The North Hertfordshire Housing Partnership

Common Housing Allocation Scheme

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1. INTRODUCTION

North Hertfordshire District Council and North Hertfordshire Homes work together as the North Hertfordshire Housing Partnership (NHHP) to secure accommodation for local households with a housing need. The Partnership's Common Housing Allocation Scheme sets out who can apply for social housing and how social housing is allocated within the district.

This Common Housing Allocation Scheme is published on the websites of members of the NHHP and a copy will be provided free of charge to anyone requesting it.

Homes are allocated through Choice Based Lettings (CBL). Under CBL, available properties are advertised and applicants select which properties they wish to be considered for and express an interest in the property. This is known as a 'bid'. Support with making bids is available to anyone in need of it.

In preparing this scheme the NHHP have had regard for legislation, statutory guidance and local strategies and policies, including:

- The Housing Act 1996;
- The Homelessness Act 2002;
- Allocation of accommodation: guidance for local housing authorities in England June 2012;
- The Localism Act 2011;
- The regulatory framework for social housing in England from April 2015;
- The Welfare Reform Act 2012;
- The Equality Act 2010;
- The Human Rights Act 1998;
- The Freedom of information Act 2000;
- The Data Protection Act 1998;
- The North Herts Housing and Homelessness Strategy;
- The North Herts District Council Tenancy Strategy;
- The North Hertfordshire Homes Tenancy Policy;
- The Armed Services Covenant 2015;
- The Hertfordshire Joint housing Protocol;
- The Homelessness Reduction Act 2017.

1.1 Statement of choice

The NHHP is committed to empowering people to make informed decisions and choices about their housing options whilst continuing to house those in the greatest need in North Hertfordshire.

The Choice Based Lettings (CBL) system enables households accepted on to the Common Housing Register to view the range of social housing properties that are available and to actively bid for properties that they are interested in rather than accommodation simply being allocated to them. Applicants should note however that the demand for social housing in North Herts is much higher than the number of homes available and it is usually only possible to assist those with the greatest housing needs. Acceptance onto the Common Housing Register is not a guarantee that an offer of accommodation will be made.

Whilst the majority of social housing will be allocated through CBL, a property can be withdrawn from CBL where a direct allocation is required to meet exceptional or urgent housing need (see paragraph 22.2) or where it is necessary to make an allocation of accommodation outside the terms of this allocations scheme, as described in Section 4.

The NHHP strongly encourages applicants to consider their full range of housing options, of which social housing may be just one. Other housing options may include renting in the private sector, low cost home ownership, an exchange (for existing social housing tenants), looking further afield where housing is cheaper or seeking advice on financial matters.

Further information and advice can be obtained from the Council's Housing Options team or visit www.north.herts.gov.uk.

2. EQUAL OPPORTUNITIES

The Partnership endeavours to meet the diverse needs of the community without bias. The Partnership will have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between all groups in the community and foster good relations within the community. These responsibilities are set out in the public sector Equality Duty, established by the Equality Act 2010.

The outcomes and operation of the Common Housing Allocation Scheme will be monitored on an annual basis, and the results published, to ensure that the Partnership is meeting the duties set out in the Equality Duty.

Should such monitoring expose inconsistencies in outcomes for any group(s), the Partnership will take steps to eliminate any disadvantage experienced by the group(s) concerned.

3. SOCIAL HOUSING STOCK IN NORTH HERTS

There are over 9,000 general needs properties for rent (see Annex A) and over 30 sheltered housing/Retirement Living projects (see Annex B) spread throughout the district.

4. LETTINGS NOT COVERED BY THE SCHEME

Some lettings are excluded from the terms of this scheme; these include:

- offers of tenancies of their current homes to introductory tenants of North Hertfordshire Homes;
- the renewal of a fixed term tenancy to a current tenant in the same property;
- offers of tenancies of the type deemed not to be secure tenancies by virtue of Paragraphs 2, 3, 4, 4A, 5, 6, 7, or 10 of Schedule 1 of the Housing Act 1985, as amended;
- offers made to tenants of North Hertfordshire Homes at the instigation of the NHHP, rather than in response to an application from them: for example, to tenants being decanted on a temporary basis, or to under-occupying successors;
- transfers of North Hertfordshire Homes tenants that are made for housing management purposes;
- offers to displaced residential owners under the Land Compensation Act 1973;
- transfers of tenancies made by Court Order under the Matrimonial Causes Act 1973 or other family legislation;
- assignments of, and successions to, North Hertfordshire Homes tenancies;
- where a tenant dies and there is no other person who has succession rights, the NHHP has the discretion to grant a tenancy either in the same home or a suitable alternative to a household member who has been living with the deceased tenant for at least one year; and/or been a carer for the tenant; or has accepted responsibility for the deceased tenant's dependants;
- mutual exchanges of social housing tenancies;
- offers of tenancies made under reciprocal arrangements with other local housing authorities or PRPSHs;
- lettings to properties leased by North Hertfordshire Homes to providers of supported accommodation and subsequent tenancies issued to residents of such properties;
- lettings to flexi-care or other supported housing;
- lettings of temporary accommodation to statutory homeless households;
- sensitive lettings e.g. public protection cases; and

- lettings made to households under the witness mobility scheme.

5. MAKING AN APPLICATION

Access to the Common Housing Register is via an on-line application form. The form can be completed on-line at www.home4u.org.uk or accessed via the websites of North Hertfordshire District Council and North Hertfordshire Homes.

All applications for social housing will be considered provided the applicant is eligible and qualifies for an allocation of accommodation (see paragraphs 5.4 and 5.5) and is aged 16 years or over.

Married applicants, those in civil or common law partnerships and couples who wish to live together but are not already doing so are encouraged to make a joint application.

Individuals can only be included in one application unless there are exceptional circumstances.

When completing an application to the Common Housing Register, applicants should include members of their household that they wish to be accommodated with them. Members of the household may include:

- anyone who normally resides with the applicant as a member of their family; or
- anyone who is a member of the applicant's family who does not normally reside with them but could reasonably be expected to do so; or
- anyone who does not normally reside with the applicant and is not a member of their family but could reasonably be expected to live with them.

Once an application has been received and all supporting evidence assessed, applicants will be notified of the preference they have been awarded and provided with guidance on participating in the choice based lettings scheme Home4U.

Should an applicant consider that their housing circumstances have not been taken fully into account they can request a review of the facts of their case (see paragraph 14).

5.1 Advice and Assistance in making an application

Advice and assistance with making an application is available free of charge to anyone in the district who has difficulty with making

an application. Applicants requiring assistance should contact the partner to which they make their application.

5.2 Translation

A summary of this document will be made available in other languages upon request. We can also arrange a translation service for applicants who visit our offices in person. Applicants requiring this service should contact the partner to which they make their application.

5.3 Transcription

A summary of this document can be transcribed to Braille and audiotape and converted to large print. Applicants requiring this service should contact the partner to which they make their application.

5.4 Eligibility

All applicants will be assessed to establish their eligibility for an allocation at both the point of application and the point of allocation.

Applicants are ineligible for an allocation of accommodation under the following circumstances:

- the applicant(s) is a person from abroad and subject to immigration control with the exception of those persons prescribed by the Secretary of State as subject to immigration control but nonetheless eligible for an allocation as set out in The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 and/or any subsequent amendments;
- the applicant(s) is a person from abroad who is not subject to immigration control who is not habitually resident in the Common Travel Area.

There are no restrictions to including a person subject to immigration control as part of the household of an eligible applicant.

Those subject to immigration control are not restricted from accessing affordable home ownership schemes provided that they are unable to afford suitable accommodation on the open market and can secure a mortgage. Applicants who are ineligible for social housing due to their immigration status who wish to be considered for such schemes should contact the Help to Buy Agent for the East and South East of England.

Applicants found to be ineligible for an allocation of social housing due to their immigration status will not be accepted onto the

Common Housing Register. They will be notified of the decision and the reasons for it in writing. The applicant has a right to request a review of such a decision (see paragraph 14).

5.5 Qualification

All applicants will be assessed to establish that they qualify for the Common Housing Register at both the point of application and the point of allocation.

