



# Housing Register and Allocations Policy

**November 2020**

**Notes:**

This policy was adopted in May 2015.

A minor amendment was made in November in 2015.

The policy was further amended on 17 May 2017 and the amendments are shown as underlined text.

Minor amendments were made in November 2017 and are shown as underlined text.

Minor amendments were made in March 2018 and are shown as underlined text.

Minor amendments were made in April 2019 and are shown as underlined text.

Minor amendments were made in November 2020 and are shown as underlined text.

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## **1. Introduction**

This document sets out the Reigate and Banstead Borough Council scheme for the allocation of social housing. The Council administers a housing register for people who want to be considered for social housing. This document explains the criteria and the procedure that the Council uses to assess housing need and prioritise applications to the housing register. The Council does not have any stock of its own but it has nomination rights to housing association properties in the borough.

## **2. Aims of the Scheme**

The allocation policy has been devised to ensure that access to social housing supports the corporate aims of the Council, reflects current legislation and takes account of the limited supply of social housing in the borough.

There is a very limited supply of social housing in the borough and the demand for properties far outstrips the supply. This allocation scheme aims to work with our housing providers to make best use of the properties available to us.

The Council does not operate an open housing register in which anyone regardless of their connection to the borough and housing circumstances can join. Instead, prospective applicants will be required to meet qualifying criteria as set out in the policy to be able to join the register.

The allocation policy aims to treat all applicants for social housing in a fair, equitable and open manner. The policy is designed to offer most applicants some choice in their accommodation in terms of expressing a preference as to where it is located and the type of housing they require. However, this must be balanced with the needs of all applicants, the need to support our housing providers in creating mixed communities and the need for the Council to offer best value through its housing services.

The aims of the allocation scheme are to:-

- Provide housing applicants with a fair and transparent system by which they are prioritised for housing.
- Make best use of the social housing stock in the borough.

- Promote successful and sustainable tenancies.
- Ensure that priority is given to those with the greatest need for social housing.
- Promote the development of sustainable mixed communities.
- Encourage residents to access employment, training, volunteering.
- Promotion and assistance in securing alternative accommodation in the private sector when the housing register will not solve housing need in the short term.

### 3. Allocation Scheme Legal Framework

Authorities are required by s.166A of the Housing Act 1996, as amended by the Localism Act 2011, to publish an allocation scheme for determining priorities and defining the procedures to be followed in allocating housing. The Council may allocate housing in such manner as it considers appropriate, subject to specific provisions of Part VI of the Act.

In accordance with s. 159 (4B) of the Act (as amended by the Localism Act 2011) the allocation scheme includes transfer tenants with reasonable preference. Existing secure, introductory and assured tenants are now outside the scope of Part 6 s. 159(4A).

This scheme includes a statement of the Council's policy on offering eligible priority applicants a choice of accommodation.

This scheme gives reasonable preference to classes of people as provided for within s. 166A (3) to (8) of the Act.

This scheme has regard to the 2009 Code of Guidance 'Fair and flexible: statutory guidance on social housing allocations for local authorities in England'

This scheme reflects relevant case law (*Ahmed v Newham, House of Lords, March 2009*) which established that local authorities are not required to take into account composite needs.

This policy has been produced with regard to the following:

- Housing Act 1996 as amended by the Homelessness Act 2002, Housing and Regeneration Act 2008, Homelessness Reduction Act 2017 and other relevant legislation
- Housing Allocations – Members of the Armed Forces (circular 04/2009), April 2009
- The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 ) (SI 1869/2012)
- The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 (SI 2989/2012)

- Allocation of Accommodation: guidance for local housing authorities in England, June 2012 DCLG
- Providing social housing for local people Statutory guidance on social housing allocations for local authorities in England, December 2013 DCLG
- Right to Move statutory guidance on social housing allocations for local authorities in England March 2015
- Improving access to social housing for victims of domestic abuse in refuges or other types of temporary accommodation statutory guidance on social housing allocations for local authorities in England November 2018
- Improving access to social housing for members of the Armed Forces Statutory Guidance June 2020
- Localism Act 2011
- Equality Act 2010
- Council's Equality Strategy
- The Human Rights Act 1998
- The Freedom of Information Act 2000
- The Data Protection Act 1998
- Welfare Reform Act 2012
- Existing case law
- The Council's Homelessness Strategy
- The Council's Tenancy Strategy
- The Armed Forces Corporate Covenant

The Secretary of State may from time to time amend the classes of person eligible to be considered for housing. The Allocation Scheme will automatically be amended to reflect any such changes from date of implementation.

#### **4. Scope of the Scheme**

The Council maintains a list of applicants in need of affordable rented social housing called the Housing Register. Applicants are assessed and prioritised according to the Council's Housing Allocation Scheme. The housing register is used by the Council for allocating housing for rent and applies where the Council nominates an applicant to be offered a:

- Secure, fixed term or introductory tenancy by another Council (or other body able to grant a secure tenancy): or
- Fixed term tenancy, assured tenancy or assured shorthold, or starter tenancy from a housing association.

Lettings that are not covered under the scheme are:

- The sale of shared ownership homes. Information on schemes can be found at <http://www.helptobuyese.org.uk>.

- Offers to homeless households of non-secure Council tenancies in discharge of any duty owed under Part 6 of the Housing Act 1996.
- Offers of tied accommodation (service tenancies or service licences) made to Council employees.
- Referrals made to any private landlord for an assured shorthold tenancy made by the Council's Housing Options team.
- Mutual exchanges between housing association and local authority tenants.
- Any other situations, added by the Secretary of State through regulations, in which the allocation scheme will not apply.

#### **4.1 The operation of managerial discretion**

At certain points the scheme refers to the existence of discretion or general discretion. Except when otherwise explained, this refers to a discretion exercised by the Housing Manager or a duly delegated person(s) and shall allow the person exercising the decision to take account of all circumstances considered appropriate and/or relevant by that person including (when considered appropriate and relevant) the demand for and supply of accommodation and the general housing circumstances within Reigate & Banstead.

The Senior Housing Officers have discretion to give such additional preference considered appropriate to any applicant who in their opinion has pressing housing needs and discretion to allow applicants without a local connection qualification to join the register in exceptional circumstances.

#### **4.2 What type of allocation scheme is used?**

The Council's Housing Allocation Scheme is a banding scheme. Applicants who are eligible and qualify will be placed in one of five bands from band A (highest need) to band D (lowest need) and band H (high need homeless households to whom the Council has accepted a duty). The bands reflect the assessed housing need of applicants in accordance with the 'reasonable preference' categories in the Housing Act 1996 Part 6 and the Council's local priorities for housing allocation.

### **5. Who can join the Register?**

This section of the document sets out the Council's policy on who can and cannot qualify to join the register.



Anyone can approach the Council for housing advice and assistance. However, affordable housing is a limited resource in the borough and the policy has been framed to reflect the limited availability of social housing now and in the future. The Council operates qualification criteria to potential applicants. This means only those who meet the eligibility and qualification criteria will be registered.

The housing register is open to Homeseekers and Transfer Tenants.

**Homeseekers** include anyone who is not currently a housing association or council tenant.

**Transfer Tenants** are those applicants living in the borough who are currently tenants of a housing association.

To apply to join the housing register, all applicants must complete a housing register form. This can be completed online at [www.reigate-banstead.gov.uk](http://www.reigate-banstead.gov.uk) or copies can be obtained from Housing Services. For further information about how to apply **see section 6.**

The housing register application will be assessed as follows:

**Applications from Homeseekers:**

The applicant must:

- Be eligible for an allocation of accommodation, and
- Meet the qualification criteria, and
- Be in housing need as defined in bands A – D, H

**Applicants from Transfer Tenants:**

The applicant must:

- Meet the qualification criteria

**Applicants Aged 16 or 17 years**

Applicants aged 16 or 17 years old will be accepted on to the housing register provided they are eligible and qualify. Their application will be jointly assessed by the Council and Surrey County Council's Children's Services or Youth Support Service before any offer of accommodation is made. A suitable guarantor will need to be identified if the young person is offered a tenancy. The guarantor will need to remain in place until the applicant reaches 18 years of age.

**5.1 Eligibility: persons from abroad**

In all cases we must consider whether an applicant is eligible to apply for accommodation and whether the applicant qualifies for an allocation of accommodation. Some people are subject to immigration control within the meaning of the Asylum and Immigration Act 1996 unless prescribed as eligible by regulation of the Secretary of State (*Housing Act 1996 as amended*).

Further provisions concerning eligibility are set out with regard to allocations in s. 160ZA of the Act (as amended by the Localism Act 2011).

Applicants must inform the Local Authority of any change in their circumstances that may impact on their eligibility of example changes in employment for EEA Nationals or leave to remain status.

Persons from abroad are not eligible to join the housing register. This means persons from abroad who are:

- Subject to immigration control and have no recourse to public funds; or
- Excluded by regulations made by the Secretary of State; or
- Not habitually resident in the United Kingdom (UK); or
- Who are required to leave the UK by the Secretary of State

Specifically, the Secretary of State has determined that the following groups are not eligible to join the Council's housing register because of their immigration status:

- A person registered with the Home Office as an asylum seeker.
- A visitor to the UK (including an overseas student) who has limited leave to enter or remain in the UK granted on the basis that they will not have recourse to public funds.
- A person who has valid leave to enter or remain in the UK, which includes a condition that there will be no recourse to public funds.
- A person who has a valid leave to remain in the UK, which carries no limitation or condition and who is not habitually resident in the Common Travel Area. The Common Travel Area is the UK, the Channel Islands, the Isle of Man and the Republic of Ireland.
- A sponsored person who has been in this country less than five years (from date of entry or date of sponsorship, whichever is the later) and whose sponsor(s) is still alive.
- A person who is a national of a European Union (EU) country that is subject to immigration control.
- A person who is a national of a non European Economic Area country that has ratified the European Convention on Social and Medical Assistance (ECSMA) and/or the European Social Charter, but is not lawfully present in the UK (i.e. does not have leave to enter or remain or is an asylum seeker

with a temporary admission) and/or is not habitually resident in the Common Travel Area.

