

LEICESTERSHIRE

— Choice based lettings —

North West Leicestershire District Council

Allocations & Lettings Policy
March 2011



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Introduction

Legal Background

Local authorities must have an allocation scheme for determining priorities and the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme (s.167 of the 1996 Act).

The requirement to have an allocation scheme applies to all local authorities, regardless of whether or not they retain ownership of the housing stock and whether or not they contract out the delivery of any of their allocation functions.

This Allocations and Lettings Policy has taken into account all legal requirements outlined in the Housing Act 1996, Part VI, amendments made under the Homelessness Act 2002, Allocation of Accommodation: Choice Based Lettings - Code of Guidance for Local Housing Authorities, published August 2008 and Fair and flexible: statutory guidance on social housing allocations for local authorities in England – December 2009.

Statement on Choice

North West Leicestershire District Council along with most of its Housing Association partners and six other Leicestershire district Councils¹ will be introducing a sub-regional Choice Based Lettings scheme between January and March 2011.

The scheme will predominantly be a district wide Choice Based Letting scheme although there will be opportunities for home seekers to apply for a limited amount of social housing from any of the following sub-regional local authority partners:

Blaby District Council
Charnwood Borough Council
Harborough District Council
Hinckley District Council
Melton Borough Council
Oadby and Wigston District Council

North West Leicestershire's Choice Based Lettings scheme seeks to give every eligible applicant (home seeker) choice in relation to affordable housing options.

The Allocations and Lettings Policy does ensure that those home seekers who are in urgent housing need are given reasonable preference within the Choice Based Lettings scheme.

Equal Opportunities

North West Leicestershire's Choice Based Lettings scheme promotes equal opportunities in the services it provides. Our aim is to implement and maintain services which ensure that no potential or current home seeker is treated less favourably on the grounds of gender, marital status, race, nationality, ethnic or national origin, colour, disability, age or sexual orientation

¹ This does not include Leicester City Council

nor is disadvantaged by the application of a rule, condition, or requirement, which has a discriminatory effect which cannot be justified by law.

Help and assistance is available to ensure that all households are able to access North West Leicestershire's Choice Based Lettings scheme. Information can be translated or made available in large print, audio tapes or other formats. Home seekers who are not able to search and respond to properties will be assisted. North West Leicestershire's Choice Based Lettings scheme seeks to ensure that all home seekers are placed on an equal footing by ensuring that individuals who may have difficulty in participating in the scheme receive the help and assistance they require. Those who do not have a family member, friend or advocate who can do this on their behalf will be assisted by a Housing Options Adviser. If you need the help and assistance of a Housing Options Adviser contact the Housing Advice Team using the contact details set out at the back of this booklet

North West Leicestershire's Choice Based Lettings scheme operates in accordance with the Council's equal opportunities policy. A copy of the policy is available from the Housing Advice Team or from the Council Offices. Contact details can be found at the back of this booklet.

Data Protection

Home seekers have the right to information on all decisions made about the facts of their application. This includes all information used in considering housing need priorities.

Information held by North West Leicestershire's Housing Advice Team about home seekers will only be used in connection with their application for housing and in accordance with the Data Protection Act 1998. In normal circumstances, this information is only to be disclosed to partner Housing Associations or other landlords who may be able to offer accommodation. This means that the information and the fact that a home seeker has applied for housing, will not normally be passed onto any third parties without the home seeker's prior written consent, or in exceptional circumstances where disclosure without consent is warranted. These circumstances are defined as follows:

- Where there are over-riding legal, social or public interest considerations, e.g. there is a risk of serious harm to the person themselves or others if the information is not disclosed.
- Where information is required by the police as part of a criminal investigation.
- Where information is required by an authority for the assessment or collection of any tax or duty of a similar nature
- Where, because the Council is under a duty to protect the public funds it handles, it may need to use the information provided by home seekers, to prevent and detect fraud. The information may also be shared for the same purposes with other organisations that handle public funds.
- The information may also be used for statistical purposes, which means we may pass this information, in confidence, to the relevant government department.

Objectives of North West Leicestershire's Choice Based Lettings scheme

- To meet the legal requirements for the allocation of affordable housing
- To ensure appropriate levels of priority are afforded to home seekers

- To ensure priority status on the scheme for home seekers with an urgent housing need in the sub-region
- To offer as much choice to home seekers as is reasonably possible
- To let properties in a fair and transparent way
- To support and assist vulnerable home seekers so that they are able to actively participate in North West Leicestershire's Choice Based Lettings scheme
- To provide feedback to home seekers about homes let through North West Leicestershire's Choice Based Lettings scheme
- To encourage and support sustainable communities and social inclusion
- To ensure home seekers are treated fairly, individually and in accordance with the commitment to Equality and Diversity.
- To make best use of affordable housing, to meet the needs of the local community.
- To ensure that properties are let as quickly as possible

North West Leicestershire's Choice Based Lettings Scheme Service Standards

- We will register new applications within 10 working days of receiving them provided that all supporting information is available
- If we need more information in order to assess an application we will write to the home seeker within 5 days of receiving their application. The letter will set out the information required.
- When an application is approved the home seeker will receive a letter confirming their housing need band, registration date and how to place bids for properties.
- We will review the application each year. Any change in circumstances will be updated promptly.
- We will give advice and information about the application at the home seeker's request
- North West Leicestershire District Council and its partner Housing Associations will, subject to a separate service level agreement, seek to advertise more than 90% of their vacant affordable rented properties in the district through North West Leicestershire's Choice Based Lettings scheme.

North West Leicestershire District Council will monitor performance in respect of the service standards.

1. The Housing Register

- 1.0.1 North West Leicestershire District Council maintains a register of home seekers who are interested in being accommodated by the Council and/or Housing Associations operating in the North West Leicestershire District.
- 1.0.2 However, a number of properties belonging to any of the Leicestershire sub-regional local authority partners as set out on page 3 or partner Housing Associations will also be advertised and eligible home seekers will be able to bid for and be considered for these properties. It is intended that all partners will make available a minimum of 10% of their annual lettings to eligible home seekers across the sub-region and these will form part of the Leicestershire sub-regional pool (see section 20 for more detail).
- 1.0.3 Properties that become available to let will normally only be allocated to home seekers on the housing register and preference may be given to those with a local connection to the District.

1.1 Joining the housing register

- 1.1.1 Any person over the age of 16 can apply to join the housing register. This applies whether they are currently living within the North West Leicestershire district or outside of the district. There are special provisions for 16 and 17 year olds, see section 3.1
- 1.1.2 Every home seeker must complete a Leicestershire Choice Based Lettings scheme housing application form. The information given on the form must be correct. North West Leicestershire District Council reserve the right to disqualify any home seeker from joining the register, withdraw any offer of a tenancy or assist the landlord to recover possession of an existing tenancy if they have knowingly given false information.
- 1.1.3 Home seekers will be asked to provide proof to support their application; for example, they may be asked to provide proof of income, benefits, access rights to children or levels of capital. The application form will clearly set out what proofs are required
- 1.1.4 North West Leicestershire's Housing Advice Team will make any other enquiries as they deem necessary in order to assess the application. This may involve contacting previous landlords, health or medical advisors, police, etc.
- 1.1.5 Home seekers will be asked to provide a mailing address to which all correspondence can be sent. The address can be the home seeker's home address or an alternative such as that of a family member or friend.

1.2 Review of the housing register

- 1.2.1 North West Leicestershire District Council will undertake an annual review of the housing register. Home seekers will be contacted and asked to confirm whether they want to remain on the register and whether their circumstances have changed.

- 1.2.2 Home seekers will be expected to respond to the review within 21 days. Failure to respond will result in a letter being sent advising the home seeker that their registration will be cancelled within 14 days unless there is a response.
- 1.2.3 Failure to respond within the 14 days will normally result in the registration being cancelled without further notice.
- 1.2.4 Home seekers can ask for their application to be reinstated if they believe that it has been cancelled incorrectly or unreasonably. An example of where an application could be reinstated is where a home seeker has been in hospital for the duration of the review and does not have a mailing contact who could have responded on their behalf. A request to reinstate an application should be made in writing to the Senior Housing Adviser. If the home seeker does not agree with the decision of the Senior Housing Adviser they have the right to request a review of this decision (see section 4).