An applicant will not qualify for inclusion on the Common Housing Register, unless there are exceptional circumstances (see paragraph 18.2), in the following circumstances:

- the applicant does not have a housing need; or
- the applicant does not have a local connection (unless they are social housing tenants in England and need to move within or into North Hertfordshire for work related reasons or they require sheltered housing/Retirement Living) (see paragraphs 17.3 and 18.1); or
- the applicant or a member of his/her household has been convicted of anti-social behaviour or certain types of crime (see paragraph 5.5.1); or
- the applicant or a member of his/her household is facing legal action for anti-social behaviour or certain types of crime (see paragraph 5.5.1); or
- the applicant has an outstanding current housing debt or outstanding debt from a former tenancy for which repayment arrangements are not in place (see paragraphs 5.5.2 and 5.5.3); or
- the applicant or a member of his/her household has been evicted from social housing (see paragraph 5.5.4); or
- the applicant has sufficient resources to buy a suitable home on the open market (see paragraph 5.5.5); or
- the applicant has made a fraudulent application to the Common Housing Register (see paragraph 5.5.6); or
- the gross income of the household exceeds £60,000 per annum unless there are exceptional circumstances.

Applicants who do not qualify for inclusion on the Common Housing Register will be notified of the decision and the reasons for it in writing. The applicant has a right to request a review of such a decision (see paragraph 14).

5.5.1 Unacceptable behaviour – anti-social behaviour/crime

An applicant will not qualify for inclusion on the Common Housing Register, (unless there are exceptional circumstances (see paragraph 18.2)), if he/she or a member of their household:

- has an unspent conviction (see Annex C) for an offence which may be considered as anti-social behaviour or a civil order granted by a court under the Anti-social Behaviour, Crime and Policing Act 2014; or
- is subject to criminal legal action or to a court order for behaviour that may be considered as anti social; or
- has an unspent conviction for a crime that is likely to cause fear, distress and alarm; or
- is subject to legal action for a crime that is likely to cause fear, distress and alarm.

The Partnership will consider a fresh application to the Common Housing Register from any applicant refused access to the Common Housing Register on grounds of anti-social behaviour if the person responsible for the anti-social behaviour/crime has lived in the community for three years with no further convictions of this type, or when their convictions are spent, whichever is the sooner (see Annex C).

Applicants who do not qualify for inclusion on the Common Housing Register will be notified of the decision and the reasons for it in writing. The applicant has a right to request a review of such a decision (see paragraph 14).

5.5.2 Unacceptable behaviour - housing debts

A housing debt is a debt related to a current or previous tenancy owed to:

- a social landlord; or
- a private rented sector landlord; or
- NHDC resulting from claims against the NHDC Deposit Guarantee Scheme; or
- an agency that has provided a loan as a result of a referral by NHDC for the purpose of preventing homelessness.

Housing debts include:

- current or former tenant/licensee rent/charge arrears in respect of a dwelling;
- Mesne profits owed by tolerated trespassers;
- court costs incurred through proceedings in relation to breach of tenancy, including anti-social behaviour and rent arrears. Court costs incurred through proceedings relating to the applicant's occupation of his/her home or former home will be considered according to individual circumstances;
- charges for repair of damage to a dwelling that the occupier is liable for;
- claims from a private landlord against a deposit guaranteed by NHDC;

- loans from agencies that were enabled by NHDC for the purpose of preventing homelessness where repayments have not been maintained.

Applicants with housing debt accrued in their **current** tenancy will not qualify to join the Common Housing Register unless there are exceptional circumstances (see paragraph 18.2).

Applicants with debts outstanding from a **previous** tenancy will not qualify for inclusion on the Common Housing Register until 25% of the value of the debt is repaid. Applicants must also enter into an agreement to repay the outstanding debt by regular instalments. Evidence of the agreement being adhered to will be required before any offer of social housing can be made. Applicants who have not maintained agreed repayments will not be considered for an offer of social housing unless they bring their repayments up to date.

Applicants who have not maintained agreed repayments on loans enabled by NHDC will be removed from the Common Housing Register, unless they bring their repayments up to date within 3 months from the date on which their application is accepted. Applicants who fail to bring their repayments up to date within the specified timeframe will be removed from the Common Housing Register. Such applicants will not qualify for inclusion on the Common Housing Register until the debt is cleared.

Applicants who do not qualify for an allocation will be informed of the decision and the reasons for it in writing. Such applicants have a right to request a review of the decision (see paragraph 14).

5.5.3 Applicants who accrue housing debts when on the Housing Register

If an applicant, who has already been accepted onto the Housing Register, falls into housing debt their application will be suspended for three months. If during this time they clear the debt their application will be reinstated. However, should they fail to clear the debt within the three month period they will be removed from the Housing Register. In these circumstances, they may reapply to the Housing Register once the debt is cleared. This will be considered to be a fresh application and waiting time points will not be backdated.

Those owed a duty to accommodate by NHDC under section 193 of the Housing Act 1996 will be demoted to Band C following the three month period and no additional preference for housing need will be awarded until the debt is cleared.

Applicants who accrue housing debts while on the Housing Register may avoid suspension if there are exceptional circumstances (see paragraph 18.2).

Applicants whose application is suspended will be informed of the decision in writing. Such applicants have a right to request a review of the decision (see paragraph 14).

5.5.4 Former social housing tenants

If an applicant, or a member of their household, has been evicted by a social housing provider, they will not qualify for inclusion on the Housing Register until five years has lapsed from the date of eviction.

Disqualification from inclusion on the Common Housing Register does not apply to applicants who are evicted from temporary accommodation provided under the Council's homelessness duties or functions under part VII Housing Act 1996.

Applicants who have been evicted by a social housing provider may qualify for inclusion on the Common Housing Register in exceptional circumstances. All factors will be taken in to account (see paragraph 18.2 on the use of discretion).

Applicants who do not qualify for inclusion on the Housing Register will be informed of the decision and the reasons for it in writing. Such applicants have a right to request a review of the decision (see paragraph 14).

5.5.5 Applicants with sufficient financial resources to purchase accommodation that meets their housing need

Applicants who can meet their own housing need by buying a suitable property on the open market, with or without a mortgage, will not qualify for inclusion on the Common Housing Register. Resources include affordable loans, income, equity and capital.

5.5.6 Withholding information/giving false information

It is an offence, under section 171 of the Housing Act 1996, for a person to knowingly make a statement which is false, or withhold information which is relevant to their application.

If, following an investigation by the NHHP, it is deemed that an applicant has knowingly submitted a fraudulent application the application will be cancelled. The applicant will not qualify for inclusion on the Common Housing Register for five years from the date of cancellation.

Additionally, the Partnership may prosecute an applicant who commits such an offence or, seek possession of any tenancy that has been granted as a result of a false statement by the tenant or anyone acting at the tenant's instigation or with his/her knowledge.

Applicants who do not qualify for inclusion on the Common Housing Register as a result of withholding information or giving false information, will be informed of the decision in writing. Such applicants have a right to request a review of the decision (see paragraph 14).

5.6 Applicants aged 16 and 17 years

A guarantor may be required by social landlords when offering a tenancy to a person under the age of 18. Where a tenancy is to be offered by a member of the NHHP and there is no guarantor available to the applicant, senior officers of the Partnership will make a decision on whether an allocation can be made without a guarantor.

5.7 Home owners

Home owners (including those owning a share in a property) with a housing need will be accepted onto the Housing Register provided they have insufficient resources to resolve their housing need (see paragraph 5.5.5) and;

- it is unreasonable to continue to occupy their current accommodation; and
- it is not possible to adapt their current accommodation to meet their needs after taking into account the affordability and practicality of any necessary measures; and
- they have insufficient resources to purchase a suitable property in North Herts; or
- they have insufficient resources to purchase suitable accommodation in the local authority area in which they currently live and there is a compelling reason why they need to move into North Herts.

When making a decision on whether it is reasonable for the household to continue to occupy the accommodation the following will be taken into account:

- whether the accommodation and amenities within it are accessible to all members of the household;
- affordability – taking into consideration any equity in the property, any other properties owned by members of the household and the availability of government supported schemes such as Support for Mortgage Interest;
- the physical condition of the property;
- the probability that the continued occupation of the property will result in violence or threats of violence that are likely to be carried out against applicant or a member of their household;
- whether the property is overcrowded to the extent that it is unreasonable for the household to continue to occupy it;
- any other reason that would make it unreasonable for the household to continue occupy their present accommodation.

