

# CHESHIRE HOMECHOICE

## Common Allocation Policy

VERSION 2 (01.04)



## Cheshire East Choice Based Lettings Partnership

"Providing housing solutions through choice, to customers across the Partnership".

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## **SECTION ONE**

### **THE COMMON ALLOCATION POLICY**

#### **Background**

In 2007 the Cheshire Sub-Regional Choice Based Lettings Partnership was created with the aim of developing a common allocation policy, a Common Housing Register and a choice based lettings scheme. Due to Local Government Re-organisation this became the Cheshire East Choice Based Lettings Partnership in 2009. The following organisations are members of the partnership:

- Cheshire East Council
- Plus Dane Group
- Peaks & Plains Housing Trust
- Wulvern

The Cheshire East Choice Based Lettings Partnership's scheme is called "Cheshire Homechoice" and went live in 2010 using a system of advertising properties and expressions of interest alongside the Allocations Policy to determine how properties are allocated.

In addition the following organisations advertise a proportion of their available properties in Cheshire East through Cheshire Homechoice

<ul style="list-style-type: none"><li>• Riverside</li><li>• Harvest</li><li>• Muir</li><li>• Regenda</li><li>• Contour Homes</li><li>• Places for People</li><li>• Adactus</li></ul>	<ul style="list-style-type: none"><li>• Equity</li><li>• Anchor</li><li>• Arcon</li><li>• "Jonnie" Johnson</li><li>• Great Places</li><li>• Guinness</li><li>• Northern Counties</li></ul>
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In 2011 the Partnership began a review of the Common Allocation Policy in light of lessons learnt from the application of the policy and to update it in line with statutory changes being brought in by the Localism Act 2011.

Version 2. is the reviewed policy.

#### **Our Vision**

*"Providing housing solutions through choice, to customers across the Partnership area".*

## **Key Aims and Objectives**

The overall aim of the policy is to ensure that all social and affordable housing is allocated fairly and objectively to those in the greatest housing need, having regard to any legislative requirements and Codes of Guidance issued by the Department for Communities and Local Government. (DCLG)

This policy has been developed with a view to meeting the following principles and key objectives:

- To provide a first class housing service
- To operate an allocations system that offers realistic, informed choice for all.
- To improve mobility within Cheshire East and to encourage balanced and sustainable communities.
- To ensure that every application is dealt with fairly and consistently irrespective of race, disability, gender, sexual orientation, religion and belief, and age.
- To operate a choice based lettings system which is simple, easy to understand, transparent, open and fair.
- To give adequate priority to customers who fall within the “Reasonable Preference” categories.
- To give adequate priority to homeless customers whilst maintaining a balance between the needs of the homeless and other customers in housing need.
- To empower customers by giving them more opportunity to express choice and preferences about where they want to live whilst having regard to the availability of housing resources and the high demand for housing.
- To assist those customers who are vulnerable to access the scheme.

## **Equality and Fairness**

The Partnership will ensure its policies and practices are non-discriminatory and will promote equal opportunity by preventing and eliminating discrimination on the grounds of race, disability, gender, sexual orientation, religion and belief and age. The scheme will be accessible, responsive and sensitive to the diverse needs of individuals. The Partnership’s aim is to create an environment where equality and diversity is at the heart of everything they do.

The impact of the policy will be monitored, to ensure that it promotes equality of opportunity to individuals and minority groups. In order to achieve this, all customers will be asked to provide details of their ethnic origin and any other demographic information when they apply to join the Register.

The Partnership will ensure all potential customers have equality of information about the service and equal opportunity to apply, express an interest for and receive offers of accommodation. We will do this by:

- Advertising the service widely in a variety of accessible media.
- Providing practical assistance to those who may have difficulty in understanding the requirements of the system.

- Providing practical assistance, in the customer's preferred way, where the customer may have difficulty completing the paperwork.
- Providing tailored assistance to those who may have difficulty expressing an interest for properties, including expressing an interest on their behalf, if that is necessary.
- Monitoring the profile of those who are applying and making expressions of interest to ensure that minority and hard to reach groups are actively engaged in the service.

