



# **JOINT HOUSING REGISTER ALLOCATION POLICY**

**For**

**Affordable Housing in Surrey Heath**

**Operational from 15<sup>th</sup> April 2020**

## Revision History

Action	Detail	Authorised by	Date
Policy adopted	The Council's Executive agreed the Policy as the Council's framework for allocating social housing w.e.f. 1/9/19	Executive	18/6/19
Amendment	Inserted 'British' at each point Armed Forces are referenced to remove any ambiguity about who the policy applies to	Portfolio Holder (Cllr. Josephine Hawkins)	30/9/19
Amendment	Agreed new start date of 1/3/20	Portfolio Holder (Cllr. Josephine Hawkins)	3/10/19
Amendment	Agreed new start date of 15/4/20		26/2/20
Amendment	Agreed new start date of 1/8/20 due to Coronavirus priority	Portfolio Holder (Cllr. Josephine Hawkins)	26/3/20
Amendment	Inserted clarifying sentence at end of 10.5: 'Where an applicant is awarded a higher band for mobility issues this priority will only count when bidding for ground floor or adapted properties. If a bid is made against other properties, e.g. houses, then the applicant will be assessed at the band they qualified for without medical priority.'	Portfolio Holder (Cllr. Shaun Garrett)	21/04/22
Amendment	Inserted clarifying phrase at Band 2: Care Leavers provision to match description that that priority is given to Care Leavers moving on to their first independent home: CARE LEAVERS WITH A SURREY CONNECTION MOVING TO THEIR FIRST INDEPENDENT HOME	Portfolio Holder (Cllr Sarah Jane Croke)	23/2/23
Amendment	Inserted exemption to reflect local connection provision for young people in care:  5.3 Exemptions  (j) Where a person is provided with accommodation under section 22A of the Children Act in Surrey Heath and this placement gives them normal residence in the Borough for a continuous period of at least two years then this will give them a local connection for the purpose of this	Portfolio Holder (Cllr Sarah Jane Croke)	23/2/23

	Policy. This will continue until the age of 21 when the normal local connection provisions stated at 5.2 (a) will apply.		
Amendment	Inserted a priority categories in the banding system so PRS tenants overcrowded according to the Allocation Policy definition are given the same priority as social housing tenants	Portfolio Holder (Cllr. Lisa Finan-Cooke)	20/6/23
Amendment	<p>Inserted a new qualification exemption and a prioritisation category in Band 1 to allow the lawful allocation of homes that can only be allocated to certain households due to capital or revenue funding restrictions, covenant or binding lettings agreement..</p> <p>New exemption 5.3 (k):</p> <p>Where the applicant is identified as being within a class of person qualifying for accommodation where occupation is restricted by conditions of capital or revenue grant funding, covenant or binding lettings agreement, and that accommodation will not be available to other applicants. Applicants qualifying under this exemption will only be considered for the restricted accommodation.</p> <p>New priority Band 1 category:</p> <p><b>MOVES TO HOMES PROVIDED UNDER RESTRICTED PROVISIONS ONLY AVAILABLE TO SPECIFIED APPLICANTS</b></p> <p>Cases where allocations are restricted to certain applicants due to capital or revenue grant conditions, covenant or binding lettings agreement</p> <p>Direct offer, one offer</p>	Portfolio Holder (Cllr. Lisa Finan-Cooke)	26/9/23

## THE HOUSING REGISTER

### 1 Introduction

- 1.1 The Council is required to have a policy for the allocation of social housing. The 1996 Housing Act, Part VI - Allocation of Housing Accommodation as amended by The Homelessness Act 2002 – gives direction on the way that social housing is allocated. New flexibilities were introduced in the Localism Act 2011.
- 1.2 The Council has also had regard to the following Government regulation and guidance in developign this policy:
- Allocation of Housing (Procedure) Regulations 1997, SI 1997/443
  - Allocation of Housing (England ) Regulations 2002, SI 2002/3264
  - Allocation of Housing and Homelessness (Eligibility)(England) Regulations 2006, SI 2006/1294
  - Allocation of Housing (Qualification for Armed Forces)(England) Regulations 2012, SI 2012/1869
  - The Homelessness (Suitability of Accomoadtion) Order 2012 (as ammended by the Homelessness Reduction Act 2017
  - The Allocation of Housing (Qulaification Criteria for Right to Move)(Endgland) Regulations 2015
  - The Homeless (Review Procedure, etc.) Regulations 2018
  - Improving Access to Social Housing for Victims of Domestic Abuse in Refuges or Other Types of Temporary Accommodation November 2018
- 1.3 In framing the Allocation Policy regard has been had to the Council's Homelessness Strategy and Tenancy Strategy.
- 1.4 Additional advice is given to Registered Providers (i.e. housing associations) by the Regulator of Social Housing on moves into and between their tenancies.
- 1.5 The Surrey Heath Joint Allocation Policy is a combination of the legal requirements and what is considered necessary locally to meet the housing needs of “qualifying persons” (see below at Paragraph 5).
- 1.6 The Council and housing associations work in partnership to provide new affordable housing for rent and low-cost homeownership, and to allocate existing homes that becomes available to those who have a housing need. There are no Council homes in Surrey Heath.
- 1.7 The Surrey Heath Allocation Policy is the agreed way in which the majority of moves into housing association rented accommodation, and between housing association rented homes, will be considered.
- 1.8 The Surrey Heath Allocation Policy has been agreed by the following Partners:

Surrey Heath Borough Council
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Accent Housing
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- 1.9 These organisations are referred to as the Partners or the Partnership in this Joint Allocation Policy.
- 1.10 This Policy will be used to prioritise applicants for accommodation of Registered Providers who are not Partners but who require nominations from the Council