Where it is unreasonable for the household to continue to occupy their property, they will be awarded preference according to their housing need.

Home owners accepted onto the Common Housing Register are required to take all reasonable steps to complete the sale of their property before taking up a social housing tenancy. Where the NHHP is satisfied that, despite making all reasonable efforts, including reducing the price, this has not been possible, the applicant will be required to undertake to bring their interest in the property to an end as soon as possible after being granted a tenancy and to keep the NHHP informed on their progress in doing so.

Home owners who either have exceptional difficulties or who are applying for sheltered housing/Retirement Living may not be required to have taken all reasonable steps to have completed the sale of their property before taking up a social housing tenancy.

Where a tenancy is granted to a person who owns a property it will be an assured shorthold tenancy with a fixed term of 6 months. The tenancy may be brought to an end if the applicant does not take reasonable steps to sell their property.

Once the Partnership is satisfied that the applicant no longer has an interest in their former, market property the tenancy will be converted to a social tenancy.

5.8 Holders of social housing tenancies

Applicants with social housing tenancies will be required to bring their tenancy to an end to enable them to take up any tenancy. Such applicants should take advice before bringing their current tenancy to an end to ensure that they do not worsen their circumstances.

Housing advice is available from the Council free of charge.

5.9 Homeless Households and those threatened with homelessness

Applicants who are homeless or threatened with homelessness within the meaning of Part VII of the Housing Act 1996 (as amended) will be given reasonable preference on the Common Housing Register appropriate to their homelessness status (see paragraph 19).

Those who do not meet the qualification criteria due to anti-social behaviour/crime, housing debt or previous evictions from social housing will be given a Band C preference, but will not be awarded priority for any other housing need and will not be considered for an offer of accommodation until such time as they fulfil all the qualification criteria.

Note that applicants who are owed a main housing duty and who are placed in temporary accommodation will not be awarded housing needs points for limited security of tenure.

Applicants who are owed a main housing duty and who are placed in supported accommodation will not be awarded any additional housing needs points until they are ready to move into general needs housing.

5.10 Agricultural Workers

Applications from displaced agricultural workers in tied accommodation will be referred to the Agricultural Dwelling House Advisory Committee (ADHAC) for a recommendation.

Should the ADHAC Tribunal be satisfied that the agricultural worker's accommodation is properly required by another employee, the applicant will be awarded priority for insecurity of tenure and any other housing need experienced by the household.

5.11 Applications from households in institutions

Applications from households that are, at the time of their

application, in an institution, such as the Armed Forces, long term hospital, a rehabilitation unit or prison, can apply to the Common Housing Register. If the household has no suitable accommodation to return to they will be awarded Band C preference. When they are within 3 months of leaving the institution they will be awarded preference for any other recognised housing need that applies to them.

Bids from households in an institution will be bypassed unless they can provide satisfactory evidence that they can take up the tenancy on the date on which it becomes available.

5.12 Care leavers

Looked after children and care leavers aged 16 and 17 may be placed on the Common Housing Register from the age of 16 in order to accrue waiting time points. They will be placed in Band C but will not usually be considered for properties as separate accommodation arrangements exist for this group of young people, as set out in the Hertfordshire Joint Housing Protocol.

Care leavers aged from 18 and up until their 21st birthday (or up until the education or training they were engaged in on their 21st birthday ceases), or whom are still owed a leaving care duty by Hertfordshire County Council, will be awarded a Band B preference once they are assessed as ready for independent accommodation. This will happen, at the earliest, six months before the young person's 18th birthday and the applicant will be able to bid on suitable properties from this point.

Those who do not meet the qualification criteria due to unacceptable behaviour (see paragraphs 5.5.1 and 5.5.2) will be given a Band C preference, but will not be awarded priority for any other housing need and will not be considered for an offer of accommodation until such time as they fulfil all the qualification criteria.

Preference to care leavers will only be awarded the once.

5.13 Members of the Armed Forces

5.13.1 Local Connection

The following members or former members of the Armed Forces will be deemed to have a local connection to North Hertfordshire:

- those who are currently serving in the regular forces or who were serving in the regular forces at any time in the five years preceding their application for an allocation of housing;

- existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to that service.

Bereaved spouses or civil partners of those serving in the regular forces will also be deemed to have a local connection to North Hertfordshire where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to that service.

Note that a local connection granted by virtue of an applicant's association with the Armed Forces will not override local connection criteria attached to rural schemes (see paragraph 7.2) and local lettings policies (see paragraph 7.1).

5.13.2 Additional preference

Applications from the following members or former members of the Armed Forces or their bereaved spouses or civil partners will be given additional preference if they fall within one of the reasonable preference categories (see paragraphs 5.9 and 17):

- those who are currently serving in the regular forces and who are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service;
- those who formerly served in the regular forces;
- existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to that service; and
- bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to that service.

Applicants meeting the requirement for additional preference will be banded according to their housing need and awarded an additional three preference points.

5.13.3 Bidding for properties prior to discharge

Applications from members of the Armed Forces will be subject to the same conditions as those from households leaving an institution (see paragraph 5.11). Bereaved spouses who must leave Forces accommodation will be awarded preference for

insecurity of tenure and any other housing need that they have. Applicants are able to bid from the date of acceptance on the Housing Register.

5.14 Prospective adoptive or foster parents

Where an applicant has the need for extra bedroom(s) in order to comply with the requirements for adopting or fostering, their application will be referred to senior officers of the NHHP for a decision on whether they will be awarded preference for lacking a bedroom(s).

Applicants will be informed, in writing, of the decision and the reason for the decision.

5.15 Households in employment

An additional three points will be awarded where one or more of the applicants are in paid employment or have been in paid employment within the past two years.

Applicants who gain paid employment subsequent to making their application will be awarded an additional three points provided they notify the NHHP of their change of circumstances.

Any preference awarded to households in employment will be removed once two years has passed from the date of their last paid employment.

Applicants will be required to provide evidence of any period of employment such as pay slips or tax returns.

5.16 Intentional worsening of housing circumstances

Should an applicant perform a deliberate action or inaction that results in a worsening of their housing circumstances, they will not gain preference on the Common Housing Register unless there are exceptional circumstances (see paragraph 18.2). The household will be placed in the band and awarded the points that they would have qualified for should they not have worsened their housing circumstances.

Households able to resolve their own housing needs by renting a suitable property in the private sector without recourse to public funds and choose not to do so, will be placed in the band and/or awarded points that they would have qualified for should they have done so unless there are exceptional circumstances (see paragraph 18.2).

Applicants can request that their situation is reviewed 12 months from the date of the decision or upon a material change in their circumstances.

Applicants who have their preference reduced as a result of intentional worsening of their housing circumstances, or failing to resolve their own housing need when it is reasonable for them to do so will be informed of the decision in writing. Such applicants have a right to request a review of the decision (see paragraph 14).

5.17 Changes in circumstances

Applicants must inform the partner to which they made their application in writing of any changes to the information provided in their original application. Applicants will be required to provide evidence of any such changes.

A change in circumstances may affect the applicant's qualification for preference on the Housing Register and/or the type and size of property they will be considered for. Following notification of a change in circumstances, the applicant will be provided with written confirmation of any change in their entitlement under the scheme.

5.18 Home visits

An officer of the NHHP may visit an applicant in their home, prior or subsequent to authorising them for an offer of accommodation, to check that their housing circumstances are as set out in their application. Applicants should be aware that a failure to facilitate a home visit within the given timescale may result in them being bypassed for an offer of a tenancy.

Applicants are required to give officers access to all parts of their home.

5.19 Right to access information

On request, applicants will be provided with information on the preference awarded to them under the Common Housing Allocation Scheme.

Under the terms of the Data Protection Act, applicants can make a written request for personal information held either on computer or manual files that does not identify any other person that has not consented to the disclosure. A minimum fee of £10.00 may be charged for this service.

6. CHOICE BASED LETTINGS – HOME4U

Under the Choice Based Lettings scheme, when a property becomes available it is advertised through the Home4U website.