## **SECTION TWO**

### **THE COMMON HOUSING REGISTER**

#### **Introduction**

The Common Housing Register is a single list of all the customers across Cheshire East who have been accepted onto the scheme. It includes new customers and existing social housing tenants wishing to transfer. Customers who apply to join the Register need only apply once to be considered for vacancies across the whole of the partnership area.

#### **Who can apply?**

The register is open to all apart from those who are ineligible due to immigration status or classed as non qualifying due to unacceptable behaviour as defined in the following sections.

Anyone age 16 or over can apply to have their housing need registered, however tenancies are usually only offered to people of 18 years of age and over..

#### **Eligibility**

##### **Ineligible due to Immigration Status**

Persons from abroad who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996 are ineligible for allocations; however some prescribed classes of persons who are subject to immigration control are nonetheless to be eligible for an allocation. Also under s.160A (5) of the Housing Act 1996 certain persons from abroad, who are not subject to immigration control, have to be habitually resident in the Common Travel Area (CTA) (i.e. the UK, the Channel Islands, the Isle of Man and the Republic of Ireland) in order to be eligible.

The following are the main categories of customers to whom a housing authority may allocate accommodation taking account of nationality and immigration status:

- Existing tenants: all existing secure and introductory tenants of a housing authority and assured tenants of accommodation allocated by a registered social landlord;
- British Nationals: British Nationals, who are habitually resident in the CTA;
- EEA Nationals: any person, who is a national of any of the countries in the European Economic Area (EEA), and is habitually resident in the CTA; or is a worker, or has a right to reside in the UK;
- Persons subject to immigration control who have been granted:
  - Refugee status;
  - Exceptional leave to remain provided that there is no condition that they shall not be a charge on public funds; or
  - Indefinite leave to remain provided that they are habitually resident in the CTA and their leave to remain was not granted in the previous 5 years on the basis of a sponsorship given in relation to maintenance and accommodation (or, if so, that their sponsor has (or in the case of more than one sponsor, all of them have) died);

- 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 (ESC) provided that they are habitually resident in the CTA and are lawfully present in the UK.

Anyone arriving from abroad or subject to immigration control who wishes to apply for housing must seek advice from one of the partner organisations. Such customers should provide their passports to confirm immigration status.

### **Nonqualifying persons due to Unacceptable Behaviour**

Under Section 160ZA of the Localism Act 2011, any customer (or a member of their household) who is guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant, will be classed as non qualifying for an allocation. In most circumstances this means anti-social behaviour or significant/persistent rent arrears.

### **Joint Applications**

Joint applications will be accepted, provided both customers are eligible, aged 16 or over and intend to occupy the property together as their only or main home.

### **Multiple Applications**

Multiple applications will not be allowed. If multiple applications do exist, the application which is a most accurate reflection of the customer's circumstances will be kept open. Any other applications will be cancelled.

### **Transfers**

Existing social housing tenants within the partnership, who have been tenants for 12 months or more, can apply to move and will have their priority assessed in the same way as any other customer.

### **Mutual exchanges**

Mutual exchanges are advertised through 'Homeswapper' and will be dealt with outside the policy. A link to this website will be provided on the Cheshire Homechoice homepage or details of the scheme can be sent to customers on request.

### **Applications from Elected Members, Board Members and Employees**

Applications can be accepted from employees, elected members, board members and their close relatives. Customers must disclose any such relationship at the time of application.

### **How to apply**



An application can be made by completing a housing needs assessment and providing the information requested. The registration of an application may be delayed or cancelled if the information requested is not provided.

The purpose of the housing needs assessment is to correctly identify the housing priority for each customer, which is expressed as a priority Band. Once an application has been registered customers will receive a copy of the scheme guide and be notified of:

- The date of registration.
- The Priority Band assessment.
- The Username and Password for the web site.
- Application reference (for expressing an interest in properties).
- The right to appeal against the decision on their Priority Band assessment.

## **Advice, Support and Information**

A scheme guide is made available to all customers and support will be offered to customers needing assistance.

## **Home Visits**

Home visits may be carried out to assess some applications where appropriate.

## **Changes in Circumstances**

Customers who move to a new address or whose circumstances changes after they have been accepted onto the housing register (e.g. someone joining or leaving their household) should immediately contact the partnership to notify them of the change. A new application may be required.