- A person who is in the UK illegally or who has overstayed their leave to remain. Where two persons apply jointly for housing, at least one of the applicants must be eligible. A joint tenancy cannot be granted when one of the applicants is not eligible. Instead, the eligible applicant would be granted a sole tenancy. However, ineligible family members can be taken into consideration in determining the size of accommodation to be allocated.

Any applicant whose sole reason for being in housing need is based on the circumstances of a person who is subject to immigration control and is therefore a 'restricted person', will not qualify to join the register.

Any applicant regarded by the Council as ineligible to join the Housing Register because they are subject to immigration control or not habitually resident will be given written notification of the decision and the details of the facts on which the decision was based. The applicant also has the right to a Review of this decision and to be informed of the decision of the review and the grounds for it.

If a person is found to be ineligible to join the register they may make a new application if and when the grounds of the ineligibility no longer apply.

## **5.2 Who does not qualify to join the Register?**

Homeseekers who meet the eligibility part of the assessment and all Transfer Tenants will need to be assessed in line with the qualification criteria. Taking into account the legislation, codes of guidance on housing allocations and the scarce resource supply of social housing in the borough; the Council has agreed qualification rules for the housing register. The following applicants **will not** qualify to join the Housing Register:

- Applicants under 16 years of age
- Applicants with no local connection
- Applicants with no housing need as defined in bands A-D, H (except borough transfer applicants)
- People who own their own home (exceptions to Extra Care applicants)
- People who have exercised the Right to Buy
- People with income above defined levels (exceptions to Extra Care applicants)
- People with assets and/or capital over £16,000 (exceptions to Extra Care applicants)
- Applicants who have rent or Council Tax arrears
- People who are guilty of unacceptable/anti-social behaviour

- Households placed in this borough by another Council exercising its duties under Part VII Housing Act 1996.

### **5.3 Local Connection**

Applicants must have one of the following local connections to qualify to join the Council's housing register:

- Must be continually resident in the Borough of Reigate & Banstead for three years at the date of application and thereafter, **or**
- Be continuously employed in the borough (this means no gaps in the applicant's employment record) for 12 months at the date of application and thereafter.

#### **5.3.1 Exceptions to local connection qualification**

In some circumstances an exception to the local connection qualification will be granted. These exemptions are detailed below.

#### **5.3.2 Exceptions to the local connection - redundancy**

Applicants whose only local connection was employment in the borough and have lost their job through no fault of their own, for example redundancy, will be allowed to retain their position on the Register for a maximum of six months whilst they take steps to regain employment in the borough. The Council will seek proof of looking for work from the Job Centre. If such an applicant is unable to demonstrate efforts to regain employment in the borough through attending interviews, work related courses through the Job Centre or other recognised organisation, and/or actively seeking work through an employment agency, they will be removed from the Register and notified accordingly.

#### **5.3.3 Exceptions to the local connection – British Armed Forces**

British Armed Forces personnel who fall into categories below are exempt from the local connection qualifying criteria:

- Armed Forces personnel who are currently serving in the armed forces and those who have served in the armed forces in the five years preceding their application for an allocation of social housing, with the exception of those who have been dishonourably discharged.
- Bereaved spouses or civil partners of those serving in the regular forces where the bereaved spouse or civil partner will be shortly no longer entitled to reside or is no longer entitled to reside in Ministry of Defence accommodation following the death of their service spouse or partner, and the death was attributable to their service.

- Existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to their service.
- Divorced or separated spouses or civil partners of those serving in the regular forces living in armed force accommodation provided by the Ministry of Defence who will be shortly no longer be entitled to reside or are no longer entitled to reside in accommodation

The Council requires proof of Armed Forces status. This proof should be official confirmation of current employment, discharge papers, or other proof such as confirmation provided by the Royal British Legion.

The definition of 'regular' and 'reserve' forces will reflect the definition set out in section 374 of the Armed Forces Act 2006.

#### **5.3.4 Exceptions to the local connection – social housing tenants**

Households, who at the date of application have been social housing tenants for three years or more and do not reside in the borough of Reigate and Banstead, will be exempted from the local connection qualification in the following circumstances:

- Received written confirmation of an offer of employment in the borough that is for a minimum of 16 hours per week.
- Has been offered or is undertaking an apprenticeship or work related training opportunity in the borough area.
- Is employed in the borough working a minimum of 16 hours per week and their place of employment is more than a 45 minute travel time.

In all cases the Council will require proof of employment, apprenticeship, training, or employment or any offer of it. If applicant fails to take up the offer, or ceases to work in the borough their application will be removed and the Council will confirm this in writing.

#### **5.3.5 Other exceptions to the local connection**

Exceptions may include, but not exhaustively, the situations described below. Individual cases will be considered by ~~Senior Housing Officers~~ Housing Advisors, documentary evidence will be required and the decision and reasons will be recorded:

- Care leavers must demonstrate a minimum of two years continuous residency in the borough up to the point their accommodation is provided under section 22A of the Children's Act 1989 and some of this residency must have

occurred before the age of 16 years. Supporting documentation must be provided.

- Social housing tenants who were nominated by the council to their current property located in the borough will be exempt from the local connection qualification.
- Where an applicant has been assisted by the Council with privately rented accommodation through a rent deposit / rent in advance scheme endorsed by the Council (to prevent homelessness) they will be assessed as having a local connection whilst they remain in that accommodation or continue to be assisted by the council.
- Where someone is placed in supported housing (to prevent homelessness) outside of the borough or inside the borough by the Council and/or other public agencies such as the Community Mental Health Team they will be assessed as having a local connection only where they met the following local connection qualification at the time of placement. In this situation the local connection is: residency in our borough six out of the last 12 months or three out of the last five years or a mother / father / brother / sister resident in the borough continuously for the last five years and still resident or applicant is employed in the borough.
- Where, for example, applicants are fleeing domestic abuse or other serious violence for whom returning to their area of origin would place them at serious risk, and there is third party evidence that can be verified of the risk for example from a statutory agency such as the Police, Probation, Adult Social Care and Children's Services. The information will be reviewed on a case by case basis and a decision made on whether the exemption should be granted.
- Applicants referred through the Witness Protection Scheme do not need to fulfil the local connection criteria. Proof is required to show compliance with other local qualification criteria on income, rent and Council tax and anti-social behaviour.
- Where the applicant provides documentary evidence that can be verified that they have an exceptional circumstance which establishes a local connection to the borough. The decision and reasons on whether a local connection has been established will be recorded.

### **5.3.6 Situations in which no local connection will be established**

- Where the applicant has been placed in temporary accommodation in the borough by another local authority in the exercise of their homelessness duties or discharge of their homelessness duties.
- Where the applicant has been placed in supported accommodation, hostel or night shelter in the borough by another local authority or public agency (not

based in the borough) and the applicant has no local connection or previous residence that can be proved.

- Where an applicant has been placed in a bail hostel.
- Where the applicant qualified for registration because the Council owed them the main homelessness duty and the Council ceased to be subject to that duty because of a refusal of a suitable offer, and the applicant does not have any other qualifying local connection for the housing register.

#### **5.4 Homeowners**

Homeowners who jointly or solely own or part own or are purchasing a property (including purchases on shared ownership), do not qualify to join the Register. Applicants aged over 55 years who jointly or solely own a property may qualify for Extra Care housing subject to an assessment of their capital assets and gross annual income level see section 5.6 for more information.

#### **5.5 Income & Savings**

The Council has set financial qualifying criteria so that people with sufficient gross annual income and/or savings and assets to access housing will not qualify to join the register.

All applicants will be required to provide proof of income, savings and assets at the point of application, annual review of application and nomination. In situations where applicants or members of the applicant's household are self employed, full details of any company directorships, ownership, partnerships and details of any income derived from self employed activity must be provided.

The following benefits/payments will be disregarded from the income calculations:

- Attendance Allowance
- Child Benefit
- Child maintenance receipts
- Disability Living Allowance
- Personal Independence Payments.

The following households will not qualify to join the register:

- Households containing children aged 19 years or under where total gross household annual income is above £50,000.
- Single person households with an income above £30,000.
- Joint applicants (two adults only in household) with an income above £35,000.
- Applicants who have disposed of an asset, savings or capital within 5 years of the date of their application which they could reasonably have been expected to use to resolve their housing difficulties.
- Maximum savings/capital/assets above £16,000.

Where a household contains adult children or other adults, the income of all adults in the household will be taken into consideration. This means if the total combined gross income of all members of the household exceeds the limits set for each household type, the household will not be eligible to join the Register.

Lump sums received by a 'regular' or 'reservist' member of the armed forces such as compensation for an injury or disability sustained on active service will be disregarded. For the purposes of this policy the definition of 'regular' and 'reserve' forces will reflect the definition set out in section 374 of the Armed Forces Act 2006.

Exceptions may include, for example, but not exclusively, the following situations:

- Where an applicant is a housing association tenant living in Reigate & Banstead who is living in family sized accommodation and is assessed as needing to move to one bedroom accommodation and has income or savings above the stated levels. Evidence of income and savings will need to be provided. Cases will be reviewed on a case by case basis.

Households with income or savings above the maximum levels to qualify to join the register will be offered advice and information about private renting and affordable homeownership options (information is available on the Council's website: [www.reigate-banstead.gov.uk](http://www.reigate-banstead.gov.uk)).

## **5.6 People aged over 55 with a need for Extra Care Housing**

For clarity, people who are over 55 that need to live in Extra Care housing, but have insufficient equity to purchase an equivalent property in the borough can be considered for Extra Care housing. They must not have a total annual income above £25,000 or combined savings and assets that would enable them to purchase or rent private older person's accommodation in the borough. They must demonstrate a local connection. For this group local connection is defined as a brother, sister, son or daughter who has been continuously resident in the borough for three years at the time of application and still resides in the borough at the point of nomination. Qualification rules regarding rent arrears, Council tax arrears and anti-social behaviour must still be met by the applicant. Applicants will be subject to financial assessment and will not qualify for the Register if they are deemed to have sufficient income and / or assets to obtain private older person's accommodation.