The advertisement for the property will include:

- the location of the property;
- physical characteristics of the property such as type, number of bedrooms and floor level;
- the weekly/monthly rent and any service charges applicable;
- qualification criteria;
- restrictions on households to whom an offer will be made;
- details of any adaptations;
- a photograph of the property or a similar property;
- the type of tenancy and its duration.

Applicants are invited to 'bid' for properties that they are interested in. The deadline for making a bid will be included in the advertisement and bids received after that date will not be considered. Applicants are entitled to a maximum of three bids in each bidding cycle.

Bids made by an applicant's representative, (who may be an NHHP officer), will be accepted provided the NHHP has the written consent of the applicant.

Those who qualify and meet the advertised criteria will be short listed and up to five bidders, with the highest preference on the Common Housing Register, will be invited to view the property. Following the viewing, applicants will be required to confirm whether or not they want to be considered for the property. The property will be offered to the applicant with the highest preference on the register of those who wish to be considered. Should a situation arise where two or more interested applicants have equal preference, the applicant with the most needs points will be offered the property.

If two or more applicants have the same needs points the offer will be made to the applicant who has been on the Register the longest.

6.1 Support for potentially disadvantaged applicants

Choice based lettings require applicants to actively participate in choosing their accommodation. Some applicants may find such participation more difficult than others. Assistance in making an application and with making bids will be provided, free of charge, to ensure that such applicants are not at a disadvantage.

Assistance will be provided at an appropriate level to the applicant's needs by NHHP officers and/or statutory and voluntary support and advice agencies. This may include bids being made on behalf of the applicant where the NHHP has the applicant's written permission to accept/make such bids.

6.2 Guidance on Choice Based Lettings

User guidance on participating in the Home4U choice based lettings scheme will be provided to all applicants. The user guide is also published on the Home4U website www.home4u.org.uk

7. PROPERTIES SUBJECT TO RESTRICTED QUALIFICATION CRITERIA

In some circumstances, qualification criteria for a property will be restricted to households that meet specific criteria. Restrictions may apply to:

- properties subject to a local lettings policy;
- properties situated on rural exception sites;
- properties subject to an agreement under Section 106 of the Town and Country Planning Act 1990; and
- accessible properties suitable for people with a disability.

A proportion of one and two bedroom properties will be advertised solely for social housing tenants in North Herts who have had their Housing Benefit entitlement reduced as a result of under-occupancy. Such properties will only be allocated to tenants who meet the criteria for receiving preference on the Housing Register as set out in the NHHP policy on under-occupation and Housing Benefit reduction.

7.1 Local Lettings Policies

In some circumstances, properties may be reserved to fulfil an identified housing need. There may also be instances where there is a need to ensure a mixed, balanced and sustainable community. In these circumstances, the criteria of the local lettings policy will be detailed in the advertisement and only applicants who meet the criteria will be considered. Applicants who make a bid and meet the advertised criteria will be short listed in order of the amount of preference that they have on the housing register. A maximum of five applicants, with the highest preference on the Common Housing Register, will be invited to view the property. Following the viewing, applicants will be required to confirm whether or not they want to be considered for the property. The property will be offered to the applicant with the

highest preference on the register of those who wish to be considered.

Copies of local lettings policies in operation will be published on the landlords' websites.

7.2 Rural schemes

Where there are legal restrictions on letting properties in rural housing schemes these will be taken into account when making allocations. To meet the local connection criteria for such a scheme, applicants will need to demonstrate a local connection (see paragraph 18.1) with the Parish in which the scheme is located rather than the district. The criteria for rural schemes will be detailed in the advertisement and only applicants who meet the criteria will be considered. Applicants who make a bid and meet the advertised criteria will be short listed. The bidders with the highest preference on the housing register will be invited to view the property. Following the viewing, applicants will be required to confirm whether or not they want to be considered for the property. The property will be offered to the applicant with the highest preference on the register of those who wish to be considered.

7.3 Adapted/accessible properties

When advertised, adapted/accessible properties will be labelled according to any adaptations provided in the dwelling. Bids from households that include a person with a need for such adaptations may take priority over those from households without such a need, regardless of their position on the Common Housing Register.

7.4 Sundry restrictions

From time to time, the Partnership may consider it necessary to 'ring-fence' a proportion of properties for applicants with a particular profile in order to accomplish required or desirable outcomes.

In these circumstances, the advert for the vacancy will give details of the household type who qualifies for the property.

Should this option be used, it will be limited to the minimum period deemed necessary to achieve the required outcome.

A policy statement giving details of the restriction, including the applicants affected, the reasons for it and the period it will be enforced, will be published on the Partner's websites.

8. PROPERTY SIZE

For the purpose of awarding preference on the Housing Register, households will qualify for one bedroom for:

- every adult couple (married or unmarried);
- any other adult aged 16 or over;
- any two children of the same sex aged under 16;
- any two children aged under 10;
- a foster child;
- any other child, (other than a child whose main home is elsewhere);
- a carer (or team of carers) who do not live with the household but provide overnight care for the tenant and/or their partner.

For the purpose of allocation, households with two children under 16 are permitted to bid for and be allocated to both two and three bedroom properties. Nevertheless, before bidding for three bedroom properties such households should be aware that, unless their children are of opposite sexes and at least one is over 10 years of age, they will only be eligible for Housing Benefit for a two bedroom property. Hence, for Housing Benefit purposes such households will be considered to have more bedrooms than the household needs and will be expected to meet 14% of the rent from sources other than Housing Benefit. In these circumstances, applicants will be advised on the rent and any other charges on the property and the effect of under-occupancy on their entitlement to Housing Benefit. The applicant will then be responsible for deciding if the property is affordable to them.

Properties with more than three bedrooms are scarce and, households requiring larger properties may bid for properties that do not provide the above bedroom standards. In these circumstances, the property must provide a minimum of one bedroom for:

- each co-habiting couple or lone parent;
- each adult aged of 21 years or over;
- each pair of children of the same sex aged 10 to 20 years;
- each unpaired person aged 10 to 20 paired with a child under 10 of the same sex;
- each pair of children under the age of 10 regardless of sex;
- each unpaired child.

In properties with a self-contained dining room, the dining room may be counted as a bedroom where the size of the households deems it necessary.

An unborn child will be taken into account for allocation purposes when the mother reaches her sixth month of pregnancy.

8.1 Sheltered Housing/Retirement Living

The majority of units in sheltered housing/Retirement Living are self-contained one bedroom flats suitable for either couples or single applicants or studio flats which are only suitable for single person households. Such housing is available for single or couple households that include a person aged 55 or over with a support need.

9. PROPERTY TYPE

The type of property that an applicant is able to bid for may be limited by the characteristics and composition of the household. Unless there are extenuating circumstances, the following restrictions apply:

Property type	Available to
Studio flat	A single person household
Flat	All
Maisonette	All
Bungalow	May be restricted to households that include a person aged 55 or over and/or with a medical recommendation for ground floor accommodation
Sheltered/Retirement Living accommodation	A single person aged 55 or over or couple in which at least one partner is aged 55 or over
House – 2 bedrooms	A household with one or more resident children under the age of 16 at the time of bidding*
House – 3 or more bedrooms	Any household with a need for 3 or more bedrooms (see paragraph 8)
Adapted property	A household with a need for adaptations

* In the case of separated parents, staying access will not normally be taken to amount to residence.

Vacant properties will generally be allocated in line with the property size criteria (see Section 8) to those with the highest priority. However, occasionally properties (see Section 9) with lower demand and/or those with particular lettings criteria may be advertised, and let to, those applicants requiring fewer bedrooms.

10. HOUSHOLDS WITH A NEED FOR AN ADAPTED /ACCESSIBLE PROPERTY

10.1 Adapted/accessible properties

When a property with adaptations becomes available, the landlord will make a decision on whether to leave the adaptations in place. The decision will be made after taking into consideration:

- the type of adaptations; and
- the age and condition of the adaptations; and
- the demand for such adaptations.

Bids from households with a need for the adaptations may take priority over those from households without such a need (see paragraph 7.3).