The partnership reserves the right to reconsider the customer's priority Band assessment on the grounds of change of circumstances at any time until an offer of accommodation has been accepted and a tenancy agreement signed.

If the change of circumstances affects the customer's priority Band assessment they will be informed in writing of the outcome of the reassessment.

If a customer's circumstances have changed prior to the allocation of a property and records on Homechoice have not been updated the partners reserve the right to overlook an applicant or to revoke an offer. It is a customer's responsibility to keep Homechoice updated with any circumstances relating to housing.

## **Housing Register Renewal**

Cheshire Homechoice will regularly review information held on the register. Customers must keep their application details up to date and express interest in properties that meet their requirements, on a regular basis. Homechoice will close inactive applications and will inform applicants in writing that their application has been closed. If applicants wish to remain on the register, they must contact Homechoice within 28 days. Providing none of the housing circumstances have changed and the previous assessment remains valid the

application will be re-opened immediately and the previous priority of the application will remain unaffected.

In Bands A & B there will be more regular monitoring and reviews; Cheshire Homechoice will encourage applicants in all Bands to keep their details current and will contact customers regularly to ensure we hold current and relevant information.

## **Closed Applications**

Applications will only be closed in the following circumstances:

- A request has been received from the customer (or their advocate in writing).
- When an applicant has been contacted by a landlord to be considered for a tenancy to prevent further bidding during the decision process.
- The customer has been re housed.
- Notification has been received from an executor or personal representative that the customer is deceased and s/he was the sole customer.
- It is discovered that the customer has given false or misleading information in their application.
- Information is obtained that gives reason to believe that the customer is no longer eligible.
- If the partnership does not receive a response to contact by telephone or written correspondence within 10 working days (2 weeks).

Customers will be informed of the reason/s why their application has been closed and informed of their right to request a review of the decision (see Reviews and Appeals).

If the applicant makes a request to reopen their application within 20 working days (4 weeks) of it being closed it will be reopened where eligible and receive the original assessment of Band and effective date provided no relevant circumstances have changed.

## **Deliberately Withholding Information or Providing False Information**

Legal action could be taken against any customer who provides false information when applying for housing (including a fine of up to £5,000). Under Section 171 of the Housing Act 1996 it is an offence to:

- Deliberately provide false information; or
- Deliberately withhold information that should have been given

Customers, who are found to have made fraudulent applications in this way, will automatically have their application closed as above. Possession proceedings can be instigated if a tenancy was obtained by giving false information and the tenant may be classed as non qualifying for the Housing Register

## **Reviews**

Customers have the right to request a review against decisions made in the allocation process. These include:

- A decision to reduce preference.

- A decision to bypass an application.
- A decision about the priority Band assessment on the housing register.
- A decision on their eligibility to go on the housing register.
- A decision to close an application.

The customer's request for a review of the decision should be made in writing within 20 working days (4 weeks) of the original decision being made with supporting evidence why they require a review of the original decision.

A senior officer from the partnership will carry out reviews. The officer will not have been involved in the original decision. The officer will consider the evidence provided and decide whether to overturn or support the original decision. The customer will be informed in writing of the decision within 20 working days (4 weeks) of receipt of the request for a review. The reply will contain the decision made, the reasons for the decision and the facts taken into account when making the decision.

## **Appeals**

If the customer is still not happy with the decision made, they can request the Cheshire Homechoice Panel (see below), review the evidence provided and review the decision. Customers will need to do this in writing within 20 working days (4 weeks) of the review letter being sent. The Cheshire Homechoice Panel will have 40 working days (8 weeks) in which to review the supporting evidence and respond in writing to the customer of the decision made.

## **Cheshire Homechoice Panel**

The partnership is committed to equality of opportunities and therefore will monitor all processes robustly to ensure that there is open and fair access to social housing and to ensure allocations of accommodation are made to those in the greatest housing need. This will be done through the Cheshire Homechoice Panel. Officers from the partnership will attend the panel on a monthly basis to make decisions on, and monitor the following:

- Appeals on decisions
- Customer satisfaction/complaint levels
- Accessibility for vulnerable groups
- Reduced preference customers
- Ineligible or unqualified customers
- That allocations have been carried out fairly and transparently and in line with this Policy.
- The number of direct management lets and the reasons they were made
- Refusal of offers
- Monitor community connection lettings to ensure that need is being met

## **Cheshire Homechoice Board**

Future developments and alterations to this Common Allocation Policy, or the overall scheme, will be decided by the Cheshire Homechoice board, which consists of senior managers from each of the participating organisations.

