

Hammersmith & Fulham Council

**Housing Allocation
Scheme**

January 2021

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1. INTRODUCTION

- 1.1 This Housing Allocation Scheme sets out the rules by which affordable housing and other accommodation available to the council is allocated to applicants who are eligible and qualify to be on the Council's Housing Register. The council is required by law to produce this document which must comply with primary legislation (i.e. Acts of Parliament) and secondary legislation (principally government regulations) and have regard to guidance documents that are periodically issued.
- 1.2 This Scheme replaces the previously adopted Housing Allocation Scheme. Whilst the structure and sequence of the Scheme is broadly unchanged, some changes have been made to the content which are set out in a separate summary document.
- 1.3 The Scheme will be monitored on an ongoing basis and reviewed from time to time, particularly when regulatory changes are introduced, or new case law requires a change in approach. The Chief Housing Officer, in consultation with the Cabinet Member for Housing may make **minor** amendments to the Scheme (and approve any associated documents such as Local Lettings Plans) if required. Before making any **major** alterations to the scheme reflecting major policy changes the Council is required to consult with Registered Providers (housing associations) and allow them the opportunity to comment on the alterations.
- 1.4 For the purposes of this document the term 'applicant' will also mean joint applicants, where appropriate. The term applicant (or applicants) will also mean person (or persons) as defined in legislation and government guidance. Dependent members (e.g., the applicant's children) will be described as household members.
- 1.5 For ease of reference, the term 'Registered Providers' is used to describe Housing Associations. References to 'The Council' are principally in relation to its role as the strategic housing authority for the borough.

2. PRIORITIES FOR THE ALLOCATION OF ACCOMMODATION

Eligibility

- 2.1 Any person can approach the Council's Housing Solutions Division for housing advice and assistance. However, the amount of accommodation in Hammersmith & Fulham is very limited, and the Council does not operate an 'open' system whereby any person can be registered. Instead, the Council will operate a managed register approach with standard checks for eligibility undertaken, but with a tighter approach as to who qualifies to be on the register.

- 2.2 Where the Council is unable to give support to applicants through registration, it will provide housing options advice and support.
- 2.3 In terms of **eligibility**, any person who does not fall into one of the categories below will be a person subject to immigration control and will be ineligible for an allocation of accommodation.
- (i) British and Irish citizens habitually resident in the UK
 - (ii) certain Commonwealth citizens with a right of abode in the UK
 - (iii) applicants who have Settled Status, Pre-settled Status or who arrived in the UK before 31.12.2020 and are in the process of applying for settled status or their qualifying family members under the European Union (Withdrawal Agreement) 2020
 - (iv) persons who are exempt from immigration control under the Immigration Acts including diplomats and their family members based in the UK and some military personnel.
- 2.4 This means that people subject to immigration control and certain other people from abroad (outside the categories identified above) will not usually be eligible for accommodation arranged by the Council.
- 2.5 More generally, the council will decide in each case as to whether the people included in the application by the applicant will be considered as a part of the household. For example, the council will generally **not** consider the following as members of a household: people who are subject to immigration control (as set out above); non-dependent adult children aged 21 or older; other adult relatives; non-relatives; lodgers; 'live in' help. Furthermore, due to a shortage of properties with 4 bedrooms or more the council may discuss with large households whether they can be divided into two or more smaller households.
- 2.6 The statutory provisions regarding eligibility and qualification are set out in s 160ZA of the 1996 Housing Act as amended by the 2011 Localism Act and the Homeless Reduction Act (2018).

Qualification and Reasonable Preference

- 2.7 Central to any Housing Allocation Scheme is ensuring that 'reasonable preference' is given to people with high levels of assessed housing need. In drafting this Housing Allocation Scheme, the Council has had regard to CLG's *Allocation of accommodation: guidance for local housing authorities in England*.
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- Reasonable preference groups are defined as follows:

All homeless people as defined in Part VII of the 1996 Housing Act including people who are intentionally homeless and those who are not in priority need

People who are owed a duty by a 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 s192(3)

People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions

People who need to move on medical or welfare grounds, including grounds relating to disability

People who need to move to a particular locality in the housing authority area, whose failure to meet that need would cause hardship (to themselves or others) which includes those needing to move on 'Right to Move' grounds (see Section 2.51 for more information)

- 2.8 In framing this Housing Allocation Scheme the Council intends to give effect to s.166A(3) of the 1996 Housing Act (as amended); housing authorities should have regard to the following considerations:

The scheme must be framed so as to give reasonable preference to applicants who fall within the categories set out in s.166A(3), over those who do not

Although there is no requirement to give equal weight to each of the reasonable preference categories, housing authorities will need to demonstrate that, overall reasonable preference has been given to all the reasonable preference categories

There is no requirement for housing authorities to frame their scheme to afford greater priority to applicants who fall within more than one reasonable preference category (cumulative preference) over those who have reasonable preference on a single non-urgent basis

- 2.9 In respect of Hammersmith & Fulham's Housing Allocation Scheme, the Council intends to ensure that **all** successful applicants have reasonable preference. But it will give 'additional preference' to applicants who are making a community contribution. The Council is obliged to provide advice, information and assistance to all applicants, even if they are likely to be unsuccessful with their application for accommodation. **To be considered for housing, all applicants must complete an application form in accordance with the requirements of this Housing Allocation Scheme.** Application Forms should be completed online using the Council's 'My Account' service which can be accessed on the Council's website at www.lbhf.gov.uk.

We understand that some applicants may not be able to apply in this way. If this is the case, they should:

Return a completed housing application to us at 145 King Street,
Hammersmith, London W6 9XY

Telephone us at 020 8753 4198 (option 1, option1) for further information

Email us at housingregister@lbhf.gov.uk for more information

- 2.10 These are the categories of people that the Council will consider for housing, except for management transfers set out in Section 3 and where the Council adopts a Local Lettings Plan (See Sections 2.43 – 2.50). The latter may include new and existing accommodation in regeneration opportunity areas where specific outcomes are sought, such as mixed, balanced sustainable communities.

- 2.11 Except in the case of Management Transfers or under a Local Lettings Plan and subject to the exceptions set out below, to qualify for an allocation of housing an applicant must meet at least one of the statutory 'reasonable preference' criteria, defined in section 2.7 and described in Annex 3 of this document. Applicants should seek advice as individual circumstances vary. Where the Council adopts a Local Lettings Plan (see Sections 2.43 – 2.50), the Council may seek to nominate eligible and qualifying applicants from the Homebuy Register for affordable rented housing (i.e., social or affordable rent).
- 2.12 The council has a housing banding system which determines who will be prioritised for housing in the borough. The housing bands are summarised below and full details of what the criteria for individual cases will be are described in more detail in Annex 3:

Band 1: Urgent Need to Move due to Reasonable Preference PLUS Additional Priority

Band 2: Need to move – Reasonable Preference AND a Community Contribution

Band 3: Need to move – Reasonable Preference BUT NO Community Contribution

Band 4: Reduced Priority: Need to Move - Reasonable Preference but with Reduced Priority

- 2.13 The Council will only register eligible applicants who qualify to meet at least one of the reasonable preference criteria set out in Section 2.7 of this document (except for allocations under a Local Lettings Plan). Whilst the Council is giving clear preference to applicants making a community contribution, it is also keen to have qualifying criteria which better fits the supply of accommodation that the Council can reasonably have access to. **This means that even in a number of instances where applicants meet the qualifying Reasonable Preference criteria described in Section 2.7 of this Housing Allocation Scheme, the Council will not accept a Housing Register Application.**

Exceptional Cases including Classes of Person that do not Qualify

- 2.14 the following classes of person will **not** normally qualify for registration:
- (a) Applicants who are single or a couple without dependents and who are overcrowded and this is their only housing need.
 - (b) Applicants who have been convicted of housing or welfare benefits related fraud (including subletting) where that conviction is unspent under the Rehabilitation Offenders Act 1974. Any person caught by this may re-apply once this conviction is spent.
 - (c) Applicants who qualified for registration by reason of the Council having owed them the main homelessness duty, but the Council has ceased to be subject to that duty because of the refusal of a suitable offer.

- (d) Applicants who are homeowners, including joint homeowners
- (e) Applicants who do not meet the local residency qualifications set out in section 2.21
- (f) Applicants whose income, savings and assets exceeds the limits set by the Council (see section 6.8).

Applicants who owe arrears of rent or other accommodation charges in respect of the current tenancy or former accommodation, unless an appropriate agreement has been reached and sustained for a reasonable period. In assessing the application for registration, the Council will take into account the size of the debt, the means to pay and the degree of the household's need. An exemption will apply to Service personnel or their former partner who have to leave their tied accommodation through no fault of their own and have accrued mesne profit debt following notice to leave.

- (g) Applicants who have been guilty of unacceptable behaviour which makes them unsuitable to be a tenant. Examples of such unacceptable behaviour include:

- persistent failure to pay rent and/or service charges;
- anti-social behaviour which has caused a nuisance by the applicant or a member of his or her household;
- on-going culpable involvement in anti-social behaviour or criminal activities;
- illegal or immoral behaviour;
- threats of and/or actual violence; racial harassment;
- hate crime;
- obtaining a tenancy by deception and/or an attempt at tenancy fraud;
- breach of tenancy conditions.

- (i) Transfer applicants who have breached the terms of their tenancy by not looking after their home and causing damage.

- (j) Applicants who are secure tenants, assured tenants and assured shorthold tenants of registered providers (i.e., council landlords including arm's length management organisations and housing associations) from outside the borough.

2.15 There is discretion to waive these classes in exceptional circumstances as approved by the Chief Housing Officer, Assistant Director Housing Management or delegated officer who shall be a Head of Service.

2.16 Applicants may also be eligible and qualify to meet the criteria necessary to access the Home Buy Register. Housing staff will be able to advise applicants on the necessary criteria.