Similarly, bids from households with a medical need for ground floor or lifted properties may take priority over bids for such properties made by other applicants.

To ensure that the property is suitable, or can be made suitable within a reasonable amount of time and at reasonable cost, short listed applicants with a need for adaptations will be invited to view the property accompanied by an occupational therapist. Should it not be possible to make the property suitable for the household the offer may be withdrawn. In these circumstances the applicant may request a review of the decision to withdraw the offer (see paragraph 14).

10.2 Properties without adaptations

Households with a need for adaptations may bid for properties without adaptations. Bids will be short listed in the usual way (see paragraph 6).

To ensure that the property can be made suitable within a reasonable amount of time and at reasonable cost, applicants with a need for adaptations will be invited to view the property accompanied by an occupational therapist. Should it not be possible to make the property suitable for the household the offer may be withdrawn. In these circumstances the applicant may

request a review of the decision to withdraw the offer (see paragraph 14).

Applicants with a need for adaptations who accept a property that requires adaptations to be carried out may be required to commence the tenancy before the adaptations have been made. The applicants will be provided with an estimate of the timescale for completing the adaptations. If this is unacceptable to the applicant, the offer will be withdrawn. In these circumstances the applicant may request a review of the decision to withdraw the offer (see paragraph 14).

11. LANDLORDS

North Hertfordshire Homes is the largest social landlord in North Herts. However, the Council has nomination rights to properties within the district owned by a number of other social landlords (see Annex A). Properties to which the Council has nomination rights will be let through the Choice Based Lettings Scheme according to the criteria of the Common Housing Allocation Scheme. Details of the landlord to which an advertised property belongs will be included in the description of the property.

11.1 Refusal of a Nominee by a Private Registered Provider of Social Housing (PRPSH)

PRPSHs may have qualification criteria that differ from those of the Council and other members of the North Hertfordshire Housing Partnership. PRPSHs are legally entitled to refuse a nomination from the Council if the relevant nominee does not meet their criteria. In these circumstances, the PRPSH will be required to provide the Council with the reasons for any refusal of a nomination in writing by an authorised officer and confirm that the refusal is within the terms of their duly adopted policies.

If the Council is satisfied that the applicant does not meet the qualification criteria for the allocation, the nomination will be withdrawn.

12. PETS

Applicants are advised that there are some properties/schemes that do not allow pets. Applicants who wish to keep pets should not bid for such properties.

13. REVIEW OF APPLICATIONS TO THE COMMON HOUSING REGISTER

Applications to the Common Housing Register will be reviewed periodically. Applicants will be contacted in writing and required to confirm that their circumstances have not changed and that they wish to remain on the Common Housing Register. Applicants who fail to respond to the review will have their application cancelled.

Where an application has been cancelled, the applicant has a right to request a review of the decision (see Paragraph 14).

14. THE RIGHT TO REQUEST A REVIEW

Applicants have the right to request a review of the following decisions:

- that the applicant is ineligible for the Common Housing Register: or
- that the applicant does not qualify for inclusion on the Common Housing Register; or
- that the applicant is ineligible for an allocation; or
- that the applicant does not qualify for an allocation; or
- that the application should be by-passed; or
- that the household's application has been cancelled.

Applicants may also request a review concerning the *facts* of their case which are likely to be, or have been, taken into account in considering whether to allocate accommodation. This includes decisions about:

- the type of property that the applicant will be considered for;
- the extent of the applicant's household to be considered for housing with him or her;
- the applicant's medical condition or other welfare needs;
- other facts used to determine whether the applicant is entitled to a reasonable preference;
- whether the applicant should receive additional preference on the grounds of high housing need.

Applicants should make their request for a review to the partner to which they made their application. A request for a review should be made within 21 days of receiving notification of the decision. An applicant or their representative should submit written representations in support of their review with their request.

The review will be carried out by officers of one of the partner organisations that were not responsible for the original decision.

Reviewing officers will be senior to the officer who made the original decision and will not have been involved in making the original decision. In conducting the review, all relevant matters will be taken into consideration and further enquiries will be made if necessary. The applicant will be notified of the decision and the reasons for it in writing within eight weeks of receipt of the request for a review.

Full details of the review procedure will be made available on request.

If an applicant is not satisfied with the review decision, they can submit a formal complaint to the relevant partner or apply for a judicial review.

15. COMPLAINTS

Applicants with a complaint about the way their application has been administered should address their complaint to the partner to which they made their application. The procedures for making a complaint will be made available on request and are published on the partners' websites.

16. CONFIDENTIALITY

Any information provided by the applicant will not be divulged to others without the consent of the applicant. To enable the Partnership to make any necessary inquiries, the applicant will be asked to give their permission for information pertaining to their application to be shared when necessary. Information will only be shared in support of the application, to prevent or detect fraud or in the referral of a household that includes a vulnerable person at risk to Social Services.

17. HOUSING NEEDS

Applications from households with a housing need will receive reasonable preference under the Common Housing Allocation Scheme. The different circumstances in which a household is deemed to be in housing need are set out below.

17.1 Households occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing

A household will be deemed to have a housing need due to

occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing in the following circumstances:

17.1.1 Living in accommodation that is in poor condition

Where the physical condition of a dwelling is such that the occupant(s) and/or visitors who make a necessary contribution towards the occupant's wellbeing are at an unacceptable risk of accidents and/or ill health, preference will only be awarded where other remedies have been investigated and eliminated.

Home owners and tenants with relevant repair obligations who have sufficient resources, including any financial assistance to which they may entitled, to remedy the hazard(s) and choose not to do so will be deemed to have sufficient resources to meet their own housing need. Resources include funds that can affordably be secured through an equity release scheme or a loan. In these circumstances, should a child or other vulnerable person be at risk, Social Services will be notified and the Council may take enforcement action against the responsible person(s).

Where an applicant and members of his/her household are unable to occupy the dwelling for a period while remedial work is carried out and no alternative accommodation is available to them, the Council will provide them with housing advice and assistance and fulfil any other duty that may be owed to them under homelessness legislation.

Applicants with insufficient resources to remedy the hazard who must leave their accommodation permanently, or whose property has been assessed by an Environmental Health Officer as being unreasonable to occupy, will be awarded preference on the Housing Register.

17.1.2 Living in accommodation that is too big for the household

A household will be deemed to live in unsuitable housing if they are tenants of social housing within the district who are under-occupying. Preference will be awarded where applicants are in properties with two or three bedrooms and are willing to move to a one-bedroom property; or living in four or five bedroom properties or three bedroom properties with two self-contained reception rooms who are willing to move to a smaller property. In these circumstances, households will be considered for properties that are larger than the household would normally qualify for under the terms of the Common Allocation Scheme (see paragraph 8).

Households in receipt of Housing Benefit whose entitlement does not meet the full rent because they have a spare bedroom, may be awarded preference to downsize to accommodation that meets

the social size criteria. In theses circumstances, preference will only be awarded if the household meets the criteria set by members of the NHHP in their policy on under-occupation and housing benefit reduction.

17.1.3 Living in accommodation that either does not have enough bedrooms or has bedrooms that are too small for the household

Households will be awarded preference on the Common Housing Register if their current housing does not have enough bedrooms (see paragraph 8) or the bedrooms are too small for the occupants. Households will be evaluated on a 'best fit' basis, i.e. the assessment will take account of the amount and size of the bedrooms in the property and the composition of the household, not who is actually occupying each room.

Where a household has sufficient bedrooms but the rooms are too small, they will be awarded preference on the Common Housing Register. In circumstances where a bedroom is unacceptably small the household will be deemed to be lacking a bedroom. A household may also be deemed to be lacking a bedroom if the bedroom's useable space is restricted (due to excessively low ceiling height for example).

The table below gives details of how bedroom sizes are assessed:

Bedroom size	Occupant(s)	Lacking a bedroom	Too small	Adequate
Less than 48 sq ft	Any occupancy	✓		
48 to 50 sq ft	Child under 10		✓	
	Person over 10	✓		
	More than one person	✓		
50 to 70 sq ft	Child under 10			✓
	Person over 10		✓	
	More than one person	✓		
70 to 90 sq ft	One person			✓
	Child under 10 sharing with one other person of any age		✓	
	Two people	✓		
90 to 110 sq ft	Child under 10 sharing with one other person of any age			✓
	Two people over 10		✓	
110 sq ft or over	Up to 2 people of any age			✓

Where preference for lacking a bedroom is awarded because a bedroom is too small, the household may bid on a property with the same number of bedrooms as their current property. In these circumstances, bids may be bypassed if the property is not within the size criteria for the household, (see paragraph 8.).