## **Making a Complaint**

If a customer wishes to make a complaint they should contact Homechoice who will tell them which partner the complaint should be referred to and advise them of the partner's complaint procedure.

All customers who make a complaint will be treated fairly and objectively. A written reply to any complaint received will be sent out within the timescales set out in each partner organisation's complaints policy. Copies of these can be obtained from the individual partners (see Appendix 1)

If the customer has gone through the complaints procedure and remains dissatisfied, they can write to the Housing Ombudsman (Registered Social Landlord tenants) or the Local Government Ombudsman or apply for a judicial review (social housing tenants and other customers).

## **SECTION THREE ASSESSING HOUSING NEED**

### **Reasonable Preference Groups**

All qualifying applications will be assessed under this policy, to ensure that those in greatest housing need are given preference for an allocation of accommodation. The Partnership gives reasonable preference to customers as set out in s167 (2) of the Housing Act 1996 (as amended) and the Homelessness Act 2002. These are:

- Households who are homeless including customers who are intentionally homeless and those who are not in priority need.
- Households occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- Households who need to move on medical or welfare grounds, including grounds relating to disability
- Households who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others)
- Families with dependant children or households consisting of or including someone who is expecting a child.

In addition, section 167(2) gives local authorities the power to frame their allocation schemes to give additional preference to particular descriptions of customers who fall within the reasonable preference categories and who have particularly urgent housing needs.

To ensure that local priorities are met, the scheme may provide for other factors, other than those set out in section (2) of the Housing Act 1996, in determining which categories of customers are to be given preference for an allocation of accommodation within the scheme, providing they do not dominate the scheme over those listed in the statutory preference categories listed in section 167(2).

### **The Priority Band Assessment System**

#### **Band A**

- Households assessed as statutorily homeless by Cheshire East Council, to whom a full housing duty is owed.
- Households who are unable to occupy their current accommodation.
- Households who meet the downsizing criteria.

#### **Band B**

- Households who have been assessed as potentially homeless
- Households who do not have access to a toilet or cooking facilities (access can be to shared or communal facilities)

- Households who are required to leave their home within 28 days as a result of a Prohibition Order served in relation to the premises under the Housing Act 2004 prohibiting use of all or part of the property, a Demolition Order served in relation to the premises under the Housing Act 2004, or a declaration of a Clearance Area affecting the premises served under the Housing Act 1985.
- Households who are leaving supported accommodation and are ready to move on (confirmed by accommodation provider).
- Households assessed with an urgent housing need
- Care Leavers – with additional housing need
- Ex-armed forces personnel with additional housing need

### **Band C**

- Households assessed as non statutorily homeless
- Those living in temporary accommodation awaiting a homeless decision.
- Households in supported accommodation (excluding sheltered accommodation), but not confirmed as ready to move on
- Households who are overcrowded – In alignment with Housing Benefit regulation
- Households who under occupy a property – In alignment with Housing Benefit regulations but do not meet downsizing requirements
- Households with a lack of security of tenure
- Households whose housing is impacting on a medical condition
- Households whose housing is impacting on their welfare

### **Band D**

- Households who do not meet any of the reasonable preference criteria and/or are otherwise adequately housed

### **Band E**

- Households who have no local connection to the sub region of Cheshire East
- Households who have had preference reduced

## **Housing needs assessment**

Housing need is not cumulative. The housing needs assessment will take account of all household circumstances. This will be a multiple housing needs assessment and the highest priority circumstance will determine the priority Band.

## **Homelessness**

### **Statutorily Homeless**

Within the Partnership the Local Authority has a legal duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) to ensure that homeless Households owed a full housing duty by Cheshire East Council under s.193 (2) are provided with suitable accommodation. Homeless Households to whom the full duty is owed will be placed in Band A.

