

Housing Allocation Scheme for Herefordshire 2023

Updated April 2025

Record of amendments to allocations scheme		
Date of change	Section Amended / Added	Reason for Change
April 2025	6.4	<p>Removed reference to Housing Wizard and signposted to Home Point website as an alternative.</p> <p>Signposted to Landlord and Tenants responsibilities page on the council's website.</p>
	7.6.1	<p>Added a section around qualification for properties with a Section 106 agreement. This has been included in order make clear the difference between the local connection requirements of this allocations scheme and the local connection requirements set out in Section 106 agreements.</p> <p>The distinction between these local connection requirements has not previously been addressed in the allocations scheme. They are governed by differing legislation.</p>
	7.6.3	<p>There are times when people that are not required to have a local connection to become registered on Home Point are excluded from applying for homes where there is a Section 106 local connection requirement in place.</p> <p>The use of the special circumstances clause in Section 106 Agreements has been included to raise awareness of and support Registered Providers to consider vulnerable groups that do not require a local connection to Herefordshire to become registered on Home Point e.g. victims of Domestic Abuse, Care Leavers and Armed Forces personnel when making decisions.</p>
	7.8	<p>Additional text added to exempt Care Leavers from Local Connection.</p> <p>On the 24th September 2024 the Government announced that UK Armed Forces Veterans, victims of domestic abuse and care leavers under the age of 25 were to be exempt from any local connection requirement.</p> <p>Armed Forces Veterans and Victims of Domestic Abuse were already exempt from Local Connection in this policy.</p>
	7.10 i	<p>Additions and clarifications to text around exclusions from affordability test, specifically:</p> <p>Fostering and Kinship Care payments for children, to ensure families that Foster or undertake Kinship Care are not disadvantaged.</p> <p>Data from the 2021 Census indicated that the median age for adult children leaving their family home in England and Wales was 24 years. Households should not be disadvantaged by accommodating their adult children as they study or work and save to afford a home of their own.</p>
	7.10 iii	<p>The allocations scheme sets the thresholds for capital, savings and investments of £50,000 (under 50 years of age) or £100,000 (aged 50 or over). Those with investments above these sums will not normally qualify to join the housing register.</p> <p>The policy states that there are some exceptional reasons / circumstances where this rule will be disregarded. The following statement has been added to this section:</p>

		<i>An exception will also be made for victims of domestic abuse whose assets are tied up in legal proceedings or the sale of which is being prevented as a form of economic abuse.</i>
	8.4.3	Housing for care experienced children and young people Definitions updated and section made clearer. Section around additional preference for eligible young people clarified to ensure that additional preference is added when a young person registers up until the age of 25 years.
	8.4.4	Clarification: Supported housing does not include crash pad type accommodation, refuge, dispersed refuge or safe accommodation commissioned by Herefordshire Council for vulnerable groups.
	9.14	Addition of the following for clarity: Applicants wishing to re-join the register do not have to have been assessed as ready to move on prior to re-registering.
	Appendix A	Addition of Wyedean Housing to contacts list.
	Appendix B – Care Leavers Band A	Addition of care leavers to Band A to reflect current practice and national guidance. This is already happening in practice in line with national guidance, so the allocations scheme has been updated to reflect this.
	Appendix B – Disrepair Band A	Addition of: Checks will be made with the landlord where applicable or through other resources to confirm the housing circumstances of the applicant.
	Appendix B – homeless households Band A	Additional information added for clarity: This includes victims of domestic abuse that have been placed in temporary accommodation e.g. refuge, dispersed refuge and safe accommodation commissioned by Herefordshire Council. An alternative to homelessness for victims of domestic abuse is available through Band B harassment.
	Appendix B – Accessible Home Band B	Removal of requirement for all applicants to be an occupational therapy assessment for Accessible Homes. This has been amended in consultation with occupational health. Many people requiring accessible homes will have well documented medical conditions that do not require any further assessment.
	Appendix B – Harassment Band B	Removal of requirement for a clear history of alternative solutions has been removed. This is difficult to evidence and is not in keeping with Statutory Guidance.
	Appendix B – Hardship Band B	Clarifications made for easier interpretation.
	Appendix B - Urgent Medical Welfare Band B	Reviewed and updated to better reflect the Allocation of accommodation guidance for Local Authorities.
	Appendix B – Move On Band B	Move on from supported accommodation. Some exclusions added for clarity. Clarification has been added to ensure that crash pad type accommodation, refuge, dispersed refuge and safe accommodation commissioned by Herefordshire Council are not considered to be settled accommodation.

	Appendix B – Affordability Band C	Additional exclusion of fostering a kinship care payments for children.
	Appendix B Hardship Band C	Clarification made for easier interpretation.
	Appendix B – Non-urgent Medical Welfare Band C	Reviewed and updated to better reflect the Allocation of accommodation guidance for Local Authorities.

Contents

1. INTRODUCTION	7
2. AIMS	8
3. SCOPE	9
4. LEGAL FRAMEWORK.....	10
4.1 Equality statement.....	10
4.2 Statement on choice and constraint	11
4.3 Confidentiality, data protection & information sharing	11
5. ROLES OF OFFICERS: DECISION MAKING AND BENEFICIAL INTERESTS.....	12
6. ADVICE AND ASSISTANCE	13
7. WHO CAN APPLY?	14
7.1 Eligibility	14
7.4 Qualification	15
7.5 Local Connection	15
7.6 Qualification for properties with a Section 106 agreement.....	16
7.6.3 Special Circumstances.....	18
7.7 Local Connection for Armed Forces Personnel	18
7.8 Local Connection – Victims of Domestic Abuse and Care Leavers.....	18
7.9 Right to Move	18
7.10 Those who do not qualify	19
7.11 Young people aged 16-18 years old.....	22
8. ASSESSMENT OF HOUSING NEED	23
8.1 Banding scheme	24
8.2 Time limited banding	24
8.3 Reasonable Preference	25
8.4 Additional Preference	25
9. HOW TO APPLY TO THE HOUSING REGISTER.....	27
10. PROPERTY SIZE NEED.....	34
11. HOW PROPERTIES ARE LET	36
12. OFFERS.....	40

13. HOMELESS HOUSEHOLDS WHO ARE OWED THE FULL HOMELESSNESS DUTY....	43
14. MANAGING CHANGES.....	44
APPENDICES.....	45
APPENDIX A: List of Registered Providers and contact details	45
APPENDIX B: Banding criteria detail.....	47
APPENDIX C: Property size.....	58
APPENDIX D: Right to review decisions on applications or offers	61
APPENDIX E: Monitoring and review	63
APPENDIX F: Service standards	64
APPENDIX G: Complaints.....	65
APPENDIX H: Supporting Documents for Applicants	66
GLOSSARY.....	71

1. INTRODUCTION

- 1.1 The Housing Act 1996 requires every local authority to develop and publish an allocations scheme for determining the priorities and detailing the procedures to be followed in allocating social housing. Recent legislation has allowed local authorities more freedom to determine policies that best meet local circumstances and priorities, within the constraints set out in the Housing Act 1996, as amended (“the 1996 Act”). This is Herefordshire Council’s Housing Allocation Scheme.
- 1.2 Herefordshire Council does not own any housing stock. It works in partnership with Registered Providers of social housing operating in the county to address housing need through the allocation of social housing.
- 1.3 This scheme clarifies the roles and responsibilities of the local authority and the Registered Providers, and the legal responsibilities of each for delivering the local authority’s statutory duties in relation to the allocation of housing. It details the arrangements for applying to register for social, intermediate and affordable rented housing (hereafter referred to as ‘social housing’), and the process by which it is let in Herefordshire.
- 1.4 Herefordshire Council has nomination agreements with the main Registered Providers of social housing in the county. These are listed in Appendix A. The council addresses housing need through these agreements, which specify the percentage of vacant properties that will be offered to applicants on the council’s register who have been assessed and banded by the Home Point Service i.e. those in bands A - D. The percentages vary from 60% to 75%, depending on the Registered Provider, the property location and type.
- 1.5 This policy sets out:
- The aims of the policy.
 - Who can register.
 - Roles and responsibilities of council staff.
 - How an applicant’s housing needs are assessed.
 - How the housing register operates.
 - How social rented homes across the county are let.

Acceptance on to the register is not an immediate housing solution and does not guarantee that an offer of accommodation will be made.

2. AIMS

2.1 The key aims of this policy are to:

- Ensure that the housing allocation process is transparent to applicants;
- Meet the legal requirements for the allocation of social housing;
- Provide choice of social rental homes to meet applicants' needs;
- Support better use of existing housing stock within the county;
- Help to prevent homelessness and minimise the use of temporary accommodation;
- Ensure and promote equality of opportunity in accessing the council's housing allocation scheme;
- Contribute to the development of sustainable communities.

2.2 We will deliver these aims by:

- Operating a housing allocation scheme where applicants are placed in bands according to their level of need;
- Providing support and advice for customers when they need it;
- Providing applicants with information on supply and demand;
- Ensuring that every application for the housing register is dealt with fairly and consistently, so promoting equality of opportunity;
- Supporting and encouraging applications from all applicants who may qualify for the register;
- Facilitating mobility where doing so will meet household needs.

3. SCOPE

This scheme applies to people seeking social, intermediate and affordable rented housing (hereafter referred to as ‘social housing’) in Herefordshire as their only or principal home, and the process by which it is let in the county.

What is an allocation?

If a council, as is the case in Herefordshire, does not have its own social housing stock, the allocation process occurs when the council ‘nominates’ a person to be a tenant of housing accommodation held by a Registered Provider.

Where a choice based lettings system is in place, as in Herefordshire, the local authority recognises in principle where an applicant bids for a property, and is successful in obtaining a tenancy, the offer of that property to applicants in shortlist order is a nomination and complies with the nomination agreement.

Individual Registered Providers have their own lettings policies, including exclusion criteria, and will review the bids against these before making an offer of accommodation. Applicants therefore should read the policies, which can be viewed on individual Registered Provider’s websites and the Home Point website.

Exempt Allocations

The following are not subject to the banding scheme or the nomination agreements:

- Succession to a tenancy under s.17 of the Housing Act 1988;
- A mutual exchange with another tenant;
- Assignment of a tenancy;
- Transfer of a tenancy in accordance with a court order under Family Law provisions or under the Civil Partnership Act 2004;
- A starter tenant becoming an assured tenant;
- Any provision of temporary accommodation.

4. LEGAL FRAMEWORK

The primary legislation governing the allocation of social housing is Part 6 Housing Act 1996, (as amended), and the associated statutory codes of guidance and statutory instruments.

This legislative framework applies to Herefordshire Council directly and requires Registered Providers to ‘cooperate to such an extent as is reasonable in the circumstances in offering accommodation to people with priority under the authority’s scheme’.

The Allocation Scheme has been developed to be compatible with other relevant legislation and guidance including, but not restricted to:

- The Human Rights Act 1998
- The Data Protection Act 2018
- The Domestic Abuse Act 2021
- The Freedom of Information Act 2000
- Children (Leaving Care) Act 2000
- The Equality Act 2010
- The Homelessness Reduction Act 2017
- The Localism Act 2011
- Armed Forces Covenant, created by virtue of the Armed Forces Act 2011.
- Public Sector Accessibility Regulations 2018

A summary of this scheme is available free of charge to any person who asks for a copy. It is available on Herefordshire Council and Home Point websites. This document is the full version of the policy and is also available on Herefordshire Council’s website. If requested a hard copy can be provided on payment of a reasonable fee (to be confirmed at time of request).

4.1 Equality statement

Herefordshire Council is committed to equality and dignity for all members of the community, and supports the principles of the council's Equality Policy 2020 - 2023, including promoting acceptable behaviour, making fair and equitable decisions and providing accessible services.

The allocation scheme is designed to ensure that it is compatible with the council’s equality duties, including the duty to eliminate unlawful discrimination and to promote good relations between persons who share a relevant protected characteristic and those who do not. The protected characteristics are age, race, disability, sex, marriage and civil partnership, pregnancy and maternity, sexual orientation, religion or belief and gender reassignment.

The policy ensures that each applicant is assessed on the basis of individual need. In addition, the assessment will seek to identify, and meet, any special requirements and to provide support to vulnerable applicants.

Herefordshire Council expects all Registered Providers to ensure that they comply with the Equality Act 2010 and have their own Equality policies available.

4.2 Statement on choice and constraint

Herefordshire Council is committed to enabling applicants to play an active role in choosing where and the type of property they want to live in, whilst continuing to house those people in the greatest need. Applicants can indicate their areas of choice through expressing an interest (also known as 'bidding') on advertised properties.

It is important to know, however, that the demand for accommodation is higher for some types of property and is greater in some areas than others. In making a decision about the choices available, applicants need to consider the urgency of their housing need and the availability of properties in any given area.

Whilst the policy offers applicants choice, there will be a number of instances where this may not be possible, for example:

- The applicant does not meet the criteria for the housing scheme or the empty property;
- There is a legal agreement restricting who can be offered the property;
- There is a local lettings plan in place;
- The applicant has been accepted under the full homeless duty;
- There are few properties of the size or type in the chosen area.

Applicants should note that the decision to make an offer of a property is made by the Registered Provider, **not** Home Point.

4.3 Confidentiality, data protection & information sharing

All information processed by the council in respect of housing applications is done so in accordance with the provisions of the Data Protection Act 2018. Information you provide in support of the application will only be shared with partner agencies who provide social and affordable housing and are part of the data sharing agreement.

Details about how your information will be used can be found on Herefordshire Council's website.

Details relating to a person's application will not be disclosed to any other third party without the express permission of the applicant to do so unless it relates to crime prevention or detection.

An applicant has the right to request details of the information held about them. This can be done via the Access to Information page on the Herefordshire Council website.