## **2 The Aims of the Joint Allocation Policy**

- 2.1 The Partners to this Policy recognise diversity, and are committed to equality of access and to combating inequality and discrimination. This policy seeks to treat all sections of the community fairly and to ensure that all individuals and groups have their housing need assessed in a fair and consistent way. An Equalities Impact Assessment has been completed in respect of this policy.
- 2.2 The Partners are committed to working in partnership with those organisations and individuals, whether statutory or voluntary, to operate a Joint Housing Register that meets the needs of both individual applicants and the community as a whole in an effective and sustainable way.
- 2.3 The Council uses information from the Housing Register to inform planning for affordable housing in the Borough so that it is based on identified needs.
- 2.4 Housing fraud robs people in genuine need of a home and legal action will be taken against those who deliberately make a false application. Under Section 171 of the Act it is an offence to mislead the Council as detailed in (a) and (b) below, for the purposes of trying to secure social housing, which currently, if found guilty, carries a maximum fine of £5,000:
  - a) knowingly or recklessly makes a false statement, or
  - b) knowingly withholds information which the applicant has reasonably been required to give.
- 2.5 This includes applicants who do not notify the Council of a change in their circumstance's that has a bearing on their priority on the Housing Register.
- 2.6 Applicants who have a legislative qualification to join the Housing Register who are guilty of fraud will have their priority reduced (i.e. placed in Band 4) for 24 months.
- 2.7 Action will also be taken to end tenancies that have been allocated as a result of a false statement by the applicant or a person acting at the applicant's instigation.

## **3 The Housing Register**

- 3.1 To assess an applicant's level of housing need as compared with other applicants a banding system has been devised. Applicants are allocated a band according to a set of criteria and within that band the applicant is then placed in date order. (See below at paragraph 7 for a description of the banding scheme).
- 3.2 The vast majority of lettings of Registered Provider's tenancies can only be made from the Joint Housing Register. Where the Registered Provider is a charitable organisation

it will also take into account its charitable objects when making lettings to applicants from the Joint Housing Register.

- 3.3 Persons wishing to be placed on the Joint Housing Register will need to complete an application form. Help with filling in the form will be available to those who need it both in the office and over the telephone. Where health or other reasons prevent the applicant attending the office a home visit will be arranged where practicable to complete the form and explain the policy and procedures in relation to the Joint Housing Register. The visiting officer, where appropriate, will liaise with a carer, support agency, etc. to ensure that the relevant information is collected and all the applicant's questions are addressed at the visit.
- 3.4 Applicants have the right to request information on how their application is likely to be treated, what priority they are likely to be accorded, whether accommodation is likely to be provided and, if so, within what timeframe (see below at paragraph 15).
- 3.5 Applicants should be aware that as the Surrey Heath Joint Allocation Policy is a bands based system their positions can go down as well as up if their circumstances change and when other applicants join the Joint Housing Register.
- 3.6 A summary of this Joint Allocation Policy is available, and a full version is available on the Council's website and a hard copy can be provided on request.

#### **4 'Qualifying Persons' who can join the Housing Register**

- 4.1 An applicant will be accepted onto the Housing Register if he/she:
  - a) is at least 18 years of age, and
  - b) is not a person who is classed as being ineligible for consideration (see 5 below for ineligible categories); or,
  - c) is not a class of person who does not qualify for consideration under this Policy.

**NB:** 16 and 17 year olds will be able join the Joint Housing Register if they are homeless and supported by Surrey County Council or are a parent or expectant mother. It will be usual for young people with a Surrey County Council involvement to be referred under the Young Person Protocol. In some cases a housing provider may wish Surrey County Council, or another agency or individual, to underwrite any tenancy granted for this age group.
- 4.2 Some persons have automatic entry onto the Joint Housing Register under Regulations made by the Secretary of State. These are persons over the age of 16 years who are owed a duty by the Council under Part VII of the Housing Act 1996, as amended:
  - a) Those who are owed a prevention duty under the Homelessness Reduction Act 2017;
  - b) Those who are owed a relief duty under the Homelessness Reduction Act 2017; and,
  - c) Those who are owed the full homeless duty under Housing Act 1996, Part VII

(as amended).

## **5 Persons who are not able to be considered as Eligible or 'Qualifying Persons' to join the Housing Register**

5.1 The Housing Act 1996 (as amended by the Homelessness Act 2002) specifies that certain applicants will not be eligible to join the Housing Register. Section 160ZA of the Act contains the full details but in summary they are:

- a) A person subject to immigration control unless he or she comes within a class of person prescribed by regulations made by the Secretary of State; or,
- b) A person from abroad other than a person subject to immigration control.

Applicants found to be ineligible will be given written notification of the decision, including the reasons for which the decision has been made. The applicant will then have the right to request a review of that decision, and to be notified of the decision and the reason for the decision on review.

5.2 The Housing Act 1996 (as amended by the Localism Act 2011) gives local authorities the flexibility to decide which 'classes' of people do not qualify for an allocation of accommodation. A 'class of people' is a group of people with a defining feature. The Council has deemed the following people ineligible:

- a. Those who do not have a specified connection to the Borough through residence of 3 out of five years in accommodation of choice; or settled employment of at least 16 hours per week based in the Borough that has been continuous for 12 months; or, a close family member (father, mother, brother, sister or adult child) who is in settled accommodation in the Borough and there is an evidenced need to move to the Borough to provide or receive care (examples of evidence will include receipt of the higher rate care element of DLA, PIP or equivalent or receipt of Carers Allowance);
- b. Households owed a homeless duty by another authority under the Housing Act 1996 Part VII, as amended, s. 188, s.190, s.198 or s.193 will be regarded as non-qualifying regardless of whether they have been placed in Surrey Heath or not as the other local authority retains responsibility for their housing;
- c. Residents of supported housing in Surrey Heath who originated in another area will not establish a local connection through that residence;
- d. Those who are guilty of anti-social or illegal behaviour, or a member of their household is guilty of such behaviour, and that behaviour is serious enough to make them unsuitable to be a tenant at the time the application is made;
- e. Those with sufficient financial resources to purchase or privately rent a suitable property (this figure will be reviewed annually based on the local housing market and published on the Council's website);
- f. Property owners, whether or not the property is occupied by the applicant as their

main residence;

- g. Existing social housing tenants who fail to maintain the responsibilities of the tenancy agreement through persistent rent arrears, failure to maintain the property or anti-social behaviour;
- h. Those who have housing related debts or Council Tax debt with a local authority, or outstanding rent arrears with a social or private landlord and who are not maintaining an arrangement to address that debt;
- i. Those who have deliberately worsened their circumstances to secure social housing or with an expectation that social housing will provide them with a home when they have not sought to provide for themselves, this includes deprivation of capital that was available at the time their housing need arose. A period of suitable, settled accommodation is needed before re-application will be considered; and,
- j. Applicants who on assessment are found not to meet any of the criteria in the Banding Scheme (see Paragraph 7 below).