17.1.4 Families in bedsits/studio flats

Households with children living in a bedsit or studio flat will be awarded preference for lacking two bedrooms. Additional preference will also be given to those with more than one child.

17.1.5 Single person household in bedsits/studio flats

Single person households who have lived in a bed-sit or studio flat for three years within the district, as tenants, and wish to move to a one bedroom flat, will be awarded preference.

17.1.6 Living in supported accommodation and no longer has a need for the level of support provided.

Applicants living in supported accommodation within the district, or those who were placed in supported accommodation (whether within or outside of the district) by NHDC, and who are ready to move into general needs housing will be awarded preference on the Housing Register.

17.1.7 Living in accommodation with children under the age of six that is above the ground floor and/or children under the age of 11 without access to a secure garden

17.1.8 Living in accommodation with limited security of tenure

Applicants will be deemed to have limited security of tenure where the NHHP is satisfied that they can legally be evicted without the need for a ground for possession being proved in court or where the nature of the applicant's occupancy excludes them from the terms of the Protection from Eviction Act 1977. Applicants in social housing on a fixed term tenancy will be deemed to have limited security of tenure if they are within 12 months of the end of the fixed term.

Examples of limited security of tenure are: -

- assured shorthold tenancy;
- non-secure tenancy;
- licence;
- sharing accommodation with a resident landlord;
- sharing accommodation with a member of their family;
- households leaving services family accommodation following the death of their spouse or civil partner; and
- unauthorised occupancy.

Households that are placed in temporary accommodation by a local authority under its homelessness legislation duties are not eligible for preference for limited security of tenure.

17.1.9 Households sharing facilities with other households

This applies where the applicant and his household share facilities with others who are not included in their application.

17.1.10 Leaving an institution with no suitable accommodation to return to (see paragraph 5.11)

17.1.11 Living in a social sector adapted property in North Herts with no need for the adaptations

17.2 Households that need to move on medical or welfare grounds

A household will be deemed to have a housing need on medical or welfare grounds in the following circumstances:

17.2.1 The applicant or a member of their household has a medical condition or disability that is adversely affected by their current housing and this would be improved by moving to a different property.

An applicant who considers that he/she or a member of their household has a medical reason for moving should complete a self-assessment medical form. The NHHP's Medical Advisor will make a recommendation on the level of priority, if any, the application should receive. The medical advisor may also make a recommendation on the type and location of accommodation and any special aids or adaptations necessary. NHHP officers will take account of the recommendations of the Medical Advisor when making the decision on whether medical priority should be awarded.

Where a household is deemed to have a medical need for moving, medical priority will be awarded in addition to any already recognised housing need. For instance, a household that lacks a garden for a child under the age of 11 years is placed in Band C. Should a member of the household be deemed to have a medical need for a garden, the appropriate medical preference will be also awarded to the household. An exception may apply to applicants who are vulnerable due to a medical need (see paragraph 17.2.6).

Equally if a household is awarded a medical priority for lacking a bedroom for example, the household will not also be awarded preference for lacking a bedroom unless they would be deemed to be lacking a bedroom in accordance with paragraph 8.

Where applicable, medical priority may only be awarded on the understanding that the applicant will accept the type of property recommended.

Medical priority will be given in the following circumstances:

17.2.2 High medical priority

High medical priority will only be granted in circumstances whereby:

- the applicant or a member of their household has a long-term/permanent medical condition or disability that prevents them gaining access to their property or to basic facilities within the property or;
- the medical condition of the applicant or a member of his/her household may lead to danger to life and limb if they are not re-housed; or
- the applicant has an urgent need to move to suitably adapted 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.

Such priority will only be awarded where other remedies such as a Disabled Facilities Grant have been investigated and eliminated.

17.2.3 Medium medical priority

Medium medical priority will be granted in circumstances whereby:

- the applicant or a member of his/her household has a long-term/permanent medical condition that causes them serious difficulty in gaining access to their property or to basic facilities within their property or;
- the applicant's continued occupation of their current property is likely to cause a significant deterioration to their health or the health of a member of the household.

Such priority will only be awarded where other remedies such as a Disabled Facilities Grant have been investigated and eliminated.

17.2.4 Low medical priority

Low medical priority will be awarded in circumstances whereby:

- the applicant or a member of his/her household has a long-term/permanent medical condition that diminishes their ability to gain access to their property or to basic facilities within their property; or
- the applicant's continued occupation of their current property is likely to cause deterioration to their health or the health of a member of their household.

Such priority will only be awarded where other remedies such as a Disabled Facilities Grant have been investigated and eliminated.

17.2.5 The applicant or a member of his or her household need to move to give or receive care

In these circumstance, the applicant will be awarded preference in line with the medical priority awarded to the person in need of care. Applicants who need to move to be close to a hospital or other essential service are included in this category.

Preference will only be awarded after other remedies have been investigated and eliminated.

17.2.6 The applicant is vulnerable and cannot be expected to find their own accommodation

Preference is awarded to applicants with a housing need who are vulnerable through no fault of their own and cannot be expected to find their own accommodation because they do not have the skills and ability to find and keep a home without help. Such preference will not be awarded if there is another person in the household who could be expected to find accommodation on the vulnerable person's behalf. Nor will it be awarded if the vulnerability has secured the applicant preference for another reason e.g. the applicant has been awarded medical preference or they have been awarded priority need status when making a homelessness application because of the vulnerability.

Examples of applicants who may be deemed to be vulnerable include:

- people with learning difficulties;
- people with mental health problems;
- people with behavioural difficulties;
- people whose ability to fend for themselves is restricted for other reasons.

17.2.7 The household includes an applicant aged over 55 and requires sheltered housing/Retirement Living

Sheltered housing/Retirement Living is available to single applicants aged over 55 or couples in which one of the applicants is over the age of 55. To qualify, the applicant must have a support need that can be met in sheltered housing/Retirement Living.

17.3 Households that would suffer hardship if they do not move

Households will be included in this category if:

- they need to move to take up education or employment and they would suffer significant hardship if they do not do so;

- tenants of social housing in England who need to move within or to North Hertfordshire for work related reasons such as being closer to their work or taking up a job offer or apprenticeship – in these circumstances the applicant does not need a local connection to the district;
- they need to move to recover from the effects of violence, harassment or abuse;
- there are other reasons why they would suffer significant hardship if they do not move.

18. PREFERENCE

Applicants accepted on the Common Housing Register will be assessed and awarded preference according to their housing need and placed in the appropriate preference band.

There are three preference bands:

- Band A – High Preference
- Band B – Medium Preference
- Band C – Low Preference

Applicants will be placed in the highest band that their housing need qualifies them for.

Applicants will be notified in writing of the preference that they are awarded. Where an applicant is not awarded any preference, they will be notified of the reasons for this decision.

18.1 Local Connection

An applicant will be deemed to have a local connection if s/he:

- has been continuously resident by choice in the district for the last 12 months; or
- has been resident, by choice, in the district for 3 out of the last 5 years; or
- is a member or former member of the Armed Forces or a bereaved spouse or civil partner (see paragraph 5.13.1); or
- has an immediate family member (this would normally be their mother, father, brother, sister, or adult child) resident in the district. Their residency must be by choice and have been so for a minimum of 5 years; or
- has employment in the district*; or
- is a former asylum seeker who has occupied accommodation provided by NASS in the district; or
- is accepted as owed a main housing duty by NHDC under section 193(2) of the Housing Act 1996; or

- care leavers originating from the district or who meet the agreed criteria set out in the Hertfordshire Joint Housing Protocol; or
- has another special reason why they need to live in the district.

* Employment is defined as a permanent contract or being self-employed. To satisfy the local connection criteria, the place of work or work base of the applicant must be situated within the district and/or the applicant's work carried out predominantly in the district. The work must be paid and meaningful i.e. the income from it must have a significant impact on the welfare of the household.

