South**
1-3 The Oaks
Little Ridge Avenue
ST. LEONARDS-ON-SEA
TN37 7UW

7. **Hastings Library**
Hastings Resource Centre, Carisbrooke House
Stockleigh Road
ST. LEONARDS-ON-SEA
TN38 0JP.
Opening Hours: Monday 10-2pm; Tuesday-Friday 10-4pm.

8. **The Bridge Community Centre**
361 Priory Road
Hastings
TN34 3NW

Appendix C

Agencies that may assist a household to request a review.

Brighton Housing Trust - Hastings (BHT)

Tel: 01424 452634

Appendix D

Extra Care Housing

Extra Care housing provides extra support whilst enabling a person to live as independently as possible and retain their own tenancy. This is for older people who are physically or mentally frail and need extra help to manage, and who might otherwise need residential or nursing care. The aim is to promote independence as much as possible, while offering an on-site care team to meet needs flexibly 24 hours a day. There are staff available to offer care at particular agreed times, but each person remains in control as they have their own front door.

Extra Care housing will not be advertised in accordance with this Homemove Allocations Scheme. Applicants interested in Extra Care housing should make contact with the Council's Homemove Team for more information.

Appendix E

Local Connection

The Council determines local connection in accordance with Section 199 Housing Act 1996 Part VII (as amended). A local connection will be established in the following circumstances:

- The applicant has resided in the Hastings Borough for 6 out of the last 12 months, or 3 years out of the last 5 years.
- The applicant has a close family member residing in the Hastings Borough and this member has resided here for a minimum of 5 years, and is still resident. A close family member is defined as a mum, dad, sister, brother, or adult children.
- The applicant is working within the Hastings Borough, and this work has a degree of permanence.

For a more detailed explanation of how local connection is defined please refer to the relevant act stated above, or ask a member of staff for further assistance.