### 5.3 Exemptions

The following exceptions will apply to qualifying classes:

- a) A person serving in the regular forces or who has served in the British regular forces within 5 years of the date of their application will be considered qualifying even without a connection to the Borough although they must meet the other criteria;
- b) A person who has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner where (i) the partner was in the British regular forces and (ii) their death was attributable (wholly or partly) to that service will be considered qualifying even without a connection to the Borough although they must meet the other criteria;
- c) A person who is serving or who has served in the British reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service will be considered qualifying even without a connection to the Borough although they must meet the other criteria;
- d) Homeless applicants with a local connection placed outside of the area in emergency or temporary accommodation by the Council will be treated as living in the Borough;
- e) Residents with a local connection who are secured supported housing outside of the area by the Council will retain that local connection;
- f) Households accepted for a homelessness duty (prevention, relief or full duty) by the Council will be accepted as qualifying even if they do not have a qualifying local connection although they must meet the other qualifications;



- g) Households who have a homelessness duty (prevention, relief or full duty) brought to an end through assistance to move into the private rented sector by the Council will be accepted as qualifying even if they do not have a qualifying local connection although they must meet the other qualifications;
- h) People over 55 and their partners, if over 55, who do not meet the main local connection criteria can apply for independent living schemes (sheltered housing) if they have adult children resident in the Borough and qualify even if they own a property or have sufficient financial resources to purchase or privately rent a suitable property however they must meet the other criteria. These applicants will not be considered for general needs housing;
- i) Applicants who are currently in hospital, other specialist accommodation, prison or a remand centre will normally be considered to have a local connection as long as they can demonstrate they meet the criteria as detailed in 5.2 (a) immediately before being placed into such accommodation.
- j) Where a person is provided with accommodation under section 22A of the Children Act in Surrey Heath and this placement gives them normal residence in the Borough for a continuous period of at least two years then this will give them a local connection for the purpose of this Policy. This will continue until the age of 21 when the normal local connection provisions stated at 5.2 (a) will apply.
- k) Where the applicant is identified as being within a class of person qualifying for accommodation where occupation is restricted by conditions of capital or revenue grant funding, covenant or binding lettings agreement, and that accommodation will not be available to other applicants. Applicants qualifying under this exemption will only be considered for the restricted accommodation

5.4 Registered Providers who are party to this Joint Allocation Policy, or who request nominations from the Joint Housing Register, can refuse to accept applicants into their accommodation in accordance with their own exclusions policies. This will include excluding those who are guilty of anti-social behaviour, those who have threatened or been violent to staff and those with current or former tenant arrears where these arrears are not being addressed.

5.5 Partners to the Joint Allocation Policy will require applicants to sign a declaration to allow the reasonable exchange of information and without this declaration it will not be possible to join the Housing Register.

## **6 The Allocations Scheme**

6.1 The Council is required by Part VI of the Housing Act 1996 to have a scheme for determining its priorities and procedures to be followed when allocating housing accommodation. A Council's Allocations Scheme is required under section 167(2) to give 'reasonable preference' to certain categories of people. These are:

- a) people who are homeless (within the meaning of Part VII of the Housing Act 1996 as amended) including those who are intentionally homeless, or not in priority need,

- b) people who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act or who are occupying accommodation secured by any housing authority under section 192(3),
  - c) people occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
  - d) people who need to move on medical or welfare grounds;
  - e) people who need to move to a particular locality within the Borough, where failure to meet that need would cause hardship (to themselves or others).
- 6.2 Section 166A(3) gives local authorities the power to give additional preference to particular people who fall into the reasonable preference categories and have urgent housing needs. The Council does this through a medical assessment processes that identifies those with severe medical and housing need and those households with a severely disabled member. The Council's joint working with local statutory and voluntary partners provides a mechanism to meet such urgent need where insufficient priority is achieved through the prioritisation process.
- 6.3 The views of those applying for accommodation and existing tenants have been taken into consideration in formulating the Joint Allocation Policy, along with consultation with Registered Providers and statutory and voluntary partners.

Applicants and tenants surveyed highlighted the following categories of people should have a priority under this Policy:

- (a) People who are overcrowded;
- (b) Homeless families;
- (c) People with medical problems;
- (d) People who lack facilities (e.g. a kitchen); and,
- (e) People who need to move to give or receive support.

## **7 The Banding Scheme**

- 7.1 The Council has devised a Banding Scheme to prioritise moves into and between social housing tenancies.
- 7.2 The Bands are a mixture of legal requirement (i.e. who the Government deems should have priority) and local policy (what is considered necessary locally to meet housing need and make best use of the affordable rented housing stock).
- 7.3 There are four Bands:
- Band 1 contains a small number of applicants with an exceptional or critical housing need;
  - Band 2 has applicants with a substantial housing need;

- Band 3 has applicants with a high housing need; and,
- Band 4 has applicants who have a housing need but whose priority is currently reduced, usually because of their actions or circumstances.

7.4 Properties are allocated by a mixture of Choice Based Lettings (CBL), including assisted bidding where the Council places bids on an applicant's behalf, and direct offers where there is a need for a specialist property to be allocated (e.g. an adapted home) or to assist someone with a special housing need (e.g. moving on from supported housing).