2.17 **Acts of Violence and Aggression to employees will not be tolerated by the Council and any Applicant who threatens or uses violence towards any Council employee or contractor will be removed from the register immediately.**

2.18 The Council recognises that there may be exceptional circumstances where the only way an exceptional housing need can be resolved is through the use of discretion. In the interests of fairness to all these applicants these circumstances are kept to a minimum. Examples of exceptional circumstances include, but are not limited to:

2.18.1 Threat to life in the area in which they are residing.

2.18.2 Emergency cases whose homes are damaged by fire, flood or other disaster may be provided with other accommodation if it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life.

2.18.3 Households who, on police advice, must be moved immediately due to serious threats to one or more members of the household, or whose continuing occupation would pose a threat to the community.

2.18.4 Cases nominated under the Police Witness Protection Scheme or other similar schemes that the council has agreed to be part of.

2.19 Other exceptional circumstances will be authorised by the Chief Housing Officer, Assistant Director Housing Management or delegated officer.

2.20 Where the Council decides that it wishes to make a discretionary offer where exceptional circumstances apply, the offer of a tenancy may be a 2-year tenancy (plus a year's introductory tenancy). In the event the tenant is unable to sustain that tenancy, no further housing accommodation will be offered. This will not prevent the applicant receiving advice and support as necessary. All applicants who do not qualify under the criteria set out above may submit a new housing register application if their circumstances change. This will be considered against the criteria set out in this Housing Allocation Scheme.

Local Residency Qualification

2.21 Meeting a local residency qualification is a central tenet of this Housing Allocation Scheme. **Local residency qualification** within the terms of this scheme will normally mean that an applicant:

has lived in this borough, through their own choice, for a **minimum of five years** up to and including the date of their application, or the date on which a decision is made on their application, whichever is later,

OR

has been resident for a total of **five out of the last seven years** and are resident in the borough at the time of application.

2.21.1 Households placed in temporary accommodation by H&F Council and the accommodation is located outside the borough will not be disadvantaged as this time will count towards local residency.

2.21.2 Homeless applicants that work with the Council's homeless prevention service and have their homelessness prevented with private rented

accommodation located outside the borough will not be disadvantaged as this time will count towards local residency

2.21.3 Applicants who are placed and funded by the Council in residential care (e.g., elderly or children in care) accommodation outside the borough will also qualify under the local residency rule.

2.21.4 Where applicants are applying jointly, both applicants must meet the local residency qualification, including household members. Children under 5 will not be disqualified from inclusion in the assessment on the basis of the residency criteria so long as they were born to parents resident in the borough.

2.21.5 The local residency qualification may also be awarded to people who need to move to a particular locality in the borough, where failure to meet that need would cause exceptional hardship to themselves or to others.

2.21.6 Council tenants shall not be penalised and shall retain their rehousing rights where they have been displaced in the event of an emergency, irrespective of an acceptance of temporary accommodation from this or another borough.

2.22 The local residency qualification will not be applied to the groups specified in *The Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012 as amended in line with recommendations within statutory guidance issued in June 2020*. Local residency criteria will also not be applied to applicants who have left Hammersmith & Fulham to attend a full time course at a higher education institution or to access Special Educational Needs outside the Borough, nor does it apply to applicants (existing social housing tenants in England only) seeking accommodation on Right to Move grounds

2.23 People in the following categories will **not** normally be considered as having met the local residency qualification are:

Those placed in the borough of Hammersmith & Fulham in temporary accommodation by another local housing authority

Those placed in the borough of Hammersmith & Fulham in residential or supported housing by another borough

Secure or flexible tenants of other boroughs

Assessing your Application

2.24 Applications for housing will be assessed by Housing Officers using information supplied by the applicant and as a result of further necessary enquiries that follow from an application. The Housing Officer will decide whether the applicant qualifies to join the register and if so, which band will apply. All qualifying applicants' priority date will usually be the date of their application, however a homeless application will trigger a new assessment and will supersede any previous application. However, if an applicant's circumstances change and their banding changes upwards (e.g., from Band 3 to Band 2), their new priority date will be the date on which their banding priority changed. Applicants whose banding priority date is reduced will retain their existing priority date.

- 2.25 Applicants who are assessed as not qualifying for one of the Council's Housing Bands will be offered housing advice and assistance as necessary.
- 2.26 Medical priority will be awarded and banded according to the extent to which the health or welfare of one or more members of the applicant's household is affected by their housing conditions and the expected benefits of providing suitable alternative settled housing. The circumstances that relate to this are set out in Annex 3. Such priority will be approved by a panel of senior officers
- 2.27 Housing Officers will work with social services and other agencies to identify clients currently in supported housing who are ready for independent living. Subject to these discussions and agreement that the client's housing needs cannot be met outside of social housing, these clients will be placed in Band 3, unless community contribution criteria are met in which case band 2 will apply.
- 2.28 Housing Officers will work with Children's Services and other agencies to identify clients currently in children's care accommodation who are ready for independent living. Subject to discussion and agreement at the appropriate panel with the officers/agencies concerned, and there are no compelling reasons why the client's housing needs cannot be met outside of social housing, these clients will be placed in Band 1.
- 2.29 In operating this Housing Allocation Scheme, the Council will have regard to the housing related aspects of the 2014 Care Act and work with officers from Adult Social Care and other officers of the council to ensure that all reasonable efforts are made to consider applicants' housing and related care needs

Condition and Size of Offered Accommodation

- 2.30 All accommodation offered will be habitable, in reasonable repair and fit for letting. The size of accommodation for which each applicant will be considered will depend upon the size and composition of the applicant's household at the time of offer. The requirements for each size of household are set out at Annex 1.
- 2.31 Larger accommodation than specified in Annex 1 may be considered in exceptional circumstances on the recommendation of the Housing Officer and approved by a Panel of Senior Officers. The Council may draw on specialist advice, for example, the Council's Medical Advisor, Occupational Therapy Service, or senior social worker.
- 2.32 When assessing levels of overcrowding within a property, the Council may treat every habitable room as a bedroom except kitchens, bathrooms and open plan kitchen/dining rooms. The Council will normally consider additional rooms in homes for use as bedrooms in accordance with Housing Benefit regulations.
- 2.33 Cases of existing secure Council tenants agreed as Management Transfers will be offered homes of the same size or smaller if the property is being under occupied.
- 2.34 Where the Council is discharging its homelessness duty into private rented accommodation, the accommodation should meet the suitability criteria set out in

the *Homelessness (Suitability of Accommodation) (England) Order 2012*, subject to availability and affordability of accommodation.

Suitability of Housing Offers and Homelessness Prevention

- 2.35 Where accommodation is offered through the assisted choice process described below, an applicant will normally be expected to accept an offer of a property that meets their specified needs which is deemed as suitable and appropriate to meet the housing and medical needs of the household concerned.
- 2.36 The Council will seek to take into account applicants' particular or special needs (including need for an additional bedroom for carers) but it will not always be possible to ensure that these needs are met. In considering what is reasonable, the Council will have regard to the overall supply of Council accommodation, prevailing housing conditions in the borough and the demands placed upon it by all priority groups.
- 2.37 As a guideline and subject to the individual circumstances of each application, the Council will normally consider that a property is suitable if:
- It is located close to an area which the applicant has selected, or the offer has had regard to any expressed housing preferences.
 - It is sized in accordance with the criteria in Annex 1.
 - The offer takes account of any medical professional recommendation.
- 2.38 An offer of accommodation which is arranged by way of a nomination to a housing association property will be considered to be as reasonable as an offer of a council tenancy.
- 2.39 If a housing applicant refuses two reasonable offers of accommodation through the assisted choice scheme or a direct allocation, their priority under this allocation scheme will be reduced by a Band for twelve months. This will not necessarily mean no further offers will be made but will reduce their priority.
- 2.40 An exception to such a reduction in priority this may apply if there has been a material change in circumstances such that the offer of accommodation would no longer be suitable.
- 2.41 The Council, will use private rented housing to prevent homelessness and discharge its various homelessness duties in appropriate cases pursuant to the Housing Act 1996 (as amended) and the *Homelessness (Suitability of Accommodation) (England) Order 2012*. In the following cases, the household will be permitted to remain on the Council's housing register:
- 2.41.1 Households threatened with homelessness who would if they became homeless be likely to be owed a full housing duty under Part 7 of the Housing Act 1996, but who are working with the Council to prevent themselves from becoming homeless.
 - 2.41.2 Households who are working with the council to prevent themselves becoming homeless, whose homelessness is relieved and who would

otherwise have been likely to have been owed the full housing duty under Part 7 of the Housing Act 1996.

2.41.3 Households to whom the Council previously owed a full housing duty under Part 7 of the Housing Act 1996 but who have voluntarily agreed to this duty being brought to an end by the provision of private rented accommodation.

2.41.4 Households to whom the Council previously owed a full housing duty under Part 7 of the Housing Act 1996 who, with the advance agreement of the Council, have voluntarily left temporary accommodation to make alternative housing arrangements including staying with friends or relatives. This does not apply to those who have been given notice to leave by the Council, or who leave without giving the council advance notice.

Local Lettings Plans

2.43 The Council may adopt individual Local Lettings Plans to vary the allocations approach to homes for new schemes; homes in certain areas of the borough; or particular types of housing where it wishes to deliver the broad housing strategy objectives, using social housing available as efficiently and effectively as possible.

2.44 Section 166A(6) of the Housing Act 1996 enables local housing authorities to do this, allowing the allocation of accommodation to people of a particular description, whether or not they fall within the reasonable preference categories.

2.45 The simplest approach to delivering this objective would be through using the Council's Home Buy Register, which includes applicants who wish to rent at sub market levels. Some of these households may be seeking to save money for a deposit to enter low cost home ownership which the Council is keen to encourage. This will give such households the experience of managing a household budget and also provide an opportunity for such households to save money towards a deposit for a low cost home ownership option.