Ultimately acceptance into Extra Care Housing is subject to an assessment of need and the applicant meeting the policies of the housing provider. If following an assessment by the housing provider and /or Surrey County Council an applicant does not qualify for Extra Housing they will be removed from the register and notified in writing.



## **5.7 Rent or Council Tax arrears**

Tenants (of any landlord) with rent or Council Tax arrears are excluded from joining the Register until the arrears are paid in full.

However, there may be circumstances where the Council may make an exception, these are:

- Households affected by the Welfare Reform Act and where moving to a smaller property will assist them to meet their needs more appropriately and reduce their arrears;
- Households where the arrears have arisen through no fault of the applicant such as a delay or error in the assessment of welfare benefit;
- Households where the applicant can demonstrate that a rent or Council Tax arrears repayment plan has been agreed and that they have maintained that agreement plan for the 12 months leading up to their application
- Divorced or separated spouses or civil partners of those serving in the regular forces no longer entitled to reside on Ministry of Defence accommodation who provide evidence supporting their inability to meet its costs;

The above exceptions are not exhaustive and cases will be reviewed on a case by case basis and a decision made based on evidence of whether an applicant with arrears is given an exemption.

In all cases the Council will expect written evidence and supporting information from the applicant's landlord, and/or other agencies regarding the reason for arrears and level of arrears. The applicant must provide details and records of a payment plan, and of any legal or enforcement action. The Council may make other enquiries as necessary and will write to the applicant to confirm whether or not the applicant qualifies to join the Register.

## **5.8 Right to Buy**

Applicants who have benefited from the Right to Buy of a property will not qualify to join the Council's Register.

## **5.9 Unacceptable Behaviour**

People considered guilty of unacceptable behaviour, serious enough to have entitled the Council to a Possession Order had they been a secure tenant of the Council, will not qualify to join the register. This includes all members of the applicant's household. Non qualification will continue until such time the Council considers the person(s) guilty of unacceptable behaviour is suitable to be a tenant of the Council.

Unacceptable behaviour includes:

- Breached the terms of a tenancy (either in the private or social rented sector) for which there are statutory grounds for possession;
- The applicant or any member of the applicant's household has committed acts of physical violence against staff (housing provider's, landlords or other agents) or other residents;
- A conviction for using accommodation, or allowing it to be used, for immoral or illegal purposes such as drug dealing or prostitution;
- Serious damage or neglect of the property;
- Applicants convicted of housing or welfare benefits related fraud where the conviction is unspent under the Rehabilitation Offenders Act 1974. A person may re-apply once the conviction is spent. Where benefit overpayments are created overpayments must be paid in full before an applicant will qualify for the register;
- A serious nuisance or annoyance to neighbours;

It is the responsibility of the applicant to prove that their behaviour or that of the relevant members of the household is no longer considered to be unacceptable/anti-social. To enable a full assessment to be completed, the Housing Register Team will make reasonable enquiries with the relevant statutory and non statutory agencies and providers. Ex-offenders will be offered an interview to assess their eligibility to join the Register and their housing options, where their case is supported by their Offender / Case Manager, as appropriate. Ex-offender / Case Managers will be expected to complete and provide the Surrey Referral and Risk Assessment form to the Housing Register Team.

The accommodation needs of applicants who are subject to Multi Agency Public Protection Arrangements (MAPPA) will normally be considered in partnership with probation, police and registered social landlords outside this policy.

## **6. Joining the Housing Register**

This section explains how to apply to join the Housing Register. Applicants should check whether they are eligible and qualify.

### **6.1 How to apply**

The Housing Register Team is available to provide advice and information about the Housing Register and about housing options. They can be contacted by phone, in person at the Town Hall or by e-mail:

- 01737 276790
- Contact us: [www.reigate-banstead.gov.uk](http://www.reigate-banstead.gov.uk)

- Housing Register Team, Town Hall, Castlefield Road, Reigate, Surrey, RH2 0SH

All applicants must complete a Housing Register application form. Forms can be accessed on-line via the Council's website.

If an applicant does not have on-line access to the Council's website (to complete an application form), applicants can use the on-line services at the Help Point located at the Town Hall in Reigate.

If necessary, a telephone interview, office interview or where necessary, a home visit will be offered.

Applicants must provide the following information\* for all members of an applicant's household:

- Identification: preferably photo ID, which is either a valid passport or driver's licence or birth certificate (ideally the long version).
- Immigration status: passport and for non UK and EU applicants, an Immigration Status Document issued by the Home Office, or UK Visas and Immigration to the holder with an endorsement indicating whether the applicant is allowed to stay in the UK.
- Income and savings: pay slips, if self employed then annual earnings and tax certificate from HM Revenue and Customs; bank accounts; savings accounts; bonds; equity and shares statements showing balance and interest and dividends; royalties statements; welfare benefit letters and statements and any other document showing annual income.
- Assets: ownership / company directorships, company assets, company shares, ownership of any residential or commercial property in the UK or elsewhere; commodities (precious metals, agriculture, energy or others), Real Estate Investment Trusts; insurance products (annuity, life settlements, catastrophe bonds and personal life insurance); derivatives; collectables such as art, coins, antiques, stamps; foreign currency; venture capital; private equity; distressed securities; and any other document to confirm the applicant's assets.
- Local connection: bank statements, utility bills or Council Tax bills showing current address; letter from applicant's employer on headed paper to confirm that they are employed in Reigate & Banstead, the date employment commenced and number of hours worked each week; name and address of close family members living in the borough (if applicable); and any other document to confirm the applicant's local connection to the borough.
- Medical/Welfare/Hardship (if applicable): Correspondence from GPs, other doctors, specialists, hospital teams, details of medication, correspondence or reports from mental health practitioners and services, information or reports from the Police, social landlords, or other agencies.

\* Please note documents do not need to be originals.

## 6.2 People who can be included on an application

The following people can be included in a housing register application:

- A sole applicant;
- Any two persons who wish to live together as a couple;
- Any parent(s)/guardian(s) and dependent children permanently residing with them or who would reasonably expect to be permanently residing with them;
- Any parent(s)/guardian(s) and adult children who are not dependent but have not yet left the family home;
- Any parent(s)/guardian(s) and adult children who are still living at home because of a care need; or
- Any adult siblings who wish to live together.
- The Applicant may only include in their application persons who normally reside with the Applicant as a member of the Applicant's family.

It is for the Council to decide whether a person is normally resident as a member of the family. The Housing Register Team has discretion to allow additional people to be included on an application when considered appropriate in the circumstances. When exercising that discretion, the decision taker may take account of the demand for and supply of accommodation and the general housing circumstances within the Borough of Reigate and Banstead.

In the case of children, the test of normal residence as a member of the family will require residence as opposed to 'staying' or 'staying access' even in cases of joint custody or joint residence or similar orders. The Council in applying the test will consider whether there is a sufficient degree of permanence or regularity to constitute normal residence as a family member. Account may be taken of whether the child is dependent on the applicant and the recipient of child benefit. The Council may also take account of the demand for and supply of accommodation and the general housing circumstances within the Borough of Reigate and Banstead and any under occupation that may result where a child spends part of a week with one parent and part of the week with another.

Carers will be included in the application when it has been agreed with the Council that the applicant requires housing with a carer and the applicant has been included within a priority group on that basis (for example band A or B medical / welfare need). The Council will require information and evidence that shows an overnight carer(s) is needed and stays with the applicant the majority of the time to provide care.

Where a sibling, parent, or other relative is residing with the applicant and has lived there for less than 12 months the Council will not consider them as part of the household.

The Council will review the information provided by the applicant and may request further information from the applicant to verify their situation, their eligibility, or qualification.

### **6.3 Deliberately worsening circumstances**

Where there is evidence that an applicant has moved into inappropriate accommodation to attract or increase priority for re-housing applicants will not qualify to join the Register for 12 months from the date of application.

This includes failure to take reasonable actions or follow advice which would prevent them becoming homeless or improve their housing circumstances, for example accepting an offer of suitable private rented accommodation or housing association accommodation, which, given their situation, would have been reasonable for them to do so. This may also include failure to bid for suitable accommodation that they may have been offered.

### **6.4 False or misleading information**

Affordable housing is in short supply in the borough. The affordable housing that exists here provides a much valued opportunity for settled accommodation for those who qualify for it and need it. Therefore, the Council takes a strong approach to dealing with fraudulent applications and false information. Every application will be reviewed by the Council's Fraud Team.

Under Sections 2, and 3 of the Fraud Act 2006 and Under Section 171 of the Housing Act 1996, an applicant, or someone acting on their behalf, commits an offence if –

- They knowingly or recklessly give false information, or
- They knowingly withhold information that the Council has reasonably required the applicant to give

Applicants who are found to have given false information on their Housing Register application form or in response to a request for further information in support of the application or during review proceedings will have their application suspended immediately. An investigation will be carried out.

The applicant will be given 21 days to provide information showing that they are eligible and or qualify. If they do not reply within this time, or they reply, but the

Council decides they are not eligible and or do not qualify, they will be removed from the register.

If following the investigation the Council decides that a person has given false information or withheld information, it will take one or more of the following actions –

- Remove the applicant from the Register.
- Not allow the applicant to join or re-join the Register for a period of not less than year.
- Instigate criminal proceedings.
- Inform the social housing provider of the investigation so they may instigate eviction proceedings if social housing was gained as a result of fraud.

The applicant will be informed in writing of the Council's decision and action taken.

## **6.5 Assessment of applications**

Applicants must submit all of the supporting documentation listed on the application form within 21 days of completing the form. Applications will not be assessed where this timeframe is not met.

The Housing Register Team will make an assessment of the application against this scheme. This process usually takes up to 21 working days. Once all information has been assessed, the Council will write to the applicant to confirm whether the applicant is eligible and qualifies to join the register. If the applicant is accepted onto the Register, the Council will confirm their application reference number and band. The date that the application will be effective from, will be the date at which all of the supporting documentation is received by the Council. This letter will also contain information to enable the applicant to access the Reigate & Banstead HomeChoice website to place bids on properties (subject to their band), and state the number of bedrooms they have been assessed as needing for the size of their household.