## 7.5 Band 1: Critical Housing Need

CRITERIA	DEFINITIONS AND EXAMPLES	ALLOCATION METHOD AND CHOICE
<b><u>BAND 1: CRITICAL HOUSING NEED</u></b>	<i>Applicants are ranked in the date order they entered this band although due to the critical level of their housing need a direct offer of the right property may mean that offers are not made to a strict date order</i>	<i>Choice based lettings (CBL), assisted bidding or direct offer. Also number of offers</i>
<b>CRITICAL MEDICAL CONDITIONS</b>	The applicant, or a household member, has a life-threatening condition and their accommodation is a major contributory factor; the applicants health is such that it is likely to be so severely affected by the accommodation as to become life threatening; the applicant's home is directly contributing to a severe deterioration in health resulting in regular/prolonged hospitalisation and where treatment cannot compensate for the living conditions.	CBL/Direct offer, one offer
<b>MOVES TO FACILITATE THE DELIVERY OF AN ACCESSIBLE HOME FOR A DISABLED RESIDENT</b>	The current home of the applicant, or a household member, offers no independence within the home and is unsuitable for adaptation either due to the physical environment or there being insufficient funds (public and private) to meet the cost, and the household is unable to fund a move.	CBL/ direct offer, one offer
<b>READY TO MOVE ON FROM SUPPORTED HOUSING TO INDEPENDENCE</b>	Residents placed in supported housing by the Council, whether that accommodation is in the Borough or not. The supported housing provider or other support agency will confirm that the placement has successfully been completed and the applicant is ready and able, with support if necessary, to live independently (NB where a supported	CBL

	housing placement breaks this will be managed through a housing options approach).	
<b>CARE LEAVER READY FOR INDEPENDENCE</b>	Where young people in care are referred through the Young Persons Protocol and their Pathway Plan identifies Surrey Heath as their move on option The Leaving Care Team will confirm that the care leaver is ready and able, with support if necessary, to live independently	CBL
<b>FORMER BRITISH SERVICE PERSONNEL WITH A CRITICAL MEDICAL NEED</b>	Former British service personnel with a critical medical need (see above) resulting from their service in the Armed Forces	CBL/ direct offer
<b>PRIORITY MOVES THROUGH LOCAL AND NATIONAL PROTOCOLS</b>	Cases referred through multi-agency arrangements where there is a duty to co-operate or an agreement is in place to support moves for vulnerable or at-risk households (e.g. MAPPAs, National Witness Mobility Scheme Surrey Mobility Scheme, reciprocal arrangements). Such moves will be authorised by the Housing Services Manager.	Direct offer, one offer
<b>MOVES REQUIRED TO MEET STRATEGIC AIMS</b>	Cases where moving residents facilitates a strategic priority (e.g. decanting residents from development areas, CPOs, SVPRS)	CBL/ Direct offer, one offer
<b>EXCEPTIONAL CASES PRIORITISED BY HOUSING SERVICES MANAGER</b>	<p>In recognition that while the Allocation Policy provides the framework for the prioritisation of the majority of lettings there will be exceptional circumstances where the only way an exceptional housing need can be met is through the use of discretion in the banding assessment and residential connection. In the interest of fairness these cases will be kept to a minimum and subject to audit. Examples could include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Threat to life;</li> <li>• Senior Police request for support of an urgent move;</li> <li>• Cases nominated under National Witness Mobility, Surrey Violence Mobility or other scheme the Council participates in;</li> <li>• An applicant with an exceptional housing need not covered in the Allocations Scheme e.g. child protection, MARAC (serious domestic</li> </ul>	Direct offer, one offer

	violence cases) moves	
	Such decisions will be expected to have multi-agency support and will be made in consultation with Partners. These cases will be subject to internal audit scrutiny as part of the Council's planned audit programme.	
<b>TENANTS SECURED HOUSING THROUGH RENT CHOICE WHO ARE SERVED NOTICE THROUGH NO FAULT OF THEIR OWN WITHIN 2 YEARS</b>	The Council wants to support those residents who accept help to secure a settled home in the private rented sector. Where this accommodation comes to an end through no fault of the tenant a safety net is required to avoid repeat homelessness.	CBL
<b>SOCIAL HOUSING TENANTS TRANSFERRING FROM ADAPTED HOMES IN SURREY HEATH IDENTIFIED FOR A HOUSEHOLD WITH A DISABLED MEMBER</b>	Where a tenant is willing to transfer to a suitable non-adapted property and is releasing an adapted home for an identified household.	CBL/ direct offer
<b>MOVES TO HOMES PROVIDED UNDER RESTRICTED PROVISIONS ONLY AVAILABLE TO SPECIFIED APPLICANTS</b>	Cases where allocations are restricted to certain applicants due to capital or revenue grant conditions, covenant or binding lettings agreement	Direct offer, one offer

## 7.7 Band 2: Substantial need

<b>CRITERIA</b>	<b>DEFINITIONS AND EXAMPLES</b>	<b>ALLOCATION METHOD AND CHOICE</b>
<b><u>BAND 2: SUBSTANTIAL HOUSING NEED</u></b>	<i>Applicants are ranked in date order they entered or re-entered this band.</i>	<i>Choice based lettings (CBL), assisted bidding or direct offer. Also number of offers</i>
<b>SUBSTANTIAL MEDICAL CONDITIONS</b>	Conditions which, as a result of current housing circumstances, exacerbates health conditions or does not allow an appropriate level of care, leading to regular unplanned	CBL

	medical interventions such as A&E attendance or unplanned hospital admissions.	
<b>OWED A FULL HOMELESS DUTY AND HAS AN ALLOCATION POLICY LOCAL CONNECTION</b>	Households accepted as being homeless, in priority need and unintentionally homeless	Assisted bidding, one offer only, no choice of areas
<b>NON-PRIORITY HOUSEHOLD WITH AN ALLOCATION POLICY LOCAL CONNECTION WHO HAVE HAD A RELIEF DUTY END AT 56 DAYS WITHOUT SECURING ACCOMMODATION</b>	Single people and couples who are homeless but not owed an accommodation duty	CBL
<b>OWED A RELIEF DUTY AND HAS AN ALLOCATION POLICY LOCAL CONNECTION</b>	Households accepted as having a relief duty due to being homeless, whether there is a duty to provide housing or not	Assisted bidding, one offer only, no choice of areas
<b>OWED A PREVENTION DUTY AND HAS AN ALLOCATION POLICY LOCAL CONNECTION</b>	Households owed a prevention duty due to being threatened with homelessness within 56 days	Assisted bidding, one offer only, choice of areas
<b>SOCIAL HOUSING TENANTS IN SURREY HEATH OVERCROWDED BY BEING TWO BEDROOMS OR MORE SHORT</b>	Tenants whose bedroom need assessed against this policy means that they lack 2 bedrooms	CBL
<b>PRIVATE RENTED SECTOR TENANTS IN SURREY HEATH OVERCROWDED BY BEING TWO</b>	Tenants whose bedroom need assessed against this policy means that they lack 2 bedrooms	CBL