2. Exclusions to the Housing Register

2.1 Home seekers are not eligible to join the register if they, or any joint home seeker, are;

2.2 Subject to immigration controls under the Asylum and Immigration Act 1996, unless they

- Already hold an introductory or secure tenancy allocated to them by their local Council.
- Already hold an assured shorthold or assured tenancy allocated to them by a Housing Association by means of a nomination
- Are in a class prescribed by regulations made by the Secretary of State, these classes include those with
 - Refugee status
 - Exceptional leave to remain in the UK
 - Indefinite leave to remain in the UK
 - Persons subject to immigration control who are nationals of a country that has ratified the European Convention on Social and Medical Assistance (ECSMA) or the European Social Charter

Any application identified as falling under the Asylum and Immigration Act 1996 will be assessed in accordance with the Act. North West Leicestershire District Council reserves the right to seek independent advice and assistance to resolve the issue of eligibility.

2.3 Guilty of unacceptable behaviour serious enough to make them unsuitable as a tenant

When making this decision we will consider:-

a) What action a landlord would have taken against the perpetrator of the unacceptable behaviour.

The behaviour must be serious enough that a registered social landlord would have been entitled to an outright possession order under schedule 2 of the Housing Act 1985 or schedule 2 of the Housing Act 1988. As an example, cases relating to noise problems, domestic violence, racial harassment, intimidation and drug dealing would probably lead to a possession order. Rent arrears often only lead to a suspended possession order.

b) Whether the behaviour is serious enough to make the home seeker unsuitable as a tenant. As an example, accrual of rent arrears which have resulted from factors outside of the home seeker's control, e.g. delays in housing benefit payments or liability for a partner's debts are not serious enough to make the home seeker unsuitable as a tenant.

c) When the unacceptable behaviour took place. Consideration will be given to the length of time that has elapsed and whether there has been any change in circumstances.

- 2.4 North West Leicestershire District Council will exclude a home seeker from the register if all 3 conditions are satisfied. When making this decision the Council will consider whether it is reasonable to exclude the home seeker. We will take into account all relevant factors such as health, dependants or other factors.
- 2.5 Home seekers will be informed in writing of the reason why their application has been rejected. They will have the opportunity to appeal against this decision if they feel it is incorrect (see section 4)
- 2.5 If a home seeker who has been refused entry onto the housing register because of unacceptable behaviour considers that their unacceptable behaviour should no longer be held against them they should complete a new registration form. The home seeker will need to show that there has been a sufficient lapse of time, in the opinion of the Council, since the previous application was submitted and that his/her circumstances or behaviour have changed.
- 2.6 If at any time North West Leicestershire District Council obtains evidence that a home seeker already accepted onto the housing register is ineligible then the home seeker will be advised in writing that their application will be cancelled. Home seekers will have the opportunity to use the review procedure if they are able to show this decision is incorrect. (see section 4)

3. Home Seekers Under the Age of 18

- 3.1 Home seekers aged 16 and 17 can apply to join the housing register but will be subject to locally agreed protocols which will determine the type of property and support services that they can be considered for
- 3.2 Home seekers aged 16 and 17 looking for social housing in North West Leicestershire must provide details of a guarantor. The guarantor must be a responsible person such as a parent or other close member, or a representative from a support agency, such as Social Services.
- 3.3 Home seekers aged 16 and 17 will be assessed in the same way as all other home seekers joining the housing register. Only those with a guarantor in place will be made an offer of accommodation.
- 3.4 When an application is received from a homeless home seeker aged 16 or 17, in the first instance North West Leicestershire District Council will seek to establish if accommodation should be provided under section 20 of the Children Act 1989. To this end the Council will request that children's services undertake a "child in need" assessment. If it is established that the child is not a "child in need" the application will be assessed in the same way as all other home seekers joining the housing register
- 3.5 When an application is received from a lone parent under the age of 18 North West Leicestershire District Council will seek to carry out a joint assessment of needs and support with Social Services. The assessment will only be undertaken after the home seeker has given their consent.

4. Right to Review

4.1 Section 167(4A) of the Housing Act 1996 as amended provides for a right to review of:

- A decision that the home seeker is ineligible on the grounds of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant
- A decision that the home seeker does not deserve reasonable preference due to unacceptable behaviour serious enough to make him/her unsuitable to be a tenant
- Any decision about the facts of his/her case which is likely to be, or which has been, taken into account in considering whether to allocate to him/her
- A decision to cancel the home seeker's application and their request to have the application reinstated has been refused

4.2 If a home seeker has successfully matched for a property but has been refused the offer of accommodation by the Council or one of the Housing Association partners they may ask for a review of their decision. The Council and each partner Housing Association operates its own appeals process. A member of the North West Leicestershire Housing Advice Team will be able to provide the home seeker with a copy of the relevant review procedure.

4.3 Home seekers wanting a right to review should submit a request, preferably in writing within 21 days of the original decision letter to:

Senior Housing Adviser
North West Leicestershire District Council
Council Offices
Coalville
Leicestershire. LE67 3FJ

or send an email to housing.advice@nwleicestershire.gov.uk clearly marked for the attention of the Senior Housing Adviser.

The request should clearly set out the grounds for review.

4.4 The officer considering the review will not have been involved in the original decision.

4.5 If the home seeker is not satisfied with the outcome of the review they can ask for their case to be considered by the Team Manager. A request for a further review should be made within 21 days of the date on the Senior Housing Adviser's letter.

4.6 The Team Manager will not have been involved previously in the case and will normally carry out the further review within 56 days of the request. A written notification of the decision, including grounds for the decision, will be sent to the home seeker.

- 4.7 If the home seeker is not satisfied with the outcome of the further review, he/she may challenge the decision in the High Court on a point of law. The home seeker has 3 months from the date of the decision letter to apply.
- 4.8 All correspondence will be sent to the mailing address on the home seeker's application. If the home seeker does not have a mailing address the correspondence can be collected from the Housing Advice Team at the Council Offices where it will be kept for a period of 28 days.

5. Home Seeker types

5.1 New home seekers

5.1.1 New home seekers include those

- living in temporary accommodation
- with assured shorthold tenancies
- with licences to occupy

5.2 Transfer Home seekers

5.2.1 Any existing social housing tenant living within the Leicestershire Sub-Region with:

- an introductory or probationary tenancy (subject to 5.2.2)
- an assured tenancy
- a secure tenancy

who lives in the Leicestershire sub-region and is seeking to move to another social housing tenancy situated within the Leicestershire sub-regional Choice Based Lettings partnership area.

This benefit will not therefore apply to social housing tenants residing outside the sub-region, even if they have a local connection within the sub-region

5.2.2 Any existing social housing tenant living within the Leicestershire Sub-Region may be permitted to register for a transfer and, if successful in bidding for a new property, complete their probationary period at the new address.

5.2.3 Any social housing tenant with an introductory or probationary tenancy subject to a Notice (NOPPIT) may be moved to the Low housing need band or have their application temporarily suspended

5.2.4 A transfer application must be submitted to North West Leicestershire Housing Advice Team and the date of their registration will be the date on which their form and any necessary proofs are submitted.

5.2.5 All household members must normally be leaving the current property for an application to be considered as a transfer. Housing Managers will be consulted before approval of any transfer request.