If the applicant is considered to have sufficient income to take up shared ownership they will be directed to the following website [www.helptobuyese.org.uk](http://www.helptobuyese.org.uk), where they can register their interest.

## **7. How is housing need assessed?**

Every application will be assessed using the banding scheme. This aims to ensure some priority is awarded to all applicants who are entitled to reasonable preference, in accordance with section 167(2) of the Housing Act 1996 (as amended by the Homelessness Act 2002). These categories are:

- People who are homeless within the meaning of Part 7 of the 1996 Housing Act (including those who are intentionally homeless and those not in priority need).
- People who are owed a duty by any housing authority under section 190(2), 193(2), or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under s.192(3) of the Housing Act 1996, as amended by the Homelessness Act 2002 and Housing and Regeneration Act 2008.
- People who are occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- People who need to move on medical or welfare grounds, including grounds relating to disability.
- People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or others).

## **7.1 Assessment of need and the banding scheme**

Applicants' needs will be assessed against the banding scheme criteria and their application will be placed in one of five bands.

Home Seekers applicants will only be accepted onto the register if they fulfil the local connection and qualification criteria and have a demonstrable housing need as detailed in the bands below.

Transfer tenants will be assessed in accordance with the band criteria below and will be placed in one of four bands unless they do not qualify to join the register.

Each applicant will be given an 'effective date', this is the date their application was received. Should they move up or down a band, their effective date will start on the date that they move into that band. Applicants who qualify for band C but do not fulfil one of the community contribution categories (working, training or volunteering) will be given less priority than applicants who demonstrate a community contribution and will be placed in band D.

The bands are explained below:

### **Band A - Urgent Priority**

- Applicants with assessed urgent medical and/or welfare grounds. For example households who cannot occupy their current accommodation because of a medical problem or disability, and the property cannot be adapted such as a

wheelchair user who lives in a first floor flat with no lift (see 7.3.1 for information).

- Applicants who are serving or are former members<sup>1</sup> of the regular Armed Forces or serving or former members of the Reserve Forces who need to move urgently and have an assessed housing need because of a serious injury, medical condition or disability sustained as a result of their service.
- Transfer tenant who has been notified that their home is to be demolished or redeveloped.

### **Band B - High Priority**

- Transfer tenant or Homeseeker with a high medical or welfare need to move where these issues are directly linked to their current housing and would be alleviated by alternative accommodation (see 7.3.2 for more information).
- Transfer tenant or Homeseeker occupying a property that has been assessed by an Environmental Health Officer of the Council to have one or more Category 1 Hazard, which the landlord is unable to address within 6 months including people living in insanitary and unsatisfactory conditions.
- Transfer tenant wishing to downsize to another property which would have less bedrooms.
- Transfer tenant qualifying to move from general needs accommodation to sheltered accommodation or other older people's accommodation.
- Transfer tenant occupying an adapted property which is no longer needed.
- Transfer tenant or Homeseeker that lacks two or more bedrooms as assessed against the bedroom standard in section 7.7.
- Person(s) succeeding to an assured or secure tenancy of a Registered Provider in the Borough following the death of the tenant and is under occupying the accommodation.
- Homeless households who accept an offer of private rented accommodation to end the main homeless duty which brings the Council's duty to an end but within two years of this offer are threatened with homelessness through no fault of their own, which cannot be resolved.
- Bereaved spouses or civil partners of Armed Forces personnel who died whilst on service and are no longer entitled to reside in Ministry of Defence accommodation.

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<sup>1</sup> Former members of the Armed Forces or Reservists are defined as having served within five years of the date of their application for housing.



- Homeseeker who is a care leaver and is referred by a Children's Services or Youth Support Service and meets the criteria set out in paragraph 5.3.5 on care leavers. These applicants will be included in band B when they are within 12 months of having to leave their care placement.

### **Band C - Medium Priority and Community Contribution Qualification**

- Homeseeker who is a serving member of the regular Armed Forces or former member of the regular Armed Forces (within 5 years of end of service) with a housing need.
- Transfer tenant or Homeseeker lacking one bedroom as assessed against the bedroom standard in section 7.7.
- Transfer tenant living in a flat without a private garden and youngest child is 12 years old or younger.
- Homeseeker currently living in private rented accommodation.
- Households who are homeless within the meaning of Part 7 of the 1996 Housing Act subject to the household meeting the local connection and local qualification criteria in the Housing Allocation Scheme.
- Households who the Council has accepted a section 195 duty known as a Prevention Duty or households to whom the Council has accepted a section 189b duty known as a 'Relief Duty' and they meet the local connection and qualification criteria as defined by the Housing Allocations Scheme.
- Applicants in supported housing placements meeting the local connection requirements in section 5.3.
- Divorced or separated spouses or civil partners of those serving in the regular forces living in armed force accommodation provided by the Ministry of Defence who will be shortly no longer be entitled to reside or are no longer entitled to reside in it

### **Band D - Low Priority band C without Community Contribution/Others**

- Applicants with a need to move as assessed in band C but do not fulfil at least one of the community contribution categories.
- Transfer tenants from outside of the borough who need to move into Reigate and Banstead to take up a permanent employment offer or to be closer to work.

- Transfer applicants with good tenancy record with no housing need as defined in bands A-C.

**Band H – High Priority homeless households to whom the Council has accepted a duty to accommodate**

- Households for whom the Council has accepted an obligation to provide housing under Part 7 of the Housing Act 1996 (these applicants do not necessarily have a local connection)

## **7.2 Medical assessment**

If applicants have a medical or health condition that they consider impacts on their housing need and/or means that a specific property type is needed, they must complete a Medical Self Assessment Form. This is available on the Council's website: [www.reigate-banstead.gov.uk](http://www.reigate-banstead.gov.uk) or a copy can be obtained from the Housing Register Team.

In the first instance the form will be assessed by a member of the Housing Register Team who will decide if there are grounds for the applicant to be prioritised on a medical basis. Any applicant who completes the Medical Self Assessment Form will be asked to authorise contact with their GP or other medical practitioner if necessary in order to verify or obtain further information about their medical condition.

The Council may decide to seek further advice on the applicant's condition and how this affects their housing circumstances from the Council's Independent Medical Advisor.

An applicant will only be assessed as having a medical priority if they or a member of their household have a medical need to be re-housed. For example a medical problem that is directly and significantly affected by the applicant's current housing circumstances and would be relieved by re-housing.

Where an applicant submits additional Medical Self Assessment Forms within 6 months of a referral to the Council's Independent Medical Advisor, the Council will consider whether the applicant's medical circumstances have changed significantly from the last assessment before seeking further advice from its Medical Advisor. Applicants will not be referred if the Council assesses that there is no significant change.

## **7.3 Health and welfare assessment**

### **7.3.1 Band A: Urgent Health or Welfare Need**

The applicant will be placed in band A if the need to move is because of urgent medical and/or welfare grounds which pose an extreme and serious risk to health or welfare and could quickly lead to a life threatening situation. Examples of this might include (this is not exhaustive):

- A discharge from hospital is prevented by your housing situation.
- You have a serious health, medical condition or disability, for example a severe mobility issue, which prevents you or a member of your household accessing your current accommodation safely and / or your current housing is having a seriously detrimental impact on you / members of your household's health and ability to live independently or the applicant's health is so severely affected by the accommodation that it is likely to become life threatening. The Council may seek the advice of the Council's Medical Advisor on a case by case basis to understand the condition / illness / disability and prognosis..
- You are fleeing domestic abuse or other extreme violence and returning to your place of origin would place you at serious risk and it is safe for you to live in the borough. There must be third party evidence which can be verified of the risk, for example from a statutory agency such as the Police, Probation, Adult Social Care and Children's Services. The information will be reviewed on a case by case basis by Housing Register Officers, who will make a decision on whether the exemption should be granted. This priority includes referrals by the Witness Protection Scheme.
- Your household is statutorily overcrowded as defined by the 1985 Housing Act.

Other situations will be considered on a case by case. The Council will consult other agencies such as the Police, Social Services teams, medical services and other statutory agencies to seek information about your circumstances and may refer cases for assessment by the Council's Medical Assessor to understand the condition / illness / disability and prognosis.

### **7.3.2 Band B: High Medical or Welfare Need**

This level of priority will be given where it is considered that the applicant's health is being affected by their current accommodation, but their health is unlikely to deteriorate significantly within a short period of time or full recovery is likely within one year, or where there is more than one member of a household who have a non-urgent medical or welfare need.

The household's circumstances will need to be substantiated by other agencies such as the Police, Children's Services or Adult Social Care Team, health services, Housing Association landlord. The information will be reviewed on a case by case basis and a decision made on whether priority should be granted.

Band B high priority medical/welfare may be given, but not exclusively, in the following circumstances.

- Transfer tenant or Homeseeker in need of a larger property to accommodate a full time carer who is not a member of their family. This will be subject to a joint assessment with Surrey County Council Adult Social Care Team.
- Transfer tenants who require adaptations to be carried out to their property, where their home has been assessed as unsuitable for the adaptation.
- Where an applicant is a relative of a housing association tenant in Reigate & Banstead who has died and they were residing with them for at least three years immediately prior to their death, but they do not have the right to succeed to the tenancy. In these cases additional priority will be awarded if the applicant does not have sufficient income, funds or assets to purchase or rent alternative accommodation suitable for their needs privately or by using a shared ownership scheme.
- Where a person needs to move to a different locality in order to give or receive care or to access specialist medical treatment and that hardship would be caused to themselves or others if they were unable to do so.
- Where an applicant has a particular special need that causes them to be considered vulnerable, other than on medical grounds. Examples of such applicants would include those with a learning disability; a care leaver aged 18-21.
- Transfer applicants or Homeseekers who wish to become foster carers or adopt children or are approved to adopt and need to move to larger accommodation to accommodate a looked after child. In these situations and where possible, evidence must be provided of this status. Where evidence is unavailable, households who confirm they will apply to be foster carers will be nominated to a housing provider. Applicants will be advised of issues around spare room subsidy also known as 'bedroom tax', affordability, probationary and fixed term tenancies. The housing provider will undertake their own assessment of the situation and will make a decision on accepting or rejecting the nomination. This priority will extend to special guardians, holders of a residency order and carers who are not foster carers but who have taken on the care of a child because the parents are unable to provide long-term care. In these situations evidence of this status must be provided. In all cases priority will only be given where there is a need for larger accommodation.
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Other situations will be considered on a case by case basis. The Council will consult other agencies such as the Police, Social Services teams, medical services and other statutory agencies to seek information about your circumstances and may refer cases for assessment by the Council's Medical Assessor to understand the condition / illness / disability and prognosis.