<b>BEDROOMS OR MORE SHORT</b>		
<b>SOCIAL HOUSING TENANTS IN SURREY HEATH UNDER OCCUPYING BY TWO OR MORE BEDROOMS</b>	Tenants occupying family sized homes that could be freed for larger households (NB households freeing up 3 and 4 bedroom homes will be eligible to be considered for a two bedroom home)	Assisted bidding, choice of areas (one offer only if on Discretionary Housing Payments and payment ceases if offer refused)
<b>BARE LICENSEES</b>	Those occupying housing where they have no security of tenure (e.g. lodgers, people living with relatives)	CBL
<b>INSANITARY AND OVERCROWDED CONDITIONS IN THE PRIVATE SECTOR</b>	Tenants occupying private sector premises that on inspection are deemed to have a Category 1 hazard under the Housing Health and Safety Rating System (HHSRS) that the Council are satisfied cannot be remedied within 6 months and the continued occupation of the premises poses a considerable risk to the tenant's health.	CBL
<b>PLACED IN SUPPORTED HOUSING BY SHBC</b>	Applicants who have been placed in a supported housing scheme, even if that scheme is outside of Surrey Heath	CBL
<b>CARE LEAVERS WITH A SURREY CONNECTION MOVING TO THEIR FIRST INDEPENDENT HOME</b>	Surrey young people owed a duty under s20 Children Act 1989. Offers of accommodation are dependent on the young person being ready to move on and this being supported by Surrey County Council	CBL
<b>16/17 YEARS OLDS SUPPORTED AS HOMELESS BY SCC</b>	Surrey Heath young people owed a duty under s17 Children Act 1989 due to homelessness. Offers of accommodation are	CBL

<b>WITH AN ALLOCATION POLICY LOCAL CONNECTION</b>	dependent on the young person being ready to move on and this being supported by Surrey County Council.	
<b>BRITISH ARMED FORCES PERSONNEL WITHIN 3 MONTHS OF DISCHARGE WITH AN ALLOCATION POLICY LOCAL CONNECTION</b>	Serving British personnel who have a date on which they are leaving the Armed Forces within the next three months	CBL
<b>FORMER BRITISH ARMED FORCES PERSONNEL WITH AN ALLOCATION POLICY LOCAL CONNECTION WITHIN 5 YEARS OF DISCHARGE</b>	Former British Armed Forces personnel within 5 years of their date of discharge	CBL
<b>FAMILIES LEAVING MOD ACCOMMODATION ON THE DEATH OF A SPOUSE WITH AN ALLOCATION POLICY LOCAL CONNECTION</b>	A person who has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner where (i) the partner was in the British regular forces and (ii) their death was attributable (wholly or partly) to that service	CBL
<b>SOCIAL HOUSING TENANTS IN SURREY HEATH OCCUPYING A ONE BEDROOM PROPERTY WITH ONE OR MORE CHILDREN</b>	This is a local priority to recognise that the largest demand is for one-bedroom social housing homes and therefore the best use needs to be made of this stock by moving households to more suitable accommodation.	CBL
<b>SOCIAL HOUSING TENANTS IN SURREY HEATH TRANSFERRING FROM ADAPTED HOMES</b>	Where a tenant is willing to transfer to a suitable non-adapted property and is releasing an adapted home but there is not currently an identified disabled household for that home	CBL



<b>RENT CHOICE TENANTS AFTER 2 YEARS IN THE TENANCY</b>	To provide a safety net for households who have worked with the Council to secure a tenancy in the private rented sector	CBL
<b>RIGHT TO MOVE</b>	An existing social housing tenant living in England is able to demonstrate that they are unable to take up an offer of work in Surrey Heath or continue to work in Surrey Heath due to the distance and/or time of travel to work from their existing home. The applicant will need to demonstrate hardship or significant negative impact if they were not able to take up the offer of work or continue to work due to the distance/time of travel involved.	CBL

### 7.8 Band 3: High Need

Criteria	Definitions and examples	Allocation method and choice
<b><u>BAND 3: HIGH HOUSING NEED</u></b>	<i>Applicants are ranked in the date order that they entered or re-entered this band</i>	<i>Choice based lettings (CBL), assisted bidding or direct offer. Also number of offers</i>
<b>OWED A FULL HOMELESS DUTY AND HAS NO ALLOCATION POLICY LOCAL CONNECTION</b>	Households accepted as being homeless, in priority need and unintentionally homeless with no Allocation Policy local connection	CBL
<b>OWED A RELIEF DUTY AND HAS NO ALLOCATION POLICY LOCAL CONNECTION</b>	Households accepted as having a relief duty due to being homeless, whether there is a duty to provide housing or not, with no Allocation Policy local connection	CBL
<b>OWED A PREVENTION DUTY AND HAS NO ALLOCATION POLICY LOCAL CONNECTION</b>	Households accepted as having a prevention duty due to being homeless, whether there is a duty to provide housing or not with no Allocation Policy local connection	CBL