2.46 Separate qualification criteria will apply to those persons on the Home Buy Register who qualify for an allocation under a Local Lettings Plan. Persons who qualify will need to meet all of the following criteria:

1. Eligibility under the rules of this Housing Allocation Scheme (See Section 2.3 – 2.6 of this document)
2. Qualifying criteria of the Home Buy Allocation Scheme
3. Successful application to be considered for a tenancy under a Local Lettings Plan meeting any specified qualifying criteria
4. Local residency qualification within the terms of this Housing Allocation Scheme (unless the applicant falls within Armed Forces Qualification Regulations or the Right to Move Regulations)
5. Satisfying the income threshold set out in paragraph 6.8

2.47 The Council will from time to time set procedures for the operation of the scheme to allocate to applicants from the Home Buy Register and these procedures may

include criteria for establishing priorities between persons who qualify. These procedures may include giving priority to those within the reasonable preference categories

- 2.48 The Council's broad approach will be to prioritise households from the Home Buy Register for Affordable Rent accommodation available from housing associations. Where the Council wishes to prioritise applicants who meet criteria associated with a Council-approved scheme which helps deliver housing options for one or more of the community contribution groups identified in Annex 2, these applicants may be prioritised for Council rented accommodation.
- 2.49 The Council will monitor the impacts of this approach on both its Housing Register and Home Buy Register. It will need to ensure and make necessary interventions to ensure that the number of households drawn from the Homebuy Register who are not in a reasonable preference category do not dominate the Housing Allocation Scheme. It will also seek to ensure that the rules governing each of the approaches are broadly aligned.
- 2.50 The Council will automatically implement a local lettings plan for all new housing developments comprising 5 or more affordable units which will give qualifying local residents priority, otherwise, before introducing a local lettings plan, the Council will consult with those who are likely to be affected, which shall include the residents of the scheme/area impacted by the plan and local social landlords. A copy of the final policy will be published on the Council's website.

Right to Move

- 2.51 Government regulations on 'Right to Move' came into force on 20 April 2015. The regulations are intended to help existing social housing tenants who need to relocate from their local authority area (or within their local authority area) to an area where they have been offered employment.
- 2.52 These regulations are applicable only to applicants who are already social housing tenants in England who would experience hardship to themselves or to others if they were unable to take up an offer of employment in the borough. Applicants who are seeking accommodation under the Right to Move regulations should contact the Council as described in Section 2.9 of this Housing Allocation Scheme.

3. TENANCY MATTERS INCLUDING SUCCESSION AND FLEXIBLE TENANCIES

Council Tenants

- 3.1 Council tenants wishing to transfer from their existing home will be assessed in the same way as other applicants applying for the housing register and will need to meet the qualifying criteria set out in this Housing Allocation Scheme. Applications for transfer may be made jointly by separate tenants of the Council who wish to apply for housing together, on the condition that both tenancies will be relinquished if the Council makes an acceptable offer of a transfer to a third property. The Council will consider each application on a discretionary and case by case basis. Officers will have regard to the wider availability of

accommodation to the Council when making such a decision which will be made by a panel of senior officers.

Transfers, Tenants who need to be decanted, Management Transfers and London Mobility

Transfers

- 3.2 Transfer applicants will be considered in the same way as other housing register applicants. The Council expects existing tenants and household members to maintain their homes in a reasonable condition and similarly expects tenants of other Registered Providers to adopt the same approach. If the existing home has been either significantly damaged and/or kept in a poor condition by the sitting tenant, the Council will not be minded to agree a transfer. A transfer will only be permitted when the property concerned is brought up to a good condition.

The Council will expect other housing associations to adopt the same approach.

Tenants who need to be decanted

- 3.3 On occasion it may be necessary for a council tenant to move out of their existing home to allow major works to be carried out or because their home is due to be demolished. In these circumstances, the Council will use its discretion to prioritise a move to a suitable alternative home by placing the tenant in Band 1 at an appropriate time.
- 3.4 Council tenants who have to move because major works are required to their home will have the option of moving back to their original home (or local area if the home is being demolished) once the works have been completed.
- 3.5 Where council homes may be demolished and replaced with new homes owned and managed by the council or housing associations, the council is likely to adopt a Local Lettings Plan that will set out in more detail the specific approach, tailored to key features of the regeneration scheme, e.g., phasing of decants, home loss and disturbance financial arrangements; and priority for re-housing. In these such circumstances, tenants who are relinquishing a secure ('lifetime') tenancy will be entitled to a new secure tenancy or a housing association equivalent.

Management Transfers – Council Tenants

- 3.6 Management transfers are only for situations where a Council tenant or members of the tenant's household, are at serious risk by remaining in their current home and need an immediate move. The council will aim to re-house households in alternative accommodation assessed as suitable for their housing needs. However, due to the limited number of homes available the council is not always able to re-house residents quickly and so we will discuss the alternative options available. Where there is a real and immediate threat to a tenant's safety and we do not have a suitable property available we may offer 'temporary accommodation' for a fixed period while an investigation is carried out.

3.6.1 There are number of referral routes for a management transfer, these include a request by the tenant, the Housing Management Team, Anti-social Behaviour Unit, or Housing Officer. The officer managing the request must produce a Management Transfer Report to support the request to be approved by the Neighbourhood Manager. Where a property is managed by Pinnacle, authorisation for the management transfer should be given by the Head of Neighbourhood Services.

3.6.2 Tenants who have been approved for a management transfer will receive one reasonable offer of alternative accommodation. If the tenant rejects the offer, the Neighbourhood Services Manager will review the case and may recommend that the Council remove the tenant's name from the Housing Register and terminate their temporary accommodation from the date of this decision.

3.6.3 A reasonable offer is one that meets the tenant's current housing need.

3.6.4 In very exceptional, urgent cases, where management requires an under-occupier to move, the council may consider offering a home 1-bedroom larger than their needs However this is at the discretion of the Chief Housing Officer, Assistant Director Housing Management or delegated officer.

3.6.5 Tenants that have been assessed for and accepted on the Council Register will be placed in Band 1: Urgent Need to Move due to Reasonable Preference Plus Additional Priority.

3.6.6 The Council aims to make one direct offer of secure accommodation within 3 months of being accepted as a management transfer. However, this is dependent on a suitable property available in the 'property pool' being matched against the tenant's housing need.

3.6.7 The relevant manager will review the Management Transfer status of all tenants that have been accepted on the Council Register on a quarterly basis. The review is intended to ensure the most up to date information about individual tenants' housing circumstances is taken into account. Tenants who fail to respond to either the review or reminder letter within 20 working days will have their application cancelled and will be required to re-apply.

3.7 Council tenants at risk within the borough and seeking a move to affordable housing elsewhere in London can be referred to the Pan-London Housing Reciprocal Scheme. This scheme is administered by the Greater London Authority. More information on this scheme is set out in section 4.23 of this document.

Housing Association Tenants

3.8 Housing association tenants will be assessed in the same way as other general applicants applying for housing advice and assistance under this scheme.

Tenancy Succession

3.9 The law on council tenancy succession is different for secure tenants (and household members) where a tenancy was created before 1 April 2012 and

those created after this date. The statutory right only applies to the first time that a succession occurs.

3.10 Where **a tenancy was created before 1 April 2012**, family members have a right to succeed to the tenancy. This may be the tenant's spouse or registered civil partner or could be a co-habiting partner or another family member(s). Family members seeking to succeed the tenancy will need to have lived at the property for at least twelve months immediately before the date of death of the tenant. Where a joint tenant dies, the other joint tenant becomes the sole tenant. Where **a tenancy was created on or after 1 April 2012**, only a spouse, joint tenant or civil partner has the right to succeed.

3.11 Where there is no statutory right to succession, the council may use its discretion to allow a new secure 'lifetime' tenancy to be granted in the following circumstances:

The person applying for succession has lived continuously with the tenant in the property as their principal home for twelve months before the death of the tenant **and**

They are the spouse, civil partner, a close relative of the tenant, or someone who had to live with the tenant in order to provide them with care, without which the tenant could not have maintained their tenancy **and**

They would qualify for the property they have applied to succeed to under the council's allocations policy (i.e., this Housing Allocation Scheme) including being both an eligible and qualifying person(s) and have lived in the borough for 5 out of the last 7 years.

3.12 Both processes are triggered by an applicant contacting their local housing team to make an application for succession/discretionary award of tenancy or by applying on-line. The Housing officer will make an assessment on receipt of appropriate supporting documentation. They may seek advice from Housing Solutions Officers on the application or the policies set out in this Housing Allocation Scheme.

3.13 Where a property is not suitable for a person entitled to succeed, for example because it is too large, the council will assist them to find alternative accommodation that meets their housing needs. Succeeding spouses and joint tenants are not required to move. If a person is not entitled to succeed the Council will offer advice if they qualify for help under this Housing Allocation Scheme, which could include an offer of accommodation in the private rented sector.

3.14 Where a new tenancy is granted as a result of a discretionary succession, the tenancy will be treated as a new tenancy under the Council's Tenancy Strategy. This means that in most cases a new secure 'lifetime' tenancy, will be granted. Exceptions to this, i.e., where the Council may grant a flexible (fixed term tenancy), will be set out in its Tenancy Strategy. Failure to accept a suitable property offered or made available under this Housing Allocation Scheme will result in proceedings for possession of the home currently occupied. Each situation will be considered on its merits and tenancies will be granted at the discretion of the Council.

- 3.15 Tenancy succession rules for housing association tenants are governed by different legislation. Current and future housing association tenants should check with individual landlords what the rules are for succession for their respective tenancies.

Service Tenancies

- 3.16 A service occupier is an employee of the Council who occupies accommodation let to them by the Council for the better performance of their duties.

A service occupier with 10 years continuous service retiring on grounds of health or age will qualify for rehousing and placed in Band 1 for an offer of housing.

The Council will make an offer of rehousing determined by their assessed housing need. In making the offer, the Council will take into account the applicant's choice of area and property type, however it may not be always possible to meet these.