5. ROLES OF OFFICERS: DECISION MAKING AND BENEFICIAL INTERESTS

5.1 Officer responsibilities

Home Point administers the housing register. It does not make offers of housing. These are made by the Registered Providers.

Certain functions within the scheme can only be undertaken by a senior officer or manager and, where this is the case, it has been identified in the allocation scheme.

Whilst the council aims to achieve clarity and transparency for the public, there is discretion to vary qualification, priority and property size rules to provide a degree of flexibility in the implementation of the scheme when considering individual cases. Any use of this flexibility will be subject to determination and confirmation by the Housing Services Manager (HSM). The HSM will take into account all relevant circumstances when making the decision.

Any officer who is related to, or knows an applicant, personally will not be involved in any aspect of the application.

5.2 Councillors, board members, employees and their close relatives

This scheme is designed to ensure that Herefordshire Council is transparent and equitable. Applicants who work for the council, a Registered Provider, a board member of a Registered Provider or is a member of the council must disclose any such relationship when applying for housing. Failure to disclose so may result in the application being cancelled.

The Allocation Scheme is open to any qualifying applicant and there are stringent checks in place that all applicants must follow. Staff, council or board members and their relatives are treated as any other applicant and must not gain any advantage or any preferential treatment in the course of their application: nor shall they be disadvantaged.

6. ADVICE AND ASSISTANCE

The council acknowledges that this Allocation Scheme requires the active participation of housing applicants and to reflect this, the council aims to provide advice and assistance as required by s.166(1) and s.168(1) of the Housing Act 1996.

6.1 General information about the scheme will be made available as follows:

- Information about the procedures for applying;
- How it works;
- Information about how applicants are banded.

6.2 Applicants will also be provided with information regarding their own application which will include:

- What information they need to supply to complete registration and the **timescales** for providing the information;
- If they do not qualify to register, Housing Solutions can provide information on what other options are available;
- What band they have been awarded under this policy;
- What size properties they are entitled to;
- Effective date of registration.

6.3 Applicants who have difficulty reading or understanding this scheme may benefit from the following services:

- An interpretation service if their first language is not English;
- Signing if speech or hearing is impaired;
- Provision of documents in large print if an applicant is visually impaired;
- Information about where independent advice is available.

6.4 Home Point can also provide information about other housing options.

This will include:

- Advice on Registered Providers operating in the county;
- Assistance in making an application to the housing register.

The council's Housing Solutions team can provide:

- Advice and help on renting in the private sector;
- Advice and assistance if homeless or threatened with homelessness.

Advice is also available on the Home Point website.

Existing tenants who are experiencing difficulties within and around their tenancies, should ~~can~~ also contact their own landlords regarding any issues around anti-social behaviour or neighbourhood nuisance. If issues are unable to be resolved by the landlord, the tenant should contact the Environmental Health Team for further advice and assistance re poor condition of property and landlord issues. More information can be found on the Landlord and Tenants responsibilities page on the council's [website](#).

7. WHO CAN APPLY?

Applicants must be eligible and must qualify to be accepted on to the council's register. Home Point undertake the process of eligibility and qualification assessment for acceptance on to bands A-D of the housing register.

7.1 Eligibility

Parliament sets the criteria for eligibility in respect of access to housing in the UK. Herefordshire Council is then required to determine whether applicants are eligible for housing assistance under UK immigration and nationality regulations.

Herefordshire Council will ensure compliance with the statutory provisions for eligibility, as amended from time to time by central government.

7.2 Ineligible households

Certain people are not eligible for admission to the housing register by law.

7.3 Applicants who are currently not eligible to go on the housing register include the following:

- a) People who are subject to immigration control; unless they have refugee status or exceptional leave to remain, or have been in the UK more than five years and their former sponsor is no longer living;
- b) The following are not eligible for inclusion on the housing register even though they are not subject to immigration control:

- Those who are not habitually resident in the UK, Channel Islands, the Isle of Man or the Republic of Ireland;
- Those whose only right to reside in the UK is derived from their status as a jobseeker or the family member of a jobseeker;
- Those whose only right to reside is the initial right to reside for a period not exceeding three months under Regulation 13 of the European Economic Area regulations;
- Those whose only right to reside is as the parent of a UK citizen child who has no other rights to reside in the UK.

c) Any other person as prescribed by the Secretary of State.

It is not practical to define precisely all the circumstances in which restrictions may apply. The guidance above is an overview of eligibility at the time of approval of the policy. Anyone unsure of their status should seek detailed advice from Home Point.

If there is any uncertainty about an applicant's immigration status, the council will contact the UK Border Agency to check the position.

Applicants who are ineligible to be accepted on to the register will be notified in writing of the decision. These applicants are also not eligible for social housing provided by the Registered Providers.

The eligibility provisions do not apply to applicants who are already secure or introductory tenants or assured tenants of a Registered Provider if considered to have a reasonable preference for an allocation.

7.4 Qualification

All applicants eligible to join the council's housing register will be considered, provided that the application is made in accordance with this policy.

7.5 Local Connection

To qualify to join the housing register applicants should have a local connection to the county.

Local connection in this context means that the applicant meets at least **one** of the following criteria:

- a) Currently living in the county (in settled accommodation or accommodation of choice) for at least 2 years continuously or for 3 years out of last 5 years at the point of application;
- b) Have close relatives living in the county (parents, adult children, brothers or sisters) who have done so for at least the last 5 years at the point of application;
- c) Be employed and have worked in the county for at least 12 months in a job that is for more than 16 hours per week, or has an offer of permanent employment for more than 16 hours a week with a confirmed start date;
- d) Is a Herefordshire looked after child or care leaver, or is a care leaver under the age of 21 who has lived in the county for at least two years, including some time before turning 16;
- e) Exceptional circumstances, at the discretion of the Home Point Team Leader together with the Housing Services Manager (HSM), in consultation with statutory agencies e.g. the police, Children's services, Adults and Communities.

For the purposes of determining qualification on residency grounds, living in the county shall not include the following:

- Occupation of a mobile home, caravan, motor caravan or houseboat where it is not their only or principal home;
- Occupation of a holiday letting for the purposes of a holiday;
- Occupation in student accommodation where it is not their principal home;
- Occupation of temporary accommodation when placed there by other local housing authorities;
- In-patient of a hospital or similar settings where the applicant has a connection elsewhere.

Under some exceptional circumstances, such as where there may be an overriding housing need to be met or a duty to a statutorily homeless person, the qualification rules may be waived by the Housing Services Manager.

Applicants without a local connection to the county who have a housing need in one of the reasonable preference categories will be placed in the reduced preference band (i.e. Band D).

7.6 Qualification for properties with a Section 106 agreement

7.6.1 The 'Local Connection' requirements set out in this allocations policy are separate from those set out in S106 agreements for housing developments. Not all properties are subject to a Section 106 agreement, but where these exist they normally grant priority for affordable housing initially to applicants with a local connection to the ward, parish or village. Applicants with a local

connection to the area take precedence over all others on the register for these properties for an initial period.

7.6.2 Herefordshire Council has reviewed the local connection criteria in relation to family association for properties with a Section 106 agreement. Registered Providers can now include associations with a wider group of family members such as step-parents, grandparents, grandchildren, aunts or uncles provided there are sufficiently close links in the form of frequent contact, commitment or dependency.

For properties with a Section 106 agreement, Local Connection means having a connection to one of the parishes specified. The criteria are as follows:

- Is or in the past was normally resident there (having resided in one of the parishes in the County of Herefordshire for 6 out of the last 12 months or 3 out of the last 5 years); or
- Is employed there (in the employ of another (or a formal offer of such employment) not being of a casual nature but shall not exclude part-time employment of 16 hours or more per week or self-employment); or
- Has a family association there (where a person or a member of their household has parents, adult children, brothers or sisters, step-parents, grandparents, grandchildren, aunts or uncles or such other person as defined in the Housing Act 1996 or such other successor legislation as amended currently residing in one of the parishes of the County of Herefordshire and who have been resident for a period of at least 12 months and that person indicates a wish to be near them); or
- A proven need to give support to or receive support from family members (need to provide or receive personal and physical care to enable a person or a family member to live independently in the community and includes people who are in need of such support but are not normally resident but have long standing links with the local community); or
- Because of special circumstances (shall not normally apply but amount to circumstances which in the view of the Council may give rise to a Local Connection).

Please note that family associations is determined with regard to the fact-specific circumstances of each individual's / household's case. Applicants may need to provide written evidence from the family member to the Registered Provider.

Applicants with a local connection will be given priority in the following order:

- People who live there;
- People who work there;

- People with a family connection there (as defined as above);
- People who give/receive care and support there.

7.6.3 Special Circumstances

There is a special circumstances clause included in Section 106 agreements which the Local Authority can approve. The council encourage Registered Providers to use this clause to support vulnerable groups that do not require a local connection to Herefordshire e.g. victims of Domestic Abuse, Care Leavers and Armed Forces personnel. Registered Providers should contact Strategic Housing for approval when seeking to apply this clause by emailing; housingdevelopment@herefordshire.gov.uk .

7.7 Local Connection for Armed Forces Personnel

Local connection requirements will not apply to the following applicants:

- Members of the Armed Forces and former Service personnel.
- Bereaved spouses, unmarried and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner;
- Serving or former members of the Reserve Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service;
- Divorced or separated spouses, separated unmarried and civil partners of members of the Armed Forces who have lived in Services Family Accommodation for a minimum of two years and are required to vacate the Services Family Accommodation following a relationship breakdown.

Armed Forces personnel should also refer to section 8.3 below.

7.8 Local Connection – Victims of Domestic Abuse and Care Leavers

Local connection requirements do not apply to victims of domestic abuse or Care Leavers aged up to 25 years.

7.9 Right to Move

The government introduced the Right to Move in 2015. This means that local connection criteria may not be applied to existing social tenants seeking to move from another local authority district in England who:

- Have a reasonable preference because of a need to move to the council's district to avoid hardship, **and**

- Need to move because the tenant works in the district, **or**
- Need to move to take up an offer of work.

7.10 Those who do not qualify

An applicant will **not** be accepted on to the council's housing register for social housing if at the point of application: -

- i) They have sufficient financial resources to resolve their own housing need. Applicants without dependents with a **gross** annual **household** income of £35,000 or above or applicants with dependents with a combined **gross** annual **household** income of £45,000 or above will not normally qualify to join the housing register. Gross household income includes income and benefits but excludes the following:
 - Housing Benefit
 - Disability Living Allowance
 - Personal Independence Payments
 - Child Benefit
 - Attendance or Carer's allowance
 - Fostering and Kinship Care payments for children.
 - The income of any working / adult children (aged 16 to 25 inclusive) living in the household other than any contribution that they make to household costs e.g. contribution to household rent and bills.
 - Savings that belong to working / adult children (aged 16 to 25 inclusive) living in the household.
 - Overtime payments for applicants who are current social housing tenants within Herefordshire and wish to move due to downsizing or due to no longer requiring major adaptations within their property.
- ii) Those with household capital, savings or assets of £50,000 (under 50 years of age) or £100,000 (aged 50 or over) will not normally qualify to join the housing register.
- iii) When making the financial assessment, where capital/savings are available for specific reasons these may be disregarded if there are exceptional circumstances. For example, it is standard practice to disregard any lump sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active service. An exception will also be made for victims of domestic abuse whose assets are tied up in legal proceedings or the sale of which is being prevented as a form of economic abuse. More information about how perpetrators use joint mortgages as a form of economic abuse can be found on the [surviving economic abuse](#) website.
- iv) Applicants over 60 years of age with capital, savings or assets worth up to £150,000 may be accepted on to the register for older people's housing schemes **only** where they have

a need for it. Registered Providers generally assess the need for this type of housing scheme prior to an offer being made.

7.10.1 *Suspended applications*

There are some circumstances where an application may be suspended from bidding for properties for a specified period of time. Suspended applicants will not be eligible for a direct let.

An applicant is likely to be suspended for the following reasons:

- a) The applicant has refused three suitable offers of accommodation in 12 months which were upheld following a review or where no review was requested (see refusal of offers paragraph 12.2 page 35);
- b) The applicant is offered a property pursuant to s193 full housing duty and refuses the offer of accommodation; their application will be suspended pending a review of suitability if requested;
- c) The applicant has engaged in anti-social behaviour or other housing related conduct which would render her/him an unsuitable tenant;
- d) The applicant has a housing related debt;
- e) The applicant has deliberately given false or misleading information.

7.10.1.1 *Unacceptable behaviour*

Where Home Point is satisfied that the applicant (or a member of their household) has carried out acts of unacceptable behaviour serious enough to make them unsuitable to be a tenant the applicant will be suspended from bidding, unless statutory duties in respect of the applicant and their household apply. This may include instances where legal proceedings had been undertaken e.g. Possession Order, Tenancy demotion, Noise Abatement Notice or where the provider has applied for an anti-social behaviour injunction whether or not the applicant has given an undertaking to stop said behaviour. There is no need for the applicant to have been a social tenant. Unacceptable behaviour will include significant rent arrears or other housing debt and serious anti-social behaviour, for example, violence or conviction for the supply of drugs. This list is not exhaustive.