5.2.6 Tenants who are only eligible for the same size and type of property that they currently reside in would not normally be given any preference. Only those with a welfare, medical or other exceptional need to move will be considered for preference. (For more details on eligibility, see section 7)

5.2.7 Tenants eligible for either larger/smaller or different type of accommodation will normally be given preference. However where there is evidence that the tenant or a member of their household is in serious breach of their tenancy conditions then an application to transfer may be accepted but given no preference. A serious breach of

tenancy conditions could include rent arrears or anti social behaviour (see section 9.5.1)

5.2.8 The Council reserves the right to set targets or quotas for transfer moves from time to time and may then restrict bidding on certain vacancies to transfer home seekers

6. Home Seekers with a Disability or a Mobility Need

- 6.1 If a home seeker indicates on their registration form that they require ground floor accommodation, accommodation that has been specially adapted or they have a mobility problem, then they will be asked to complete a separate Mobility Assessment Form.
- 6.2 The Mobility Assessment Form asks a series of questions about the home seeker's mobility needs and asks them to self assess their needs by ticking one of the following descriptions:
- A My legs are unable to support my weight and I need to use a wheelchair when indoors and outdoors.
 - B I use a wheelchair outdoors but am able to walk to a limited extent. I cannot climb steps or stairs.
 - C I do not use a wheelchair but walk with difficulty. I cannot climb steps or stairs.
 - D I do not use a wheelchair; I walk with difficulty, but can manage one or two steps.
 - E I need a downstairs toilet to address my mobility difficulties. .
 - F I have a disability or a medical problem, such as kidney dialysis or epilepsy, requiring more suitable accommodation, which does not fall into any of the above categories.
- 6.3 The self-assessment will be checked by the Housing Advice Team and if the home seeker is a wheelchair user or needs a wheelchair adapted property, we may arrange for an independent assessment to be undertaken by a suitably qualified medical adviser, eg. Occupational Therapist.
- 6.4 North West Leicestershire District Council will advertise vacancies as they become available; this includes those properties that are suitable for the needs of disabled home seekers, or those that have been specially adapted in some way. North West Leicestershire District Council will include information on the level of adaptations and/or accessibility features within the property advertisement.
- 6.5 Properties that are suitable for home seekers with mobility problems will have a housing mobility key clearly identified within the adverts that will indicate the level of access or adaptation. The mobility keys are set out below:-
- A a property that is fully suitable for a wheelchair to be used inside. It will include all the access criteria as listed for a "B" property, plus would have the additional features as a kitchen adapted to mobility standard, light switches lowered, plug sockets higher, track hoists, etc.
 - B a level access property with a threshold no higher than 15mm. The entrance doorways must have a minimum clear opening of 775mm. The approach to the

property needs to be level access or ramped. Internal doorways need to have 775mm clear opening.

- C ground floor property with level access into the property by one or more entrances (level access means no steps approaching or into the property), also no steps internally.
- D a property with no stairs, i.e. ground floor only, can be within a complex or a bungalow and has one or more steps at each entrance or approach to the entrance.
- E a property with a ground floor toilet but which has stairs and steps.
- F a standard property suitable for disabled people that need extra space. These could include such "one-off" examples as, a house with substantial adaptations like bedroom / bathroom extension; or, older terraced type house with ground floor bathroom and two reception rooms downstairs.

- 6.6 For those properties labelled with either an "A" or "B" mobility key, normally only home seekers who have been awarded an "A" or "B" mobility needs status can apply. For the remaining mobility keys, "C" to "F", they will only serve as an indication to the home seeker of the level of suitability. Any home seekers can bid for properties advertised with mobility keys C to F and no preference is given to home seekers with mobility needs over home seekers without mobility needs for these properties. The shortlisting criteria remains as per the criteria on the advert, the housing band and the effective date.
- 6.7 Home seekers who apply for either "A" or "B" mobility key properties will be selected on the basis of the level of adaptation suitable for their needs – irrespective of whether they are a transfer or new home seeker. This is because there is a limited amount of this type of property so it is only available for home seekers who have been assessed as needing it.
- 6.8 Any home seeker must consider carefully when bidding for a property, whether it will meet their mobility needs, whether any adaptations or additional adaptations may be required and whether the property would therefore meet their housing need.

7. Household Eligibility

- 7.1 Once accepted onto the housing register, every home seeker will be provided with information about the size and type of properties they are eligible for. For example, a family with 1 child will be eligible for a 2 bedroom flat and 2 bedroom house. They will also be eligible for supported housing if their circumstances warrant the need for this type of accommodation.
- 7.2 Information on eligibility will be individual to each home seeker and a complete matrix of eligibility for all household types is attached at Appendix 1. Each of the partner landlords to the Leicestershire Choice Based Lettings scheme, including Housing Association partners, may have slightly different eligibility rules. Home seekers are advised to check with the property landlord if they are unsure.

7.4 Household Definitions - Guidance

- 7.4.1 The matrix takes account of single person households who have access to children but with whom the children do not reside on a permanent basis. Households falling into this category must be able to show that they do have access to children by providing evidence that they provide at least two nights of secondary care on a regular basis
- 7.4.2 Single person households with access to children cannot normally be considered for properties larger than a 2 bedroom flat irrespective of the number of children they have access to i.e. single person households with access to children will not normally be considered for a 2 bedroom house.
- 7.4.3 Accommodation designated for older home seekers will be advertised with an age criteria. This may be 55 or 60+ years etc dependent upon the landlord's policy and properties will be advertised accordingly, indicating any additional services that are available (if any). Where joint home seekers are bidding for this type of property only one needs to meet the age criteria stated on the advert.
- 7.4.4 A family with a disability refers to a household where at least one of the members has a medical or mobility need and they require an adapted property to help meet these needs.
- 7.4.5 A single parent household is entitled to the same size accommodation as a two parent household with the same number of children.
- 7.4.6 Households that include a pregnant woman are assessed as if the baby has already been born (i.e. the baby is counted as a child), where the expected delivery date is within 6 months.
- 7.4.7 A child must spend a minimum 4 nights per week with the home seeker in order for them to be classed a permanent resident. Exceptions will be considered, for example in circumstances where the child resides away from the home seeker on a temporary basis but their permanent home is with the home seeker.
- 7.4.8 A home seeker may add a joint home seeker or household member to their North West Leicestershire housing register application. Checks will be made to ensure that

those added are eligible to join. The home seeker's application will be reassessed and they will be notified of any changes, for example a change in their housing need band.

- 7.4.9 A joint home seeker may wish to leave a joint application and have an application in his/her own name. In such circumstances the home seeker's new application will be backdated to the date they joined the original joint application.
- 7.4.10 In exceptional circumstances home seekers who are ineligible for a certain property type or scheme can be considered as eligible. In making this decision the needs of each household and the needs of each landlord will be considered to make best use of their housing stock.
- 7.4.11 If there is evidence of a need for a member of the household to have a separate bedroom (for example, for medical reasons, or because of behavioural issues) an additional bedroom need can be allowed.
- 7.4.12 If an applicant has care or support needs that require overnight assistance on a permanent or casual basis, then the need for an additional bedroom can be awarded to permit this. This can include prospective foster carers on evidence that a foster care allowance has been granted.

8. Children of Different Ages and Sexes Sharing a Bedroom

8.1 The partner landlords within North West Leicestershire operate different policies in relation to households who have children of a different sex or a different age sharing a bedroom. The Council's policy is as follows:-

A separate bedroom is needed for each of the following:

- Every adult couple or single parent
- Any other adult aged 16 years or over
- Any two children aged under 10 years regardless of sex
- Any two children aged under 16 years of the same sex
- Any other child

8.2 In assessing any bedroom shortage in a household's existing accommodation, the best fit according to these rules will be taken, if that is different to the pattern of occupation of the existing accommodation.

8.3 Rooms that are in use for other purposes but could be used as bedrooms will also be included in the calculation.

8.4 The minimum size for a room to qualify as a bedroom is 6.5 mtr²

8.5 Transfer home seekers awarded priority on the basis of having a bedroom shortage may be overlooked if they bid successfully on a like for like property. Large families (i.e. those with five or more children) may be given additional priority over smaller households for properties with four or more bedrooms.

8.6 Each landlord reserves the right to use their discretion in cases. For example, where the age of the eldest child is only slightly under the age limit the organisation may refuse to consider the household for a property.