Where an employee dies in service and would have qualified for rehousing, an offer of housing will be made to their surviving partner who has lived at the premises as his/her only home for a minimum of 12 months immediately prior to the service occupant's death.

Service occupiers may not be entitled to rehousing under this scheme where their loss of employment is as a consequence of dismissal on disciplinary grounds or where they fall within the meaning of Classes of Person that do not Qualify, see paragraph 2.14.

Approach to Secure and Flexible Tenancies

- 3.17 The Council (in its landlord role) will normally grant secure tenancies (also known as 'lifetime tenancies') for general needs applicants, but will retain the option to issue fixed term tenancies (two year and five year tenancies in particular circumstances, such as where the applicant has a history of anti-social or criminal behaviour. It may also include where the council adopts a Local Lettings Plan which perhaps allows applicants from certain employment groups from the Home Buy Register to access affordable rented housing). The large majority of council tenancies will start with an introductory tenancy.

Investigation of Fraud: Offences related to information given or withheld by applicants

- 3.18 The Council recognises its duty to protect the public resources it administers. Detailed enquiries about applications will therefore be made in order to guard against misrepresentation and fraud. Such enquiries will be made in all cases where applicants appear to have sufficient priority for an offer for re-housing, and in other cases as resources allow and may be made at any time either at the time of application or subsequently including after any grant of tenancy. Applications will be suspended if there is evidence of misrepresentation or fraud until enquiries are completed.

- 3.19 Any applicant seeking to obtain accommodation by making a false or misleading statement or by withholding relevant information or by failing to inform the Council of any material change in circumstances is liable to have his/her application cancelled. Prosecution will be considered where it appears to the Council that a criminal offence has been committed.
- 3.20 Proceedings for possession will be taken to recover any tenancy granted in consequence of a fraudulent application for housing.
- 3.21 Section 171 makes it an offence for anyone seeking assistance from a housing authority under Part 6 of the 1996 Act to:
- Knowingly or recklessly give false information, or
Knowingly withhold information which the housing authority has reasonably required the applicant to provide
- 3.22 It is for individual housing authorities to determine when these provisions apply and when to institute criminal proceedings. However, the circumstances in which an offence is committed could include:
- Any false information given on an application form for social housing
Any false information given in response to subsequent review letters
Any false information given or submitted by applicants during the proceedings of a review
- 3.23 Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by s 146 of the 1996 Act) enables a housing authority to seek possession of a tenancy granted as a result of a false statement by the tenants or a person acting as the tenant's instigation.
- 3.24 Any tenancy fraud that may occur after the grant of a tenancy (e.g., tenancy passed on to a third party such as subletting of a tenancy) will be approached in a similar fashion. **It is a criminal offence to sublet social housing and the Council will prosecute offenders.**
- 3.25 In both instances - at application stage and tenancy stage – the Council will support and work with all Registered Providers to reduce and eliminate tenancy fraud.

Accessing Affordable Market Housing

- 3.26 The Council will continue to promote affordable home ownership and private rented options to those who are able to afford it. Where the applicant's (applicants') household income is over the level which the Council considers eligible for registration on the Home Buy Register, the Council will consider such households for affordable home ownership or direct them to private rented housing options. More information on income and savings thresholds is set out in section 6.7 – 6.9 of this Housing Allocation Scheme.

4. HOW THE COUNCIL ALLOCATES PROPERTIES

The Property Pool and Assisted Choice

- 4.1 Hammersmith & Fulham Council will operate a 'property pool' and assisted choice lettings system. In essence, this means that the council will maintain a list of properties that are available to let to housing applicants who fall into one of the housing bands described in section 2.12 and detailed with examples in Annex 3. Successful applicants will need to annually update their registration. The Property Pool will comprise properties available from the council (a registered provider); housing associations; landlords from the private rented sector; and other agencies. In allocating the homes that the Council has access to, it will take account of the applicant's preferences; the suitability of accommodation available; and, the supply of accommodation available.
- 4.2 Properties available from the property pool will be matched to applicants' preferences and, taking into account the suitability of the accommodation against applicants' needs, offers will be made by Housing Officers, based on the housing supply available. The Council will seek to make a maximum of two offers to applicants, with discretion to make a third offer. If an applicant turns down offers made by the Council, they will be demoted a band for twelve months. Where applicants are in Band 4 and turns down a second offer, they will be removed from the Housing Register altogether and not be able to re-apply for a year. Homeless applicants will normally receive one suitable offer. In the event that homeless applicants turn down an offer of suitable housing, they will be removed from the register.

How will it work in practice?

- 4.3 In sequence, the key characteristics of this service will be as follows:
1. Applicants will discuss with the Housing Officer eligibility and qualification criteria to enter the Council's Housing Register. This will include a discussion on all housing options, including obtaining accommodation outside the housing registration route (e.g., private rented sector, low cost home ownership, etc)
 2. If registered, applicants will be allocated a Band ranging from 1 (the highest priority) to 4 (the lowest priority). It will be explained at this stage that allocation to Band 4 status is highly unlikely to lead to the allocation of an affordable home for rent let by a Registered Provider (i.e. principally the Council in its landlord role and housing association landlords). In the case of homeless applicants where we have accepted or minded to accept a full housing duty under Part 7 of the Housing Act 1996 and that homelessness is prevented or the duty is discharged into the private rented sector, they may retain their place on the Council's housing register.
 3. Over time, Housing Officers will assess available homes from the 'property pool' as they become available, match them with applicants' accommodation needs

and invite them to consider offers as and when they arise. Applicants' preference will be taken into account wherever possible. The supply, tenure and type of available accommodation will vary according to the area's housing market.

Clearly, where there is a more available housing in a preferred area of the borough, such housing choices are more likely to be met. Conversely, where there is available accommodation housing in a preferred area, such accommodation is less likely to be available.

4. The urgency with which offers are made to housing applicants will depend on the supply of available accommodation in the property pool and their Band status, with Band 1 having the greatest urgency. The Council will expect applicants in urgent housing need to take up reasonable housing offers quickly. In the event that housing offers to Band 1 applicants have been exhausted, housing offers will be made to Band 2, and then Band 3. The approach will vary where Local Lettings Plans are in place (See Sections 2.43 – 2.50).
5. The property pool will comprise homes from the Council in its Registered Provider landlord role; housing associations; and the private rented sector. This will include accommodation for Supported Housing purposes and the elderly. Some homes in the property pool will be located outside the borough due to the shortage of affordable accommodation, particularly large family accommodation, in Hammersmith & Fulham.
6. Where applicants who are not owed a homeless duty are made a second final offer (with the Council reserving the right to make a third offer if special circumstances apply) which will meet the applicant's need and that offer is turned down, then that applicant will be demoted a band for twelve months. Where the Council owes a homelessness duty and a suitable offer* has been turned down, then the Council will have met its duty towards that applicant. In either case, the offer may be in the private rented sector.
7. On making an offer* to a homeless applicant, the Council will have met its homelessness duty. At this point, the applicant will be removed from the register altogether. In respect of other housing applicants (e.g., transfer cases), where a second offer has been turned down, the applicant will be moved down a band for twelve months. If such a (non-homeless) applicant were in Band 4, they would be removed from the Housing Register altogether and not be able to re-register for another year.

Note: * in the case of homeless applicants, this means one suitable offer of accommodation

- 4.4 Priority for accommodation will be determined by housing band, with those applicants in Band 1 having a greater priority than those in Bands 2-4, and those in band 2 having a greater priority than those in Bands 3-4, and so on. Within bands, priority will be determined by date order when placed in the appropriate band. Date order means that date that an applicant was placed in the housing band.
- 4.5 In considering priority for re-housing between applicants with a similar priority under the banding scheme, the Council will also take account of the immediacy of need of each applicant. This means, for example, that where two applicants in

the same band are interested in the same property, preference may be given where one of the applicants is facing a more immediate loss of their existing home than the other.

- 4.6 To avoid the loss of properties available to the Council, properties in the private rented sector will normally be made available on a 'first come, first served' basis to applicants across Bands 1-4. Where more than one applicant is being considered for a private sector property, priority will be determined by band and date in band.
- 4.7 Applicants will be asked to choose a property or properties to view from a selection of those that are available and meet their needs, and will be asked to accept one of these as their offer of re-housing. Officers will have regard to preferences expressed by the applicant, but it may not be possible to meet all of them when making an offer. If no suitable properties are available, the applicant's case will remain open until a property becomes available and their Housing Officer will be proactive in working with them to secure a suitable offer of accommodation.

Exceptions to Assisted Choice

- 4.8 Available properties which are adapted or which are suitable for adaptation and Extra Care and Sheltered Housing or accommodation which is otherwise potentially suitable for applicants with a substantial disability or other special or support needs may be allocated outside strict banding and date order priority. Specifically, on Sheltered Housing, the Council intends to maximise its use, ensuring that increased use of such housing is made for applicants from the need groups identified above. This is likely to require joint assessments of need by the Council's Adult Social Care and Housing teams. Where nominations are being considered for applicants, the Council will first review what level of support applicants will need to live independently, before granting the tenancy.
- 4.9 An allocation may also be made outside banding priority in the case of a Council tenant who is willing to transfer from a property which he/she does not require, i.e., under-occupiers, and which is particularly suitable for an applicant with special or support needs.
- 4.10 Applicants who have a special need for adapted property or other particular type of accommodation which is in very short supply may be offered a suitable property which becomes available outside of the areas preferred by the applicants concerned.
- 4.11 The Council reserves the right to restrict the operation of the property pool to certain groups of applicants or to make direct offers of accommodation to households waiting for re-housing in order to fulfil its housing management and financial duties and responsibilities, including achieving a balance of lettings as set out in the Council's Annual Lettings Plan and delivering value for money.