7.10.1.2 An applicant may also be suspended if:

- The applicant or a member of the household has engaged in anti-social behaviour that would not be sufficiently serious to entitle the landlord to seek possession of their home or pursue legal proceedings such as an injunction but it has nonetheless caused other people distress or annoyance or has been persistent and there is evidence to support this decision. In instances where tenants are asked to sign an Acceptable Behaviour Contract, applications will be suspended until such time as the Housing Services Manager is satisfied that a tenant has complied with the terms of the contract.
- The applicant has housing related debts and has failed to make or keep to an arrangement to clear the debt.
 - Examples of the type of debt include: outstanding arrears from a current or previous tenancy to a social landlord or local authority; outstanding arrears of rent and other charges from stays in temporary accommodation; 'use and occupation' charges (mesne profits); arrears on repayments due to deposits, loans etc. provided through previous interventions by the council's housing service.
 - Council Tax, Housing Benefit overpayments and any other 'non-property' debt will not be considered under this scheme. This also includes property related debts that are covered by a bankruptcy order.
 - In the case of suspension for arrears the council will take into account any delays in regular payments of Housing Benefit that has resulted in arrears. Tenants who have accrued arrears solely as a result of the under occupancy charge or benefit cap may not be suspended if they are downsizing to a property which will negate or mitigate the imposition of the under occupancy charge or they are proactive in working with their landlord to resolve the problem.
 - Debts of under £200 will not lead to suspension from the register providing there is a repayment plan in place which is being adhered to.
- The applicant has deliberately worsened their housing circumstances, by act or omission.

7.10.2 Each case will be assessed on its own merits.

- An applicant suspended because of housing related debt will be suspended until the debt is reduced to £200 or less, or there is a repayment plan in place that has been maintained for at least 13 consecutive weekly payments or at least 3 consecutive monthly payments. Applicants will be required to sign and keep to a written agreement to repay the debt. If there is compliance with the above requirements and the suspension is lifted, if the debt is still outstanding the applicant will be expected to continue to make repayments. If the repayments cease or the debt increases, the applicant may be suspended from bidding for another 3 month period. This decision will be taken by the Housing Services Manager.
- Applicants will be required to provide proof of payment to Home Point. It is the responsibility of the applicant to request a review of their suspension when the above requirements are met. Applicants have the right to request a review of the decision to suspend their application due to rent arrears. Details of the review procedure are contained in Appendix D (p52) of this scheme.
- An applicant suspended because of their behaviour or that of a member of the household, will remain suspended until such times as they can demonstrate that their behaviour has improved. A suspension from the register is not intended to be permanent. Reinstatement will be sooner if the applicant takes personal responsibility and addresses the reason for suspension. Applicants have the right to request a review of the decision to suspend their application due to anti-social behaviour. Details of the review procedure are contained in Appendix D (p52) of this scheme.

7.10.3 Suspension criteria may be waived when for instance there is an urgent need to move because of a critical medical or welfare need including situations where there are serious safeguarding implications. This decision will be taken by the Housing Services Manager.

7.10.4 These provisions may not apply to those owed a statutory duty as they do not over-ride the council's duties under the Housing Act 1996 Part VII, as amended.

7.11 Young people aged 16-18 years old

The register is normally open to applicants from the age of 18 and above. In exceptional circumstances such as proven threat of serious harm, applicants from the age of 16 may be accepted on to the register unless they are specifically ineligible or do not meet the qualification requirements and there is a referral and supporting evidence from a known agency.

7.11.1 Applicants under the age of 18 should be aware that tenancies are normally only granted by Registered Providers to applicants over the age of 18. Most Registered Providers will

only consider granting a tenancy to applicants under the age of 18 where an adult or organisation acts as a trustee to hold the tenancy in trust for the applicant until they reach the age of 18. There may also be a requirement for the applicant to obtain a rent guarantor. The decision on granting a tenancy to an under 18 year old will be taken by the individual Registered Provider.

7.11.2 Applicants may be accepted on to the register where one or more of the following apply:

- Where a referral for assistance has been made by Social Services; referrals from Head of Service, Senior Practitioner or Social Worker in the Children and Young People Directorate for children who are defined as a 'Child in Need' (CIN), 'Looked After Child' (LAC) and Care Leavers who are defined as 'Former Relevant'. (CIN – s 17 Children Act 1989, LAC – s20,21,25 & 31 Children's Act 1989, Former Relevant – s23C (4) Children Act 1989 as amended)
- A young person who is deemed a relevant or eligible child, a former relevant or qualifying care leaver under the Children's (leaving Care) Act 2000, as amended

In each case, an assessment of the applicant's housing, care and support needs will be undertaken by the Council's Children's and Families directorate to ensure that adequate support is available to support the applicant to maintain a tenancy.

8. ASSESSMENT OF HOUSING NEED

In order to assess housing needs, applicants must complete an online form which will be assessed by Home Point for those who have a housing need identified in bands A-D of this scheme and this may lead to further enquiries where information is required from a third party to clarify the applicant's circumstances.

Home Point will require applicants to provide supporting documentation for all household members and will check the accuracy of all of the information submitted in support of the application. This is to deter and detect fraud and ensure that housing is allocated to those who are entitled to it. See Appendix H for further information on supporting documentation.

It is expected that permission will be given by applicants to share or obtain information, relevant to their housing assessment. If permission is refused it is not possible to complete the assessment and will impact on qualification for the register.

8.1 Banding scheme

Home Point operates the banding scheme described below. The table (Appendix B) is arranged to reflect identified housing need in descending order of urgency. Applicants in band A have been assessed as having the most urgent need. Band B also reflects an urgent housing need.

All eligible and qualifying applicants are placed in bands A – D according to their housing application assessment. Further information about each band and the assessment of each criterion is available in Appendix B.

Applications are assessed by Home Point for bedroom need and prioritised by band, and, within that band, by effective date. For details of bedroom need assessment see Appendix C.

Where an application has more than one housing need which appear in different bands it will always be placed in the higher band, unless subject to the reduced preference criteria.

8.2 Time limited banding

Band A awards for homeless households are subject to time-limited banding – 12 weeks.

Applicants awarded time limited bands are given a period of time before their application is reviewed. A Housing Solutions Officer will immediately take on the bidding for any suitable properties advertised by the Registered Providers for the applicant. Due to the urgency of their situation, the applicant will normally be given one direct offer of accommodation, with urgent status removed if the offer is refused without good reason.

Towards the end of the stated time limit an application will be reviewed and a decision will be made as to whether:

- The applicant should remain in the band until a further review;
- The applicant needs more support to obtain the appropriate housing;
- The applicant's banding should be amended, as the circumstances under which they were placed in the band no longer apply.

This is not an exhaustive list of potential outcomes

In conducting the review the following will be taken into consideration, where appropriate:

- Have there been any properties advertised that would have met the applicant's need?
- If so, have bids been placed for them?

- Why have they been unsuccessful?
- Have the applicant's circumstances remained the same?

Applicants must consider bids for all suitable property types for their household size and composition. This means that applicants may need to compromise on their ideal choice of housing in order to achieve the urgent move they need. It will not always be possible to meet all aspirations.

Applicants will be advised of the outcome of the review in writing. If there has been a change to the banding applicants have the right to review. See Appendix D.

8.3 Reasonable Preference

Herefordshire Council is required to determine the relative priority that housing applicants are awarded.

The law requires that reasonable preference for housing must be given to those in the categories set out in s.166A (3) Housing Act 1996 (as amended). These categories are:

- (a) People who are homeless within the meaning of Part 7 of the 1996 Act, as amended;
- (b) People who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or 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), as amended;
- (c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- (d) People who need to move on medical or welfare grounds, including grounds relating to a disability;
- (e) People who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or to others).

This does not mean that households who fall into the reasonable preference categories are necessarily entitled to priority over all other applicants in all circumstances.

8.4 Additional Preference

- 8.4.1. The award of additional preference must be given to the following applicants who fall within one of the reasonable preference categories and have urgent housing needs:

- Serving members of the regular armed forces who need to move because they are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to their military service
- Former members of the regular armed forces
- Bereaved spouses or civil partners of members of the regular forces who have left or will be leaving services accommodation provided by the Ministry of Defence following the death of their spouse or civil partner and whose death was attributable (wholly or partly) to their military service
- Serving or former members of the reserve forces who need to move because they are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to their military service.

8.4.2 Applicants who require urgent re-housing as a result of violence or threats of violence, including intimidated witnesses, and those escaping domestic abuse such that the facts and circumstances demonstrate to the council that the threat is immediate and it is not safe for the applicant / household to remain in their present accommodation, may be awarded additional preference by means of backdating the effective date by six calendar months. The assessment will be based upon verification by officers within the police or other agencies in conjunction with an assessment by the councils Housing Solutions Team.

8.4.3 Applicants who are defined as:

- **Eligible child:** children who are 16 and 17, have been looked after by children's services for a period of 13 weeks since the age of 14, and are currently looked after by the local authority.
- **Relevant child:** children aged 16 or 17, who have been looked after by children's services for a period of 13 weeks since the age of 14 including at least some time after turning 16, and are no longer looked after.
- **Former relevant child:** A young person aged between 18 and 25 who was previously an eligible child or a relevant child
- **Qualifying care leaver:** A young person aged between 16 and 25, who was looked after by children's services on or after their 16th birthday, and is no longer looked after. However, they have spent less than 13 weeks in care since their 14th birthday and do not meet the full criteria for a relevant or eligible child.

Young people can apply to register when they are reaching the age of 17 ½ where they have been placed in supported accommodation or a Supported Living Placement, or placed with family members/guardians in a supported arrangement through Herefordshire Council. Eligible young people, as defined above, may be awarded additional preference at the time of registration up until the age of 25 years. When the young person is ready for independent living, evidence will need to be provided by their support provider or eligible placement provider.

8.4.4 Applicants who have been formally assessed as ready to move on from supported or specialised housing into settled or alternative accommodation may be awarded additional

preference. When the applicant is ready for independent living, evidence will need to be provided by their support provider. This could include move on from any form of supported accommodation. Supported housing does not include crash pad type accommodation, refuge, dispersed refuge or safe accommodation commissioned by Herefordshire Council for vulnerable groups.

Urgent need is indicated by an award in Bands A and B.

Additional preference will be provided by backdating the effective date by six calendar months.

For example, a qualifying applicant awarded additional waiting time within one of the reasonable preference categories on 1st December 2019 will have their effective date backdated to 1st June 2019.

9. HOW TO APPLY TO THE HOUSING REGISTER

Applicants must be eligible and must qualify to make an application to the council's housing register.

9.1 Registration process

The Housing Register (referred to as 'the register' hereafter) is a key part of the allocation scheme.

- 9.1.1 Applicants are strongly advised to consider whether they have a need for social housing before applying to go on the register. Acceptance on to the register does not guarantee an offer of housing. Other housing options may provide quicker or more appropriate accommodation.
- 9.1.2 All applicants must complete the application process to be considered for social housing through the council's housing register. This includes providing the supporting evidence required to assess the application. Failure to provide the supporting documents at the point of application will prevent the application from becoming 'live' and may lead to closure of the application. Applicants can apply to join the register by completing an on-line form. Paper application forms can be sent to applicants who have no access to the internet, live in a rural area, are unable to read/write and/or are in need of assistance
- 9.1.3 Information on how to complete the form is available online as is the list of the evidence that needs to be supplied in support of the application. There is guidance to help complete the form as you complete it.

9.2 Joint applications

Joint applications can be made as long as at least one applicant is eligible. However, if only one party is eligible, should an offer be made by a Registered Provider, only the eligible applicant will be offered a tenancy.

If a joint application is received where both are eligible but only one party qualifies under this policy, a sole tenancy should be offered to the qualifying tenant only.

Joint applicants can only make one application. In the case where two sole applicants wish to become joint applicants one of the applications must be withdrawn and the other amended to reflect the joint circumstances.

If both applicants are eligible and qualify then any offer made will usually be for a joint tenancy.

9.3 Multiple applications

Multiple applications are not permitted.

If an applicant is already registered the applicant must decide which application they want to retain. The applicant will need to contact Home Point for assistance to retain the correct application reference. The other application will be closed. This will also apply to people who are registered as a joint applicant on more than one application.

9.4 Applicants currently serving a custodial sentence

Applicants who are offenders, are currently detained and serving a custodial sentence, will have to have satisfied a local connection criterion prior to their sentencing to be accepted on to the register.

Applicants can request and complete an application form from 2 months before their scheduled release date.

The completed form needs to be sent to Home Point and the application is then assessed and set as suspended until supporting documents are supplied. Supporting documents must be supplied within two weeks of release to retain the original registration date as the effective date for the application. Applications will not be activated until the release date.

Applicants may be required to provide additional evidence to support the assessment process. For example, evidence of their date of release.

9.5 Who can be included in the application?

The application can include the following household members:

- a) Spouses or civil partners where the applicant lives with and/or intends to live with their spouse or civil partner;
- b) Partners where the applicant is cohabiting with a member of the same or opposite sex;
- c) Children who reside with, and are dependent on, the applicant. Children are defined as a young person under the age of 18 or in full time education. In respect of Children's and Families referrals only, children will be included where it has been agreed by the council that they will live with the applicant;
- e) Adult household members who are currently living with the applicant;
- f) Any other adult at the discretion of the Home Point Lead and reasons for the decision noted on the application.

9.6 Providing information and documentation

- 9.6.1 During the application process, applicants will be asked to provide supporting evidence to verify their identity and personal circumstances e.g. their National Insurance number, proof of residency for themselves and anyone applying to be housed with them and up to date financial information. A list of documents which can be used to support an application is available online.

Without supporting evidence the application will not be completed or verified. This means that the applicant will not be able to bid for any properties that are advertised.

Failure to respond to a request for information within 28 calendar days, as part of the registration or verification process, will normally lead to closure of the application.

- 9.6.2 Additional information and documentation must be provided if requested. It is the responsibility of the applicant to provide the information / documentation within the specified timescale. Failure to do so means that you are unlikely to be considered for an offer of housing through the nomination arrangements with the Registered Providers and your application may be closed.

- 9.6.3 Once an application is received, all applicants are assessed for any factors that establish a housing need. A financial assessment will be carried out as part of the assessment.