An applicant who is in an institution will be deemed to have a local connection if they satisfied the above criteria prior to entering the institution or have no local connection to any other local housing authority area.

Applicants who are tenants of social housing in England who need to move for work related reasons are not required to have a local connection to North Hertfordshire.

An applicant for sheltered housing/Retirement Living is not required to have a local connection. However, applicants for sheltered housing/Retirement Living with a local connection will be awarded an additional three points. Applicants for sheltered housing/Retirement Living who do not have a local connection will be placed in to Band C, however they will not be awarded any other preference.

18.2 Discretionary awards of preference

The Common Housing Allocation Scheme cannot cover every eventuality. Where there are exceptional circumstances, senior officers of the NHHP have the delegated discretion to make decisions on whether an applicant qualifies for inclusion on the Common Housing Register, the level of preference, if any, to be awarded to an applicant, and whether an offer of housing should be made.

In making such decisions officers will:

- act rationally and fairly;
- take account of relevant housing and social need of the applicant and their household;
- take into account their ability to maintain a tenancy;
- consider the needs of the community;
- ignore irrelevant factors;
- not penalise people for events which are not deemed to be their fault;

- look at the circumstance as to why arrears have arisen;
- take account of whether the person responsible for the arrears or anti-social behaviour has left the household;
- not exclude people from the Common Housing Register indefinitely and advise when they are able to reapply;
- not act on subjective judgement and unproven allegation;
- have regard for the public sector equality duty to foster good relationships and eliminate discrimination;
- make clear and well informed decisions;
- maintain an accurate and clear record of reasons for discretionary decisions; and
- retain on file the evidence on which the decision was based.

19. BANDING CRITERIA

19.1 Band A - High Preference

High preference will be awarded where applicants or a member of their household:

- has been awarded high medical priority because of a high need to move due to a permanent medical condition or a disability and other remedies such as Disabled Facilities Grants have been investigated and eliminated;
- has an urgent need to move to provide care to a person who has a high medical priority because of a permanent medical condition or a disability or such a person needs to move to receive care and other remedies have been investigated and eliminated;
- is under-occupying social housing in the district (see paragraph 17.1.2);
- is a tenant of social housing in the district and has had their housing benefit entitlement reduced as a result of under-occupancy **and** they meet the criteria set out in the NHHP policy on under-occupation and housing benefit reduction (see paragraph 17.1.2);
- a senior officer of the NHHP has decided that a household has cumulative housing needs so great as to necessitate an urgent move;
- is a tenant of NHH and is being permanently decanted from their home. In these circumstances, preference will be awarded for a limited period after which the NHHP will make a direct offer (see paragraph 22.2).

19.2 Band B – Medium Preference

Medium preference will be awarded where:

- a household has been accepted as unintentionally homeless and in priority need and is owed the main s193(2) housing duty by NHDC, unless they are placed in temporary accommodation which is designated for a special needs client group;
- the applicant needs to move and is vulnerable and cannot be expected to find their own accommodation and there is no other person in the household who could be expected to do so on their behalf;
- a member of the household has been awarded medium medical priority;
- there is a need to move to provide care to a person who has a medium medical priority because of a permanent medical condition or a disability or such a person needs to move to receive care and other remedies have been investigated and eliminated;
- the applicant is in supported accommodation within the district, or has been placed in supported accommodation (whether within or outside the district) by NHDC, and is ready to move into general needs housing;
- households living in accommodation that is in such poor condition that it poses an unacceptable risk of accidents and/or ill health;
- households that include a dependent child or a vulnerable adult that require another bedroom according to the terms of the Common Housing Allocation Scheme;
- households living in self-contained one bedroom accommodation that include two children of the same sex under the age of 16, or children of the opposite sex under the age of 10;
- a household with children is living in bedsit/studio accommodation. Such households will be awarded preference for lacking two bedrooms, with additional preference given to those with more than one child;
- households with dependent children or a vulnerable adult sharing facilities with another household;
- the household is in social housing in North Herts that has adaptations which are not needed by the household;
- care leavers who have been assessed as ready for independent living, in accordance with the Hertfordshire Joint Housing Protocol.

19.3 Band C – Low Preference

Low preference will be awarded where:

- a household with no dependent children or vulnerable adults is sharing facilities with another household;

- a household is owed a duty, other than the main housing duty, by NHDC under homelessness legislation;
- a household has been accepted as unintentionally homeless and in priority need and placed in supported accommodation by NHDC but is not yet ready to move into general needs housing;
- a household that has been accepted as homeless or threatened with homelessness and in priority need by any local housing authority other than North Hertfordshire District Council;
- a household is owed a duty by NHDC under homelessness legislation but does not meet the qualifying criteria for joining the CHR;
- the applicant or a member of his or her household has been awarded low medical priority;
- there is a need to move to provide care to a person who has a low medical priority because of a permanent medical condition or a disability or such a person needs to move to receive care and other remedies have been investigated and eliminated;
- the household does not include children or vulnerable adults and they require another bedroom under the terms of the Common Housing Allocation Scheme;
- the household is occupying a property in which a bedroom is too small;
- single person households who have lived in a bed-sit or studio flat for three years within the district, as tenants, and wish to move to a one bedroom flat;
- children under the age of 6 or pregnant women are living in flats above the ground floor;
- children under the age of 11 who do not have access to a secure garden;
- there is a need to move to avoid hardship;
- households are in accommodation with limited security of tenure;
- the applicant is in an institution and has no suitable accommodation to return to;
- applicants are over 55 years of age with a support need and require sheltered housing/Retirement Living;
- looked after children and care leavers aged 16 and 17, in accordance with the Hertfordshire Joint Housing Protocol.

20. CUMULATIVE NEED

To ensure that the cumulative housing need of applicants is taken into account, applicants who have more than one housing need will be awarded additional needs points. Needs points will be awarded as follows:

- 10 points for housing needs awarded high preference (Band A)
- 6 points for housing needs awarded medium preference (Band B)
- 3 points for housing needs awarded low preference (Band C)

Needs points will be awarded for every additional housing need. For example a household in Band B because they require an extra bedroom will receive an additional 6 points if they require two extra bedrooms. The household would attract another 3 points if they have a tenancy with limited security (Band C).

21. WAITING TIME

Households will be awarded one point for every month that they spend on the Common Housing Register.

22. OFFERS OF ACCOMMODATION

Available properties will be advertised and applicants invited to 'bid' for the property of their choice (see paragraph 6). Bidders will be short listed in order of the amount of preference that they have on the Housing Register. A maximum of five applicants, with the highest preference on the Common Housing Register will be invited to view the property. Following the viewing, applicants will be required to confirm whether or not they want to be considered for the property. Of those who wish to be considered, the property will be offered to the applicant with the highest preference on the Register.

The type of tenancy offered may vary between social housing providers and, depending on an applicant's circumstances, could range in duration from six months to a lifetime. Further details will be found in providers' tenancy policies.

Applicants who have been offered a property will not be considered for other properties until they have made a decision on the offer. Should an applicant be at the top of more than one shortlist, they will be required to make a decision on which property they prefer.

The applicant will have a limited time period to notify the NHHP of whether they will accept an offer.

Vulnerable households may be permitted a longer period to decide whether or not to accept a property to allow them time to liaise with support and advice agencies. In these circumstances, the amount of time that the applicant will be given will be made on a case by case basis.

If the applicant refuses the offer or fails to respond within the given time, the property will be offered to the applicant with the next highest preference on the Common Housing Register. This process will be followed until the property is successfully allocated.

An exception to this process will apply where:

- the allocation is deemed unsuitable because the applicant or a member of their household poses a risk to themselves, individuals or other members of the community which, cannot safely be managed in the available property;
- the applicant is 16 or 17 years of age and has no guarantor (see paragraph 5.6);
- the applicant has been assessed as ineligible for an allocation (see paragraph 5.4);
- the applicant does not qualify for inclusion on the Common Housing Register (see paragraph 5.5)
- the eligibility criteria for the property is restricted and the applicant does not meet the criteria (see paragraphs 7. to 7.3);
- the applicant is in supported accommodation and not considered ready to move to general needs accommodation by his/her support provider; or
- there is another special reason why a particular property cannot be offered to the bidder with the highest preference.