- 4.12 Exceptions to Assisted Choice will include Local Lettings Plans allocation arrangements as described in Section 2.43 – 2.50 of this Scheme.
- 4.13 Decisions to allocate properties outside of assisted choice will be authorised by the Chief Housing Officer, Assistant Director Housing Management or delegated officer.
- 4.14 The Council may consider reciprocal lettings arrangements with other local housing authorities and housing associations in order to maximise the use of affordable housing accommodation both locally and in other areas. This may include a ‘chain letting’ approach where a number of lettings are mutually dependent to deliver individual applicants’ preferences. The Chief Housing Officer, Assistant Director Housing Management or delegated officer shall have discretion to make any necessary decision to achieve any such reciprocal arrangement.
- 4.15 This flexible approach will help facilitate greater choice for applicants who wish to move in their immediate locality, remaining close to family and friend networks. The Chief Housing Officer, Assistant Director Housing Management or delegated officer, will have the authority to allocate accommodation through either the Assisted Choice process or through a direct nomination to facilitate a successful chain letting.

Types of Property

- 4.16 Some properties or blocks of properties are designated for allocation only to applicants sharing a common characteristic or need, for example:

Properties in sheltered housing developments for people over a specified age,
Properties in supported housing schemes offering special services,
Individual properties which are adapted or otherwise particularly suitable for applicants who have restricted mobility ie Mobility 1,2 or 3.

Selection of Properties

- 4.17 In selecting properties from the property pool for applicants to consider, the Council will normally take into account the following factors:

The number of bedrooms and bed spaces required (see Annex 1)
Any essential requirement concerning the type or location of re-housing
The housing band into which the applicant’s case falls

- 4.18 As far as reasonably possible, the Council will also take into account:

The standard, type or location of the applicant’s current accommodation
(except where this is related to the assessment of their need)

Accessible Housing

- 4.19 The Council will seek to ensure accommodation opportunities for housing register applicants who require accessible housing are maximised. Where Housing Officers are fully appraised of applicants' housing needs, all reasonable efforts will be used to ensure that offers are made to applicants in line with the Banding priority using the Assisted Choice approach. Where new or re-let homes have been adapted or are adaptable, then applicants on the Housing Register who have been assessed as requiring accessible accommodation will have priority over other need groups.

Disability

- 4.20 The Council will carry out a full housing needs assessment and will consider specialist advice from the Council's Occupational Therapist (OT) and the Council's Medical Adviser (CMA) as well as the individual's expressed preferences when allocating accommodation to applicants with a disability or where a member of the household has a disability.

The following will be taken into consideration before making a formal offer of housing:

- Mobility – categories 1,2 & 3
- Floor level – where no lift is available or accessible
- Floor level – where a lift is available and accessible
- Internal adaptations required

Annual Lettings Plan

- 4.21 The Council will adopt an Annual Lettings Plan for the April – March year which will forecast the number of affordable lettings the Council expects for the relevant year and estimate the proportions of lettings that will be allocated to certain need groups. This will include adopting quotas for specific priority groups (who meet the eligibility and qualifying criteria of this Scheme), such as applicants leaving supported housing; young people leaving care; working households; ex armed services personnel; community lettings; right to move; and other need groups that may be identified in any given year.

Average Waiting Time on the Housing Register

- 4.22 The Council will maintain on its website a schedule of information setting out what the average waiting times will be for applicants on the Housing Register, broken down by priority band and bedroom needs.

Other Re-housing Opportunities

Homeswap

- 4.23 Homeswap enables existing tenants, principally in the registered provider affordable rented sector (i.e., tenants of councils and housing associations) the opportunity to swap their home with another, often called 'mutual exchanges'. Such schemes help tenants to be closer to new places of work and/or friends and

family. The Council supports the Government's 'Homes Swap Direct' initiative, bringing together the range of mutual exchange regimes that exist. The Council will make available facilities at its principal office to enable applicants wishing to review housing options using the 'homeswap' mechanism as well as promoting the initiative more widely. The Homeswap website can be found at the following address: www.homesdirect.org.uk

Mutual Exchanges

- 4.24 Secure tenants have certain rights in relation to exchanging their tenancies with other secure tenants and in relation to the circumstances in which a member of their household can succeed to their tenancy. These do not fall within the scope of this allocations scheme, and full details for how these schemes operate can be obtained from Hammersmith & Fulham Council in their landlord role or their Landlord in the case of Private Registered Provider (housing association) tenants. The Mutual Exchange website can be found at the following address: <http://www.houseexchange.org.uk>

Seaside and Country Homes

- 4.25 This is a housing mobility scheme that offers council or housing association tenants the option of moving out of London, Social housing tenants approaching the age of 60 years who can live independently. The scheme's landlords manage approximately 3,500 bungalows and flats along the coast from Cornwall in the south west, to Norfolk and Lincolnshire in the east and across the countryside from Dorset to Cambridgeshire. The scheme does not guarantee a move and priority is given to social housing tenants who are giving up larger sized properties. To find out more information about these schemes please visit www.housingmoves.org

Homefinder

- 4.26 Homefinder is a national mobility scheme which advertises social housing general needs properties across the UK. Homefinder UK aims to help homeless households and social housing tenants find social housing anywhere across London and the UK. H&F tenants can register free of charge on this scheme, however although housing can be advertised in London and across the UK, homes are mainly located in areas where there is less demand for housing, such as northern areas like Liverpool, and Newcastle on Tyne. You can apply on the website www.homefinderuk.org where properties are advertised. Once you have registered, you will be given log in details that will enable you to search for properties relevant to your bed need and bid for any that interest you.

Housing Moves (previously known as the Pan London Mobility Scheme)

- 4.27 Hammersmith & Fulham currently participates in the Mayor of London's pan-London mobility scheme, now known as *Housing Moves*. The reason for this scheme is to help applicants who are in work or training; or currently have more bedrooms than; or they need to move in order to provide care for friends or relatives. Details about the eligibility criteria for the Mayor's scheme can be found

at www.housingmoves.org Tenants wishing to move through this scheme should apply directly online at the above address. Council officers will be responsible for verifying and approving applications.

Reciprocal Nomination Arrangements

4.28 The Council may consider reciprocal nomination arrangements with other local housing authorities and private registered providers in exceptional circumstances, at the discretion of the Chief Housing Officer, Assistant Director Housing Management or delegated officer.

Sensitive Lets

4.29 The Council will sometimes use a sensitive lettings approach to decide how to let properties. Examples of where this approach could be applied to the allocation of properties are set out below:

- an outgoing tenant has caused a serious nuisance.
- there has been a high level of recorded incidents of harassment/nuisance in a block or particular part of an estate.
- there is a high concentration of vulnerable households in a block, estate or area who may be susceptible to exploitation.

4.30 Where a vacant property has been identified as being covered by the sensitive lettings approach you may be affected if:

- you have a history of causing nuisance or anti-social behaviour.
- there is a risk that your health or social needs could have a serious negative impact on the local community.

We will conduct regular reviews of our approach to sensitive lettings to ensure that it is being used effectively and fairly.

5. PROCEDURE FOR REQUESTING INFORMATION, APPEALS AND REVIEWS

Requesting Information

5.1 All applicants have the right to request general information about their application; whether they are entitled to any preference for housing; whether and when suitable accommodation will be offered to them; and, information about why any application has been unsuccessful. Specifically, applicants have the right to:

Request general information about their prospects of success following their application

Request information about the decision concerning the facts of their case

Request a review of such a decision and decisions that a person is not eligible or qualifying, and to be informed of the review decision and the grounds for it

- 5.2 An unsuccessful applicant(s) to the Housing Register will be informed in writing of any decision regarding their eligibility and/or qualifying status. The notification will give clear grounds for the decision which will be based on the relevant facts of the case. The applicant(s) will be informed of their right to request a review of the decision.
- 5.3 Applicants who are unhappy with the suitability of accommodation offered under this policy should in the first instance contact the housing officer who issued the offer and explain why they think that the offer is not reasonable. The applicant will be notified whether the offer still stands and the reasons for this usually within 48 hours.
- 5.4 If an applicant wishes to take the matter further, they can make a request for a formal review of the decision within 21 days. In such cases the applicant will be invited to make a written submission stating the reasons for their request for a review and the Council will seek any further information it requires, including advice from medical and other specialist advisors. Formal reviews will be conducted by a team leader, manager or other delegated officer within the Council's Housing Service with no previous involvement in the case who will notify the applicant of the outcome of the review including the reasons for their decision within 56 days.

Appeals

- 5.5 Where an applicant wishes to appeal the suitability of an offer of accommodation under 5.3 of this policy, the property will be held available whilst the appeal is considered where this is not likely to lead to an unreasonable delay in letting the property.
- 5.6 Where an applicant requests a formal review concerning the suitability of accommodation under sections 5.4 of this policy, the property will not normally be held available whilst the appeal is considered.

Right of Review – Homeless Applicants

- 5.7 A homeless applicant has the right to a S202 (of the 1996 Housing Act) review of the suitability of an offer of accommodation. In addition, they have a s204 (of the 2002 Act) right of appeal to the County Court. Whilst seeking a review and appeal, the applicant may still move into the property in question, without prejudicing the outcome of a review and appeal case, if either is sought.

6. GENERAL RULES AND CONDITIONS

Decisions

- 6.1 All decisions taken under this policy will be by Housing Officers from the Council's Housing Department unless otherwise specified. Housing Officers are supported by Team leaders and may receive ad hoc advice from other officers of

the Council as required. Where the applicant (and any eligible household members/dependents) have specific needs which have been reported to, or recorded by, other departments of the Council, the applicant should highlight any such reports to the Housing Officer concerned.

Requests for Assistance

- 6.2 Requests for housing assistance must be made to the Housing & Advice Service. The Council aims to notify applicants of the result of the assessment of their priority under the Housing Banding System within 15 working days. However, in cases where a medical assessment or other special assessment is required, it may take longer to notify the result.