<b>ALL SERVING MEMBERS OF THE BRITISH ARMED FORCES WITH NO DISCHARGE DATE AND SERVING MEMBERS OF THE BRITISH ARMED FORCES WITH NO ALLOCATION POLICY LOCAL CONNECTION AND A DISCHARGE DATE</b>	All serving members of the British Armed Forces with no discharge date and serving members of the British armed forces with no local connection with a discharge date	CBL
<b>FAMILIES LEAVING MOD ACCOONDMATION ON THE DEATH OF A SPOUSE WITH NO ALLOCATION POLICY LOCAL CONNECTION</b>	A person who has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner where (i) the partner was in the British regular forces and (ii) their death was attributable (wholly or partly) to that service	
<b>RENT CHOICE TENANTS WITH AN ALLOCATION POLICY LOCAL CONNECTION</b>	To provide a safety net for households who were homeless or threatened with homelessness who have worked with the Council to secure a tenancy in the private rented sector	CBL
<b>SOCIAL HOUSING TENANTS OVERCROWDED BY BEING ONE BEDROOM SHORT</b>	Tenants whose bedroom need assessed against this policy means that they lack 1 bedroom	CBL
<b>PRIVATE RENTED SECTOR TENANTS OVERCROWDED BY BEING ONE BEDROOM SHORT</b>	Tenants whose bedroom need assessed against this policy means that they lack 1 bedroom	CBL
<b>INDEPENDENT LIVING SCHEME APPLICANTS WITH NO RESOURCES</b>	People over 55 and their partners, if over 55, with a local connection or who do not meet the main local connection criteria however have adult children resident in the Borough, who do not own a property or have sufficient financial resources to purchase or privately rent a suitable property	CBL for independent living schemes only
<b>SOCIAL HOUSING TENANTS OVER 55</b>	Social housing tenants in Surrey Heath over 55 and their partners, if over 55, who do not	CBL for independent

<b>APPLYING FOR INDEPENDENT LIVING</b>	meet the overcrowding or under-occupation criteria can apply for independent living	living schemes only
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## 7.9 Band 4: Reduced Housing Need

<b>CRITERIA</b>	<b>DEFINITIONS AND EXAMPLES</b>	<b>ALLOCATION METHOD AND CHOICE</b>
<b><u>BAND 4: REDUCED HOUSING NEED</u></b>	<p>Applicants who meet the eligibility criteria however their circumstances or behaviour is such that their priority is reduced.</p> <p>Applicants are ranked in the date order that they entered or re-entered this band</p>	CBL
<b>HAVE OUTSTANDING HOUSING OR COUNCIL TAX DEBT</b>	Applicants who are addressing their debt in a planned way. This debt must be cleared to an agreed level before an offer of housing can be made (usually 75%). Applicants who fully clear a relevant debt will move to the relevant band from the date this is evidenced.	CBL
<b>SOCIAL HOUSING TENANTS WITH NO HOUSING NEED</b>	Tenants who are suitably housed but wish to move	CBL
<b>RENT CHOICE TENANTS WITHOUT AN ALLOCATION POLICY LOCAL CONNECTION</b>	To provide a safety net for households who were homeless or threatened with homelessness who have worked with the Council to secure a tenancy in the private rented sector	CBL
<b>DO NOT CO-OPERATE WITH A PERSONAL HOUSING PLAN OR OTHER HOUSING OPTIONS</b>	Applicants have a responsibility to work with the Council to resolve their homelessness and this work is set out in the Personal Housing Plan. Where an applicant unreasonably fails to co-operate with the Plan or with other housing options their application will be placed in Band 4 for three months and remain there until actions are completed.	CBL

<b>HAVE ADEQUATE RESOURCES TO RESOLVE THEIR OWN HOUSING SITUATION (AS PUBLISHED)</b>	Adequate resources are set out and reviewed annually	CBL
<b>WORSENING CIRCUMSTANCES INCLUDING DISPOSING OF AVAILABLE CAPITAL</b>	Where an applicant deliberately worsens their housing circumstances and seeks to rely on social housing to resolve the situation, including those who dispose of available resources to secure housing when it would have been reasonable to do so	CBL
<b>ARE FOUND INTENTIONALLY HOMELESS</b>	Applicants found intentionally homeless will remain in Band 4 until they have had a period of 6 months in settled housing and at time will be re-assessed according to this Policy.	CBL
<b>INDEPENDENT LIVING SCHEME APPLICANTS WITH RESOURCES</b>	People over 55 and their partners, if over 55, with a local connection or who do not meet the main local connection criteria however have adult children resident in the Borough, who own a property or have sufficient financial resources to purchase or privately rent a suitable property	CBL for independent living schemes only
<b>REFUSAL OF SUITABLE ACCOMMODATION</b>	Applicants who have refused the number of offers that they are entitled to receive and those offers are deemed reasonable will be placed in this Band for 6 months and then will be reassessed.	CBL

## 8. Over-occupation and under-occupation

8.1 The size of accommodation required for a household is based on the size criteria in the social housing sector set-out in the Welfare Reform Act 2012, and the following are deemed as needing a separate bedroom:

- applicant /and partner
- person assessed as needing separate bedroom for medical reasons, including a severely disabled child assessed as needing a separate bedroom
- each child over 16
- two children of the same gender under 16
- two children of opposite gender under 10
- any other person who might reasonably be expected to reside with the applicant, e.g. applicant's parent(s) where the need for care is evidenced

- 8.2 Children of separated parents will be considered to have one main residence unless there are substantial social or medical factors that would warrant them being split between two homes. These factors will need to be evidenced along with child care arrangements.
- 8.3 Household's with a severely disabled child who request a separate bedroom on medical grounds will need to provide detailed supporting information from the child's consultant and others involved in their care and proof of middle rate care element of DLA for overnight care. In order to make a decision about the award of an extra bedroom the Council will consult the Housing Benefit Team and may take independent medical advice.
- 8.4 For the purpose of this policy the following will not be considered as part of the applicant's household:
- Any adult child who has left the family home and then returned (unless it is to be the primary carer of the applicant or for the applicant to act as the primary carer to the adult child and this is evidenced);
  - Any member of the applicant's extended family (unless it is to be the primary carer of the applicant or for the applicant to act as the primary carer to the family member and this is evidenced); or
  - A lodger, either paying or non-paying.