9.7 Verification and assessment

Once your application is complete the Home Point team will take the necessary steps to verify information provided for the application.

During any verification/review, additional information may be requested from household members to confirm situations or clarify aspects of the information provided during the registration stage. The additional information requested will need to be provided within 14 days to ensure the initial information does not become out of date.

- 9.7.1 Verification may be carried out at the point of application, at notification of a change of circumstances, during a time limited band review or as part of the annual review process.
- 9.7.2 Applications are held on a computer system which holds all data relating to the application. Data is held in compliance with the Data Protection Act 2018 and the General Data Protection Regulation and will be shared with partners according to the sharing agreement.
- 9.7.3 All applicants are assessed by a member of the Home Point team under the direction of the Home Point Team Lead and the Housing Services Manager (or their successor posts).
- 9.7.4 The Home Point team carries out all other assessments to ensure the applicant and members of the prospective household are eligible and qualify to be admitted on to the register, ascertain the banding they should receive and to take into consideration any other factors that might affect their application.
- 9.7.5 All applicants and members of their prospective households will be required to disclose any unspent criminal convictions or pending court cases.

9.8 Medical assessment

- 9.8.1 Medical banding will be awarded according to the extent to which the health or welfare of one or more members of the applicant's household is affected by their housing conditions and the expected benefits of providing suitable alternative settled housing. Medical awards may occur when there are mobility problems arising from a long term condition or illness and the applicant lives above the ground floor.

- 9.8.2 There are many conditions and illnesses for which medical banding is unlikely to be granted because moving house will not lead to a clear improvement in the health of the household member.
- 9.8.3 Where conditions in a property or the behaviour of neighbours or others in the area are impacting on the health of the applicant, the applicant will be sign-posted to their landlord or the police (whatever is most appropriate), and subsequently Environmental Health Services, if the landlord or police are unable to remedy the issues.
- 9.8.4 Medical needs are considered on the basis of information provided to in-house staff and referrals made to independent medical professional services for more in depth review of cases, where appropriate. Any medical or health/welfare condition must be current, ongoing and evidence provided by health professionals if requested.
- 9.8.5 The council will not normally consider information that is more than 12 months old. In cases where information is more than 12 months old, applicants may be required to obtain a review of their health/welfare situation by a health professional. The council will not pay for any reports or other evidence and it is the responsibility of the applicant to provide such evidence in all cases where required.

9.9 Effective date

Position within bands is determined by the length of time the applicant has been placed in the band. This may be either the date of assessment and acceptance on to the register or the date of entry to a higher band than the original assessment band. Applicants remaining in the same band or moving to a lower band after a change of circumstances will retain the date of registration as their effective date for determining time in a band. Applicants moving to a higher band will have as their effective date the date on which the new band has been awarded.

9.10 Giving false information or deliberately withholding information

This policy falls within the provisions of Part 6 of the Housing Act 1996 and as such Section 171 of the Act states:

(1) A person commits an offence if, in connection with the exercise by a local housing authority of their functions under this Part –

(a) he knowingly or recklessly makes a statement which is false in material particular, or

(b) he knowingly withholds information which the authority has reasonably required him to give in connection with the exercise of those functions.

Home Point Herefordshire is one of the local authority's mechanisms for discharging its functions under Part 7 of the Housing Act 1996 (as amended). Consequently, where section 171 applies, Herefordshire Council may bring a prosecution.

Where false information is found to have been given, the applicant may also be excluded from registration with Home Point, and where false information has resulted in the applicant obtaining accommodation, the relevant Registered Provider may bring possession proceedings for recovery of the property.

We are required to participate with other councils in the National Fraud Initiative.

9.11 Confirming registration

Applicants will receive written confirmation (usually via email) from Home Point that their application has been registered together with:

- their confirmation of registration/effective date;
- the band they have been awarded;
- confirmation of their bedroom eligibility;
- if the applicant is only eligible for certain types of properties;
- their unique reference number for use in accessing their application online;
- how to bid;
- right to appeal a decision.

Applicants must check the accuracy of this information as it will impact on their potential to be made an offer of housing.

Confirmation of registration should be supplied to the applicant within 28 calendar days of the provision of all the required information in support of the application. Applicants will be advised by Home Point if an extension of this timescale is required and the reason for the extension.

9.12 Change of Circumstances

Applicants should ensure that their contact details (e.g. mobile number, email address) are kept up to date at all times.

- a) Applicants **must** inform Home Point if their personal circumstances change and it may be expected to have an effect on their housing register application. This includes any change to their address or household composition. Other examples include:
 - Marriage/ civil partnership
 - Pregnancy

- Significant household income changes
- Change in health

This is not an exhaustive list.

- b) Changes in circumstances that lead to re-banding will be dealt with in accordance with this scheme. The Home Point service will re-assess an application where there has been a change of circumstances and the relevant information has been received to confirm the changes. The applicant will be notified of the outcome in writing.
- c) Where this has led to a change in banding applicants will be informed in writing stating the reasons, any time limits in the new banding, any change to the effective date and the right to request a review of the decision.

9.13 Annual Review

- 9.13.1 Home Point undertake an annual review of applicants. This helps to ensure that those on the register still retain a housing need. It is expected that all active applicants will bid for appropriate properties when advertised.
- 9.13.2 Each applicant will be contacted, in writing, close to the anniversary of their application to ascertain if they still retain a housing need. Should there be no response to this **within 28 calendar days**, the application will be **suspended**. At this point the applicant will be unable to bid for any properties. Further written contact will be sent to the applicant notifying them their application is suspended and if they do not respond **within a further 14 days** their application will be closed.
- 9.13.3 Applicants who subsequently decide they wish to re-join the register will need to apply in the normal way and will have their current circumstances assessed. The application date will not be backdated under these circumstances.

9.14 Closure of Applications

Applications will be closed where:

- An applicant is housed in suitable accommodation, including into supported accommodation;
- An applicant has failed to provide supporting evidence in the given time period of 28 calendar days (see above) or other time limits specified in correspondence;
- An applicant fails to respond to the annual review within the set timescale above;
- An applicant has moved and failed to notify the team;

- An applicant persistently fails to respond to communication or requests for information over a 42 day period;
- An applicant has made a request for the application to be closed.

Should an applicant subsequently wish to re-join the scheme then they will be required to complete a new application using the original registration number previously provided, which will be processed accordingly based on their current circumstances and with a new registration date, effective from the date of the second application. An applicant who is in supported accommodation may be given additional preference by backdating the effective date by six calendar months and can be applied at the point where the applicant re-joins the register. Applicants wishing to re-join the register do not have to have been assessed as ready to move on prior to re-registering.

9.15 Right to review

Applicants have the right to request a review of the decision made in the registration process. These include applicants who;

- Are not eligible to join the register;
- Are not a qualifying applicant;
- Have had their application closed;
- Have had a banding withdrawn/changed;

The person carrying out the review will have had no prior involvement in the original decision. For further details see Appendix D.

10. PROPERTY SIZE NEED

The table in Appendix C sets out the bedroom size of properties for which applicants will normally be nominated.

Below are circumstances in which the bedroom size may vary from that shown in the table in Appendix C.

10.1 Pregnancy

For applicants who are at least 25 weeks pregnant on receipt of the MAT B1 form by Home Point the unborn child will be classed as an infant for the purposes of property size eligibility only. Where a household already has another dependent child (other children) the unborn child will be classed as the same sex as the youngest child.

10.2 Extra room allowed for non-resident carers

Applicants with a disability or a long term health condition who have a non-resident carer may be entitled to an extra bedroom if they can provide evidence that:

- They reasonably require overnight care and that this care is provided;
- One or more persons regularly stay overnight to provide care;
- There is a need for an extra bedroom that is used by a carer or carers for overnight stays as part of caring for the applicant or a household member.

A 'person who may need overnight care is defined as someone who is:

- Receiving Disability Living Allowance middle or higher rate care or who receives the Personal Independence Payment (PIP) daily living component enhanced rate and/or the mobility enhanced rate or Attendance Allowance.

If not in receipt of Disability Living Allowance, PIP or Attendance Allowance evidence must be provided to show that the care is required e.g. letter of confirmation from a medical practitioner.

10.3 Children / access to children

For the purposes of this section of the policy a child is defined as someone who is either under the age of 18 or who is still dependent on the applicant e.g. due to continuing education.

Where parents who do not live together but have shared care of children apply, the children will be treated as living with the parent who provides their principal home and receives child benefit.

10.4 Fostering and adoption

Where a household has formal evidence that, subject to a suitable home becoming available, approval would be given to foster or adopt a child or children, they may be included in the bedroom entitlement calculation. Verification of fostering and/or adoption arrangements may be carried out by Home Point.

- 10.5** It is normal practice for all applicants to be subject to a financial assessment by the landlord Registered Provider prior to being made any offer and, where they are being considered for a larger property than that to which they would normally be entitled, they will need to provide evidence that rent payments can be maintained over time.

11. HOW PROPERTIES ARE LET

Herefordshire Council operates a choice based lettings system in cooperation with the major Registered Providers working in the county.

11.1 Overview of system

The council's Choice Based Lettings Scheme process is as follows:

- a. Available properties are advertised for a seven day period;
- b. Applicants apply for properties that meet their housing need;
- c. Applicants can apply for up to two properties at any one time;
- d. When the advertising cycle is complete shortlists are created from those who have expressed an interest ('bid') and sorted into a shortlist in banding and then effective date order (as defined in the allocation scheme – see Appendix B);
- e. The successful applicant is made an offer by the Registered Provider, subject to meeting the association's criteria;
- f. The applicant accepts or rejects the offer;
- g. The results of shortlisting are published on the Home Point website.

11.2 Property Adverts

All properties that are advertised through the Home Point website will be made live and available for 'bidding' on a seven day cycle. Properties will be advertised each Wednesday morning and will remain live for seven days, closing at one minute to midnight on the following Tuesday.

The Registered Providers endeavor to ensure that all advertisements are as comprehensive as possible to promote informed choice and guide applicants to bid for properties they can realistically expect to be considered for if at or near the top of the shortlist when it closes. Advertisements will include as many of the following as possible:

- Location;
- Property type, size and floor level;
- Nature of tenancy on offer;
- What type of heating it has and whether it has a heating charge payable that is not covered by housing benefit;
- Any restrictions such as s.106 schemes where there is a requirement for a local connection to specified parishes or wards;
- Whether such things as a garden or parking are available with the property;

- The amount of rent and any other charges that are payable;
- Photographs of the property and links to guides about the local area;
- Lifts/adaptations e.g. wet room;
- Any restrictions on pets;
- Whether preference to own tenants.

11.3 What is restrictive advertising and how is it applied under this policy?

This refers to adverts for individual properties which are subject to specific restrictions on the types of households that will be considered for that property.

Restrictions that may apply include the following examples:

- a) Age
Adverts will clearly state where properties are restricted to people over a certain age.
- b) Property type e.g. scheme for older people
Certain types of properties are only available for specific types of households. Where bids will only be accepted from designated household types this will be clearly labelled on the advert. On some occasions the advert will indicate that preference will be given to a specific need e.g. those who need level access facilities.
- c) Section 106 developments/Local Connection
Section 106 agreements are legal agreements between local planning authorities and developers which are linked to a planning approval to enable the development of affordable homes. Where these exist they normally grant priority for affordable housing initially to applicants with a local connection to the ward, parish or village. Applicants with a local connection to the area take precedence over all others on the register for these properties for an initial period. Properties governed by s106 agreements will be advertised as 'Local Connection Required'. Please see 7.6 for more information.
- d) Local lettings plans
Local lettings plans are normally introduced to meet a particular local need or to address an issue affecting the local area. There are a number of these plans throughout the county. To be considered for a property within one of these plan areas the applicant would have to meet the criteria listed in the advert. For example, applicants may need to have children over a certain age.

11.4 Registered Provider exclusion criteria or restricted access policies

Under this Allocation Scheme, the council operates qualification rules which suspend from bidding applicants whose prior behaviour has not met the standard required for prospective tenants.

Applicants should also be aware that individual Registered Providers have their own exclusion criteria which may adversely affect the likelihood that an applicant will receive an offer of accommodation. Exclusion criteria are usually contained within the lettings policy but in some instances there may be a standalone policy. These documents should be available on the individual Registered Provider's website.

While the Council acknowledges the right of their Registered Provider partners to formulate their own lettings policies, it is expected that these will be fair and reasonable, minimising the risk of exclusion from social housing by ensuring that they are applied to reflect the spirit of published allocation policies, including this overarching allocation scheme. If a Registered Provider is excluding an applicant on their criteria, they must inform the applicant of this decision.

The Council expects exclusion criteria to be flexible, with cases being considered on an individual basis. The following criteria should be applied:

- There must be reliable evidence of unacceptable behaviour;
- There should not be inflexible specific time periods as far as possible;
- Registered Providers should communicate effectively with the applicant and Home Point about exclusions;
- There should be provision for discretion;
- There should be a recognition where special circumstance arise e.g. people with learning disabilities, mental ill health issues, statutory homelessness duties arise.

Each case should be considered upon its own merits and subject to the spirit of the Rehabilitation of Offenders Act 1974, as amended, according to individual circumstances.

11.5 Bidding

Once the application is active, an applicant has to place a 'bid' to express an interest in an available property.

Applicants can place bids at any time during the advertising period via the following methods:

- By logging into their account and bidding online;
- By phone or email to the Home Point;
- Using a bidding voucher available at Blueschool House

Some Registered Providers will help tenants place a bid.

Applicants can bid for up to 2 properties at any one time. Depending on their method of bidding, applicants can find out their position on the shortlist at the time they bid, together with the total number of bids already placed against the property. Position on the shortlist can change as additional bids are received. Registered applicants are able to see their queue position on current and historic bids via their online application account.