### **7.3.3 No medical need**

No priority will be given where rehousing is unlikely to improve the applicant's health or where the accommodation itself is not affecting the illness or health condition.

## **7.4 Band B: Category 1 Hazards**

Category 1 Hazards which the landlord is unable to address within 6 months including those occupying insanitary or unsatisfactory housing conditions. This applies to applicants where the Council's Environmental Health Officer has inspected the property and served a Category 1 Hazard notice. It also includes people living in a property in a poor state of repair, where the property lacks a bathroom, kitchen or inside toilet or utilities. In addition, the property must be in such a condition that the landlord is unable to resolve the situation within 6 months. The Council will reasonably use its powers to resolve the situation with the landlord. Tenants are also expected to cooperate with the landlord and Council to resolve the matter.

## **7.5 Community contribution qualification**

The Council is committed to supporting residents to take more responsibility for themselves, their neighbours and their communities. The community contribution scheme gives applicants with a qualifying housing need increased priority for housing.

Applicants must meet at least one of the reasonable preference criteria in band C in order to be considered for a community contribution award. Increased priority is given to households who make a contribution to the economic growth of the Borough or who make a contribution (as defined below) to their local community. Households who meet the criteria for band C but do not meet any of the community contribution categories will be placed in band D. Exceptions will apply to applicants of retirement age, carers, applicants with disabilities and single parent households with children aged below 5.

Applicants can qualify for a community contribution if they meet the one of the following criteria:

### **7.5.1 Employment community contribution**

We want to encourage households, who can, to work and increase residents' aspirations and self value. Working applicants who meet the need criteria of band C and meet the definition of a working household will be placed in band C otherwise they will be placed in band D.

At least one adult applicant is in employment. Employment is defined as continuous employment working at least 16 hours per week for lone parents and at least 30 hours per week for couples (with or without children) or single people. Proof of employment must be provided at the time of application and again at the time an offer of accommodation is made. Applicants must provide payslips, P60, bank statements or a letter on headed paper confirming the above.

Where applicants have lost their job through no fault of their own, for example redundancy, they will be allowed to retain their community contribution qualification for a maximum of six months whilst they seek to regain employment. The Council will seek proof of looking for work from the Job Centre or other main stream employment agency or job brokerage agency. If no evidence is provided the applicant will be placed in band D and notified accordingly. If employment was the applicants' local connection qualification the applicant will be removed from the Register and notified in writing.

### **7.5.2 Volunteering community contribution**

Applicants must have been volunteering for a continuous period of 6 months at the time an application to join the register is made and for the same period of time at the point an offer of accommodation is made. Applicants must be volunteering for a non-for profit organisation recognised by the Council or charity that is registered with the Charity Commission or is funded by the Council or another local authority. Volunteering must be for a minimum of 20 hours per month.

A letter is required, on headed paper, from the manager responsible for the volunteer within the organisation, confirming the applicant's involvement of 20 hours per month for six months.

### **7.5.3 Training or education community contribution**

The Council wishes to encourage people into employment by gaining skills that are valued by employers and thereby becoming more employable. This can be achieved by attending higher education, longer vocational courses or other work related training. All courses must lead to achieving an accredited, recognised qualification or certification by a registered awarding body.

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

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

A person must have been studying or training against the eligible criteria and definition outlined above, for a continuous period of at least 6 months up to the point of application and the same at point of an offer of accommodation. Training must be in addition to any mandatory training required.

Applicants who are also eligible for out of work related benefits must also be registered with Job Centre Plus and accessing mainstream job brokerage/employment agency provision and therefore actively seeking work (this may not apply to full-time students depending on their hours of study).

Once the applicant has successfully completed their training or education course, the applicant will retain their Education/Training Community Contribution priority for a period of 6 months. If after this time they do not provide evidence of meeting one of the community contribution criteria and provided they still have a housing need as detailed in the Council's allocation scheme, the applicant will be placed in band D.

#### **7.5.4 Exceptions to community contribution**

##### **People with disabilities**

Many people with disabilities and/or people living in supported housing, work or volunteer. However, there may be circumstances where a disability reduces this ability, prevents it or means the full eligibility criteria set out above cannot be met. Applicants who have been placed in Employment Support Allowance support group and applicants in receipt of the higher rate of Disabled Living Allowance or enhanced rate of Personal Independence Payment and applicants claiming Universal Credit who have been assessed as having limited capability for work & work related activity will be exempt.

Housing Register Officers will consider other cases on an individual basis and use their discretion to award a community contribution where they consider this appropriate.

##### **Retired People**

Retired people are defined as people who have reached the qualifying age for state pension credit (information on pension credit qualifying ages is available at [www.gov.uk](http://www.gov.uk) ). Many people continue working or volunteering well beyond retirement age. However, there is no requirement for retired applicants to demonstrate a community contribution. Provided the applicant meets local connection and local qualification criteria and banding criteria, the applicant will be placed in band A, B or C as appropriate.

### **Lone Parents with children aged below 5 years**

Many lone parents with young children are in employment, others volunteer or are in education or training in preparation for employment.

Lone parents with a child up to the age of 4 years will not be required to demonstrate a community contribution. When the youngest child of a lone parent applicant has turned 4 years old, the applicant is required to provide evidence that they are attending meetings/training/interviews with the DWP in accordance with the terms of their benefit entitlement. The applicant must provide documentary evidence of their involvement. If the applicant is not complying with the DWP's programme of preparing the applicant for employment or if no evidence is provided of compliance and the applicant is unable to demonstrate they meet one of the alternative community contribution categories, their application they will be assessed as having no Community Contribution and placed in band D.

On the fifth birthday of the youngest child, if the applicant is unable to demonstrate a community contribution (employment, training, volunteering) the Council will place the applicant in band D and notify the applicant in writing of the change.

### **Carers**

Applicants in receipt of Carer's Allowance or with an underlying entitlement to Carer's Allowance are not required to meet the Community Contribution and will be placed in bands A-C according to their circumstances. An underlying entitlement is when you qualify for Carer's Allowance but already receive an income related benefit such as Universal Credit. Instead you will receive a carer element in your income related benefit for example a carer element in Universal Credit.

### **Maternity**

Households in receipt of employer's maternity or paternity pay or Maternity Allowance are not required to have a Community Contribution and will be placed in band A-C according to their circumstances.

Applicants are required to contact the Housing Register Team to inform the Council when their maternity/paternity allowance has ended and to confirm their



employment/ training/volunteering status to enable their Community Contribution to be re-assessed.

## **7.6 Regular review of band A applicants**

The Council will undertake a review of each band A applicant every six months. The purpose of the review is to re-assess the applicant's housing circumstances and ensure they are in the appropriate band.

The outcome of a review may result in the applicant changing band. If this occurs, their active date will become the date the review decision was made. Applicants reserve the right to request a review of this decision (see section 10.4).

## **7.7 Assessing property size and type**

Applicants will be assessed to determine what size and type of property they qualify for based on their family size and structure. The size of property that different types of households will normally qualify for is shown in the table below.

Both bedroom deficiency and under-occupation are assessed by working out how many bedrooms the applicant's household needs, comparing it to the table below and comparing this to the number of bedrooms available to the household currently. If the applicant's household has more bedrooms than their assessed need, they are under-occupying the property. If the applicant's household has fewer bedrooms than their assessed need, the difference between these is a measure of bedroom deficiency.

<b>Household</b>	<b>Bedrooms needed</b>
Single person	1 room (bedsit type)
Single pregnant woman	1 bedroom
Couple	1 bedroom

Household (couple/single parent) with:

One child	2 bedrooms
2 same sex	2 bedrooms
2 opposite sex children eldest under 10 years	2 bedrooms
2 opposite sex children eldest 10 years or over	3 bedrooms
3 children	3/4 depending on ages & sex
4 children	3/4/5 depending on ages & sex
5 children +	4 / 5 depending on ages & sex

Due to the shortage of larger properties, applicants who are eligible for 4 bedroom properties may also be offered large 3 bedroom properties with two reception rooms.

Those eligible for 5 bedroom properties, which rarely become available, may be offered large 4 bedroom properties. In all cases this is at the discretion of the Registered Provider.

Children of the same sex are normally expected to share a bedroom. Children of the opposite sex are not expected to share a room when the eldest is aged 10 or older. A bedroom is allowed for adults aged 18 years and over (except couples) living as part of the household. Children will normally be expected to share bedrooms in accordance with the standards above, except in exceptional circumstances where children are unable to share because of severe disabilities. The Council's may seek the opinion of its Medical Advisor to understand the condition and impacts on the household's living arrangements.

Any person wishing to be included as part of an applicant's household must satisfy the Council that they are a permanent member of the applicant's household and that it is reasonable for them to reside with them.

In exceptional circumstances, the Council will consider allocating properties of alternative sizes to applicants. Such decisions will be documented and may consider advice from the Council's Medical Advisor or other information.

Any decision to offer a larger property based on health or welfare grounds will not automatically mean that any claim for assistance with rent through Housing Benefit will be agreed on a larger property than the Housing Benefit regulations allow. This may result in a refusal by the housing association landlord if they feel that the property would be unaffordable for the household.

## **7.8 Discretion to place applicants in a higher band**

The Council retains the right to exercise its discretion in exceptional circumstances, where in the Council's view a combination of the circumstances and needs of the applicant warrant their application being placed in a higher band. A record of the decision and reasons for exercising the discretion will be kept on the file of the applicant.