9. Assessing Housing Need

- 9.1 Whilst offering choice, the scheme must take into consideration the housing needs of each home seeker or permanent member of their household to allow those home seekers in greatest need to be given precedence.
- 9.2 The housing needs of each household will be considered and assessed. All home seekers who are eligible to join the housing register will be placed in one of four housing need bands. The four bands are as follows
1. Low Housing Need
 2. Medium Housing Need
 3. High Housing Need
 4. Priority Housing Need
- 9.3 Home seekers must notify North West Leicestershire District Council of any change in their housing circumstances. The Council may need to undertake further enquiries before reassessing the application. A home seeker's application may move from one housing need band to another as a result of the reassessment.
- 9.4 If a home seeker feels that their application has been placed in an incorrect housing need band they have a right to request a review of the decision (see section 4).

9.5 Band 1 - Low Housing Need

- 9.5.1 Applications will be accepted but will normally be given no preference if
- The home seeker does not have a qualifying local connection to any of the districts within the Leicestershire sub-region. (See Section 22 for qualifying local connection)
 - The home seeker has the financial resources available to meet their housing costs. This would include households whose income or savings were over the current approved levels or with sufficient equity in their property to purchase suitable accommodation (see definition of affordability in Affordability Calculations Appendix 2).
 - A new home seeker with security of tenure and no welfare or medical need (includes home owners, joint home owners, private tenants with security of tenure, home seekers with statutory property rights under the Family Law Act 1996 and social tenants from outside of the sub-region).
 - The home seeker owes a housing related debt of more than £300 to any of the partner Councils or another social landlord and there is no satisfactory arrangement to repay the debt, or where regular payments have not been maintained in accordance with an agreed payment plan for a minimum period of 12 consecutive weeks both at the time of application and at the time of any offer being made. Where the home seeker is able to demonstrate that they have maintained a payment plan for more than 12 consecutive weeks, they can contact the Housing Services to request that their priority is re-assessed.

Housing related debts include rent arrears on a current or former property and sundry debts such as court costs, rechargeable repairs, repayments required on Rent Deposit Schemes or other repayable homelessness prevention measures. Outstanding debts with private sector landlords may also be included, unless there is evidence of genuine hardship.

- The home seeker has been guilty of behaviour which affects their suitability to be a tenant within the last twelve months. The behaviour is serious enough that enforcement action would normally have been taken but does not warrant exclusion from the housing register. This relates not only to the home seeker but also other members of their household. If there is a relevant change in the household's circumstances during the twelve month period the applicant can contact Housing Services to request that their priority is reassessed.
- The home seeker is a transfer applicant who is only eligible for a move to the same size and type of property and who does not have a welfare, medical or other exceptional need to move. This is termed a 'like for like' transfer
- The home seeker is a joint tenant of a Council or Housing Association property where the other party does not wish to move.
- The home seeker only wishes to be considered for low cost home ownership schemes.
- Home seekers who have deliberately worsened their circumstances to gain an unfair advantage over other home seekers on the housing register will normally be placed in the Low Housing Need band for a period of 12 months. The application will then be reassessed. If there is a relevant change in the household's circumstances during the twelve month period the applicant may contact the Housing Advice Team to request that their housing need is reassessed.

9.6 Band 2 – Medium Housing Need

9.6.1 Preference will be given to home seekers who fall into one of the following categories:

1. Homeless households

- Homeless home seekers who are deemed eligible for assistance but do not qualify for a full housing duty because they do not have a priority need, or they made themselves intentionally homeless.
- A home seeker who has been assessed as being threatened with homelessness in less than 56 days, is considered to be in priority need and has been through homeless prevention options with the Council and all other options have been exhausted.

2. Poor housing conditions – home seekers living in unsanitary, overcrowded or unsatisfactory housing conditions. This could include

- Households lacking adequate toilet, bathing or cooking facilities.

- A property that although not unfit for habitation is in a serious state of disrepair and poses a high health and safety risk to the applicant. This could include properties where there is inadequate lighting, heating and ventilation or where there is ineffective drainage for waste and surface water. This will be assessed in partnership with an Environmental Health Officer. The Environmental Health Officer will consider using the powers available to secure that the property is made fit.
 - In exceptional circumstances other poor housing conditions will be considered. These will be considered where there is evidence that the housing conditions are having a detrimental effect upon the welfare or health of the household.
- 3. Medical needs** – households with a medical, disability or mobility problem. This could include
- Verified high medical need where a move will improve or prevent the deterioration of a condition. This will apply when a home seeker's condition is currently directly affected by their accommodation and a move is needed to have a positive effect on their condition, or whereas as a result of their condition their current accommodation is not suitable to their needs. An investigation will be carried out.
 - Level access accommodation is required and there is no prospect of adaptations to the home seeker's current property within 12 months. Suitable proof will be required, i.e. confirmation from a local occupational therapist and landlord. The home seeker may be referred to local agencies for assistance with adaptations.
- 4. Welfare need to move** – this list is not exhaustive and could include
- Home seekers suffering from harassment or neighbour nuisance, such as verbal abuse or damage to the property. The problems will have been reported to the landlord and/or the Police for action but a satisfactory conclusion not found. The harassment is not at a level whereby the home seeker has an emergency need to move.
 - Home seekers with a need to be near relatives to give or receive support. This would only apply where NOT moving would cause emotional, physical or financial hardship to either party.
 - Home seekers with a need to move closer to specialist educational or other organisation, agency or institution. This would only apply where NOT moving would cause emotional, physical or financial hardship to either party.
 - Home seekers who have found permanent employment in the district and need to move closer to work, or will otherwise lose their employment. An investigation will be undertaken that will involve contacting the home seeker's new employer.

Restrictions may be placed on the bidding of home seekers given priority under one of the welfare need to move categories to limit choice to the areas they have demonstrated a need to move to.

5. **Short term accommodation** – this would include

- Home seekers who currently rent accommodation privately either on assured shorthold tenancies or as a lodger
- Home seekers living with family, relatives or friends
- Home seekers accommodated for a limited period on non-secure tenancies or on licence agreements in hostels or other supported accommodation.

6. **Certain Other Cases**

- Home seekers who own their own home and a member of the household has a medical, social or economic reason to move. This would include home seekers unable to maintain their current property but with insufficient equity to purchase suitable accommodation, elderly people living in isolation and/or requiring an element of care.
- Transfer home seekers seeking different sized accommodation
- Transfer home seekers seeking a like for like transfer who have a medical, mobility or social need to move.

Restrictions may be placed on the bidding of transfer home seekers seeking a like for like transfer who have been given priority under this category to limit choice to the areas they have demonstrated a need to move to.

9.7 **Band 3 – High Housing Need**

9.7.1 A home seeker who has been assessed as having two or more needs from sections 1 to 4 of the Medium Housing Need band. No more than one factor to be taken from each of the following sections:

1. Homeless households
2. Poor housing conditions
3. Medical need to move
4. Welfare need to move

Please note that the needs criteria set out in sections 5 (Short Term Accommodation) and 6 (Certain Other Cases) in the Medium Housing Need band cannot be combined in this way

9.7.2 A home seeker will not be placed in the High Housing Need band if the two or more needs are from the same section.

9.7.3 Home seekers in the High Housing Need band can remain in this band for up to 24 weeks. If no suitable properties come available during the period, or the home seeker has not been successful in their search for accommodation their application will be reviewed. In exceptional circumstances home seekers can be granted an extension to the 24 weeks. The length of the extension will be determined by the Senior Housing Adviser.

9.7.4 The following circumstances will also qualify a home seeker to be placed in the High Housing Need band:

- Home seekers where there is overcrowding by two or more bedrooms short of the assessed need. (**Note** - Home seekers awarded priority on the basis of having a bedroom shortage may be overlooked if they bid successfully on a like-for-like property)
- A home seeker who is living in supported accommodation and the Council has a formal move on agreement with the housing provider or their key worker has agreed that independent accommodation would now be appropriate.
- Transfer home seekers who are under-occupying a home which is in high demand from other home seekers and where there may be assistance available from a local tenants incentive scheme.