Households awarded this priority under the scheme should receive an offer of an allocation within a short period of time, as set out on page 25. under Homelessness – Expressions of Interest..

Priority on the grounds of homelessness will only be awarded for a limited period of time as set out on page 25. under Statutorily Homeless Households

Applicants will have received and should ensure that their s184 decision letter from Cheshire East Council is on file with Homechoice.

### **Unable to occupy current accommodation**

Households who cannot physically access their accommodation (long term) or who are in hospital or respite care and have been medically assessed as being unable to return permanently to their current home will be placed in Band A.

Households who are required to leave their homes as a result of an emergency prohibition or demolition order served in relation to the whole of the household's property under the Housing Act 2004 will be placed in Band A.

### **Downsizing**

Households who occupy larger social rented homes belonging to one of the partner landlords who are willing to move to smaller, more manageable accommodation will be considered for downsizing priority. Applicants will need to obtain the support of their landlord before being awarded this priority and the aim is to make their existing home available to other applicants on Homechoice.

Applicants with downsizing priority agreed by a partner landlord will be placed in Band A.

This assessment will not confirm eligibility to any other downsizing schemes held by the partners nor does it guarantee that the Landlord will be able to finance a move.

### **Homeless Prevention/ potentially homeless**

Households who meet all of the following criteria will be placed into Band B:-

- are at risk of becoming homeless within 3 months
- are likely to lose their accommodation through no fault of their own
- meet the priority need criteria as outlined in Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002)
- continually engage with a Cheshire East Housing Options team or Homechoice Team caseworker.

This will assist them in moving into accommodation before they become homeless.

Supporting evidence and a full report from Housing Options will be required before being placed in Band B.

Engagement with services and active bidding are required for priority award on potentially homeless grounds and will be reviewed after 20 working days by Cheshire Homechoice. Should engagement or bidding lapse, this priority will be reduced to Band C.

## **Living in unsanitary conditions.**

If the Partnership can confirm that an applicant has no access at all to toilet, washing or cooking facilities the applicant will be placed in Band B.

For the definition of 'no access' the Partnership will consider shared access or access to facilities outside of the home to be access. Running water will be enough for the assessment of washing facilities and a microwave is considered sufficient for cooking.

## **Prohibition or demolition order served within 28 days**

Prohibition Orders or Demolition Orders taking effect within 28 days in relation to the whole of the Household's property will be placed in Band B.

If a clearance area has been declared, Households within this area will be placed in Band B.

Where an applicant feels their property is in a state of disrepair, the Partnership will require a formal assessment from Cheshire East Council's Private Sector Team. If the assessment results in a home improvement notice being served and the landlord fails to meet the requirements of this notice to the satisfaction of the private sector team the applicant will be placed in Band C under welfare.

## **Households in Supported Accommodation**

Applicants from Supporting People funded supported accommodation (excluding sheltered accommodation) in Cheshire East will be placed in Band C.

However, when applicants are confirmed as ready to move on by their supporting service the priority will be increased to Band B. As part of an agreed move on procedure the effective date of the original Band C will be honoured.

## **Urgent Housing Need**

Additional priority may be awarded where an applicant cannot access their washing or bathing facilities safely due to a physical disability and where adaptations cannot be done to the property to facilitate access. Subject to further assessment by the partners and or the Occupational Therapy Team (where appropriate) applicants will be placed in Band B.

Households with a requirement for equipment to manage a disability which cannot be accommodated in their current home will be placed in Band B.

Where there are pending convictions or intensive ongoing investigations that indicate a significant risk of harm to a member of a household and the police or an ASB co-ordinator (or equivalent) are in support of the fact that a move is the only resolution, applicants will be placed in Band B.

Cases meeting all of the following criteria will be placed in Band B:-

- cases referred to Multi-Agency Risk Assessment Conference (MARAC) where there is a risk outside the property, of domestic violence



- where a perpetrator of domestic violence remains a risk to a person/ family that cannot be controlled long term by the police as a matter of public protection
- a move is the only solution.

More serious issues may be considered in line with Homelessness Legislation.

### **Care Leavers**

For the purposes of assessing housing needs priority, a young person will be considered under the care leavers policy if they are leaving care or have left care in the last 5 years.