## **9 Home Visit Assessment**

- 9.1 A home visit will be carried out to applicants prior to a nomination being made to a Registered Provider tenancy. This visit will be used to ensure that the applicant's circumstances have been properly assessed and the right Band allocated.
- 9.2 It is possible that an applicant's priority may be reduced following a home visit where the circumstances detailed on the application form do not correspond to that of the actual housing situation. Unintentional distortions of an applicant's actual housing circumstances will carry no sanction or penalty. Deliberate falsification of an applicant's circumstances on the application form may lead to prosecution by the Council (see paragraph 2.4 above).

## **10 Medical Factors**

- 10.1 Applicants on the Joint Housing Register can be awarded priority if their health is critically or substantially impacted by their accommodation or if there would be a substantial benefit to their health in moving to more suitable accommodation.
- 10.2 In order to assess whether there is a critical or substantial housing need supporting evidence must be provided by those involved in the care of the household member. Where additional advice is needed to make an assessment independent medical opinion will be sought to inform a decision.
- 10.3 Those with a critical housing need will be placed in Band 1 and those with substantial health needs will be placed in Band 2.

- 10.4 For medical conditions not considered Critical or Substantial applicants will be banded in accordance with their overall housing circumstances. No further assessment will be made unless there is a significant change in the medical condition.
- 10.5 Where the applicant has mobility issues and would benefit from living in ground floor accommodation 'Ground Floor Essential' priority may be awarded to reflect this need. When property is advertised that is ground floor those assessed as needing this type of accommodation could be prioritised over applicants placed higher in their Band to ensure that the right homes are allocated to those with the greatest need for them. Where an applicant is awarded a higher band for mobility issues this priority will only count when bidding for ground floor or adapted properties. If a bid is made against other properties, e.g. houses, then the applicant will be assessed at the band they qualified for without medical priority.
- 10.6 In considering an applicant's housing need measures such as providing support into the current accommodation or adapting the current home will be considered if this a better option than seeking a move. Every effort will be made to ensure that the best solution is found to meet the needs and preferences of the applicant and make best use of the local housing stock and funding.

## **11 Other Considerations**

### **11.1 Local Letting Policies**

The Partnership recognises the importance of housing and the allocation of accommodation in addressing certain issues. This would include, but not be limited to, issues such as hard to let properties, initial lettings on new developments, the number of children in certain areas, and difficulties in recruiting staff to certain employment.

In light of this the Partnership retains its discretion to implement local or limited letting policies to address these issues in the interest of creating sustainable tenancies and building balanced communities that reflect local needs. Such schemes will only be introduced following a period of consultation and applicants will be notified either directly or through local media of any changes that may affect their application.

### **11.2 Supported Housing and Extra Care**

In developing a range of accommodation and services to meet the needs of all the community certain accommodation will be allocated outside of this Allocation Policy so that those who will benefit most from the accommodation can be re-housed in appropriate accommodation. This includes extra care housing schemes, adapted housing and supported housing schemes.

The criteria and process for being considered for these schemes is available separately.

Applicants who move into short term supported schemes from outside of Surrey Heath will not usually establish a local connection by residence and housing and support providers will work with referring agencies to ensure appropriate move on arrangements are in place.

## 12 Changes of Circumstances and Re-Registration

- 12.1 It is vital that the Housing Register reflects the true housing need for the Borough. Applicants are required to notify the Council of any change in their circumstances and failure to do so will result in removal from the Housing Register and a requirement to reapply.
- 12.2 Applicants will also be sent a re-registration request on an annual basis. Applicants who do not respond will have their applications cancelled. Those who knowingly withhold information may face prosecution (see 2.4. above).
- 12.3 Applicants removed from the Register for failing to re-register will need to make a new application. Whilst there may be some circumstances when an applicant's original application can be reinstated onto the Register, this will have to be done through the review procedures.

## 13 Choice and Offers of Accommodation

- 13.1 The Partnership has established a choice based process where properties are advertised and applicants given the opportunity to register their interest in vacancies. The offer is made to the applicant expressing an interest who has the highest priority.
- 13.2 Applicants are required to choose at least one area of preference. The Borough is divided into two allocation areas:
- Area 1: Camberley, Frimley, Heatherside, Frimley Green, Mytchett and Deepcut
  - Area 2: Bagshot, Windlesham, Lightwater, West End, Bisley and Chobham
- 13.3 Applicants will receive three reasonable offers of Registered Provider accommodation unless they are assessed as a household covered by the exceptions at 13.5, 13.6, 13.7 or 13.8. A reasonable offer of accommodation is one that is suitable for the households needs.
- 13.4 Any refusal of an offer of suitable accommodation will be investigated to assess whether an applicant's reasons for refusal are justified. The applicant will have the opportunity to submit evidence to support their refusal of an offer. Applicants can move into the accommodation and still ask for a review of the suitability of the accommodation.
- 13.5 Households placed in Band 1 may receive a direct offer so that the right housing (e.g. an adapted property) can be allocated at the right time (e.g. move on from supported housing).
- 13.6 Households in Band 2 owed a full homeless duty will have bids placed for them for any suitable property in the Borough and will only receive one offer. If the applicant feels that the property is not suitable they can request a review under the homelessness legislation, details of which will be notified at the time of the offer.
- 13.7 Households in Band 2 owed a homelessness relief duty will have bids placed for them for any suitable property in the Borough and will only receive one offer. If the applicant feels that the property is not suitable they can request a review under the homelessness legislation, details of which will be notified at the time of the offer.