9.7.5 Home seekers in the High Housing Need band retain the right to respond to properties of their choice. Home seekers will be expected to consider all suitable properties. Failure to respond to suitable properties or refusal of an offer of suitable accommodation will be taken in to account if the application is reviewed at the end of the 24 week period.

9.8 Band 4 – Priority Housing Need

9.8.1 Home seekers who have been assessed as having an emergency need to move will be placed in the Priority Housing Need band. Home seekers can remain in the Priority Housing Need band for a period of up to 12 weeks. If no suitable properties have become available during the 12 week period, or the home seeker has not been successful in their search for accommodation their application will be reviewed. In exceptional circumstances home seekers may be granted a further 12 weeks in the Priority Housing Need band.

9.8.2 Home seekers in the Priority Housing Need band retain the right to respond to properties of their choice. Home seekers will be expected to consider all suitable properties. Failure to respond to suitable properties or refusal of an offer off suitable accommodation may result in priority not being renewed at the end of the 12 week period.

9.8.3 The relevant date for shortlisting home seekers placed in the Priority Housing Need band will not be the date they joined the housing register, it will be as follows

- Homeless home seekers –the date they presented as homeless
- All other priority home seekers – the date a decision on priority was made.

9.8.4 Home seekers in the Priority Housing Need band who are allocated a property through the Choice Based Lettings scheme will normally be issued with an introductory or starter tenancy unless they are transferring from an existing social tenancy.

9.8.5 Priority need to move will be recognised in the case of:-

Homeless Home seekers owed a main duty

- Homeless home seekers to whom the Council has a statutory duty to secure accommodation as described by Part VII Housing Act 1996 and amended by the Homelessness Act 2002.

Emergency Welfare need – circumstances could include (this is not an exhaustive list)

- Home seekers who are subject to severe harassment, threats of violence or actual violence or threats of physical, emotional or sexual abuse.
- Home seekers living in a property where the conditions are classified as unsafe or risk of imminent harm which cannot be remedied within a reasonable time (not resulting from damage caused by the applicant).
- Home seekers living in a property that is statutorily overcrowded
- Care leavers and other vulnerable home seekers whose social or economic circumstances are such that they have difficulty in securing settled accommodation. The home seeker will have been through their housing options with the Council and all other options will have been exhausted.

Emergency Medical need – circumstances could include (this is not an exhaustive list)

- A home seeker with a progressive or chronic medical condition combined with other difficulties such as the need for adapted accommodation or the inability to be discharged from hospital to their current accommodation.

Complex Housing Needs

- Would include a number of high need factors which when assessed in isolation would not indicate an emergency need to move but when viewed as a whole would. This could, for example, be a combination of severe physical and learning disabilities combined with stress caused by harassment

Management need – circumstances could include (this is not an exhaustive list)

- Tenants needing an emergency transfer because their current property is in need of urgent repair (includes demolition)
- Home seekers succeeding to a tenancy that is not suitable to their needs and who have lived in the property for at least the last 12 months
- Home seekers who have no right in law to remain in their current Council or Housing Association accommodation i.e. they have no right of succession.
- Tenants occupying a wheelchair adapted property they no longer need but which could be used by somebody else.

Displaced agricultural workers – i.e. those who qualify for assistance under the Rent (Ag) Act 1976

9.9. Moving between housing need categories

9.9.1 A home seeker's Housing Need band will change if their level of need changes (see 9.4).

9.9.2 When a home seeker moves up to a higher housing need band their effective date will change to the date a decision on priority was made and they moved in to the higher band. The **exceptions to this rule** are as follows

- Home seekers moving to the Priority Housing Need band because the Council has a full homelessness duty to them will have their effective date changed to the date they presented as homeless.

9.9.3 Home seekers who move to a lower Housing Need Band will retain their current effective date or the date they were previously in that housing need Band.

10. **Advertising Properties**

- 10.1 The Council will advertise between 90-100% of all empty Council properties through the Choice Based Lettings scheme. An advert will be generated for each property. The advert will contain basic information about the property and the eligibility criteria that home seekers must meet.
- 10.2 Property adverts may be restricted to receiving bids from certain types of applicant, where this is in line with local lettings policies or where the properties are designated for certain age groups. For example property adverts may be restricted to home seekers by:
- Home seeker type (New/Transfer)
 - Support needs (i.e. Sheltered, Extra Care and Supported)
 - Banding
 - Home Seeker Age
 - Mobility
 - Household type and size

Most Council properties within North West Leicestershire will be advertised with equal preference to new and transfer home seekers. Short listing will be decided on the basis of the property criteria, home seeker's Housing Need Band and effective date (see section 15)

- 10.4 Properties will normally be advertised in accordance with the home seeker eligibility matrix see Appendix 1. In exceptional circumstances a property may need to be advertised in accordance with a Local Lettings Policy (see section 22). A Local Lettings Policy will normally be used when there are issues of sustainability and there is a need to create a balanced community. Properties advertised under a Local Lettings Policy will be allocated in accordance with the normal North West Leicestershire's Choice Based Lettings scheme procedure, i.e. on the basis of housing need band and effective date.
- 10.5 Home seekers in the Medium, High and Priority Housing Need Bands will be able to view the fortnightly property adverts on line at www.leicestershire-homes.org.uk or will need to view a copy of the property listings at one of a number of local display points in the district. Details of these display points will be sent to home seekers when their application is made live. It will also be displayed on the North West Leicestershire Choice Based Lettings website.
- 10.6 Home seekers living in the District in the Medium, High and Priority Housing Need Bands who are assessed as unable to view the property adverts on line and are unable to view a copy because there are no local display points or they struggle to access local display points will be eligible to receive a copy of the adverts through the post. Home seekers who are eligible to receive the property adverts through the post include:
- Home seekers with an A/B mobility key (see section 6.2) except where there is a joint home seeker who is able to access the property adverts
 - Home seekers aged 60+ (both main and joint home seekers must be aged 60+)
 - Home seekers who are assessed as having a medical problem that makes them

less able to view online or collect a copy of the adverts (except where there is a joint home seeker that is able to access the property adverts).

- Home seekers living in a town or village in the district where there is no advert display point and who are assessed as having exceptional circumstances

10.7 Home seekers living outside of the district or in the Low housing need band will not be eligible to receive a copy of the property adverts through the post, they will be expected to view a copy of the adverts at one of the display points or online, unless we are made aware of and satisfied that there are exceptional circumstances.

10.8 The property booklet may include details of other affordable housing options in the district. This may include private rented properties, low cost home ownership and Homebuy options.

11. Bidding for Vacant Properties

- 11.1 Home seekers are responsible for bidding for properties that are advertised. Bidding does not involve pledging any money, it is simply the term used for expressing an interest in a property. If a home seeker is unable to search and bid for properties they will be assisted by a member of the North West Leicestershire Choice Based Lettings team.
- 11.2 Home seekers are responsible for ensuring that they place bids in response to property adverts before the stated closing date. Bids received after the closing date will not be considered.
- 11.3 Home seekers can place bids in a number of ways. Details of how to bid will accompany the property adverts
- 11.4 Home seekers can place up to three bids per edition of adverts.
- 11.5 Home seekers are not penalised if they fail to respond to properties advertised. However, applicants in Priority and High Housing Need bands will be expected to consider all suitable properties. Failure to bid for suitable properties or refusal of an offer of suitable accommodation will be taken in to account for High Housing Need band home seekers if the application is reviewed at the end of the 24 week period and may result in priority not being renewed for those in Priority Housing Need band at the end of the 12 week period
- 11.6 North West Leicestershire District Council reserves the right to change the frequency of advertisement publication.