In these circumstances, the applicant may be by-passed for an allocation. Where a decision is made to by-pass an applicant for an offer of accommodation due to any of the reasons listed above, the applicant will be notified of the decision and the reasons for it in writing. The applicant may request a review of such a decision (see paragraph 14).

22.1 Homeless households

Homeless households accepted by NHDC for a main housing duty have a one month period after the duty is accepted in which to exercise choice over the properties they bid for and the area in which they would like to live. After this time, if the applicant has not been successful in securing a property, staff bids will be placed on the applicant's behalf for social housing vacancies. Alternatively, the household may be made a direct offer of social housing or of a tenancy in the private rented sector.

Staff bids or direct offers to homeless households placed in supported accommodation by NHDC will only be considered one month after they have been assessed as ready to move to general needs housing.

Staff bids and direct offers will be made on all property types and in all areas of North Herts unless there are exceptional circumstances.

Applicants will retain the right to place their own bids on social housing vacancies. After the initial one month period has passed however, NHDC may remove bids that have been placed by the applicant and replace them with bids on properties with a higher likelihood of success.

Homeless households will be made one offer of accommodation only under the Allocation Scheme, whether this offer is a result of an applicant or staff bid or a direct offer of accommodation. This one and only offer of accommodation will be classed as a final offer of accommodation such that the Council will be deemed to have discharged its duties under homelessness legislation. Homeless households who refuse a final offer of suitable accommodation will be removed from the Housing Register.

22.2 Direct offers

In circumstances of exceptional or urgent housing need, a property may be withdrawn from CBL and a direct offer of accommodation made to the household. These circumstances include (but are not limited to) those set out in paragraph 22.1 above as well as where households require complex adaptations to their homes and as a consequence, very few properties are suitable and available to them.

In making a decision on whether to make a direct offer, the individual circumstances of the household, their housing needs and the reason why no successful bid has been made, will be taken into consideration.

Once made a direct offer, this would be the applicant's one and only offer of accommodation unless there are exceptional circumstances.

22.3 Withdrawing offers of accommodation

The NHHP reserves the right to withdraw an offer of accommodation if there has been a change in the circumstances of the applicant which have not been notified to the partnership and such changes result in a reduction in the applicant's preference such that the offer is no longer applicable.

22.4 Feedback on lettings

To assist applicants to make informed choices on future bids,

details of the banding and points levels of the applicants to whom successful lettings are made will be published by the NHHP.

23. SUPPORT WITH SUSTAINING A TENANCY

The NHHP will ensure that vulnerable households are provided with the support they need to sustain their tenancy. Such support may be provided by the NHHP, North Hertfordshire Homes Floating Support Service and/or dedicated support agencies.

Annex A

Private Registered Providers of Social Housing operating in North Hertfordshire
Number of low cost rental properties owned and/or managed in the district

	General needs	Housing for older people	Supported Housing
Advance Housing and Support Limited	-	-	8
Affinity Sutton Homes Limited	330	24	-
Aldwyck Housing Group Limited	160	-	38
Ashwell Housing Association Limited	10*	-	-
Genesis Housing Association Limited	5	17	52
Habinteg Housing Association Limited	16	-	-
Hanover Housing Association	-	30	-
Hightown Housing Association Limited	77	-	-
Home Group Limited	154	-	-
Housing & Care 21	-	22	-
Howard Cottage Housing Association	1,091	175	7
'Johnnie' Johnson Housing Trust Limited	-	49	-
Metropolitan Housing Trust Limited	11	-	14
Moat Homes Limited	2	-	-
North Hertfordshire Homes Limited	7,107	713	101
Origin Housing Limited	84	-	24
Paradigm Homes Charitable Housing Association Limited	4	-	-
Places for People Homes Limited	5	-	-
Sanctuary Housing Association	98	-	-
South Anglia Housing Limited	17	-	-
St Mungo Community Housing Association	-	-	5
Stonewater Limited	114	-	-
The Guinness Partnership Limited	147	-	-
The Papworth Trust	-	-	25*
Total	**9,432**	**1,030**	**274**

* owned but not managed by the PRPSH
Source: 2014/15 Statistical Data Return, Homes and Communities Agency

Annex B

Sheltered Housing/Retirement Living Schemes

Letchworth
Edwin Nott House
Hadleigh
Hamonte
Kingfisher Court
Langleigh
MacFayden Webb House
Reynolds
Robert Saunders Court
Sax House
Tabor Court

Hitchin
Girton Court
Westmill Lawns

Baldock
Simpsons Court
The Tene

Royston
Blackett-Ord Court
Kings House

Parishes
Wolverly House - **Ashwell**
The Bury – **Codicote**
Poynders Meadow – **Codicote**
Glebe House – **Ickleford**
Deanscroft – **Knebworth**
Clarion House – **Offley**
Lime Tree House - **Whitwell**

Flexicare Schemes

Letchworth
Robert Humbert House

Hitchin
Anderson House
Peter Sell House

Baldock
Temple Court

Royston
Mary Barfield

Annex C

Rehabilitation periods

The Rehabilitation of Offenders Act (ROA) allows most convictions and all cautions, reprimands and final warnings to be considered spent after a certain period. This period – known as the rehabilitation period – is determined by the sentence or disposal given, rather than by the type of offence.

The rehabilitation periods for custodial sentences (including suspended prison sentences) and community sentences, after which a conviction will be spent, are shown in the table below.

Sentence	**Time it takes to become spent (age 17 or under at time of conviction)**	**Time it takes to become spent (age 18 or over at time of conviction)**
Prison [1] term of over four years	Never	Never
Prison [1] term of more than 30 months and less than, or equal to 4 years [2]	Sentence + 3.5 years	Sentence + 7 years
Prison [1] term of more than 6 months and less than or equal to 30 months [3]	Sentence + 2 years	Sentence + 4 years
Prison [1] term of 6 months or less [4]	Sentence + 18 months	Sentence + 2 years
Detention and Training Order (over 6 months)	As prison sentences	
Detention and Training Order (6 months or less)	As prison sentences	
Sentence of Detention (over 6 months but not exceeding 30 months) [5]	As prison sentences	As prison sentences
Sentence of Detention (6 months or under)	As prison sentences	As prison sentences
Removal from Her Majesty's Service [6]	6 months	1 year
Service detention [7]	6 months	1 year
Community Order [8]	6 months	1 year
Youth Rehabilitation Order [9]	6 months	
Fine [10]	6 months	1 year
Compensation Order [11]	Once paid in full	Once paid in full
Hospital Order [12]	End of the order	End of the order
Conditional discharge, binding over, Care Order, Supervision Order,	End of the order	End of the order

Sentence	Time it takes to become spent (age 17 or under at time of conviction)	Time it takes to become spent (age 18 or over at time of conviction)
Reception Order		
Absolute discharge	Spent immediately	Spent immediately
Disqualification	End of disqualification	End of disqualification
Relevant Order	End of the order	End of the order
Conditional cautions	Once conditions end	Once conditions end
Caution, warning, reprimand [14]	None	None

Notes:

If a sentence/disposal is not is covered in the table above, under the changes it has no rehabilitation period and becomes spent immediately (unless it is attached to another sentence/disposal which does have a rehabilitation period).

1. The term 'prison' includes suspended prison sentences, youth custody, detention in a young offender institution or corrective training.
2. From the day on which the sentence (including any licence period) is completed.
3. From the day on which the sentence (including any licence period) is completed.
4. From the day on which the sentence (including any licence period) is completed.
5. Passed under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 or under section 206 of the Criminal Procedure (Scotland) Act 1975
6. Starting from the date of conviction relating to the sentence.
7. Starting from the day on which the sentence is completed.
8. From the end of the order. This period starts from the last day of when the order given by the court has effect. Where no such date is provided, the rehabilitation period for the order is 2 years, starting from the date of conviction.
9. From the last day on which the order is to have effect.
10. From the date of conviction.
11. The date on which the payment is made in full.
12. Under the Mental Health Act 1983.
13. The day provided for by or under the order as the last day on which the order has effect.
14. Spent as soon as issued.