Persons Eligible for Assistance

- 6.3 Persons entitled to consideration and assistance under an application must generally be members of the applicant's immediate (i.e., spouse, partner and children) family who normally reside with the applicant. Any other person or persons will only be taken into consideration in the assessment of an application and/or any allocation of accommodation if the Council is satisfied that it is reasonable for that person to reside with the applicant. Exclusions are set out in Section 2.14 of this Scheme which will apply in general to persons other than immediate applicant(s) whose circumstances are relied on to support the application and/or who are included in the household for which re-housing is sought. Children under 5 will not be disqualified from inclusion in the assessment on the basis of the residency criteria so long as their parents were resident in the borough at the time of their birth.
- 6.4 The Council will also refuse to consider an application for assistance or someone's inclusion on an application if the person concerned (i.e. other than the applicant) has made a separate housing application.

Evidence of Identity and Housing Circumstances

- 6.5 All applicants must provide satisfactory evidence of identity and past and current residences for themselves and all household members. The Council will request documentary evidence from each applicant and will conduct such further enquiries as are reasonable in the circumstances. An application will be cancelled if the applicant has failed to provide documentary evidence or other information reasonably required by the Council in order to validate the application.
- 6.6 The Council may carry out a visit to each applicant's residence if their priority is sufficient for an allocation of housing under this scheme. Visits conducted will include an inspection of the accommodation and facilities and are normally but not necessarily arranged by appointment.

Income and Resources

- 6.7 All prospective new tenants will be required to supply evidence of their financial income and resources. Where applicants are not able to show current entitlement to Universal Credit (Income Support, Housing Benefit, or Council Tax Benefit),

verification of income and savings will be required prior to applicants being offered accommodation. Where applicants have resources considered sufficient to access low cost home ownership or other intermediate housing option, the applicant will normally only be offered advice or assistance, or placed in Band 4 Advice on home ownership; sub market renting; and private sector renting options will also be offered including opportunities to join the Council's Home Buy Register.

- 6.8 Applicants with a gross income higher than set out below will generally not qualify to access the Housing Register and will be offered advice on other housing options including joining the Home Buy Register. Applicants above this income level seeking this form of accommodation are considered to have access to low cost home ownership.

Where an applicant(s) gross income (or combined gross income) is greater than £46,250 and their housing requirements is for 2-bedroom accommodation or less.

Where an applicant(s) gross income (or combined gross income) is greater than £46,250 p.a., and their housing requirement is for 3 bedrooms or more, they will qualify if their combined assets/savings are less than £4,600, representing the costs of accessing another housing tenure.

In any event, applicants will not qualify if their income is above the top of the Home Buy income range, currently £90,000. These income ranges and financial limits will be reviewed annually and posted on the Council's website. Where applicants are not eligible to access the Housing Register, they will be provided with advice and assistance which is likely to include private sector renting and low cost home ownership opportunities. Where applicants successfully access the Home Buy Register, they may succeed in qualifying for an affordable rented opportunity under a Local Lettings Plan.

- 6.9 When taking account of an applicant's income or assets in determining whether they qualify for social housing, any lump sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active service will be disregarded.

Allocation of Smaller Accommodation in Certain Circumstances

- 6.10 In certain circumstances, the Council will make such an allocation where the applicant makes clear he/she is willing to take smaller accommodation than they need. The applicant may only choose accommodation which is less than one bedroom than they need (as set out in Annex 1). The Council will not make an allocation which causes statutory overcrowding at the point of letting.

Changes of Circumstances

6.11 Once placed in a priority band, applicants should notify the Council in writing of any material change in their circumstances that will affect their priority for housing, for example:

- a change of address, for themselves or any other person on the application.
- any additions to the family or any other person joining the application
- any member of the family or any other person on the application who has left the accommodation.
- any change in income and/or savings.
- Any medical or mobility need which will affect the type of accommodation being offered deemed suitable
- Community Contribution status (See Annex 2 for more detail)

6.12 Applications may be temporarily suspended while the Council assesses the information provided by the applicant and completes further enquiries that may be necessary. The Council will carry out an assessment of each applicant's entitlement to and priority for re-housing on the basis of information which has been provided by the applicant or otherwise received in connection with the applicant. Where the Council believes that information about the applicant's personal circumstances have been deliberately withheld or misleadingly presented, then the Council will reserve the right to withdraw any offer of accommodation or not renew a tenancy where one has been granted.

Members of the Council, Staff Members and their Relations

6.13 In order to ensure that the Council is seen to be treating all applicants fairly, any application for housing or re-housing from members of the Council, employees of the Council or associated persons must be disclosed. Where any officer of the Council is involved, directly or indirectly, in assessing or verifying or involved or administering an individual applicant's cases, and they discover they have a family or friendship connection with such an applicant, they should declare an interest to their line manager immediately. Failure to declare such a connection will be considered a disciplinary matter. Such applications will be assessed in the normal way but any allocation of housing will require specific approval by the Chief Housing Officer or Assistant Director Housing Management.

Equal Opportunities and Monitoring

6.14 The Council is committed to the principle of equal opportunities in the delivery of all its services. If an applicant does not understand any part of the housing register application process due to speaking/reading a different language; difficulty with speaking/reading; visual impairment; hearing difficulties or other disability, applicants should ask for additional assistance (e.g., translation and interpretation services) to help them with their application.

6.15 Confidential interview facilities are provided at all housing offices. There is full access to the Housing Advice Office (see address in Section 2.9 of this document) for people who use a wheelchair. Home interview services are available for applicants who are elderly or who experience mobility difficulties.

- 6.16 All applicants for housing or re-housing will be asked to provide details of ethnic origin, sexuality, disability and other equalities information. Provision of this information will not be obligatory and not a requirement for acceptance of an application. However, such information will help monitor the number and types of equality groups seeking support and therefore applicants will be strongly advised to complete the relevant information. Equalities records will be monitored on a regular and systematic basis to ensure properties are being offered and allocated fairly. Allocation policies and any changes to them will be reviewed regularly to ensure they do not operate in ways that discriminate against or disadvantage any particular group.
- 6.17 The Council will seek to ensure that its allocation policies are being operated in a manner that is fair to all sections of the community regardless of nationality, ethnic origin, marital status, age, gender, sexual orientation or disability. The information provided will be kept confidential and treated with respect. The council believes it is important to understand the different communities who apply for housing and it is only by asking these questions can the Council check that it is operating a fair system.

Confidentiality

- 6.18 The Council will take disciplinary action against any employee who makes use of any information obtained in the course of their employment for personal gain or benefit, or who passes it to others who might use it in such a way. A report to the police will be made if it appears that a criminal offence has been committed.
- 6.19 The disclosure of information about any housing application to a third party is prohibited except on a “need to know” basis in the following circumstances:
- to plan and provide assistance jointly with health and social services agencies in appropriate cases.
 - for the purpose of fraud detection, the prevention of crime, and the promotion of community safety.
 - to enable efficient administration of offers of re-housing, lettings, housing association nominations, and rent and benefit accountancy etc.
 - where disclosure is a legal requirement.

Data Protection – Privacy Notice

- 6.20 Hammersmith and Fulham’s Housing Department is committed to complying with the 8 principles of the Data Protection Act 1998, as well as people’s rights to confidentiality and respect for privacy. The information you supply to the council when submitting or updating information to support an application to access the council’s housing register for accommodation, this information will be shared with other H&F departments or third parties/service delivery partners who deliver these services.
- 6.21 Under the Data Protection Act 1998, individuals have a right to access and receive a permanent copy of all their personal information which H&F holds. Details of how to submit a request are published on H&F’s website:

http://www.lbhf.gov.uk/Directory/Council_and_Democracy/Data_Protection_and_Freedom_of_Information/Data_Protection_Act/39929_Data_Protection_Act.asp#

Requests for access to data must be made in writing to the Chief Housing Officer. Information will be provided within 40 working days of the application. The Council does not currently charge for this service.

Developing and testing business applications

6.22 The Housing Department and their service delivery partners (see above) may use the information you give us to maintain and improve the services which we deliver, this includes developing and upgrading the systems which we use to process your information.

Corporate business intelligence

6.23 The Housing Department may share the information you give us with other council services and service delivery partners (see above) for research and analysis purposes, to help us design the services we provide and to identify and contact residents who may benefit from them.

Prevention and detection of fraud

6.24 The Housing Department may share and compare your information with other council services and other organisations to make sure the information is accurate, to protect public funds, recover debt and/or prevent or detect fraud. These other organisations include government departments, other local authorities and private sector organisations such as banks or organisations that lend money.

Legal requirements

6.25 The Housing Department will use all information held by us for the purposes of law enforcement, regulation and licensing, criminal prosecutions and court proceedings.

Role of the Priority Housing Panel

6.26 It is not possible for the boundary of this Housing Allocation Scheme to adequately reflect every possible combination of housing need. The purpose of the Priority Housing Panel is to assess and make recommendations in relation to exceptional cases which do not fit easily within the boundary of the Scheme. Meetings of this Panel (which shall comprise not fewer than 3 designated officers) may meet on an *ad hoc* basis and seek additional advice where necessary.

Annex 1 - Sizes of Homes

In most cases and subject to a consideration of specific household circumstances the council will usually allow one bedroom for:

- Every adult couple (married or unmarried)
- Any qualifying adult aged 18 years or over
- Any two children of the same sex aged under 21 years
- Any two children aged under 10 years
- Any other child (other than a foster child or child whose main home is elsewhere)
- Children who cannot share because of a disability or medical condition
- A Carer (or team of carers) providing overnight care

One spare bedroom is allowed for:

- an approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement
- a newly approved foster carer for up to 52 weeks from the date of approval if no child is placed with them during that time.

Source: DWP Housing Benefit Claimant Factsheet (Removal of Spare Room Subsidy)

In the case of non-dependent adults 21 or over who are not carers; vulnerable; or the subject of other exceptional circumstances; they will not be considered as members of the household for the purpose of this Housing Allocation Scheme. Carers will only be considered as a household member where overnight care is essential.