12. Management Allocations

- 12.1 North West Leicestershire Choice Based Lettings scheme aims to give all home seekers choice in where they live. In exceptional circumstances it may not be possible to offer the home seeker choice and a direct offer of accommodation, or a Management Allocation, may have to be made.
- 12.2 A Management Allocation may be made in one of the following circumstances (this list is not exhaustive)
- When a Council tenant or tenant of a Housing Association partner needs to be decanted from their property because it requires major refurbishment or repair
 - Where a property has been compulsory purchased and there is a legal requirement to offer the household a specific property
 - Where the home seeker could pose a risk to individuals or other members of the community
 - Where the Council or Housing Association partner has decided that this is the best use of stock. This would only take place in exceptional circumstances, following discussion with the Senior Housing Adviser.
- 12.3 Properties being allocated on a Management Allocation basis will be advertised through the scheme but labelled “Management Allocation - Do Not Respond” Home seekers will not be able to register a bid on the property. These properties are advertised in order to demonstrate the transparency of the scheme.

13. Difficult to Let Properties

- 13.2 The term 'difficult to let' refers to properties that have been advertised twice but have not attracted any eligible bids
- 13.3 If a particular property type has a history of falling within the difficult to let definition, the Council or Housing Association may alter the eligibility criteria on the next advert to encourage home seekers of a different age or household type to bid. The Council will work with all social landlords to identify and encourage home seekers who would meet the revised criteria to bid.
- 13.6 If the property remains vacant then following consultation, consideration should be given to other changes in the eligibility criteria and incentives to attract prospective tenants may also be considered.

14. Short Listing Criteria

14.1 For all properties advertised, unless they are advertised on a “best fit basis” (see 14.4), home seekers who have placed bids and meet the criteria for that property will be short listed in the following order:

- i) By local connection qualification (see section 22)
- ii) By housing need band (Priority to Low)
- iii) By effective date (=date of registration or more recent date of change of priority)

If more than one priority home seeker within a housing need band bids for a property, the home seeker who has been in the housing need band for the longest period of time will be matched first. If both joined the housing need band on the same date the home seeker who has been on the housing register the longest will be matched first.

14.2 In the event of two home seekers with the same registration date applying for the same property, the Senior Housing Adviser will make a decision between both cases taking into consideration the housing circumstances of each case.

14.3 This will generally mean home seekers who receive no preference (Low Housing Need band) are less likely to receive an offer of accommodation.

14.4 Non standard properties, for example those that are suitable for wheelchair users with an A or B mobility key (see section 6.2) will be advertised on a ‘best fit’ basis. These properties will be exempt from the short listing process outlined in 14.1. Home seekers who respond and have been assessed with an A or B mobility key (i.e. have a need for wheelchair accessible accommodation) will be invited to view the property. An independent Occupational Therapist will assess each of the home seekers and recommend who would be the best fit for the property.

14.5 Where a disabled home seeker applies for accommodation which does not meet his or her access needs, the allocations staff will take into account whether it is reasonable and practicable to adapt the property when assessing his or her bid. If the allocations staff take the view that it is reasonable and practicable to adapt the property, the disabled home seeker will be considered for the vacancy on the same basis as other applicants who have submitted a bid.

14.6 Where there is a shortage of accessible properties, and a failure to adapt a property would lead to unreasonable delays in housing for a disabled person then North West Leicestershire’s Allocations Team will take steps to identify properties which are suitable to be adapted, and consider giving priority to disabled persons who bid for such properties.

15. Offering a Property

- 15.1 The short listing results for each property will be sent to or accessed directly by the relevant social landlord. They will be responsible for contacting home seekers who have matched for the property and for allocating the property in accordance with their individual Allocations Policy. The Council and participating Housing Associations will work from the short list results provided by the North West Leicestershire Housing Advice Team.
- 15.2 Home seekers who are contacted regarding a property will be asked to provide proof to confirm the circumstances detailed on their Choice Based Lettings housing application form.
- 15.3 Home seekers who owe a housing related debt to the Council or a Housing Association (see section 9.5.1) **may** be advised that any offer of accommodation is subject to the remainder of the debt being paid in full. Home seekers may be asked to provide evidence to prove the debt has been paid.
- 15.3 If the home seeker is unable to provide proof of their circumstances or if their circumstances have changed to an extent that they are no longer eligible for the property then an offer of a tenancy will not be made.
- 15.4 If the home seeker is able to provide the housing provider with the proof requested then the home seeker should be offered the tenancy of the property.
- 15.5 The housing provider will complete the tenancy agreement with the home seeker. This agreement is the formal contract between the landlord and home seeker, and sets out the details of the property, rental charged, the full names, and the start date of the tenancy.
- 15.6 Home seekers should be given sufficient time to consider an offer of a tenancy. The home seeker should normally be allowed 2 days from when a provisional offer is made to make a decision.
- 15.7 Home seekers who are identified as vulnerable can be given longer to consider the offer of a tenancy. Examples of this will include home seekers who are currently in hospital or in some form of temporary accommodation, such as a hostel or refuge or shortly due for release from prison. A decision will be made by the individual landlord according to the circumstances of the home seeker.
- 15.8 Home seekers will not normally be penalised if they refuse the offer of a tenancy (but see paragraph 11.5). If a home seeker refuses 7 offers of a tenancy their application will be suspended and they will be asked to attend an interview with a member of North West Leicestershire's Housing Advice team. The interview will be used to discuss their housing needs and to offer advice about the type of properties available. Home seekers will be ineligible to make further responses until they have attended the interview.
- 15.9 Home seekers in the Priority Housing Need band may jeopardise their priority status if they refuse a reasonable offer of a tenancy. In the case of "homeless" priority home seekers, if they fail to respond to properties that could be considered as suitable for

their needs, or if they refuse a reasonable offer of accommodation within the first ten weeks of their priority status, their priority status will not be renewed and the homelessness duty will be discharged by making them one reasonable offer of accommodation within the final two weeks of their priority status. If it is not possible to make a reasonable offer in the last two weeks of their priority status, the priority status will be extended for a period of two weeks at a time until a reasonable offer can be made.

- 15.10 The Council and Housing Association partners to the scheme reserve the right to withdraw any offer of accommodation. Offers will only be withdrawn when there is just cause. The Council or Housing Association will explain why the offer has been withdrawn. The home seeker will have a right to review against the decision (see section 4)

16. Joint Tenants

- 16.1 Home seekers seeking a joint tenancy should have a joint Leicestershire Choice Based Lettings scheme housing application.
- 16.2 The partner landlords within the Leicestershire Choice Based Lettings scheme encourage joint tenancies.
- 16.3 If one home seeker of a household is ineligible to join the register (i.e. would be excluded as per section 2), then a joint tenancy cannot be granted.
- 16.4 The partner landlords will consider offering a joint tenancy to household members who have long term commitments to the home, for example when adults share accommodation as partners (including same sex partners), friends or unpaid live-in carers.
- 16.5 When a joint tenant serves notice to quit, the partner landlords can, at their discretion, grant the remaining joint tenant a tenancy in their sole name. In exercising their discretion the landlords will consider whether this is making best use of their stock. The former tenant may join the housing register as a new home seeker.

17. Feedback Information

- 17.1 The Choice Based Lettings scheme seeks to provide every home seeker with feedback information on previous allocations. This helps home seekers to make informed choices when bidding for properties
- 17.2 Every property that is allocated through the scheme will be included in the feedback information. This information is published in the fortnightly property listing booklet and on the North West Leicestershire Choice Based Lettings website.
- 17.3 The feedback information will include details of the number of home seekers who correctly placed bids for the property and the date of registration of the successful home seeker. It will also identify when a home seeker in a Priority housing need band has been successful
- 17.4 Home seekers will also be able to see their position on the short list by using the website
- 17.5 North West Leicestershire Housing Advice Team will seek to contact home seekers in the Priority, High or Medium bands who have not bid for a property in a 12 month period to ensure they understand how the scheme works and discuss their housing needs.