11.6 Shortlisting

At the end of the advertising period for each individual property the bidders are shortlisted for the respective Registered Provider by band order. The Registered Provider access the shortlist and review the bids, taking into account any specific requirements for the property. The Registered Provider will also review bids in the light of their own lettings policy and exclusion criteria. Properties may not be immediately available for letting so there may be a delay between the shortlist closing and the Registered Provider contacting applicants on the shortlist.

Shortlist position does not guarantee an offer from the Registered Provider. However, in most cases, the property will be offered to the bidder in the highest band who has waited the longest, subject to meeting the Registered Provider's lettings criteria. If this applicant is no longer interested, the property will normally be offered to the bidder in second place and so on.

A bid for a property will not be considered by the association if the applicant's household does not meet the size, age or other requirements for that property unless there are exceptional circumstances which should be taken into account.

A property may not always be offered to the applicant at the top of the shortlist if there are reasons to 'skip' the applicant. Skipping bids can be done in certain circumstances, such as no local connection, or where the household does not meet age requirements. Where properties are advertised with a section 106 agreement, shortlists are determined by local connection first. This means that an applicant with a local connection will be prioritized over an applicant with no local connection. For example, a bidder from Band B or C with a local connection will be in a higher position on the shortlist to that of a bidder in Band A with no local connection.

Registered Providers may require further information from bidders before making a decision to offer the property. The bidder needs to respond to these requests within the required timescale.

Registered Providers will carry out an affordability assessment to ensure that the tenancy is viable. Where the assessment shows that the tenancy would not be sustainable the landlord may withdraw the offer, advising the bidder of the outcome of the assessment. Withdrawal of the offer should only be done where the assessment has included reviewing the options to maximise the prospective tenant's income and to signpost applicants to alternative options.

12. OFFERS

Applicants should note that all offers of housing are made by the relevant Registered Provider not Home Point or Herefordshire Council. Queries about properties that are advertised or offers of properties should be made to the Registered Provider not Home Point.

Further verification of circumstances by the Registered Provider may be undertaken to ensure the applicant still qualifies for the property prior to an offer being made. Applicants will be required to provide information within a specified timescale.

Before offering a property to an applicant the Registered Provider may make checks to ensure e.g.:

- The band award is correct;
- Circumstances have not changed;
- Household composition matches the property size;
- Any other restrictions placed upon the property or applicant would not prevent them from receiving an offer.

Offers may be made in writing (including by email), by phone or in person. Applicants should be made aware of the timescale in which they must respond. This should not be less than 2 working days.

Offers being made to discharge duty to a homeless household will be made in writing or confirmed in writing.

Applicants should be given at least 1 working day to respond to an offer after viewing the property.

Landlords are entitled to carry out an affordability assessment to ensure that the tenancy would be financially viable i.e. that the applicant can pay the rent. Where the assessment shows that the tenancy would not be sustainable the landlord may choose not proceed with an offer, advising the applicant of the outcome of the assessment but may advise on actions to address affordability to enable future potential offers to proceed.

Final decisions are made by the Registered Provider which owns or manages the individual property not Home Point.

12.1 Skipping or overlooking bids

There are circumstances where Registered Providers will need to, or have the discretion to, skip a bidder.

Potential grounds for overlooking a bid include:

- The applicant does not meet the advertised requirements such as the age restriction, or local connection criteria for property;
- Outstanding housing related debt;
- There is no relevant support package in place, as required.

12.2 Refusals of offers

When an applicant refuses an offer, they will be expected to provide the reasons for the refusal. This information is necessary to identify why the property was not acceptable, whether the refusal was therefore reasonable and to ensure that future offers are more likely to be accepted.

Applicants who refuse more than 3 reasonable offers in a 12 month period may have their application reviewed and suspended for a 12 month period. Landlords should advise applicants at the time if they consider the refusal to be unreasonable and explain why. The review of reasonableness is undertaken by Home Point.

Applicants will be advised in writing of the outcome of the review. If three refusals are found to be unreasonable the application will normally be suspended and the applicant will not be eligible to bid for 12 months from the date the application is suspended. Applicants have the right to request a review of this decision. For further details see Appendix D.

12.3 Withdrawal of Adverts and Offers

Occasionally, a Registered Provider may be required to withdraw a property advert and subsequently any offer already made. Circumstances for this may include if:

- It becomes apparent that the property will be let through a direct offer in accordance with this policy ;
- The current tenant of the property being advertised has withdrawn their notice terminating their tenancy of that property, so the property is no longer available;
- Property was advertised incorrectly and is required to be amended and re-advertised

In exceptional circumstances a senior officer of a partner Registered Provider may authorise the withdrawal of an offer although the property remains available for letting. The Registered

Provider will contact the bidder to inform them that this has occurred. Circumstances may include, but are not limited to:

- Where it is clear that an applicant is not capable of understanding the responsibilities associated with being a tenant or they do not clearly understand what they are signing when asked to sign a tenancy agreement or associated paperwork;
- Where an applicant has failed to respond to contact from a partner Registered Provider after 2 working days.

12.4 Publishing feedback on let properties

Home Point will publish lettings results on the website and will include the following information:

- The street address;
- The number of bedrooms in the property;
- The closing date of the bidding cycle;
- The total number of bids made for the property;
- The successful applicant's priority band and date.

This feedback helps applicants understand the likelihood of success in obtaining housing when making future bids.

Individual applicants can view the outcome of their personal bids through the website.

Lettings are monitored by Herefordshire council to ensure that the council's statutory duties are being achieved and to provide information to support the council's strategic housing role.

12.5 Direct offers

Where possible all lets are made through the choice based lettings process. However, a very small number of applicants may meet a reasonable preference but their circumstances mean that they have an overridingly urgent need requiring a direct offer for a property.

The council reserves the right to negotiate a direct offer of accommodation to ensure the best use of the housing stock to meet the needs of an applicant. Examples may include, but are not limited to:

- An urgent move is required because of violence or threat of violence;
- An applicant has been accepted as a homeless household by the council and has failed to bid or been unsuccessful in securing accommodation;
- Move on from supported or specialised accommodation;

- Needs an appropriately adapted property;
- Proven urgent need for an applicant to live close to another person or identified medical/support facility.

13. HOMELESS HOUSEHOLDS WHO ARE OWED THE FULL HOMELESSNESS DUTY

13.1 Homelessness assessments are determined by a Housing Solutions Officer on behalf of Herefordshire Council. Full duty arises where the council accepts a statutory duty to provide secure accommodation, under the Housing Act 1996 (as amended) s. 193(2), s 195(2) or other statutory duties.

13.1.1 Applicants accepted as homeless who are owed the full homelessness duty are expected to bid for suitable advertised properties

13.1.2 The bidding history of applicants accepted for full homelessness duty will be reviewed towards the end of the 12 week period, where the applicant has not secured an offer of accommodation (see Appendix B: Banding criteria). This will ensure that homeless applicants capitalise on their banding to be successful in obtaining an offer.

13.1.3 Applicants should not decline an offer made as a final discharge of the homelessness duty. If they do so Herefordshire Council may decide that its duty has been discharged and the household's banding will be re-assessed. The applicant retains the right to request a review of the suitability whether or not they accept the offer. For information on the review process please see Appendix D.

13.1.4 There are circumstances where households, accepted as homeless, may be made a direct offer. This would end the homeless duty. A direct offer may be arranged where households have failed to bid for properties that were available and suitable for their needs or have been unsuccessful in bidding for suitable properties.

13.3 Discharge of the Full Homelessness Duty to the Private Rented Sector

Where the homelessness duty is discharged to the Private Rented Sector, applicants who are subsequently given a section 21 notice to leave within two years of the offer being accepted, where the applicant is eligible for assistance and not intentionally homeless, any homelessness duty to secure further suitable accommodation is revived. The duty revives even if the applicant no longer has a priority need, but it only applies to the first incidence of homelessness within the two year period.

14. MANAGING CHANGES

The Council wishes to retain flexibility in operational processes and procedures in order to respond to changes arising from case law and regulatory changes, whilst still operating within the principles set out in this policy.

This policy is subject to regular review, and where the policy requires changes which are minor in nature, or where the changes are required urgently for legal reasons or changes in government policy and / or legislation, these changes will be approved by the Director of Economy and Place under the Council's scheme of delegation

All changes to this policy will be noted within the Version Control of this document and an updated document will be uploaded to Home Point web page.

APPENDICES

APPENDIX A: List of Registered Providers and contact details

Bromford	Citizen (formerly WM Housing)	Platform Housing Group (formerly Fortis)	Guinness Partnership	Herefordshire Council
1 Exchange Court Brabourne Avenue Wolverhampton WV10 6AU	4040 Lakeside Solihull Parkway Birmingham B37 7YN	1700 Solihull Parkway Birmingham Business Park Solihull, B37 7YD	30 Brock Street London NW1 3FG	Home Point Blueschool House Blueschool Street Hereford, HR1 2LX
0330 1234 034	0300 790 6531	0333 200 7304	08456 044 529	01432 260300
www.bromford.co.uk	www.citizen.co.uk	www.fortisliving.com	www.guinnesspartnership.com	www.info@home-point.info

Connexus	Two Rivers Housing	Stonewater	Sanctuary Housing	Wyedean Housing Association
The Gateway Auction Yard Craven Arms SY7 8BW	Rivers Meet Cleeve Mill Lane Newent GL18 1DS	Suite C, Lancaster House Grange Business Park Enderby Rd Leicester LE8 6EP	Marylebone House 2 Marylebone Liverpool L3 2BY	11 St John Street Coleford Gloucestershire GL16 8AP
03331 313233	0800 316 0897	01202 319 119	0300 123 3511	01594 838000
Home Connexus	www.tworivershousing.org.uk	www.stonewater.org	www.sanctuary-housing.co.uk	www.wyedean.org

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APPENDIX B: Banding criteria detail

Band A – Time limited	
Adaptations: Major adaptations no longer required	Tenants of Registered Providers who no longer require a property where major adaptations such as a stair lift or level access shower have been installed and this adaptation will remain in the property for use by an incoming tenant.
Care leaver: Children in Need (CIN), Looked after Children (LAC) and Care Leavers (Reasonable Preference)	<p>Applicants living in supported accommodation or a Supported Living Placement, or placed with family members/guardians in a supported arrangement through Herefordshire Council, who have been deemed by their support provider as being ready to move into settled or alternative accommodation.</p> <p>This could include move on from any form of supported accommodation / supported placement. Supported housing does NOT include crash pad type or temporary accommodation.</p> <p>An agreement between Herefordshire Council and the supported housing provider will require that, where appropriate, arrangements will be made for ongoing support if needed in the new tenancy.</p>
Disrepair: Serious state of disrepair / lacking facilities (reasonable preference)	<ul style="list-style-type: none"> Households will be placed in this band where the hazard(s) are so severe or numerous that the most appropriate course of action would be to prohibit the property from residential use. Households who do not have access to a bathroom, kitchen or inside WC or whose accommodation lacks hot or cold water supplies, electricity supply or provision of sources of, or for, heating. <p>Checks will be made with the landlord where applicable or through other resources to confirm the housing circumstances of the applicant.</p> <p>With regard to serious state of repair, there is a process for the assessment of hazards under the Housing Health and Safety Rating System (HHSRS) and applicants will be expected to work with the Council and landlords in complying with, and follow, the actions that are required.</p> <p>The HHSRS assesses 29 housing hazards and the effect that each may have on the health and safety of current or future occupants of the property. The HHSRS provides a way that hazards can be assessed and the best way of dealing with them identified. If a hazard is a serious and immediate risk to a person's health and safety, this is known as a Category 1 hazard.</p>

Exceptional Circumstances:	<p>Exceptional circumstances apply in the case of individual applicants that do not otherwise qualify for social housing. Section 189(1)(c) of the Housing Act 1996 (as amended), provides that a person has a priority need for accommodation if they are vulnerable for any 'other special reason.' Each application must be considered in the light of the facts and circumstances of the case.</p> <p>Placement in this banding will require approval of the Home Point Team Leader together with the Housing Service Manager, who will have the discretion to accept applications under Band A in exceptional circumstances, where they are satisfied that although the applicant does not fall within the qualification rules, their needs are sufficient to justify the band.</p>
Homeless households: Homeless households who are owed a full housing duty (reasonable preference)	<p>Households that have been accepted as homeless by Herefordshire Council under part 7 of the Housing Act 1996 and who are owed the 'full duty' under s. 193 of the Housing Act 1996, as amended. ONE SUITABLE OFFER ONLY</p> <p>This includes victims of domestic abuse that have been placed in temporary accommodation e.g. refuge, dispersed refuge and safe accommodation commissioned by Herefordshire Council. An alternative to homelessness for victims of domestic abuse is available through Band B harassment.</p> <p>Applicants have the right to a review that accommodation offered is suitable, if the accommodation is being offered to meet or end the 'main housing duty'. See Appendix D for more details.</p> <p>Time limited to 12 weeks</p>
Hospital discharge: (reasonable preference)	<p>Assessment by the Hospital Discharge Officer where a patient has no appropriate secure housing to return to and/or their housing cannot be made suitable through adaptations due to cost, structural difficulties or within a three month period to meet their needs.</p> <p>Applicants have the right to a review that accommodation offered is suitable, if the accommodation is being offered to meet or end the 'main housing duty'. See Appendix D for more details.</p>
Overcrowding: Severe overcrowding (reasonable preference)	<p>Housing Health and Safety Rating System (HHSRS) provisions of the Housing Act 2004 includes 'crowding and space' and these will be used to determine overcrowding in line with <u>Herefordshire Council's supplementary environmental health housing enforcement policy.</u></p> <p>The HHSRS operating guide outlines the ideal conditions for space depending on age and gender mix, and the size and number of the rooms available for sleeping; these generally mirrors the bedroom standard.</p> <p>Applicants may need to provide bedroom sizes in order for household bedroom space requirements to be assessed.</p>