- 13.8 Households in Band 2 owed a homelessness prevention duty will have bids placed for them for any suitable property in the area they have indicated a preference for and will only receive one offer. If the applicant feels that the property is not suitable they can request a review under the homelessness legislation, details of which will be notified at the time of the offer.
- 13.9 Under-occupying tenants who are relying on Discretionary Housing Payments to meet a shortfall in rent will have bids placed for them for any suitable property in an area they have indicated a preference for and will only receive one offer.
- 13.10 To ensure that the best possible use is made of the affordable housing stock, the following table shows examples, and is a guide only, of the size of accommodation likely to be allocated to various sizes of family:

Bed sitting room	Single person
1 bedroom property	Single person or couple (including same sex couples)
2 bedroom property  2 bedroom properties can be 3 person (1 double and 1 single bedroom) or 4 person (2 double bedrooms) and it will be usual to allocate these homes to the corresponding sized family. When a 4 person home is advertised if there are no suitable families in Band 1 the highest placed 4 person family in Band 2 will be allocated.	Single parent/couple and 1 child  Single parent/couple and 2 children of same sex under the age of 16  Single parent/couple and 2 children of different sex under the age of 10  Existing social housing tenants downsizing from 3 or 4 bedroom homes
3 bedroom property  3 bedroom properties can be suitable for 4, 5, 6 or 7 person households. Properties will be advertised and allocated on this basis.	Single parent/couple and two children of different sex over the age of 10  Single parent/couple and two children over the age of 16  Single parent/couple with 3 or 4 children (depending on age and gender)
4 bedroom property  4 bedroom properties can be suitable for 5, 6 or 7 person households. Properties will be advertised and allocated on this basis.	Single parent/couple and three children over 10 (depending on age and gender)  Single parent/couple and 4 or more children (depending on age and gender)
Independent Living Schemes at Ballard Court, Cranmore Court, Derek Horn Court,	



Orchard Court, Heathermead Court, Windsor Court, and Meade Court are for those applicants who are over 55 years of age (in the case of couples both applicants must be over 55). Housing Associations also have some other schemes that are specifically for older people and those with special needs.

When allocating property by size, medical factors may also be taken into account including care and support needs.

13.11 Applicants who are at the top of the Housing Register will not usually be nominated to accommodation if:

- a) they have outstanding arrears with the Council or other housing provider and no arrangement has been made that has substantially reduced the debt and the payment plan is being maintained;
- b) they are a tenant under notice for breach of tenancy;
- c) they have failed to provide information requested of them, or are on hold for any other reason;
- d) the property is not suitable for their needs; or,
- e) there are on-going fraud proceedings in relation to their Housing Register application

13.12 Housing associations may refuse to accept a nominated applicant if they do not meet the organisations own allocation criteria e.g. they deem that the property is not affordable for the applicant or does not meet the applicant's need in some other way.

## 14 Sanctions and Penalties

Refusal of three reasonable offers (or of a single offer for those applicants detailed above as only entitled to a single offer).	Moved to Band 4 for 6 months and active date changed to date of last offer to reflect the Partner's action to address the housing need. Reassessed after 6 months.
Prosecution for making false statements or deliberately withholding information in an attempt to obtain social housing	24 month suspension from the date of prosecution (pending court action application will be placed on hold). The applicant will need to be a 'qualifying person' at the end of the suspension to have their application re-activated.

Applicants who are allocated accommodation on the basis of a fraudulent application will be subject to prosecution and proceedings to gain possession of the property allocated.

## **15 Right to Information and to Request a Review**

15.1 Applicants have the following rights regarding the provision of information:

- a) The right to request general information that will help them assess how their application will be treated including their level of priority;
- b) The right to request general information that will help them assess whether they are likely to secure suitable housing and if so how long it is likely to take;
- c) The right to be informed of any decision on the facts of their case that are likely to be taken into account when considering to nominate them to accommodation; and,
- d) The right to be informed of any decision that they are unsuitable to be a tenant which is likely to be taken into account in considering whether to allocate housing to them.

15.2 Applicants have a right to request a review of any decision made regarding their application for housing including:

- a. not placing them on the Housing Register;
- b. removing them from the Housing Register other than at their own request; and,
- c. the way in which their application has been prioritised and or the facts about their application have been treated

15.3 A Review Procedure will be sent to applicants with any adverse decision letter and is available from the Housing Solutions Team on request.

15.4 An officer senior to the officer making the original decision will undertake reviews.

15.5 There is no right to request a further review although an applicant can make a complaint using the Council's complaints process, or can challenge the Council's Allocation Policy by way of Judicial Review.

15.6 The Council appreciates that those in high housing need or who are homeless will be frustrated if they do not get the solution they expect. Officers work within the framework of the law and this Policy and applicants who are unhappy with the legislation or the Policy are invited to take that up with their MP or local Councillor. The Council will not accept threats or abuse to staff carrying out their duties and such behaviour will result in restricted access to the service and ultimately exclusion from the Housing Register.

## **16 General Information**

- 16.1 The Partnership has made every attempt to ensure this Joint Allocations Policy meets the needs of those residents living in the most difficult housing circumstances. As with any policy it will be necessary to constantly monitor and review its effectiveness and amendments made to ensure it continues to achieve its goals.
- 16.2 In order that the Council can retain its ability to act appropriately in exceptional circumstances the Housing Services Manager has the authority to depart from the policy framework contained in this document.
- 16.3 Registered Providers retain their ability to act in exceptional circumstances to move tenants on management moves, and also use appropriate vacancies for decanting tenants for major works or from redevelopment sites, and for any other purpose consistent with their business
- 16.4 The Partnership will report annually on the lettings made in Surrey Heath, including the status of applicants and the reasons for lettings made outside of the Joint Allocation Policy.
- 16.5 It is important that feedback is received from applicants on the operation of the Housing Register. Applicants will be contacted from time to time and asked for their views on the service provided to them and on the quality of the information that they receive. However, comments at any stage whether they are complaints, criticism or compliments are welcome. All the organisations in this Partnership have their own complaint procedures and these will be made available on request.
- 16.6 Translation services are available for interviews and written information.
- 16.7 The information supplied on Housing Register Forms may be used by other departments within the Council for the detection of fraud.
- 16.8 Information provided by applicants will be shared between Partners where relevant.
- 16.9 All information supplied by applicants will be processed in accordance with the data protection principals.
- 16.10 The Housing Services Manager, after consultation with the Portfolio Holder, has authority to update the Policy to reflect current practice and make administrative changes where this does not alter the substance of the Policy.