18. Mutual Exchange

- 18.1 Secure Council tenants and assured tenants of the partner Housing Associations have the right to exchange their property with secure tenants of any other Council, or assured tenants of any Housing Association.
- 18.2 North West Leicestershire District Council's Housing Advice team will facilitate and maintain a Mutual Exchange Register.
- 18.3 The Register will be made available to view in a number of formats. North West Leicestershire District Council's Housing Advice team will advise tenants about how to register for a mutual exchange and how to view properties on the mutual exchange register.
- 18.4 The Mutual Exchange Register (with photographs of each property) will be displayed at the Council's main reception.
- 18.5 The partner landlords will normally consent to a mutual exchange in line with the lettings matrix set out in Appendix 1. The tenant must receive written consent from their landlord before any exchange takes place. The landlord may withhold consent on the following grounds: -
- There is a valid Possession Order with a date for the tenant to leave the property
 - Notice of seeking possession has been issued and is still in force or repossession proceedings have been started.
 - There is a Demotion Order in place
 - The tenancy is an introductory or a starter tenancy
 - Property is much larger than new occupier would be normally eligible for. (The Council will use the eligibility matrix when determining the number of bedrooms and property type a home seeker is entitled to)
 - Property has been adapted or is specifically built for people with disabilities
 - Property is within a sheltered complex or extra care scheme and the incoming tenant does not require the facilities.
- 18.6 Rent arrears or other breach of tenancy conditions are not grounds for refusal but permission will be given subject to any breach being rectified in advance of any exchange.
- 18.7 Mutual Exchanges are undertaken by way of a Deed of Assignment. Properties are accepted in the condition they are in at the time of the Exchange; in most cases neither the Council nor partner Housing Association has any liability to undertake repairs to tenants' fixtures and fittings.

19. Agricultural Workers and the Rent (Agriculture) Act 1976

19.1 Under the Rent (Agriculture) Act 1976 the Council has a duty towards agricultural workers who are required to leave their tied accommodation.

19.2 When considering an application from a displaced agricultural worker the Housing Advice Team will need to be satisfied that :-

- ◆ the property from which the worker is displaced is needed to accommodate another agricultural worker.
- ◆ the farmer cannot provide suitable alternative accommodation for the displaced worker
- ◆ to re-house the vacating worker would be in the interests of efficient agriculture.

All 3 conditions need to be satisfied.

19.3 In reaching a decision the Housing Advice Team will seek the advice of the Agricultural Dwelling-House Advisory Committee who will advise whether or not the applicant should be asked to vacate the tied accommodation and make recommendations as to the urgency of their re-housing.

19.4 If the Housing Advice Team is satisfied that the case is substantiated the home seeker's application will be placed in the Priority housing need band (See section 9.7)

19.5 If the case has not been substantiated then the Housing Advice Team will assess the application in the standard way. (See section 9 for further information).

20. Leicestershire Sub-regional Pool of Properties

The seven local authority districts which make up the Leicestershire Sub-region are:

Blaby District Council
Charnwood Borough Council
Harborough District Council
Hinckley and Bosworth Borough Council
Melton Borough Council
North West Leicestershire District Council
Oadby & Wigston Borough Council

20.1 Make up of the sub-regional pool of adverts

20.1.2 Each local authority area will have its own property listing detailing the properties available for registered home seekers to bid against. The full property listing will be available on line at www.nwleics-homes.org.uk and will contain the following groups of properties:

A. Local homes for rent

These are social rented homes which are advertised to home seekers who have been accepted onto the housing register of the host district/borough (ie. the district/borough where the advertised property is located) or have an established local connection to that district/borough.

B. Sub-regional homes for rent

These are social rented homes which have been selected for advertising across the sub-region. All eligible home seekers on the sub-regional housing register may bid for these properties. Where the property advertised may be in high demand locally, the housing register administrator for the host area may apply a preference for those with a local connection to their district.

C. Home ownership opportunities

HomeBuy and other affordable home ownership options will only be included in the sub-regional pool if the council normally advertises these opportunities. Some council areas may continue to only advertise via the Regional HomeBuy agency. There will be no fixed cycle for these adverts. Bidding and short-listing will not be required.

D. Private renting

There will be an option to add privately rented housing opportunities to the sub-regional pool. Bidding and short-listing will not be required.

20.2 Pooling Rules

20.2.1 The local authority partners agree that a minimum of 10% of their general needs housing vacancies will be pooled sub-regionally, taken as an average over the course of a full year. There should be a representative spread of property sizes.

- 20.2.2 The local authority partners also agree to pool sub-regionally a minimum of 10% of their sheltered housing.
- 20.2.3 All specially adapted housing for people with physical disabilities will be added to the sub-regional pool.
- 20.2.4 Property vacancies in the sub-regional pool will be open to all home seekers in the sub-region, subject to any restrictions stated in the advert. In normal circumstances equal priority will be given to home seekers in the same band and with a connection to any part of the sub-region. However, where the type of property may be in high demand locally or a local lettings policy is in place, preference may be given in some circumstances to home seekers with a district connection to the host area. For example, larger properties, wheelchair adapted properties and some village properties, which are in short supply locally.
- 20.2.5 For home seekers with a connection to more than one district see 21.5

21. Definition of Local Connection

21.1 Priority will be given to home seekers who have one or more local connections as defined below. Property adverts will identify what type of local connection priority is being given.

21.2 Sub-regional Connection

A sub-regional connection is defined as a connection to any one of the seven district council areas in the sub-region.

For all property vacancies advertised within the sub-region preference will be given to those with a sub-regional connection over home seekers who have no connection. Under the policy home seekers from outside the sub-region and with no local connections will normally be placed in the lowest band. The exception will be home seekers who have been placed in the Priority Housing Need or High Housing Need bands, where there is a recognized need for them to relocate away from their existing home district. Examples will include households fleeing the threat of violence and other households advised not to return to a particular area.

Equal priority will be given to any applicant who has a sub-regional connection (i.e. a connection to any one of the district areas) for properties advertised in the sub-regional pool. However, there will be an option available to give preference to those with a district level connection (see 21.3) where the property type may be in short supply locally. Use of this facility should be the exception rather than the rule and its use will be monitored to ensure it is being applied fairly

21.3 District Connection

When properties are not advertised in the sub-regional pool, preference will normally be given to home seekers with a local connection to the host district. For properties advertised in the sub-regional pool, that are considered to be a scarce resource (for example properties that are assessed as meeting A/B mobility standards) a preference for applicants from the host district may also be applied. Use of this provision will be exceptional rather than routine and is there to encourage local authority partners to include such opportunities within the pooling arrangement.

A district connection is established by one or more of the following:

- (a) they currently reside on a permanent basis within the district
- (b) they have lived in the district for at least six months in the last twelve months, or for at least three out of the last five years
- (c) they, or a member of their household is employed on a permanent basis or a temporary contract running for a minimum of twelve months, within the district (confirmation will be required from the employer)
- (d) they have parents, brothers, sisters, or adult children (those over 18 years) who have been living within the district for at least five years. Step equivalents will be allowed.
- (e) They have no local connection but are fleeing violence or threats of violence and have been accepted as priority homeless by the Council.

Other special circumstances may exist, and all applications will be considered on their individual circumstances.

Exceptions to the rule of establishing local connection will normally apply as follows:-

- Time spent in any prison or secure unit
- Time spent in hospital
- Time spent in any institution such as a refuge or rehabilitation centre

21.4 **Village or Parish Connection**

For some village housing schemes there are planning restrictions requiring that vacancies should go in the first instance to people who have a connection with the village or parish. The detail of the planning restrictions may vary from district to district and from housing scheme to housing scheme. These vacancies will not feature in the sub-regional pool of properties.

The factors used to determine a village connection in North West Leicestershire will be as follows, where the main home seeker or joint home seeker can answer 'yes' to any one of the following:-

- I have lived in the village for the last 12 months
- I work permanently in the village (at least 15 hours a week)
- I was born in the village or previously lived in the village for 3 years or more
- I have close relatives who have lived in the village for at least 3 years (close relatives are defined as parents, children, siblings, grandparents or grandchildren or step equivalents)
- I need to move to the Parish to be close to a relative or other person in order to provide or receive significant amounts of care and support

21.5 **Home seekers with a connection to more than one district**

Home seekers with multiple connections should have the same priority for property vacancies in any of the areas to which they are connected. An exception may be made for homeless home seekers where one council has accepted a statutory duty to re-house. Other councils may opt to by-pass homeless home seekers on short-lists, if they do not have a statutory duty towards them.