The annex table sets out the size of a property a household successfully applying for home can expect The Council will not offer a home that is larger or smaller than the identified need (subject to Section 6.10). In detail:

- The number of bedrooms you need depends upon the size of your family. The chart shows the size of home that we consider you need
- A single parent is counted as a couple and an unborn baby is not counted
- Single people without children will usually be offered a studio/bedsit
- Two children of the opposite sex under ten will be expected to share a bedroom
- Council or Private Registered Provider (PRP) tenants 'trading down' from properties with three or more bedrooms may choose a property with one bedroom more than they need
- Some housing associations may have policies that vary from the bedroom requirements set out below
- In exceptional circumstances, applicants with a disabled child who requires their own bedroom will be considered on a case by case basis.

Size Category	Size of Household – Common Examples	Size of Property
1	Single Person	Studio / Bedsit
2	A couple or single parent without children	1 Bedroom
3	Two adults of the same generation*	2 Bedrooms
4	A couple or single parent with a child (including a non-dependent adult son or daughter)	1 / 2 Bedrooms
5	A couple or single parent with two children of the same sex	2 Bedrooms
7	A couple or single parent with two children of opposite sex and both under ten	2 Bedrooms
8	A couple or single parent with two children of opposite sex one of whom is over ten	3 Bedrooms
9	A couple or single parent with three children	3 Bedrooms
10	A couple or single parent with four children (all of the same sex or two of each sex)	3 Bedrooms
11	A couple or single parent with two children of the opposite sex under ten and one dependent relative	3 Bedrooms
12	A couple or single parent with four children (three of one sex and one of the opposite sex)	3 / 4 Bedrooms
13	A couple or single parent with more than four children	4 Bedrooms (or more)
14	A couple or single parent with three children and one dependent relative	4 Bedrooms

* Less than 20 years apart not applying to parents/children

Note: An applicant or applicants may be considered to be one person; a couple who are married or in a civil partnership; or two persons in a relationship. Both applicants and household members must be able to meet the residence criteria set out in Section 2.21 of this document.

Annex 2 – COMMUNITY CONTRIBUTION: HOW PRIORITY IS AWARDED

Community Contribution

The Council believes that people who make a community contribution should have greater priority for accommodation allocated by the Council than those who do not.

The Community Contribution priority scheme is a Hammersmith & Fulham Council policy which gives a qualifying applicant increased priority for housing. Increased priority will be awarded to applicants qualifying under the community contribution criteria who also have reasonable preference and they will be placed in Band 2 by virtue of this award.

Community Contribution Awards – How they work in practice

Applicants must meet at least one of the eligibility and qualifying criteria in order to be considered for a community contribution award. They will also need to demonstrate they meet the local residency qualification. Applicants should have:

1. No on-going culpable involvement in anti-social behaviour or criminal activities
2. No breaches of tenancy within the last 3 years
3. No outstanding unspent convictions

Applicants can access increased priority for housing in eight ways:

1. Working Households

This policy aims to support the economic growth of Hammersmith & Fulham. We will offer increased priority to applicants who are working but are on a low income and will therefore find difficulty in accessing outright home ownership or low cost home ownership.

Definition of a Working Household

Households where at least one adult household member is in employment. The criteria that applies is defined by Department for Work and Pensions (DWP) guidance on eligibility for Working Tax Credit. The number of hours per week required for employment varies according to household size and status. Current criteria can be found at the following webpage: <https://www.gov.uk/working-tax-credit/eligibility>

For the purposes of this Allocation Scheme, employment is described as having a permanent contract, working as a temporary member of staff or being self-employed. Applicants will only qualify if the worker has been employed for 9 out of the last 12 months. Verification will be sought at point of application as well as point of offer of tenancy under the same terms. Applicants must provide payslips, P60, bank statements or an original (i.e., not photocopied) verifying letter on headed paper in order to qualify.

Many people continue working or volunteering well beyond retirement age. However, retired applicants that met the criteria when they reached the qualifying age for state pension will be adjudged to have qualified.

2. Volunteering

Volunteers must have been volunteering for a continuous period of at least 6 months up to the point of application for community contribution status and at point of tenancy offer. Volunteering must be for a not-for profit organisation that is recognised by the Council, or a charity that is registered with the Charity Commission or is funded by the Council or another local authority. Tenants and Residents Associations which are constituted are classified as not-for-profit organisation. They must be registered with Hammersmith & Fulham Council or a Private Registered Provider to qualify. Volunteering must be for a minimum of 20 hours per month.

Evidence Required for voluntary work

A letter on the organisation's headed paper from the manager responsible for volunteers confirming the applicant's involvement in a minimum of 20 hours per month of voluntary work for at least 6 months. This person must not be related to the applicant in any way.

3. Training or Education

We want to encourage people to move closer to gaining paid employment by gaining employability skills and becoming job ready. This may be achieved by attending higher or further education or by accessing a longer vocational course of study or engaging in a programme of work-related training courses. In all cases the course of study must lead to achieving accredited qualifications and / or certification by a registered awarding body.

Study or training may be undertaken at a range of recognised institutions and organisations such as: Further Education College; registered Private Training Provider; registered Voluntary Sector Organisation or University.

To be eligible for the vocational training award a person must initially access a recognised Information, Advice and Guidance (IAG) service for young people up to age 19 years to develop an agreed employment action plan and to be signposted to relevant training providers. Candidates must be working towards gaining employment in a vocational occupation.

A person must have been studying or training against the eligible criteria and definition outlined, for a continuous period of at least 6 months up to the point of application and the same at point of offer. Applicants eligible for out-of-work related benefits must also be registered with Job Centre Plus and accessing mainstream job brokerage provision, thus actively seeking work (this may not apply to full time students dependent on the hours they are studying). Training must be in addition to, or supplementary to any mandatory training required and may be undertaken in conjunction with volunteering to gain further knowledge and experience. Training must be a minimum of 10 hours a month.

Some people undertaking training are not actively seeking work. Where the Department for Work and Pensions can confirm that the applicant is not required to actively seek work because of their circumstances, for example they have caring responsibilities, their training can be recognised in this policy.

Evidence required for Training element

Further/higher education candidates must supply evidence of:

letter from college or university confirming participation in course of study for period of 6 months

For vocational training award the following evidence must be provided:

an agreed employment action plan developed through a recognised IAG service plus verification of steps taken towards achievement of action plan targets certificate or letter from a registered awarding body for the course or by a recognised training provider as evidence of gaining a recognised vocational qualification or successfully completing accredited work-related training (over a continuous period of at least 6 months)

4. Ex Armed Service Personnel

Applicants and their household members* who are currently serving in the Regular Armed Forces or who were serving in the Regular Forces at any time in the 5 years preceding their application for an allocation of social housing, will qualify for a community contribution award automatically, with the exception of those who have been dishonourably discharged. This includes people who have served in the Royal Navy, Royal Air Force and British Army.

*Household members include divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence. Additionally, in recognition that the requirement for Service personnel to move from base-to-base can impact on other family members, we will take a sympathetic and supportive approach to other family members, including for example adult children who also may no longer be able to remain in the family home.

Service with the armed forces will be confirmed with the Royal British Legion.

The Council intends to work with one or more housing organisations with experience of ex-service personnel issues in order to develop criteria and maximise housing opportunities for ex service personnel.

5. Registered Foster Carers, Adopters and Special Guardians

The Council recognises the contribution that Hammersmith & Fulham foster carers, adopters and Special Guardians make towards ensuring that children in care receive a settled environment to grow up in. To qualify for a community contribution award under this policy, applicants will require written confirmation from the Council's Children's Service confirming that they have been approved as a Hammersmith & Fulham foster carer and/or adopter and/or accepted as a Special Guardian (i.e., the child concerned is

the subject of a Special Guardianship Order) and that they are in a position to take one or more placements. Any re-housing requirements will be dealt with on a case by case basis.

6. Carers

An applicant or partner will normally be expected to be in receipt of Carer's Allowance to meet this criteria. Applicants who undertake formal care of dependents who are in receipt of Disability Living Allowance (DLA) or Personal Independence Payment (PIP) higher rate or care/daily living element DLA/PIP may qualify for the community contribution award under this policy.

Note: Welfare reforms are changing the way disabled people are considered for benefit entitlement and this section (i.e., impact of such changes on carers) will need to be reviewed to reflect any changes that come into force.

7. People with disabilities

Many people with disabilities will qualify through work or volunteer, there may be circumstances where a disability reduces this ability, prevents it or means the full eligibility criteria set out above cannot be met. Applicants who have been placed in Employment Support Allowance support group and applicants in receipt of the higher rate of Disabled Living Allowance or enhanced rate of Personal Independence Payment will be exempt. A Senior Housing Officer will consider other cases on an individual basis and use their discretion to award a community contribution where considered appropriate and applying the principle of the policy.

8. Young People

Generally young people (applicants aged 25 and under) will be required to meet the full community contribution criteria set out in this annex. However, a Senior Officer will have discretion with regard to the length of time a young person has been in employment. In addition where a young person is able to participate in volunteering and is not in employment or training the number of hours per month required is 20 hours.

The Council will have discretion to consider applicants who are referred to it by other sections of the Council.