Young people who are care leavers of a Local Authority under the Children (Leaving Care) Act 2000 and are already adequately housed will be placed in Band D. Where a “care leaver” (as defined above) has any additional housing need they will be placed in Band B. (For example: If an applicant is confirmed as a care leaver and is overcrowded they will be assessed as Band B). The only exception to this is if the care leaver meets any of the assessment criteria in Band A, they will be placed in Band A.

Supporting documentation will be required from the appropriate Local Authority department.

### **Ex-Armed Forces Personnel**

For the purposes of assessing housing needs priority a person will be considered for ex-armed forces personnel priority if they are leaving the armed forces having received their notice of discharge date or have left in the last 5 years, having been medically discharged or served the required minimum level of service, usually at least four years (does not include Discharge As Of Right -DAOR).

Those who will not be in housing need or are already adequately housed will be placed in Band D. Where they have any additional housing need they will be placed in Band B.

### **Non Statutorily Homeless**

All households who have received a section 184 notification of a decision made by Cheshire East Council or any other Local Authority, determining intentional or non priority homelessness will be placed in Band C.

### **Awaiting homeless decision**

A household who has made a homeless application but has not yet received their section 184 decision letter will be placed in Band C. This assessment will be appropriate for applicants living in temporary accommodation provided by the Local Authority or sourced independently by the applicant.

### **Overcrowding**

If a Household is overcrowded in excess of housing benefit bedroom requirement assessment parameters or overcrowded as defined in Part 10 of the Housing Act 1985, they will be placed in Band C. The overcrowding priority does not increase with the number of rooms lacking.

For the purposes of assessing overcrowding/bedroom shortage the following was correct at time of print; however these criteria may change to align with any changes to Housing Benefit.

Household	Bedroom Need
Single person household	Studio/ One bedroom
Couple	One bedroom
Person age 16 or over	One bedroom
Single child from birth	One bedroom
Two children of opposite sex, both under 10 years old	One bedroom
Two children of the same sex, both under 16 years old	One bedroom
Two children of opposite sex, one over 10 years old	Two bedrooms
Two children of opposite sex, one over 16 years old	Two bedrooms

In households where a woman is over 20 weeks pregnant and would be overcrowded when the baby is born the household will be placed in Band C

### **Under Occupation**

The Partnership is keen to assist those home owners and privately renting tenants who may not be able to afford or manage a larger property and would benefit from a move to a more suitable smaller property. In addition this will apply to Social Housing tenants of registered providers within Cheshire East .

Where a household has expressed an interest to move to a smaller property, the application will be placed in Band C.

If an applicant applies for a property of the same size as their current home they may be overlooked by the landlord as this would be considered an abuse of this priority.

### **Insecure Accommodation/ Lacking secure tenure**

Households with a lack of security of tenure will be placed in Band C

For example:

- Households who have been asked to leave by family or friends (we will require formal confirmation of this)
- Households who have been served up to 2 months notice by their landlord

- Households who live in a caravan, mobile home or boat who have been served notice to leave their mooring or plot.
- Those Households who are leaving the armed forces and have received release papers
- Households who are currently in prison with a release date within 2 months.
- Households who are in 'tied' accommodation who have been given notice to leave within 2 months.

Households with a lack of security of tenure who meet the priority need criteria will be referred for a further potentially homeless assessment.

This assessment will not include those applicants who have been served a NOSP (Notice of Seeking Possession) from a social landlord.

### **Housing impact on a medical condition**

Where an applicant's current accommodation is having an adverse affect on a diagnosed medical condition of themselves or a member of the household who will be moving with them applicants will be placed in Band C provided evidence can be gathered to support an applicant's claims.

### **Housing impact on a household's welfare**

Where an applicant's current accommodation is having an impact on the welfare of household members, applicants will be placed in Band C.

Households experiencing anti-social behaviour or neighbour nuisance may be placed in Band C. if the required evidence is produced that it is of a serious enough level as detailed in the procedures.

Households who need to move closer to education, employment or care where the travel from current accommodation is not affordable will be placed in Band C. A full financial assessment will need to be conducted by Cheshire Homechoice in order to establish affordability. This assessment does not override the local connection criteria.

### **Households with children or pregnant women**

Households with children or pregnant women will be placed in Band D unless additional housing need is identified.