## **7.9 Setting a lettings plan for advertised properties**

The Council wants to ensure that, in general, applicants with the highest needs are housed more quickly, whilst enabling a range of applicants with different housing needs across all bands to be offered accommodation. A targeted lettings plan will help us to achieve this. The Lettings Plan will be reviewed every six months to ensure it is meeting the need for accommodation from different bands. The Council retains discretion to amend the plan at anytime to meet identified need, demand or exceptional circumstances, for example the need to decant transfer tenants as their homes are being redeveloped or to manage significant demand from homeseekers. The Lettings Plan will be published separately on the Council's website.

## **8. Bidding and Allocating Homes**

All properties that are available to the Council will be allocated from the housing register in accordance with the following procedure.

### **8.1 Advertising properties**

Properties from Registered Housing providers are advertised on a weekly basis and eligible applicants are able to place bids for suitable homes.

HomeChoice requires applicants to be proactive in selecting a property that meets their requirements from properties advertised by the Council. Once Homeseeker and Transfer Tenant applicants have been accepted onto the Housing Register and notified of banding, bedroom need and priority date, they can start to look for a property of their choice.

Available homes are advertised on a weekly basis on the Home Choice web site ([www.rbbc-homechoice.org.uk](http://www.rbbc-homechoice.org.uk)), this can also be accessed from the Council's web site. The website allows applicants to view all available properties in the Reigate and Banstead area and place bids for these.

From time to time, East Surrey HomeChoice properties are advertised. Applicants who qualify may bid for these homes (usually older person's accommodation). The decision on shortlisting and nominating for these homes is the sole responsibility of the Council advertising the property.

### **8.2 Advertisement deadlines**

Properties are advertised from midnight on Thursday. Applicants will have until 23.59pm on the Wednesday following the publication of the advertised properties to apply for up to three properties for which they wish to be considered. Applicants can bid via the website.

### **8.3 Property descriptions**

Properties advertised will include (where possible) a photograph of the property and a description. As a minimum the description will include:

- Rent / service charge – either social or affordable
- Type of tenancy - either fixed term or lifetime
- Type of property
- Number of bedrooms (i.e. bed spaces) and the permitted number of occupants
- Age restrictions

- Location of property
- Heating type
- Floor (flats)
- Landlord

Adverts will give information on who will qualify to apply for the property. For example, if the property is a sheltered housing unit, the advert may state that only applicants over a certain age would be eligible.

Properties will usually only be available to either Homeseekers or Transfer Tenants, although in some cases a property may be available to both types of applicants. The advert will also state that a property will be prioritised for applicants in a specific band(s).

#### **8.4 Applicant choice**

Where an applicant has an active application and meets the eligibility criteria, and is within the stated band or bands on the advert, they may bid up to three properties per advertising cycle.

Most applicants will be able to choose the type of accommodation that they wish to be considered for and this includes:

- the location of the property
- the types of property for example studio flat, flat, bungalow, house, maisonette, sheltered accommodation
- the floor level, if applicable

These choices are subject to some restrictions, see below. Band A and band H, and a specific group in band D will be made a single suitable direct offer of accommodation.

#### **8.5 Bidding for a property**

Applicants who are entitled to place bids should think carefully before placing bids on advertised properties because offers are limited to two per applicant (see section 9.3). Applicants should undertake their own research in relation to the advertised property. Things to consider may include:

- Affordability including rent, Council Tax and Service charges
- Travel to existing schools or work
- Availability of places in local schools
- Availability of public transport
- Local GP practices
- Access to shops and other services
- Parking

- Access to play areas/parks

Bids can be placed by support workers or advocates on behalf of vulnerable applicants. These bids will only be accepted if the express permission of the applicant has been given for bids to be placed by the named support worker or advocate on the applicant's behalf.

## **8.6 Direct offers of accommodation**

The Council will make a single suitable direct offer to applicants in band A, H and a specific group in band D. In these circumstances the properties will not be advertised on HomeChoice. However, the Council will report lettings information as part of the quarterly information published on the Council's website.

### **8.6.1 Band A Urgent Need offers, refusals and reduced priority**

Applicants placed in band A are deemed to have an emergency housing need and will be made one suitable direct offer of accommodation.

The assessment of suitability will consider any medical needs within the household, location of schooling, support networks, mobility and transport issues and any proven issues of violence or harassment.

If a suitable offer of accommodation is refused by a band A applicant, the Council will reduce their priority to band C providing they meet the qualifying criteria for the register and have a housing need as defined in band C. Their effective date will be the date the offer of accommodation was refused. Applicants who do not meet the qualifying criteria and / or do not have a housing need as defined in band C will be removed from the register.

Applicants affected by the above will be advised of their right to request a review of the suitability of the accommodation offered. This advice will be provided prior to the applicant making a decision to refuse the property, so that they are aware that they can accept the property and request a review. Information on how to request a review is in section 10.4.

### **8.6.2 Band H High Priority homeless households**

Households to whom the Council has accepted a statutory homeless duty under sections 193(2) or 196(2) of Part VII Housing Act 1996 (as amended) will be made one reasonable offer of suitable accommodation.

Offers to these applicants are likely to be flats. The assessment of suitability will consider any medical needs within the household, location of schooling, support

networks, mobility and transport issues and any proven issues of violence or harassment.

If suitable offers of accommodation are refused by these applicants the Council will end its duty under homeless legislation and the housing register application will be closed and applicant notified accordingly. Possession proceedings will start for their emergency accommodation. The applicant can re-apply to the housing register and their eligibility and qualification will be assessed in accordance with this scheme.

Applicants affected by the above will be advised of their right to request a review of the suitability of the accommodation offered. This advice will be provided prior to the applicant making a decision to refuse the property, so that they are aware that they can accept the property and request a review. Information on how to request a review is in section 10.4.

### **8.6.3 Band D Transfer Tenants from outside the borough**

Transfer tenants from outside the borough placed in band D because of their need to move into the borough to be closer to work or to take up a job offer will be made a single direct suitable offer of accommodation. If the offer is refused by the applicant, they will be removed from the register.

Applicants affected by the above will be advised of their right to request a review of the suitability of the accommodation offered. This advice will be provided prior to the applicant making a decision to refuse the property, so that they are aware that they can accept the property and request a review. Information on how to request a review is in section 10.4.

## **8.7 Which properties can applicants apply for?**

This section explains how different types of property are prioritised for different applicants.

### **Houses**

Priority for houses will normally only be given to applicants with dependent children where the youngest is aged 12 years or under and in exceptional circumstances to households who have been given priority for this type of property on health grounds.

### **Ground floor flats**

Ground floor flats will usually be prioritised for applicants with a need for this type of property on medical grounds.

### **Bungalows**

Bungalows will normally be allocated to applicants aged 50 or over or other applicants with a priority for this type of property on health grounds.

### **Accommodation for Older People**

Applicants for sheltered housing, and if applicable their partner, must normally be aged 55 or over, or aged 50 or over and have a registered disability.

Some blocks of flats are designated by the housing association for people aged 50, and in some cases 55 or over. Allocations of their flats will normally only be made to people who meet the age criteria.

### **Adapted Properties**

The Council would normally directly allocate these properties to the most appropriate applicant outside of any normal band or date or bedroom need criteria. For example an adapted property may be let to applicant with a need for fewer bedrooms than the adapted property has to meet the specific housing need of that applicant and ensure the property is used effectively. The applicant will need to carefully consider and demonstrate the affordability of a property that is larger than their housing need requirement before accepting an offer.

### **Supported Housing**

Supported housing vacancies will not usually be advertised. Before an allocation of supported accommodation is made, consideration will be given to each applicant's housing need, their support needs and suitability for a particular vacant. Nominations will be made in accordance with an agreed priority order, in discussion with the housing provider and other relevant agencies as appropriate.

Referrals to supported housing vacancies can be made by mental health teams, adult social care teams, probation, drug and alcohol agencies and housing staff. For more information, please contact the Housing Register Team on 01737 276790

### **Extra Care Housing**

Each scheme will determine the range of residents and the needs that it is able to support effectively in partnership with Surrey County Council.

Applicants wishing to live in Extra Care may be on the Housing Register, although referrals will also be made by statutory agencies directly to the Panel. Allocations to Extra Care schemes will be undertaken jointly by the Council, the Extra Care Housing Provider and Surrey County Council. The aim of each letting is to ensure that the Extra Care Scheme is able to provide the support required by the applicant, that the scheme provides for a balanced range of support needs and the applicant has the financial resources to meet their care needs if applicable. Lettings will therefore not be based on time spent waiting for an allocation, but will be based on a range of issues including, but not restricted to:

- Level of support and care required
- Local connection
- Financial resources of the applicant
- Availability of funding, if applicable, for social care costs.

Applicants may be nominated to flats that are larger than their needs, for example couples may be nominated to two bedroom flats.

## **9. Selection Procedure of Applicants for Nomination**

Once the deadline for placing bids on Home Choice advertised properties has passed, the Housing Register Team will check applicant's qualification for the type of properties applied for. The top applicant (with the longest priority date order) will be contacted, usually by Thursday lunchtime, and asked to provide the information listed below to the Housing Register Team. Failure to provide this information within two working days of the request will result in the applicant being bypassed and the next applicant will be considered.

If an applicant is bypassed for a property for which they placed a bid because they failed to produce the information required by the Council, this will be treated as a refusal of an offer and will count towards their two offers. If this is the second offer, they will be removed from the register. These applicants will have the right to reapply to join the waiting list and the right to a review of this decision.

Information to be supplied by applicant:

- Proof of identification
- Evidence of household income i.e. payslips
- Proof of local connection (residency/employment)
- Evidence of community contribution (employment/training/volunteering)

The evidence of local connection (residency or employment) and community contribution if applicable must show that the applicant has qualified and continues to qualify throughout the time their application has been active.

If the applicant no longer qualifies for a community contribution, or at some point since the last update of their application lost their community contribution priority, their application will be placed in band D. Their application date will become the date they no longer qualified for a community contribution priority. The applicant will be bypassed for nomination.

If the applicant failed to notify the Housing Register Team of a change in circumstances which means they no longer qualify to join the Register, for example because they no longer meet the local connection qualification, they have rent or council tax arrears or they have failed to keep to their repayment plan for an interest-free loan from the Homelessness Prevention Loan Scheme (HPLS) or a Guarantor Scheme Loan, they have an income or savings above the levels specified in the



policy then the applicant will be bypassed for nomination. The application will be cancelled. The applicant can re-apply to join the Register and if they qualify and are eligible they will be given a new effective date.