	<p>Applicants are expected to use space appropriately and no account is taken of possessions or furniture in the assessment of overcrowding.</p> <p>A room intended for use as a bedroom but used for another purpose will still be classified as a bedroom, subject to it meeting the space standards for bedrooms.</p> <p>Assessment of overcrowding in bedsitting rooms/studio apartments will be based on Herefordshire Council's Amenity and Facility standards in a HMO, available at: https://www.herefordshire.gov.uk/downloads/file/2075/amenity_and_facility_standards</p> <p>Discretion can be exercised by Home Point staff to adjust the number of bedrooms required if:</p> <ul style="list-style-type: none"> • the bedrooms in the property are particularly large or small; • a couple need separate bedrooms due to disability; • a child requires their own bedroom due to disability. <p>Applicants will need to provide evidence to support this.</p>
<p>Safeguarding: Safeguarding referral from Herefordshire Council's Communities and Wellbeing or Children's Wellbeing Directorates.</p>	<p>Households who require urgent alternative accommodation on safeguarding grounds.</p> <p>Referrals must be made formally and in writing and be approved by the Safeguarding Lead or Operational Service Manager in Communities and Wellbeing or a Head of Service in Children's & Families Directorate.</p> <p>Award of this priority is subject to referral to, and agreement from, Housing Solutions Manager or Head of Housing.</p>
<p>Under-occupation: By a social housing tenant</p>	<p>Social housing tenants not in a reasonable preference category but want to downsize and release at least one bedroom.</p> <p>Checks will be made with the relevant landlord to validate the application by reference to the Registered Provider's own lettings criteria and to ensure that the property would be suitable for re-letting.</p>
BAND B	
<p>Accessible home: (reasonable preference)</p>	<p>Current property cannot be made suitable through adaptations due to cost, structural difficulties or tenure issues.</p> <p>This may include, but is not limited to:</p> <ul style="list-style-type: none"> • Applicants requiring wheelchair accessible accommodation • Applicant's mobility is severely restricted <p>Evidence of need will need to be provided. An occupational therapy assessment is not always needed.</p>

Agricultural: End of Agricultural or service tied tenancy	The Rent (Agriculture) Act 1976 requires a local housing authority to use their best endeavours to provide accommodation for a qualifying displaced agricultural worker subject to the provisions of s.27. If the authority is satisfied that the applicant's case is substantiated, it is a duty to endeavour to provide suitable alternative accommodation for the displaced worker; Households in council service or related tenancies, or where occupancy of a council property is related to their employment, which is coming to an end.
Harassment: Verified harassment/ witness intimidation/ domestic abuse	<p>Households where the police, or relevant agency, confirm that there is an urgent need for alternative accommodation to protect witnesses, whose actions in reporting crime led to them becoming unsafe in their own home, or to prevent severe harassment and, normally, where prosecution of the offender is intended.</p> <p>The requirement for a clear history of alternative solutions has been removed from this section. It is hard to evidence and delays decision making.</p> <p>Applicants escaping domestic abuse where the police or relevant agency confirm that there is an urgent need for alternative accommodation to protect the household. Applicants identified through MARAC may be awarded this banding.</p>
Hardship: Verified urgent need to move to a particular area to avoid hardship (reasonable preference)	<p>Households who need to move due to a verified need e.g. employment, education or training, where the journey, either by public or private transport, would take over 1.5 hours in each direction or 3 hours or more hours cumulatively (with appropriate consideration given for traffic). Evidence of employment, education or training contract or offer is needed.</p> <p>Or</p> <p>Applicants who need to move urgently to give/ receive care / support, such as in the case of elderly parents wishing to move closer to family. Evidence of the care / support required would need to be provided.</p>
Urgent Medical / Welfare: Verified urgent medical/welfare need (reasonable preference)	<p>This category is for Households where there is an urgent need to move to prevent significant deterioration, or where a move could improve significantly, health or welfare of the household through the provision of a different type of accommodation because of a life-threatening illness or sudden disability.</p> <p>Medical evidence will be required and will be used to assess banding. Please note that this banding will not be awarded where the need is temporary as a result of injury or surgery.</p> <p>The medical and welfare reasonable preference category includes people who need to move because of their disability or access needs including:</p> <ul style="list-style-type: none"> • a mental illness or disorder • a physical or learning disability

	<ul style="list-style-type: none"> • chronic or progressive medical conditions (e.g. MS, HIV/AIDS) • infirmity due to old age • ability to fend for self-restricted for other reasons • people with behavioural difficulties • need for improved heating (on medical grounds) • need for sheltered housing (on medical grounds) • need to be near friends/relatives or medical facility on medical grounds • need to move following hospitalisation or long-term care <p>Welfare grounds' encompasses a wide range of needs, including, but not limited to, the urgent need to:</p> <ul style="list-style-type: none"> • provide a secure base from which people can build a stable life. • provide accommodation, with appropriate care and support, for those who could not be expected to find their own accommodation, such as young adults with learning disabilities who wish to live independently in the community. • provide or receive care or support. This would include foster /kinship carers, those approved to adopt, or those being assessed for approval to foster or adopt, who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority. It would also include special guardians, holders of a residence order and family and friends carers who are not foster carers but who have taken on the care of a child because the parents are unable to provide care. <p>Applicants identified through the MAPPA (the Multi Agency Public Protection Panel Arrangements) may be dealt with through this banding category, as determined by Herefordshire Council in partnership with West Mercia Probation and/ or West Mercia Police.</p>
<p>Move on: From supported/ specialised accommodation (reasonable preference)</p>	<p>Applicants living in supported or specialist housing who have been deemed by their support provider as being ready to move into settled or alternative accommodation. Evidence will need to be provided from their support provider, this can be submitted at a later date following the registration process, as it is recognized that applicants will be ready to move on at different time frames based on their individual circumstances.</p> <p>This could include move on from any form of supported accommodation, but does NOT include crash pad type accommodation, refuge, dispersed refuge</p>

	<p>or safe accommodation commissioned by Herefordshire Council for vulnerable groups as other banding should be considered.</p> <p>An agreement between Herefordshire Council and the supported housing provider will require that, where appropriate, arrangements will be made for ongoing support if needed in the new tenancy.</p>
<p>Overcrowding: (reasonable preference)</p>	<p>Housing Health and Safety Rating System (HHSRS) provisions of the Housing Act 2004 includes 'crowding and space' and these will be used to determine overcrowding in line with <u>Herefordshire Council's supplementary environmental health housing enforcement policy</u>.</p> <p>The HHSRS operating guide outlines the ideal conditions for space depending on age and gender mix, and the size and number of the rooms available for sleeping; these generally mirrors the bedroom standard.</p> <p>Applicants may need to provide bedroom sizes in order for household bedroom space requirements to be assessed.</p> <p>Applicants are expected to use space appropriately and no account is taken of possessions or furniture in the assessment of overcrowding.</p> <p>A room intended for use as a bedroom but used for another purpose will still be classified as a bedroom, subject to it meeting the space standards for bedrooms.</p> <p>Assessment of overcrowding in bedsitting rooms/studio apartments will be based on Herefordshire Council's Amenity and Facility standards in a HMO, available at: https://www.herefordshire.gov.uk/downloads/file/2075/amenity_and_facility_standards</p> <p>Discretion can be exercised by Home Point staff to adjust the number of bedrooms required if:</p> <ul style="list-style-type: none"> • the bedrooms in the property are particularly large or small; • a couple need separate bedrooms due to disability; • a child requires their own bedroom due to disability. <p>Applicants will need to provide evidence to support this.</p>
<p>Prevention and Relief: Prevention and relief of homelessness (reasonable preference),</p>	<p>Households where the council has accepted a duty under s.189B Homelessness Reduction Act 2017 including those who have been given a non-priority decision, or Households where the council has accepted a duty under s.195 Homelessness Reduction Act 2017.</p> <p>This banding criteria is applicable to those who are requesting housing assistance due to being homeless or threatened with homeless and on this basis Herefordshire Council has accepted either a Prevention Duty or a Relief</p>

<p>'Making own arrangements'</p>	<p>Duty. It is also applicable to those who have previously been owed either a Prevention Duty or a Relief Duty and have subsequently received a 'No Main Duty Owed' decision following an assessment under Part VII of the Housing Act 1996 (homelessness law).</p> <p>Where an applicant can evidence that they are threatened with homelessness or are homeless, but choose to make their own arrangements, the maximum banding they will be able to achieve is Band B.</p> <p>If the applicant believes that they would be owed a Full Duty (Main Duty) as a homeless person with the possibility of being assessed as Band A on Home Point then they will be referred to the Triage Team, who will make an assessment under Part VII of the Housing Act 1996. Home Point officers can advise applicants on this referral process and how they can request assessment under Part VII of the Housing Act 1996.</p> <p>Band B status for those who are threatened with homelessness or who are homeless is dependent on the validity of any evidence of homelessness or impending homelessness, and will be subject to review. This may result in a change of banding.</p>
<p>Right to move: For social housing tenants who need to move to take up a job or live closer to work</p>	<p>In accordance with the Right to Move guidance 2015, this applies to a social housing tenant who works in the county or has the offer of work in the county but does not currently live in the county. The regulations only apply if work is not short-term or marginal in nature, nor ancillary to work in another district. Voluntary work is also excluded. A contract of employment that was intended to last for less than 12 months is considered to be short-term. Employment of less than 16 hours a week is too few hours to benefit from the Right to Move regulations.</p>
<p>Sharing facilities: Three generations (reasonable preference)</p>	<p>Household sharing a kitchen and bathroom/WC with family members who are not on the application for housing where there are at least three generations living in the same home. Family members would include parents, step parents, children, step-children, siblings and step siblings and grandparents. Three generations mean, for example, child, parents and grandparents.</p> <p>Evidence from the landlord or through other resources is required to confirm the housing circumstances of the applicant.</p>
<p style="text-align: center;">Band C</p>	
<p>Affordability: Ability to pay rent</p>	<p>This applies to households where 30% or more of gross income is spent on rent. The calculation is therefore made by deducting the amount of Housing Benefit received from the rent that the household is required to pay and any remaining top up payments are then assessed to see if they are at 30% or more of the gross income exclusive of Child Benefit, fostering and kinship care payments for children.</p>

<p>Children aged 8 or under: Living above first floor (reasonable preference)</p>	<p>This applies to households where there is one child (or more) aged 8 or under. Households must live above the ground and first floor. This priority will cease when the youngest child reaches the age of 9.</p> <p>Evidence through address and birth certificates.</p>
<p>Hardship: Verified need to move to avoid hardship (reasonable preference)</p>	<p>Households who need to move due to a verified need e.g. employment, education or training, where the journey, either by public or private transport, would take over 1 hour, but under 1.5 hours in each direction (with appropriate consideration given for traffic). Evidence of employment, education or training contract or offer is needed.</p> <p>Or</p> <p>Applicants who need to move to give or receive care or support, such as in the case of elderly parents wishing to move closer to family; evidence of the care or support required would need to be provided including cumulative travel time. Evidence of the care / support required would need to be provided.</p>
<p>Non-Urgent Medical / Welfare: Verified medical/welfare need (reasonable preference)</p>	<p>This category is for Households where there is a verified need to move to prevent significant deterioration, or where a move would improve the health or welfare of the household through the provision of a different type of accommodation. Medical evidence will be required and will be used to assess banding. Please note that this banding will not be awarded where the need is temporary as a result of injury or surgery.</p> <p>The medical and welfare reasonable preference category includes people who need to move because of their disability or access needs including:</p> <ul style="list-style-type: none"> • a mental illness or disorder • a physical or learning disability • chronic or progressive medical conditions (e.g. MS, HIV/AIDS) • infirmity due to old age • ability to fend for self-restricted for other reasons • people with behavioural difficulties • need for improved heating (on medical grounds) • need for sheltered housing (on medical grounds) • need to be near friends/relatives or medical facility on medical grounds • need to move following hospitalisation or long-term care

	<p>Welfare grounds' encompasses a wide range of needs, including, but not limited to, the need to:</p> <ul style="list-style-type: none"> • provide a secure base from which people can build a stable life. • provide accommodation, with appropriate care and support, for those who could not be expected to find their own accommodation, such as young adults with learning disabilities who wish to live independently in the community • provide or receive care or support. This would include foster /kinship carers, those approved to adopt, or those being assessed for approval to foster or adopt, who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority. It would also include special guardians, holders of a residence order and family and friends carers who are not foster carers but who have taken on the care of a child because the parents are unable to provide care.
<p>Older people: Proven need for scheme for older people with assets up to £150K</p>	<p>Property owners or those with other assets over the age of 60 who can identify a need for housing for older people's schemes but whose ability to access open market provision is limited due to total capital assets and/or savings of under £150K. Applicants will need to provide evidence of assets, including the value of any property or assets owned or disposed of within the previous 5 year period.</p> <p><i>There will be an assessment of the need for this type of scheme by Registered Providers before any offer is made.</i></p>
<p>Relationship breakdown:</p>	<p>This applies to a sole person leaving the family home, who has insufficient financial resources to meet their housing needs (where there is a right to occupy the accommodation). The person applying will only be eligible for a property meeting their specific needs i.e. bedroom eligibility will normally not include provision for children. Court orders where shared custody is given does not override this decision.</p> <p>Appropriate documentation must be submitted to confirm the arrangements for any children of the relationship and, where appropriate, that divorce or legal separation has been applied for, whether or not the sale or transfer of ownership of the property has been agreed and/ or completed. Any property that is to be sold must be put on sale prior to acceptance on to the register.</p>
<p>Rural localities: s.106 local connection schemes</p>	<p>In order to promote sustainable communities, households that do not have a housing need under other criteria in this allocation scheme but have a local connection to a specific parish or ward may qualify for section 106 affordable housing developments in the parish or ward to which they have a local connection.</p>