### **Reduced Preference**

**Please note:** A reduced preference assessment overrides all other priority assessments.

In certain circumstances, section 167(2A) of the Housing Act (1966) as amended by the Homelessness Act 2002 allows local authorities to take certain other factors into account when determining priorities between applicants. This can result in the applicant being awarded a lower priority than they would otherwise receive according to their housing needs alone.

Reduced preference may apply when the applicant, or member of the household, has demonstrated unacceptable behaviour which was not serious enough to justify a decision to treat the applicant as ineligible, but which can be taken into account in assessing the applicant's level of priority. Examples include:-

- Property related debts
- Current or former rent arrears
- Acts of antisocial behaviour that have caused or are likely to cause serious nuisance to neighbours
- Property damage
- Assaulting, abusing or harassing officers or elected members of the Homechoice partnership
- Households who have no local connection to Cheshire East
- 2 unreasonable refusals of written/verbal offers or wasting the time of partners
- Intentionally worsening housing circumstances with the intent of increasing priority
- Those applicants who wish to remain on the list but have no intention of bidding presently
- Withholding information that should have been provided to the partnership
- Providing false information to the partnership

This list is not exhaustive. More detail in relation to this matter can be found in the Procedures document.

Applicants who are given reduced preference will be placed in Band E of the Housing Register.

The case will be reviewed after a term no less than 6 months upon written request from the applicant. Each case will be considered on its own merits.

### **Local Connection**

Applicants who fulfil any of the following will be considered as having a local connection:

- Currently live, or have lived, within Cheshire East and have done for at least 6 out of the last 12 months or 3 out of the last 5 years.
- Have immediate family (mother, father, brother, sister, son, daughter, adoptive parents) who are currently living in Cheshire East and have done for at least five years or more.
- Have a permanent contract of employment within the partnership area.
- Leaving the armed forces or applying up to 5 years after leaving having been medically discharged or having served the required minimum level of service (does not include Discharge As Of Right, DAOR).
- Other significant reasons

Applicants without a local connection will be placed in Band E.

### **Community Connection**

The partners of Cheshire Homechoice are mindful of the concerns of residents for stability and sustainability within their communities, but also of the need to foster diversity within those communities and facilitate geographical mobility within the Cheshire East Borough.

In some rural areas we may require applicants to demonstrate a community connection to that particular settlement. The partnership will make any such requirement clear in the advertisement for the property. In these instances, any applicant currently registered with Cheshire Homechoice may bid, however, preference will be given to the household in the greatest housing need demonstrating

the community connection. In the absence of a bid from any applicant with a community connection, the property will be let to an applicant with no community connection.

In these cases a person will be deemed to have a community connection if they fulfil one or more of the criteria below. If there is more than one applicant with a connection they will be considered in the order of their priority Banding and effective date.

- Currently live, or have lived, within the boundaries of the parish or adjoining parish and have done for at least 6 out of the last 12 months or 3 out of the last 5 years
- Have immediate family (sibling, son, daughter, parent, step-parent or adoptive parents) who are currently living within the boundaries of the parish or adjoining parish and have done for at least five years
- Have a permanent contract of employment within the parish or adjoining parish

An adjoining parish is defined by another rural parish with an adjoining boundary to the parish in which the vacant property is located. The adjoining parish must also fall within the boundaries of Cheshire East Borough.

Allocations will be conducted considering all reasons in their own merit, not comparing against people who can demonstrate a stronger connection. The connections are not tiered.

All applicants will be required to have evidence of their connection to a parish on file before the close of the bidding cycle in which a property is advertised.

## **SECTION FOUR CHESHIRE HOMECHOICE**

### **Introduction**

Cheshire Homechoice is a Choice Based Lettings scheme that enables customers to express an interest in properties they are eligible for. The successful customer will be decided in line with this policy.

### **Advertising Properties**

The Partnership will advertise all vacant properties as part of the scheme. There will be certain occasions when a property cannot be advertised, for example, where a landlord needs to make a direct management let. The Cheshire Homechoice Panel will monitor these lets on a regular basis.

Adverts will be clearly labelled to show the property features and local neighbourhood information.