The Housing Register Team will contact housing association and private landlords or letting agents for information about the applicant's rent account. Checks will also be made regarding anti-social behaviour and breaches of tenancy agreement. Following receipt of all information a decision will be made by the team on nominating to the housing provider.

The Council provides financial assistance to some households to enable them to secure their private rented accommodation. This financial assistance includes, but is not limited to, payment of rent in advance, rent deposits, assistance with rent arrears and discretionary housing payments. Households who have been assisted financially by the Council to secure their current accommodation or placed in leased accommodation or assisted by the NextStep rent deposit scheme will be expected to maintain their tenancies and ensure the property remains in a condition which would not result in a claim by the landlord on the deposit. Some applicants will have entered into an agreement to repay interest free loans for rent deposit / rent in advance / arrears.

Where the Council has a financial interest in the tenancy and the applicant places a bid on Home Choice and is either shortlisted for a nomination or is nominated to a housing provider the Council or its Agent will undertake a Tenancy Check Out and will check the payments on their interest free loan are up to date.

The purpose of the Tenancy Check Out will be to inspect the condition of the property. If the property is found to be in an unsatisfactory condition for example poor cleanliness, damage to floor coverings, damage to fittings and fixtures, unacceptable levels of wear and tear, rubbish left in or around the property the applicant will be skipped on the shortlist or will have their nomination withdrawn.

The Council will contact the applicant by telephone and / or letter to arrange a visit. If the applicant fails to respond within 2 working days to the request or fails to allow the visit to take place the applicant will be skipped or have their nomination withdrawn.

The applicant will be advised in writing of the reason they were skipped and given advice on the steps they need to take to improve the property condition. Where an applicant fails to remedy the tenancy breach following a second bid and home visit or fails to allow a Tenancy Checkout to take place for a second time the applicant will be removed from the Register and notified of this decision, the reasons for it and their right to request a review of this decision.

If two or more applicants within the same band and with the same priority date are shortlisted for a property, the Council will review the individual circumstances of each application and may give preference to the applicant who is facing a more immediate loss of their current accommodation or in the greatest housing need.

Not all applicants are eligible for certain types of property. Specific eligibility criteria apply to specific types of property see section 8.7.

Where sheltered or age restricted properties have been advertised for a number of weeks with no qualifying applicants bidding on them, the Council may seek qualifying applicants through other means and make direct matches to those applicants. This will be done to assist housing associations to minimise vacancy periods.

### **9.1 Exceptions to shortlisting procedure**

The Council operates a flexible nominations policy within the top 5% of applicants on the Housing Register. The purpose of this policy is to ensure that nominations can be made to the most suitable applicant for a particular vacant dwelling. This will ensure that the most appropriate use of accommodation can be achieved for individual applicants.

The Council reserves the right to hold back up to five per cent of properties (excluding sheltered, Extra Care and age restricted accommodation) annually for direct nominations to specific types of applicant where it would not be possible for those applicants to use the scheme because of an identified risk to the applicant. Direct nominations will be made following consultation with other relevant agencies.

### **9.2 Local lettings policies**

From time to time the Council may apply a local lettings policy to a property or group of properties for initial lettings. This means that applicants in the highest band may not be considered first and preference may be given to applicants with a lower housing need and / or effective date. The aim of a local lettings policy is to create sustainable and balanced communities while making best use of affordable housing. Local Lettings Policies will be considered, for example:

- To provide a mix of working and non working households
- To meet a specific housing need in the borough for example applicants under occupying family accommodation
- To provide a mix of family and household sizes on a scheme
- To address housing management issues, for example the reduction of anti-social behaviour
- To support other Council initiatives such as regeneration areas in the borough

This policy will operate alongside our main Housing Allocation Policy and will have been agreed by the Council's Housing Portfolio Holder and Head of Housing in

consultation with the relevant Registered Provider as appropriate. Local lettings policies will be published on the Council's website.

Where advertised properties are subject to a local lettings plan, this will be clearly stated, a link will be provided to the Local Lettings Policy and guidelines for bidders will be included.

### **9.3 Sensitive lettings**

Occasionally a housing provider may request that a property is allocated as a 'sensitive let' this may, for example, be due to a need to reduce incidents of anti-social behaviour in a particular area or to ensure that vulnerable people are not housed in an inappropriate area. When such a request is received the Council may decide not to advertise this property on Home Choice and nominate an applicant directly from the housing register.

If such a property is advertised the marketing information for the property will make clear that this property is not subject to the usual shortlisting process. In these situations the Council may decide not to nominate the applicants with longest waiting time to ensure the property is let sensitively.

### **9.4 Discretion to make direct lets, sensitive lets or withdraw advertised properties**

The Council retains the right to exercise its discretion in exceptional circumstances, where in the Council's view a combination of circumstances requires a direct let or a sensitive let or a property to be withdrawn from advertising or where a direct let will bring a household's prevention or relief duty to an end. A record of the decision and reasons for exercising the discretion will be kept on file.

### **9.5 Nomination to Housing Associations**

The Council will provide the details of the highest priority bidder directly to the housing association. The housing association will contact the nominated applicant directly when they are ready to conduct pre-tenancy interviews, viewings, or tenancy sign ups. Applicants may be required to allow staff from the housing association to visit them at home to verify their circumstances.

Tenancy Check Outs will be undertaken for applicants that received Council financial assistance to secure their accommodation or were placed in leased accommodation. Checks will be made on interest free loan agreement payments. The applicant's nomination will be withdrawn immediately if a Tenancy Check Out finds that the condition of their current property is unacceptable and / or they have failed to keep to their loan repayment plan.

The applicant will be informed in writing of the decision and given advice on how to remedy the matter. Where this is the second time this has occurred, the applicant will be informed that their application has been closed.

Many housing associations retain their own allocations policies. Nominated applicants will be assessed in accordance with the housing association's own policies. In some, circumstances a housing association may refuse a nominated applicant because they do not meet their policies. This does not happen often but the most frequent reasons leading to applicants being bypassed are:

- Former tenant arrears
- Previous history of anti-social behaviour
- The household is too large or small for the property according to the housing provider's own policy

The applicant can request that the housing association undertakes a review of this decision. In these circumstances the applicant will be notified accordingly and the nomination will not count as a refusal of offer provided the applicant was not refused because of grounds that would exclude the applicant from the Council's register. Appendix 1 provides links to housing associations who advertise homes on HomeChoice.

## **9.6 Refusals of offers of accommodation**

If an applicant chooses to refuse an offer of accommodation, they need to provide the Council with written reasons for the refusal. If the applicant refuses this offer after being nominated to the housing association, they must also inform the housing association. The property would then normally be offered to the next applicant on the list.

With the exception of band A, H and out of borough transfers in band D, all applicants will be entitled to refuse one suitable offer. If a second reasonable offer is refused by the applicant, they will be removed from the Housing Register and notified in writing of this. The applicant can re-apply to join the Housing Register at a later date. The applicant has the right to request a review of this decision see section 10.4 on reviews.

A refusal of a property at any point following closure of the bidding cycle will be deemed as the first refusal. A subsequent refusal on another property will count as the second refusal.

If the Council considers that an applicant had reasonable grounds for refusal such as the property being unreasonable on medical grounds, then the offer will not count as a refusal. The housing register team will write and confirm either that the refusal was unacceptable or that it did not count as an offer.

See section 8.6 for information about the refusals off offers by band A, H and D transfer tenants from outside the borough.

### **9.7 Feedback on advertised properties**

An important part of the HomeChoice scheme is giving feedback about the lettings outcomes of advertised properties. Accompanying each weekly advert will be a feedback section giving details of previous properties allocated.

The personal details of successful applicants will not be disclosed. Feedback will include:

- Property locations
- Property size and type
- Number of applicants who applied for each property
- Band of successful applicant
- Application/priority date of successful applicant

Using this information, applicants will be able to see where properties are most likely to become available and where they may have the best opportunities of making a successful bid. Applicants need as much information as possible to help them make an informed evaluation of their housing options.

The Council will also publish quarterly data on the number of lettings by property type, area, band of applicant. This information will be available on the Council's website.

### **9.8 Assisting residents to move out of supported housing**

To help ensure residents living in supported housing can move on to independent accommodation, and free up much needed supported housing, a number of self-contained studios or one-bedroom flats will be made available annually as "move-on" accommodation.

These flats will be available only to housing providers that provide 10 or more supported housing places within Reigate and Banstead. Currently these are (this list is not exhaustive)

- Cherchefelle
- Wayside
- Transform
- YMCA (Hillbrook House, Lynwood Road)

- Sanctuary
- Next Step
- Prospect

Each of the above housing providers will be able to nominate one of their residents during each 12-month period to a self-contained studio or a one-bedroom flat. These flats will be offered in addition to any that may be allocated to their residents via the normal nomination procedure.

Applicants who have been nominated by their care providers or Supported Housing Provider as suitable for the Move-On scheme will be made one offer of accommodation, if this offer is refused and following a review deemed reasonable by the Council, that applicant will not be considered for an allocation via this scheme for a period of 12 months. These applicants will still be eligible to bid for properties on HomeChoice in the normal way.

### **9.9 Reciprocal arrangements between council and housing associations**

These apply where one landlord rehuses an applicant from another housing association or council on the understanding that the housing association who has given up a property will, at some stage, be offered a property for someone from their waiting lists. At Reigate and Banstead a reciprocal will be considered in the following circumstances.

- Where the applicant is fleeing violence, including domestic abuse.
- Where supported accommodation is vacant and there is no one on Reigate and Banstead's housing register in need of the type of accommodation in question.
- Where there are exceptional management reasons requiring a move e.g. when a tenant from another authority area is to be a witness in criminal proceedings and needs to be moved for their own protection.
- Where a request for assistance is made through the mobility scheme for the rehousing of victims of violence in accordance with procedures agreed by the Surrey District and Borough Housing Authorities.
- Where a request for assistance is made through the mobility scheme for the rehousing of offenders in accordance with the current protocol agreed by the Surrey District and Borough housing authorities and partner agencies.