	<p>For a property with a section 106 agreement, Local Connection means having a connection to one of the parishes specified. The criteria are as follows:</p> <ul style="list-style-type: none"> • is or in the past was normally resident there (having resided in one of the parishes in the County of Herefordshire for 6 out of the last 12 months or 3 out of the last 5 years); or • is employed there (in the employ of another (or a formal offer of such employment) not being of a casual nature but shall not exclude part-time employment of 16 hours or more per week or self-employment); or • has a family association there (where a person or a member of his household has parents, adult children, brothers or sisters, step-parents, grandparents, grandchildren, aunts or uncles or such other person as defined in the Housing Act 1996 or such other successor legislation as amended currently residing in one of the parishes of the County of Herefordshire and who have been resident for a period of at least 12 months and that person indicates a wish to be near them); or • a proven need to give support to or receive support from family members (need to provide or receive personal and physical care to enable a person or a family member to live independently in the community and includes people who are in need of such support but are not normally resident but have long standing links with the local community); or <p>because of special circumstances (shall not normally apply but amount to circumstances which in the view of the Council may give rise to a Local Connection), applicants will be required to provide evidence of their local connection to specific settlements and will only qualify for housing in the settlements to which they have the local connection as specified in the relevant s106 agreement.</p> <p>Applicants with a local connection will be given priority in the following order:</p> <ul style="list-style-type: none"> • People who live there • People who work there • People with a family connection there (as defined as above) • People who give/receive care and support there <p>Bids to properties in places to which these applicants have no local connection will be skipped.</p>
<p>Sharing facilities: With non-family members (reasonable preference)</p>	<p>Households sharing a kitchen and bathroom/WC with non-family members who are not included on the application. Family members include parents, step parents, children, step-children, siblings and step siblings and grandparents.</p> <p>Evidence from the landlord or through other resources e.g., census data to confirm the housing circumstances of the applicant.</p>

Band D	
Ending s.193 Duty	<p>An Applicant who has refused a reasonable offer of accommodation, which the Council are satisfied is suitable.</p> <p>s.193 - Housing Act 1996: The Council shall cease to be subject to the duty under this section if the applicant, having been informed of the possible consequence of refusal and of their right to request a review of the suitability of the accommodation, refuses an offer of accommodation, which the council are satisfied is suitable and the Council notifies them that they regard themselves as having discharged their duty under this section.</p>
Intentionally homeless: (reasonable preference)	Have been found to be intentionally homeless under Part 7 Housing Act 1996 by the council's Housing Solutions team.
No local connection:	<p>Applicants whose housing need is within the reasonable preference categories, but who do not have a local connection, as defined in this policy, to the county of Herefordshire.</p> <p>This does not apply to vulnerable groups where no local connection is required. Please see sections 7.7 and 7.8.</p>

APPENDIX C: Property size

1. Property Size

The number of bedrooms an applicant can be considered for is decided by looking at the size and structure of the household.

The table overleaf shows the size of properties that applicants are eligible for based on their household composition. It is aligned to the current housing benefit, universal credit (housing element) and local housing allowance regulations for bedroom entitlement

One bedroom is normally allowed for each of the following:

- a single person or any adult couple
- any two children aged under 10
- any two children of the same sex aged 15 or under unless greater than 10 years age difference•
- any other person aged 16 or over
- any other child
- a non-resident carer

However, there are very few larger properties in Herefordshire. It may therefore be necessary for two children of the same sex to share a bedroom between the ages of 16 and 21. It will therefore be normal practice for the assessed bedroom eligibility to show the minimum bedroom need in first instance.

By larger we mean those properties that are designed for households needing more than FIVE bed spaces.

Additional bedrooms can also be allowed in certain specific circumstances indicated above in the allocation scheme.

Where an applicant is offered a property that is deemed larger than necessary by the housing benefit or Universal Credit regulations, the Registered Provider will undertake a financial assessment with the applicant to ensure that the rent is affordable to the household.

A number of flats and bungalows are restricted to people over a specified age or on the basis of need /support to help applicants maintain their independence. It is sometimes possible in these schemes to offer a larger property than shown below, subject to an applicant being able to afford the rent.

Pregnant applicants without other children will be eligible primarily for 2 bedroom 2 or 3 person accommodation to enable larger three or four person households requiring to be housed in the larger 2 bedroom 4 person bedroom properties.

In rural areas, where one bedroom general needs housing is very limited, under-occupation may be permitted in two and three bedroom properties, if the Registered Provider is satisfied that the household can afford the rent. In cases such as this, the Registered Provider will advise of such consideration in the marketing information section of the advert.

Larger properties are normally offered to households that are in need of the number of bed spaces provided. Applicants should be aware that although they may be able to register an interest in a property which has more bed spaces than they need, **preference is generally given to those who need the full amount of bedrooms and bed spaces available.**

PROPERTY SIZE ELIGIBILITY								
Household size	Suitable property size							
	Bedsit/ studio	1 Bed	2 Bed 3 Person	2 Bed 4 Person	3 Bed	4 Bed 6 Person	4 Bed Over 6 person	5 Bed
Single person								
Single person or couple without children								
Single person or couple without children- properties for over 55 year old's								
Pregnant applicant (25 weeks onwards)								
Parent(s) and one child								
Parent(s) and 2 children any gender aged 0- 9.								
Parent(s) and 2 children same gender aged 0 -15, less than 10 years age difference.								
Parent(s) with 2 children same gender aged 0-15 with greater than 10 years age difference								
Parent(s) and 2 children different gender one aged 10 or over								
Parent(s) and 2 children one aged over 16								
Parent(s) and 3 children any gender mix aged 0-15								
Parent(s) and 3 children, one child 16 and over								
Parent(s) and 4 children								
Parent(s) with 5+ children								

APPENDIX D: Right to review decisions on applications or offers

All applicants have the right to ask for a review of a decision, if they consider they have been unfairly or unreasonably treated having regard to the provisions of this policy. For example, a decision about:

- suspension or removal from the register;
- any decision taken in relation to their registration;
- information that has been taken into account when assessing the application;
- type of property the applicant is eligible for;
- the band into which they have been placed;
- suitability of accommodation offered to households subject to the full homeless duty.

Initial requests for reviews will be dealt with by the organisation that has been mainly dealing with that part of the application i.e. the organisation that has notified the applicant on the issue they would like reviewed.

For reviews of decisions about the register including banding, property eligibility and decisions in relation to homeless households, requests should be addressed initially to Home Point Lead at Herefordshire Council.

An applicant can appoint an advocate and once appointed the Home Point Lead will deal directly with the advocate. The appeal will initially be dealt with by the Home Point Lead, who was not involved in the original decision.

There are two stages to the appeal process.

Stage 1

The appeal must be made in writing within 21 calendar days of the date of the decision letter, stating the grounds for the appeal. The appeal will be considered and a decision will normally be given within 21 calendar days of the appeal being received by Home Point. In complex cases it may not be possible to give a decision in 21 days and it may take longer. Where this is the case the applicant/advocate will be notified in writing prior to expiry of the 21 day period.

If an applicant is unhappy with the initial review decision they should notify the relevant organisation, in writing, within 21 days of receipt of that decision, requesting a second review.

Stage 2

If the applicant is unhappy with the decision made, they may request that a further review be carried out by the Housing Solutions Reviewing Officer. This request must be made in writing within 14 calendar days of the date of the stage 1 decision. A decision will normally be given in

21 calendar days of the request being received by Home Point, subject to extension where necessary.

If the applicant remains unhappy with the outcome of the appeal, the applicant may make a complaint to the Local Government Ombudsman.

Contact details for the Local Government Ombudsman are listed below:

Tel: 0300 061 0614 for help making a complaint.

Lines are open Monday to Friday from 8.30am to 5.00pm (except public holidays)

Fax: 027 7682 0001

Email: advice@lgo.org.uk

Further information is available on the website <https://www.lgo.org.uk/contact-us>

Contact forms are available on the web page

https://www.lgo.org.uk/forms/showForm.asp?nc=QG1E&fm_fid=81

For decisions regarding **offers of accommodation**, unless from an applicant owed the full homelessness duty, the Lettings Manager of the relevant Registered Provider should be contacted. See Appendix A for contact details.

APPENDIX E: Monitoring and review

In order to ensure that the scheme is achieving its aims of being as open and accessible as possible to all members of the community outcomes, including the following may be monitored:

- a) The number of applicants by band each quarter & by age, ethnicity and disability.
 - By household type and size
 - By band
 - By banding criteria
- b) The number of offers made each quarter and in the financial year:
 - By household type and size
 - By position in the shortlist queue
 - By percentage of lets (where available)
- c) The number of lettings in each quarter and in the financial year:
 - By property type and bedroom size;
 - By type of restricted advertising;
 - Lettings by band awarded;
 - Lettings by banding criteria;
 - Local connection to a parish/ward.
- d) Property Feedback for each allocation as follows monthly:
 - Location of property,
 - Number of beds;
 - Type of property;
 - Number of bids.
 - Refusals
- e) Non bidders, customer satisfaction & performance against service standards annually.

Review

The data collected from the monitoring arrangements will be used in an initial review of the policy 12 months after its implementation.

Any decisions on further review timescales will be taken after the initial review.

APPENDIX F: Service standards

The following outlines our intended approach in working with people who use Herefordshire Council services:

We will treat people with dignity and respect, and expect the same consideration in return.

We will respect people's privacy and confidentiality.

We will listen and respond to concerns, and act to resolve queries where we can and have the powers to do so.

We will prioritise our resources to deal with areas of high risk, specifically danger to the public and where the most vulnerable in the community may be affected.

We can provide an interpreting service for customers who do not speak English or where English is not sufficient.

We can provide information in large print, audio and Braille on request.

We will design services so that they are accessible by disabled people and ensure reasonable adjustments are made where needed.

We will evaluate our practices to make sure we are offering the best service possible next to the resources we have available.

We will always wear ID badges and identify ourselves when responding to phone calls and written correspondence.

APPENDIX G: Complaints

If you are not happy

We welcome positive feedback when you are happy with the service provided as it lets us know what we are doing right.

If you are unhappy, we will work with you to resolve your query or issue at a service level, and if you are not happy with the outcome we will explain why we've taken that particular course of action or find an alternative remedy.

If you are still not happy with the outcome the following routes can be taken.

Formal complaint

A formal complaint is an expression of dissatisfaction about the standard of service, action or lack of action by Herefordshire Council, our staff or contractors.

This could be based on stated standards not being met or not what the customer thinks is reasonable:

- We are doing something the customer did not want;
- We carried out duties in an unsatisfactory way or our staff or contractors behaved in an unacceptable way;
- We failed to do something which was asked for;
- We should have taken some action;
- Generally, a complaint has to be made within 12 months from the day the matter occurred or came to the notice of the complainant.

Formal complaints to the council will be dealt with only through the Information Access team and we will not reinvestigate the same complaint. For further information visit the Herefordshire Council's make a complaint page.

Complaints about the service provided by partner Registered Providers

These should be dealt with through the specific Registered Provider's Complaint Policy which is available on their websites. See Appendix A for contact details.

APPENDIX H: Supporting Documents for Applicants

Before an application for Affordable Housing in Herefordshire can be processed, applicants need to provide certain documents and evidence to Home Point to support their application.

The following will need to be provided for all members of the household, including children (where applicable). These include:

- Proof of Identity
- Evidence of your National Insurance Number
- Proof of income
- Proof of savings
- Proof of Local Connection
- Any additional information to support your housing need

The documents can be directly uploaded to the on-line application using the Home Point website log in, or alternatively, by email, post or by visiting the Home Point office.

Document	What type Home Point will accept	Who the documents are needed for	Which format should be provided
Proof of Identity (ID) Please note: If there has been a name change, relevant marriage certificate or deed poll documents will need to be provided	<ul style="list-style-type: none"> • Driving Licence • Passport • Full Birth Certificate • National Identity Card • Immigration papers, Visas, permits 	All members of the household included in the application	Photo ID must be in colour, with back and front of ID provided
National Insurance Number (NI)	<ul style="list-style-type: none"> • Benefit award letter • Wage slip (old or new) • P45 or P60 • National Insurance card 	Any household members who are 16 years old or over	Any NI information will need to include the name of the applicant(s) on the same page
Proof of Income (wages / self-employment)	<ul style="list-style-type: none"> • Wage slips • Self-assessment tax assessment (most recent) • Accounts for the last 12 months 	Any household members who are working and who are 16 years or over	<ul style="list-style-type: none"> • Wage slips must be the most recent and run consecutively, with 3 most recent wage slips if paid monthly and 5 most recent wage slips if paid weekly or fortnightly

			<ul style="list-style-type: none"> • Full Tax Returns to include earnings • Accounts must include gross earnings
Proof of Income (benefits) Please note: Evidence of Child Benefit will only be required where there is a query on the residency/custody of the child(ren)	<ul style="list-style-type: none"> • State or Private Pension award letters • Benefit award letters, e.g. ESA, PIP, DLA • Universal Credit statement • Court Award letter - maintenance 	Any household members who are of working age and who are not in full time education or working	<ul style="list-style-type: none"> • Benefit letters need to show applicant's name, address and NI, as well as the amounts they are receiving • Both sides of letters need to be provided – particularly child benefit letters, as the children are listed on the back • Most recent Universal Credit statements in full, including the breakdown and any deductions
Proof of Savings: Bank Statements Please note: These include saving accounts, ISAs, building society accounts, post office accounts, premium bonds and share certificates	Full statements for these accounts / bonds	All household members, including children's savings accounts	<ul style="list-style-type: none"> • Statements must include the name of the applicant(s), the account number and full transfers, including incoming, outgoing amounts and the balance
Proof of Local Connection Please see further notes below:	<ul style="list-style-type: none"> • Council Tax or utility bill • Tenancy Agreement • Rent book • Bank Statement with address (if the applicant does not pay any utilities) 	Lead and joint applicants	Any scanned copies must include name of applicant(s), address and evidence that it is an official document. For example, Herefordshire Council's logo.