Only one housing register application need be made. The home seeker must choose which district register to apply to. The application form will identify those district areas where the home seeker claims an additional local connection. The housing register administrator will verify with the other districts that the home seeker has a valid connection. The register will hold a record of each connection. The home seeker will be able to see and bid for all the locally advertised properties in each district that he/she has a connection to as well as the sub-regional selection.

The host housing register administrator will determine the priority banding and all other relevant factors for the home seeker.

22. **Complaints Procedure**

As part of our commitment to improve Customer Service, we have implemented a Corporate Complaints Policy. We want to make sure that any complaints we receive are dealt with:

- Fairly
- Honestly
- Quickly

We want you to be able to tell us where our services or policies are failing, because without your feedback we cannot improve the service we provide.

What is a complaint?

A formal complaint can be made when:

- The service has let you down
- We have not done something we said we would do
- We did something wrong
- The service we provided was unfair

What is not a complaint?

A request for service is not a complaint. For example, if you want to 'complain' about a noisy neighbour, we will treat it as a request for service because there are set procedures to follow. Your request could become a complaint if we do not take the appropriate action, or we do something wrong.

How do I make a complaint?

We will accept complaints through any communication channel. Whether you write us a letter, telephone us, send an e-mail, tell one of us verbally or complete an [online form](#) we will treat your complaint seriously and professionally.

For the complaint to go through our formal procedure, we will require your contact details.

We will need to contact you:

- If we need further information
- When we want to update you with the progress of your complaint
- When we have finished our investigation and need to provide you with a formal response.

What will happen after I have complained?

- Your complaint will be passed to the Corporate Complaints Officer who will monitor the progress of your complaint from start to finish.
- You will receive a written acknowledgement within two working days of making your complaint.
- Your complaint will be passed to the Head of Service of the Department concerned for investigation.
- We will keep you informed at all times of the progress of your complaint.
- At 10 working day intervals we will send you a progress update letter.
- If we have not been able to resolve your complaint after 20 working days, it will be referred to the Council's Chief Executive.
- When your complaint has been fully investigated we will send you a formal response by letter.

What if I am not satisfied with your response?

If you are not satisfied with our response you can take your case to your [local councillor](#) or the [Local Government Ombudsman](#) for independent judgement.

What action will you take to ensure my problem is not experienced by others?

When we have finished our investigation, we will identify where our service failed and make any necessary changes to procedures to ensure that our customers are not inconvenienced in the same way again.

Whilst we make every effort to get things right first time, we accept that there are occasions when our services won't meet your expectations. We want to actively encourage complaints and feedback to help our services improve.

If you have been let down by a service, or we have not met your expectations, please let us know as soon as you can so we can address any problems.

1. Size and type of property home seekers with no support need may normally make bids for

(NB. This table takes account of property eligibility for all LA partners not just North West Leicestershire District Council

	Single Person	Single person with access to children*	Couple	Couple/one parent plus one other	Couple/one parent plus two others	Couple/one parent plus three others****	Couple/one parent plus four or more others
Studio flat	√	√					
1 bedroom flat	√	√	√				
1 bedroom house	√	√	√				
1 bedroom bungalow	√	√	√				
2 bedroom flat	(√)	√	√	√	√		
2 bedroom house	(√)		(√)	√	√		
2 bedroom bungalow	(√)		√	√			
3 bedroom house **				(√)	√	√	√
3 bedroom flat/maisonette				(√)	√	√	√
3 bedroom parlour*** house					√	√	√
4+ bedroom house						(√)	√

Notes

- * Single person with children who do not live with them on a permanent basis.
- ** In some circumstances larger sized houses may be opened up to families with a two bedroom requirement.
- *** A Parlour House is a house with a separate dining room.
- **** Households with three dependents, with one or more over the age of sixteen, may be entitled to bid for four plus bedroom houses in some areas.
- () In some locations two bedroom property types may be opened up for households with a one bedroom requirement, three bedroom properties may be open to those with a two bedroom requirement and four bedroom properties for those with three dependents, at least one of whom is aged 16 or over.

Where a household contains a pregnant woman the expected child counts as an extra member of the household provided the baby is due within 6 months.

If an applicant needs an additional bedroom for a live-in carer then the carer can be added to the household.

Large families (ie. those with five or more children) may be given additional priority over smaller households for properties with four or more bedrooms.

2. SHELTERED ACCOMMODATION FOR ELDERLY PEOPLE AND OTHERS WITH A SUPPORT NEED

Housing with support or scheme manager or with fitted alarm call system. Details of the support available will be given in the property advert.

	Single elderly person	Single person under 65 years with support needs	Elderly couple
FLAT			
Studio flat	√	√	
1 bedroom flat	√	√	√
2 bedroom flat	√	√	√
Bungalow			
1 bedroom bungalow	√	√	√
2 bedroom bungalow	√	√	√

Age rules vary between 55 and 65 depending on the landlord organisation. Age limits will be shown on the property advert. The age limit normally only applies to the oldest partner in a couple

AFFORDABILITY CALCULATIONS

Applicants will be placed in the lowest band if they are assessed as having sufficient means to be able to meet their own housing needs by buying or renting in the private housing market.

However, the following limitations apply:

If the household has specialist needs that cannot be met within the local housing market then the rules will not be applied. For example, if the need is for wheelchair standard housing or the home seeker needs housing with support services, which is not available on the market.

If a household has support needs, the assessment will also take account of this in assessing the cost of meeting the household's needs in the local housing market. For example, if the home seeker needs sheltered housing which is available but the level of the service charges is prohibitive.

The following thresholds will be used to assess whether a household has sufficient means to meet their needs in the private housing sector.

	Income limit £	Equity limit £	Savings limit £
Blaby	42,000	31,000	16,000
Charnwood	45,000	30,000	17,000
Harborough	58,000	35,000	22,000
Hinckley & Bosworth	45,000	29,000	17,000
Melton	47,000	29,000	18,000
North West Leicestershire	42,000	27,000	16,000
Oadby & Wigston	41,000	30,000	16,000

Figures are based on evidence within the Leicestershire Strategic Housing Market Assessment and updated to 2010 as follows:

Income limit

The lowest income required to buy an averagely priced home in the district with a 10% deposit and borrowing no more than 3.5 times combined income.

Equity limit

The Equity limit is based on the applicant(s) having equity equivalent to 25% or more of the average price within the lower quartile of house prices in the district (i.e. the cheapest 25%). It is assumed this could be used to put down a deposit on a new home or be released and used to rent privately.

Savings Limit

The savings limit is equivalent to 10% of the cost of an average priced home in the district, or around 15% of the average price of a lower quartile priced home. It is assumed that the applicant(s) could use this as a deposit to buy a home or else use it to rent privately.

If the household fails any one of these three tests, then they will be registered in the Low Priority Band i.e. if their joint income, or joint savings or equity exceed the threshold set for the relevant district.

Other special circumstances may exist, and all applications will be considered on their individual circumstances.

The threshold amounts will be reviewed annually to take account of changes in housing market prices.

Contact Details

For more information contact the Housing Advice Team at North West Leicestershire District Council

Visit us (Monday to Friday 8.45am – 5pm) at:

Housing Advice
North West Leicestershire District Council
Council Offices
Coalville
Leicester
LE67 3FJ

Write to us at:

Housing Advice
North West Leicestershire District Council
Housing Division
Council Offices
Coalville
Leicester
LE67 3FJ

Telephone:

Freephone 0800 183 0357 - (Monday to Friday 8.45am to 5pm)
01530 454789 - Out of Hours and weekends 24 hours 7 days a week

E- mail: housing.advice@nwleicestershire.gov.uk

Choice Based Lettings Website Address: <http://www.leicestershire-homes.org.uk>

Council Website: <http://www.nwleics.gov.uk/housing%5Fhome/>