Before any agreement is given to a reciprocal arrangement, a full written report of the circumstances is required. The Housing Register Team may also need to be

satisfied that an applicant in housing need from the Council's list can be housed by the housing association or Council within a reasonable time. A written commitment is also required.

## **10. Renewing and Updating Applications, Right to Information and Reviews**

### **10.1 Renewal of applications and change of circumstance**

Applicants will be invited to renew their application either six monthly or annually depending on their band and circumstances. They must provide details of their current circumstances and financial situation at this time.

An applicant who does not renew their application within 28 days of receiving the invitation to do so will be assumed to no longer require housing and their application will be cancelled accordingly. A letter will be sent to confirm that this. Applicants who reapply after their application has been cancelled will not normally benefit from the time accumulated on their previous application but will start again from the date on which their new application is registered.

Applicants who move to a new address or whose circumstances change after they have been accepted onto the Housing Register, e.g. someone joining or leaving the household, or a change in income or employment etc. should inform the Housing Register Team as soon as possible.

If following a change of circumstances or renewal of an application a change in the applicant's circumstances results in a band change or bedroom size change, the Council will inform the applicant in writing of the new band, bedroom size, the reason for it, and the new applicable priority date and their right to request a review of this decision.

If a joint application is no longer required and children are included within the application, the applicant with whom any dependent or non-dependent children reside (child's centre of interest) will retain the original application priority. In situations where children live part of their week with one parent and part of the week with the other, both applicants will be required to apply to join the Register and therefore will have new priority dates. The Council will make all reasonable efforts to contact both applicants with regard to the change of circumstances. The applicant that no longer has dependent or non-dependent children residing with them will be invited to complete a new application form. The completed application will be assessed and placed in the appropriate band. The priority date will be the date of the new application.

If a joint application is no longer required and the household consists of the two applicants only, the original application will be removed from the Housing List. The



Council will make all reasonable efforts to contact both applicants with regard to the application. Each applicant will be eligible to apply to join the register independently of one another. Each application will be assessed and placed in the appropriate band. The priority date of each application will be the date of the new application.

## **10.2 Cancellation of applications**

If information is obtained which indicates that an applicant, who has previously been accepted on to the register, is no longer eligible, the applicant will be informed in writing of the cancellation of their application.

The applicant has the right to request a review of this decision, see section 10.4 for more information on how to request a review and the review process.

## **10.3 Right to information**

Every applicant has the following rights regarding the provision of information:

- The right to request general information that will enable them to assess how their application will be treated including whether they are likely to be eligible for reasonable preference.
- The right to request general information that will enable them to assess whether housing appropriate to their needs is likely to be made available and if so how long it is likely to be before such accommodation becomes available.
- The right, on request, to be informed of any decision about the facts of their cases which has been, or is likely to be taken into account in considering whether to nominate them to a housing provider.
- 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 nominate them to a housing provider.
- The right, on request, to view the information held on their individual files. This request must be made in writing and provide the applicants name, address and specimen signature and must describe the information requested. The council may levy a charge of £10 which must be paid prior to the release of the information.

## **10.4 Reviews**

Every applicant has the right to ask for a review of any decision made regarding their application for housing where they have been found to be ineligible or do not qualify to join the Housing Register, and their application has been cancelled.

Applicants must request a review either in writing or by e-mail within 21 days of receiving the Council's decision. The request must explain the reason(s) why the applicant disagrees with the decision and include supporting information. It is acceptable for the request to be submitted by the applicant's representative on their behalf. In exceptional circumstances and at the discretion of the Council, this time limit may be extended. Reviews will be conducted by an Officer of the Council who is senior to the Officer who made the original decision and who was not involved in the original decision.

The review will consider the Council's allocation scheme, any legal requirements and all relevant information. The Council will reach a decision within eight weeks and will notify the applicant if there has been a delay in issuing the decision.

The Council will notify the applicant and or applicant's representative in writing of the outcome of the review and also verbally where the Council believes the applicant may have difficulty understanding the implications of the decision.

Once the decision has been issued the applicant cannot ask the Council for another review. In the event that the applicant is not satisfied with the outcome of the review, they can make a complaint to the Council. The complaint will be handled through the Council's Corporate Compliant Process, details of which are available on the Council's website [www.reigate-banstead.gov.uk](http://www.reigate-banstead.gov.uk) Applicants can make a complaint to the Local Government Ombudsman [www.lgo.org.uk](http://www.lgo.org.uk).

## **10.5 Data protection**

Information regarding a person's application for housing will not be disclosed to any third party or member of the public without the applicant's express consent unless the Council is required to do so legally. By signing the housing application form an applicant gives consent for Reigate and Banstead Borough Council to make relevant enquiries with regard to their housing need and their potential ability to maintain a future tenancy. The declaration also gives express consent to share such information with partner RSLs or other social housing providers when nominating applicants to be tenants of their properties.

In line with the Data Protection Act 1988, the Council believes that people have a right to see what information is kept about them on written records. As far as possible we will make this available, subject to certain restrictions.

## **10.6 Equality**

During the formulation of this policy account was taken of the Council's responsibilities within the Equality Act 2010, and its statutory responsibilities. The Council recognises the importance of fair treatment and equal access to our services. The Council has in place a Corporate Equality Policy outlining the Council's approach to fair treatment and equal access to all our services. Our approach is all embracing and designed to prevent discrimination on any grounds and promote equality and good relations within all communities.

The Council is committed to a fair and equitable housing policy and to providing equal opportunities for all during the processes of applying to join the Register, in providing advice and information, being assessed for qualification to join the Register and when making nominations to housing providers. All housing applicants will be assessed according to their housing need and in accordance with the published lettings policy.

Specifically, but not limited to, the Council aims to meet these aims through this policy by:

- Making reasonable adjustments, for example use of translation services, carrying out home visits, providing extra support for using the scheme and auto bidding.
- Enabling disabled applicants, following assessment, to apply for suitable adapted properties and/or larger properties than the standard set out in section 4.6 of the policy (subject to affordability assessment).
- Making all literature available in large font and written in plain English. The Home Choice web site is available in large fonts and has browse aloud compatibility.
- Recruiting staff with and training staff to have a good awareness of equality issues and to have a non judgemental attitude.
- Ensuring all relevant staff are well trained so they can assist vulnerable clients to access and use the scheme.
- Offering choice to as many applicants as possible over where they live and in what type of homes they live.
- Carrying out individualised assessments that focus on the needs within the household.
- Flagging identified vulnerabilities on the IT system so that staff are aware of them.
- Working closely with support agencies and advocates and taking their views into account.
- Recognising that a protected factor or other vulnerability might be a mitigating factor relevant in re-assessing an applicant's priority.
- Monitoring bidding to ensure all groups are using the scheme successfully and offer help where needed.

- Being clear in our decision making and aiming to dispel myths where we can.
- Collecting feedback on the scheme specifically relating to equality issues.
- Revising the scheme when needed to meet our Equality Duty.

### **10.7 Members of the Council, staff members and their relations**

To ensure that the Council is seen to treat all applicants fairly, any application for housing or re-housing from members of the Council, employees of the Council or associated persons must be disclosed. These applicants will be dealt with in the normal way, but any nomination of housing will require specific approval by the appropriate Corporate Head of Service.

### **10.8 Monitoring and reviewing the allocation policy**

Circumstances may arise which require changes or updates to be made to the allocation of policy. The Head of Housing and Welfare (or equivalent officer) is authorised to make minor amendments to the policy in consultation with the Housing and Welfare Portfolio (or equivalent). A brief summary of any changes will be available on the Council's website.

The allocation policy will be reviewed annually and any major changes will only be made following consultation with housing register applicants, housing association and other stakeholders.

## Appendix 1 Housing Associations using Home Choice

The Council's Housing Register and Allocations Policy operates alongside the allocation policies of social housing providers with housing stock in the borough. Housing providers usually undertake their own checks on the applicant and will consider the applicant within the framework of its own allocation policy.

Below are web links to housing associations which advertise properties on HomeChoice.

<b>A2 Dominion</b>	<a href="http://www.a2dominion.co.uk">www.a2dominion.co.uk</a>
<b>Accent Peerless</b>	<a href="http://www.accentgroup.org">www.accentgroup.org</a>
<b>Amicus Horizon</b>	<a href="http://www.amicushorizon.org.uk">www.amicushorizon.org.uk</a>
<b>Anchor Trust</b>	<a href="http://www.anchor.org.uk">www.anchor.org.uk</a>
<b>The Guinness Partnership</b>	<a href="http://www.guinnesspartnership.com">www.guinnesspartnership.com</a>
<b>Hanover</b>	<a href="http://www.hanover.org.uk">www.hanover.org.uk</a>
<b>Housing &amp; Care 21</b>	<a href="http://www.housingandcare21.co.uk">www.housingandcare21.co.uk</a>
<b>Hyde Housing</b>	<a href="http://www.hyde-housing.co.uk">www.hyde-housing.co.uk</a>
<b>London &amp; Quadrant</b>	<a href="http://www.lqgroup.org.uk">www.lqgroup.org.uk</a>
<b>Mount Green</b>	<a href="http://www.mountgreen.org.uk">www.mountgreen.org.uk</a>
<b>Orbit South</b>	<a href="http://www.orbit.org.uk">www.orbit.org.uk</a>
<b>Raven Housing Trust</b>	<a href="http://www.ravenht.org.uk">www.ravenht.org.uk</a>
<b>Sanctuary</b>	<a href="http://www.sanctuary-housing.co.uk">www.sanctuary-housing.co.uk</a>
<b>Southern Housing Trust</b>	<a href="http://www.shgroup.org.uk">www.shgroup.org.uk</a>
<b>Stonewater</b>	<a href="http://www.stonewater.org.uk">www.stonewater.org.uk</a>
<b>Thames Valley Housing Association</b>	<a href="http://www.tvha.co.uk">www.tvha.co.uk</a>

**YMCA East Surrey**

[www.ymcaeastsurrey.org.uk](http://www.ymcaeastsurrey.org.uk)