Proof of Local Connection:

- 1. Immediate Family as local connection:** If an applicant's immediate family (please see Section 7.6 for full definition of family connections) has been residing in Herefordshire for 5 years and is providing a local connection, the following must be provided:
 - a letter from the family member confirming their address, how long they have lived in Herefordshire, their relationship to the applicant and what support can be provided;
 - proof of their address, for example, a council tax bill.
- 2. Employment as a local connection:** If an applicant has been employed in the county for at least 12 months (at more than 16 hours a week), they will need to provide their P60, or have official confirmation from their employer. This will need to include the employment start date, how many hours a week are worked and be provided through an official source, such as company letterhead or email. A contract of employment can also be accepted, as long as it details the above requirements;

If the applicant has an offer of permanent employment (for over 16 hours a week) with a confirmed start date, a copy of the offer letter including confirmation of start date, agreed working hours for each week and the nature of employment can be accepted. A contract of employment can also be accepted, as long as it details the above requirements.

3. **Care Leavers:** If an applicant is a Herefordshire looked after child or care leaver, or a care leaver under the age of 21 who has lived in the county for at least 2 years (including some time before turning 16), a Care Leaver referral form completed by a social worker can be accepted.

The following list of additional documents are to support applications for housing need. The list shows examples of information that will be requested, where relevant to the reason why the applicant is seeking to be rehoused:

Document	What type Home Point will accept	Who the documents are needed for	Which format should be provided
Medical evidence	Medical evidence, which outlines why the applicant's current accommodation is no longer medically suitable	Any household members with medical issues that is impacting on the current accommodation, or would have impact on the type of property they require	<ul style="list-style-type: none"> • Medical letters, which need to be as recent as possible, not more than 12 months old. (Exception made for medical issues with irreversible change, such as paralysis, amputation, etc.) • All sides of medical letters are to be provided
Occupational Therapist (OT) Assessments (where required)	OT Assessment report in full, completed by a local authority	Any household member who is listed as having an OT report completed	<ul style="list-style-type: none"> • The report will be required in full, outlining what the applicant requires • The most recent OT report to be provided and must be in relation to the current accommodation
MATB1 Certificates	MATB1 certificate completed by GP practice or hospital	Any household member who is pregnant	<ul style="list-style-type: none"> • The certificate must have either a GP practice or hospital stamp visible • Both sides of the certificate to be provided • Applicants will usually only be provided with a MATB1 once they are 25 weeks pregnant
Housing Health and Safety Rating System (HHSRS)	Report or letter from Environmental Health Services, if the current property is in poor condition (as identified under Category 1 hazard) and the issues cannot be rectified within a 6 month period	In relation to the property that is in disrepair	<ul style="list-style-type: none"> • The report must confirm the hazards identified in the property and be signed by the HHSRS team
Financial Statement	Financial Statement form issued by Home Point	In relation to anyone in the household where they have stated that their accommodation is no longer affordable	<ul style="list-style-type: none"> • The form must be completed in full and signed by the applicant. • The form must include all income and outgoings

Document	What type Home Point will accept	Who the documents are needed for	Which format should be provided
Notice to Quit: family / friends	Letter or email from a family member or friend	For the applicant who has been asked to leave	<ul style="list-style-type: none"> The notice must include who has been asked to leave, where they are being asked to leave from and by what date they have been asked to vacate the property by
Notice to Quit: Section 21 6A Please note: Tenancies starting after 30 th September 2015 – applicants with tenancies starting before this date will need to provide their notice and proof that their deposit was protected (if paid after 6 th April 2007)	<ul style="list-style-type: none"> Notice seeking possession of a property let on an Assured Shorthold Tenancy (Form 6A) Proof that the landlord has protected the deposit Copy of the leaflet 'How to rent: the checklist for renting in England' Energy Performance Certificate (EPC) Gas Safety Certificate 	For the applicant listed on the Notice	<ul style="list-style-type: none"> All pages of the Notice must be provided Only the front page of the EPC and How to Rent guide will need to be provided
Repossession or eviction proceedings	<ul style="list-style-type: none"> Copy of the court paperwork in relation to the possession or eviction proceedings 	For the applicant who is being evicted	A full copy of the court proceedings will be required
Armed Forces	<ul style="list-style-type: none"> Copy of the discharge papers, or Copy of the service book 	Any household members who have served in the armed forces	The document provided will need to confirm the date the applicant left the armed forces
Property Sales: Current home-owner	<ul style="list-style-type: none"> Confirmation of the value of the current accommodation (valuation from estate agent) Copy of a current mortgage statement to indicate outstanding mortgage Current monthly repayments Copy of Sales Particulars Copy of the confirmation of sale in principle – usually 	For the applicant who is a home-owner	All documents provided must be official confirmations

	provided by either the solicitor or estate agent		
Property Sales: Sold in last 5 years	Copy of the completion of sale to confirm the sum of equity received at the point of sale	For any applicant who has sold a property within the last 5 years	Full document outlining the completion of sale to be provided

GLOSSARY

Home Point	Based in the council's offices at Blueschool House, this team advises on and administers the housing register.
Accessible housing	This refers to housing which has been constructed or modified to enable independent living for persons with disabilities.
Accommodation of choice	Accommodation of choice is defined through legislation and case law in relation to homelessness decisions. It relates to establishing a local connection. If someone is living in accommodation not of their own choice then residence by virtue of simply living in an area will not count towards having a local connection. See below for definition of settled accommodation
Additional preference	Local housing authorities are able to award additional preference benefits to particular descriptions of people who fall within the statutory reasonable preference categories and have urgent housing needs.
Affordable Housing	Housing provided at below market prices and allocated on the basis of need to people who qualify for the housing register in Herefordshire as their only home and/or are unable to purchase or rent properties generally available on the open market without financial assistance.
Affordable rented housing	Rented housing usually owned and managed by Registered Providers where the total rent charged (including service charges, where applicable) is up to 80% of the open market rent.
Allocation policy	This is the policy document which explains the rules that Herefordshire Council uses to define those who qualify to register for social and affordable rented housing, and to prioritise applications in respect of housing need.
Armed Forces	As detailed in s.374 Armed Forces Act 2006, this means the Royal Navy, the Royal Marines, the regular Army or the Royal Air Force.
Assured shorthold tenancy (AST)	<p>A tenancy can be an AST if all of the following apply:</p> <ul style="list-style-type: none"> • the property you rent is not council owned • your tenancy started on or after 15 January 1989 • the property is your main accommodation • your landlord doesn't live in the property <p>It is a form of assured tenancy with limited security of tenure which can be terminated by a section 21 notice giving a minimum notice period of two months.</p>
Bedroom Standard	<p>The bedroom standard is the commonly used standard to assess whether a household is overcrowded. The standard allocates a separate bedroom to each:</p> <p>Adult couple</p>

		<p>Person over 21</p> <p>2 people aged 10-20 of the same sex</p> <p>1 child under 10 years and 1 young person under 20 of the same sex</p> <p>2 children under 10 years (any or both sexes)</p> <p>Any unpaired person aged 10-20 or unpaired child under 10</p>
Domestic Abuse Definition	Abuse	<p>Domestic abuse is defined in section 1 of the Domestic Abuse Act 2021, and when referenced throughout the guidance should be interpreted as such. As set out in the Act, Domestic Abuse is defined as:</p> <p>(1) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if</p> <p>a. A and B are each aged 16 or over and are personally connected* to each other, and</p> <p>b. The behaviour is abusive.</p> <p>(2) Behaviour is “abusive” if it consists of any of the following:</p> <p>a. Physical or sexual abuse.</p> <p>b. Violent or threatening behaviour</p> <p>c. Controlling or coercive behaviour.</p> <p>d. Economic abuse (see subsection (4)).</p> <p>e. Psychological, emotional, or other abuse.</p> <p>And it does not matter whether the behaviour consists of a single incident or a course of conduct.</p> <p>(3) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to</p> <p>a. Acquire, use, or maintain money or other property, or</p> <p>b. Obtain goods or services.</p> <p>(4) For the purposes of this Part A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).</p> <p>(5) References in this Part to being abusive towards another person are to be read in accordance with this section.</p> <p>*Please see <u>act</u> for definition of personal connection</p>
Effective date		The date on which an applicant applies to the register or, if the application is awarded a higher banding at a later date, the date on which the higher banding was awarded.
Eligibility		Nationally set requirements that applicants have to comply with as the first stage in the registration process.
Equality Act 2010		<p>This act requires that ‘due regard’ is shown to the needs and rights of members of the community including the ‘protected’ characteristics, which are:</p> <ul style="list-style-type: none"> • Age • Disability • Gender • Gender reassignment • Marriage and civil partnerships

	<ul style="list-style-type: none"> • Pregnancy and maternity • Race • Religion or belief • Sexual orientation
Extra care	Extra Care housing is designed with the needs of frailer older people in mind and with varying levels of care and support available on site.
Full housing duty (homeless)	A term that refers to people or families to whom a local housing authority have accepted as homeless, eligible for assistance, in priority need and not intentionally homeless, and acknowledges a duty to ensure that the household is offered settled accommodation.
Homelessness Act 2002	This Act made amendments to the Housing Act 1996 and places a duty on local authorities to review homelessness in their area.
Homelessness Reduction Act 2017	The Homelessness Reduction Act comes into force in April 2018. The Act will modify and extend existing homelessness protection.
Housing Act 1996	This Act makes provisions about housing, including the social rented sector, the conduct of tenants, the allocation of housing accommodation by local housing authorities and homelessness.
Housing Act 2004	Parts 1 and 2 introduced the Housing Health and Safety Rating System to improve standards in accommodation. The Bedroom standard (see above) was introduced as part of this system.
Housing Health and Safety Rating Standard (HHSRS)	The housing health and safety rating system (HHSRS) is a risk-based evaluation tool used to identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It includes a definition of bedroom requirements for households known as the 'bedroom standard'.
Housing Register	The Housing Register is the directory of applicants who have expressed an interest in, and qualified for, social housing in Herefordshire.
HSM	Housing Services Manager who has authority to vary aspects of the allocation policy in exceptional circumstances, as indicated in this policy document.
Local connection criteria	<p>These criteria relate firstly to the county and the level of preference an applicant has for social and affordable rented housing in the county in the Allocation policy.</p> <p>Local connection criteria may also refer to the terms of a section 106 planning agreement which gives priority to applicants with a defined connection to the specific parish.</p>

Local lettings plan	Local lettings plans are agreed for the allocation and letting of properties in specific area to address particular issues in that area.
Localism Act 2011	The Localism Act 2011 gave flexibilities to local authorities in relation to qualification on the housing register.
Looked after children	A child who is being looked after the local authority is known as a child in care. They might be living: with foster parents, at home with their parents under the supervision of social services, or in residential children's homes.
MARAC	Multi-Agency Risk Assessment Conference
MAPPA	Multi Agency Public Protection Panel Arrangements
Mutual exchange	A swap of homes by two social housing tenants moving permanently into the other tenants property. Tenants must be granted permission by both landlords.
Nomination	The term used for applicants who qualify for the register and whose name and details are provided to the landlord as part of the bidding process through Home Point.
Reasonable Preference	The Housing Act 1996 (as amended) requires local authorities to give reasonable preference in their allocation policies to applicants who fall into specified categories of housing need. See section 2.1 of this policy for a full explanation of the categories.
Reduced Preference	The term used for applicants whose application has a lower priority than it would normally have because the applicant does not have a local connection to Herefordshire or has been assessed as intentionally homeless.
Registered Provider	Registered provider, also known as Private Registered provider, is the current term for organisations that are registered with the Homes and Communities Agency to provide affordable housing. Registered providers were previously described as Housing Associations. They are regulated by Homes England and the Regulator of Social Housing.
Reserve Forces	As detailed in s374 Armed Forces Act 2006, this means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force.
Section 106	This refers to s.106 Town and Country Planning Act 1990 under which developers may provide affordable housing on a specific site, with criteria which grant priority to applicants with a local connection to the parish or ward.

Settled accommodation	<p>Defined through legislation and case law in relation to homelessness decisions. Any accommodation that is precarious, short term or insecure is not considered settled. Examples of settled accommodation include, but are not limited to:</p> <ul style="list-style-type: none"> • Freehold or Leasehold Ownership • A tenancy enjoying security of tenure (assured or assured shorthold tenancy) • An indefinite Licence or Permission to Occupy (Any occupation implying an indefinite time period) • Returning to long term occupation with parents • An indefinite stay with other relatives • Tied accommodation as a long term employee.
Social Housing	The term used in this policy document to mean social and affordable rented housing
Social Rented housing	Rented housing usually owned or managed by a Registered Provider, let at below market rents, where the changes in rent levels are subject to government policy.
Specialist Housing	Housing that has been specifically designed to meet the requirements of people with particular needs. It can refer to housing that has been purpose designed or designated for a particular client group to assist tenants to live independently.
Space Standard	The space standard is defined in the Housing Act 1985 and refers to the number of people who may sleep in a room based on the size of the room.
Transfer	This is a term used for a permanent move by an existing social housing tenant within social housing stock.