Annex 3 - HAMMERSMITH & FULHAM HOUSING BANDS

Band 1	
Urgent Need to Move due to Reasonable Preference PLUS additional priority	
	Summary Guide of Criteria
<p>Emergency medical or disability</p> <p>Reasonable preference category S.166A(d)</p>	<ul style="list-style-type: none"> • Where an applicant’s condition is expected to be terminal within a period of twelve months and re-housing is required to provide a basis for the provision of suitable care. • The condition is life threatening and the applicant’s existing accommodation is a major contributory factor. • The applicant’s health is so severely affected by the accommodation that is likely to become life threatening. • The applicant (or household member) has severe mobility issues, is housebound and is unable to leave their accommodation without assistance that will result in high risk to themselves or their carer. They have an assessed need to move to accommodation suitable for their needs. • The applicant is a wheelchair user who is unable to use their wheelchair within their current accommodation and has an assessed need to move to wheelchair suitable accommodation. • The applicant’s accommodation is directly contributing to the deterioration of the applicant’s health such as severe chest condition requiring intermittent hospitalisation as a result of chronic dampness in the accommodation and the condition of the property cannot be resolved within a reasonable period of time – usually 6 months. • Where overcrowding in the property leaves the applicant at risk of life-threatening infection.
<p>Move on from Care Reasonable Preference: S.166A(e)</p>	<ul style="list-style-type: none"> • A care leaver who has been approved by the Care Leaver’s Panel as ready to move to independent settled housing under the Care Leavers annual quota. • They possess the life skills to manage a tenancy including managing a rent account. • The care leaver is in need of either a long or medium term tenancy support. • That support package has been assessed and is in place.

<p>Exceptional need to move Reasonable preference category S.166A(e)</p>	<p>Emergency and exceptional priority and requires an urgent move. This could include households under the National Witness Mobility Scheme; Council Tenants that require an urgent move because where they are living puts their own or others' lives at risk; households fleeing domestic violence who have been referred by Hammersmith MARRAC as being at the highest levels of risk, who are assessed as having an exceptional reason for requiring a social or affordable rented home and no other housing solutions are available.</p>
<p>Disability need to move on hardship grounds Reasonable preference category S.166A(d)</p>	<p>This is any applicant who needs to move to suitable accommodation because of a serious injury, medical condition or disability which he or she, or a member of their household, has sustained as a result of service in the Armed Forces</p>
<p>Release of adapted Property Reasonable preference category S.166A(e)</p>	<p>Where a social housing tenant is willing to transfer to a suitable non adapted property and is releasing an adapted home or designated older persons property.</p>
<p>Statutory Overcrowded Reasonable preference category S.166A(c)</p>	<p>Council tenants who are statutorily overcrowded and who require at least two additional bedrooms.</p>
<p>Acute Overcrowded Reasonable preference category S.166A(c)</p>	<p>Where a household is 3 bedrooms short of the bedroom standard set out in 'Size of Household – Common Examples' set out in Annex 1.</p>
<p>Private sector properties insanitary or unfit Those living in insanitary conditions where the conditions pose an ongoing and serious threat to health</p>	<ul style="list-style-type: none"> • Private sector tenants and residents of dwellings that the Council's Private Sector Housing Team has determined that the property poses a Category 1 hazard under the Housing Health and Safety Rating System (e.g. crowding and space, excessive cold or risk of falls) and the Council are satisfied that the problem cannot be resolved by the landlord within 6 months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of

<p>Reasonable Preference category s.166A(3)(c)</p>	<p>roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a 6 month time period.</p> <ul style="list-style-type: none"> • A private sector property either owned or rented where a statutory notice has been issued by the environmental health department that an unfit property is to be demolished under the Housing Act 2004.
<p>Under-occupation Reasonable preference category S.166A(e)</p>	<ul style="list-style-type: none"> • Where a council tenant will release a home with 2 or more bedrooms by moving to a property which is suitable for their assessed housing need. • Where a housing association tenant who will release a home with two or more bedrooms are eligible if their landlord agrees that the vacated property can be used for a nomination by the council.
<p>Major works or demolition Reasonable preference category S.166A(c)</p>	<p>Where a council tenant is required to move to allow Major works to be undertaken or where their home is due to be demolished.</p>
<p>Foster carers referred by the Council's Children's Service and authorised by the Chief Housing Officer, Assistant Director Housing Management or delegated officer Reasonable preference category S.166A (d) or (e)</p>	<p>Foster carers or adopters approved by the Council whose housing prevents them from being able to start, or continue, to provide foster or adoptive care.</p>

**Band 2
Need to Move - Reasonable Preference (Band 3) AND a Community Contribution**

**Community Contribution is set out at Annex 2
(i.e., eligible and qualifying applicants who are working; volunteers; in training or education; ex-armed service personnel; registered foster carers and adopters; carers; people with disabilities and older residents; and certain categories of young people.**

Band 3	
Need to move – Reasonable Preference BUT no Community Contribution	
Summary of Criteria	
<p>Homeless households owed a full homeless duty under s.193(2) or 195(2).</p> <p>Reasonable Preference categories S.166A(a)</p>	<ul style="list-style-type: none"> • Applicants who are owed a duty under s.193 (2) or 195 (2) of the Housing Act 1996 (or under s. 65 (2) or 68(2) of the Housing Act 1985) - This means households who are homeless or threatened with homelessness and in priority need. • Applicants who engage with the council's homelessness prevention service and would have been owed a full housing duty under Part 7 of the Housing Act 1996 but have had their homelessness prevented, relieved or discharged into private rented accommodation.
<p>Overcrowded by the Bedroom standard.</p> <p>Reasonable Preference category S.166A(c)</p>	<p>Where an applicant (but not a single applicant or a couple without dependants) is one or two bedrooms short of the bedroom standard set out in 'Size of Household – Common Examples' set out in Annex 1.</p>
<p>Under-occupation</p> <p>Reasonable preference category S.166A(e)</p>	<p>Where a Council tenant will release a home with two or more bedrooms by moving to a smaller property 1-bedroom greater than their assessed housing need.</p>
<p>Applicants living in unsatisfactory housing lacking basic facilities.</p> <p>Reasonable Preference category S.166A(c)</p>	<ul style="list-style-type: none"> • Applicants without access at all to any of the following facilities. No access to: <ul style="list-style-type: none"> • A bathroom or kitchen • An inside WC • Hot or cold water supplies, electricity, gas or adequate heating. • Applicants who occupy a private property which is in disrepair or is unfit for occupation and is subject to a Prohibition Order and recovery of the premises is required in order to comply with the Order as defined by s.33 of the Housing Act 2004. • Applicants who only have access to shared facilities in shared accommodation will not qualify under these criteria.

<p>Medical grounds</p> <p>Reasonable Preference category S.166A(d)</p>	<p>Where an applicant's housing is unsuitable for moderate or severe medical reasons or due to their disability, but who are not housebound or whose life is not at risk due to their current housing, but whose housing conditions directly contribute to causing serious ill-health. Such applicants (or applicants with a household member) may include a person with a learning disability. Housing officers will only consider applications where officers from the Council's Adult Social Care Department consider the applicant is capable of independent living, taking account of any necessary and funded package of care and support.</p>
<p>Hardship or welfare need to move for work, care or support</p> <p>Reasonable Preference category S.166(c) and (d)</p>	<ul style="list-style-type: none"> • Those in hardship or welfare who need to move to give or receive care that is substantial and ongoing (or receive care that is acute and exceptional). • Social housing tenants in England that need to move to the borough for work related reasons, and that, if they were unable to do so, would cause them hardship
<p>Housing need due to age</p> <p>Reasonable Preference category S.166(d)</p>	<p>Older or disabled applicants seeking Retirement or Extra Care or Sheltered housing (where available in each instance). At least one of the applicants will need to be over 60 years old to be eligible.</p>
<p>Ready to move on from Council accredited supported housing schemes</p> <p>Reasonable Preference category S.166(c)</p>	<p>An applicant is ready to move to independent settled housing; the applicant is in need of medium to long term rather than short term ongoing tenancy support; and, a support package has been assessed and is in place.</p>
<p>Discretionary Succession</p> <p>Reasonable Preference category S.166(e)</p>	<p>Where the Council has agreed to grant a tenancy under Section 3.9 -3.15 of this Allocations Scheme.</p>
<p>Ex Armed Service Personnel with urgent housing needs (all reasonable)</p>	<p>Ex Armed Service personnel meeting the criteria set out in the Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, where the application is made within five years of discharge</p>

<p>preference categories)</p>	
<p>Existing Foster and Adopters approved by the Council and willing to provide care for an additional child</p> <p>Reasonable Preference category s.166A(d) and (e)</p>	<p>Where a Foster carer or a provider of supported lodging already providing a home for at least one foster child offers to provide care for an additional foster child.</p>
<p>Band 4</p> <p>Reduced Priority: Need to Move - Reasonable Preference but with Reduced Priority</p>	
<p>Summary Guide of Criteria</p>	
<p>Applicants owed Reasonable Preference but who have been given reduced priority. This will include but not restricted to applicants owed the full homelessness duty who satisfy statutory local connection criteria but not the full local residency qualification condition as set out in this scheme (See Sections 2.21 – 2.23).</p>	<p>Applicants in this band have reduced preference and are unlikely to be offered social housing but may be offered assistance to find a home in the private rented sector.</p>

Reference Documents & Legal Framework

- Part 6 of the Housing Act 1996 and relevant regulations,
- The Localism Act 2011,
- The Allocation of Housing (Procedure) Regulations 1997,
- The Allocation of Housing and Homelessness (Eligibility)(England) Regulations 2006,
- The Allocation of Housing and Homelessness (Miscellaneous Provisions)(England) Regulations 2006,
- The Allocation of Housing (Reasonable and Additional Preference) Regulations 1997,
- The Allocation of Housing and Homelessness (Review Procedures) Regulations 1999,
- The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012,
- The Homelessness (Suitability of Accommodation)(England) Order 2012,
- The Allocation of Housing (Qualification Criteria for Right to Move)(England) Regulations 2015,
- Part 4 of the Housing Act 1985 The statutory guidance (required to be taken into account by section 169 of the Housing Act 1996):
 - Allocation of accommodation: guidance for local housing authorities in England (2012),
 - Supplementary Guidance on the homelessness changes in the Localism Act 2011 and on the Homelessness (Suitability of Accommodation)(England) Order 2012 (November 2012),
 - Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (December 2013), and
 - Right to Move: Statutory guidance on social housing allocations for local housing authorities in England (March 2015).
- The Council's current Homelessness Strategy and Tenancy Strategy and the London Housing Strategy (required to be taken into account by section 166A(12) of the Housing Act 1996).