Customers will be able to view online, the properties that they are eligible for and are able to express an interest in. There will sometimes be other restrictions on who is eligible for a property. Any such restrictions will be made clear in the advert, for example where a property is only suitable for customers who need adaptations such as a level entry shower. Expressions of interest from customers may only be allowed if they can match the requirements in the advert.

### **Adapted Properties for Customers with Disabilities**

Accessible properties are homes, which have been designed for or significantly adapted to meet the needs of customers with physical or sensory disabilities. Accessible homes will be advertised as part of the scheme to ensure that customers assessed as needing this type of accommodation are given the widest possible choice.

Customers with an assessed need for accessible accommodation will be given priority for accessible accommodation over others in the same priority Band without that need and the property advert will make that clear. The advert will also describe the accessible features together with local neighbourhood information to help customers choose whether to express an interest for that property or not.

In selecting a customer for an accessible property from the short-list of qualifying customers, the full circumstances of each case will be considered when deciding who will be offered the property. In some circumstances priority may be given outside of date order, if the vacancy is particularly suitable for the needs of a customer.

Customers in this category can also express an interest for properties which do not have accessible features. However if they are short listed, during the selection stage, the partner landlord will assess whether it is reasonable and practicable for the property to be adapted. The customer will be considered for the property on the same basis as the other customers who have submitted expressions of interest.

## **Extra Care Housing**

Properties with extra care facilities will be advertised as part of the scheme. The service providers will directly match vacant properties to qualifying customers that meet the eligibility criteria following a detailed assessment of their housing, care and support needs.

## **Affordable Housing Developments**

Affordable housing will also be advertised through the scheme. When new housing developments are built within rural areas a Section 106 agreement may state that customers who are allocated the properties must have a direct local connection to that specific rural area. When this is the case properties are advertised through Cheshire Homechoice will make clear what the eligibility criteria are for the property.

## **Community lettings**

Properties in rural areas may be let under the Cheshire Homechoice policy for meeting local need. Advertisements for these properties will stipulate that those with a community connection will be given preference within the terms of the policy.

## **Local Lettings**

Certain properties may be let in accordance with the Registered Provider landlord's local lettings policy. When properties are advertised through Cheshire Homechoice they will be clearly labelled with the eligibility criteria.

## **Expressions of Interest**

Available properties will be advertised weekly and customers can express an interest for up to 2 properties a week.

Cheshire Homechoice may restrict expressing an interest for certain types of property, to certain types of households, in line with stock management as determined by individual landlords. For example houses may be restricted to families with dependant children.

Expressions of interest can be made via the telephone, email, the website, or a visit to any of the Partnership offices. Advice and support will be provided to customers who need it; to ensure they are able to access and use the scheme.

## **Support for Vulnerable Customers**

Cheshire Homechoice places new demands on customers. It gives people an active role in the lettings process and encourages them to express an interest in empty properties.

Customers will need to:

- Receive information on the housing options available

- Have access to and ability to use the technology necessary to apply to Cheshire Homechoice and express an interest in properties.
- Have the capacity to make decisions on the basis of the information provided

A person may be vulnerable when due to old age, physical, mental or emotional infirmity which impairs the person's ability to provide for his or her basic care, requires support and assistance to enable independent living and safe and active participation in the community.

Broadly speaking vulnerability can mean anyone who cannot be actively involved in the choice based lettings process, for example:

- Older people
- People with learning difficulties
- People with mental health issues
- People fleeing domestic violence
- People with drug or alcohol issues
- People with medical needs

The partnership will ensure vulnerable customers are able to access the scheme. When a vulnerable customer is identified every effort will be made to assist and support them through the process. Some customers will require or request support and assistance with accessing information about available properties, expressing an interest and making a decision about an offered property. In all cases the level and type of support will be decided on an individual basis. However in some cases the Partnership may have to use specialist staff to express an interest on their behalf. A number of measures will be put in place to ensure that vulnerable customers are not disadvantaged for example through:

- Providing appropriate advice and assistance
- Providing information in other formats
- Partnership working with support agencies
- Translating key documents
- Ensuring appropriate support is available for customers using the system

Wherever possible the partnership would like customers, whatever their background or presumed ability, to become active participants in the choice based lettings process. However we recognise in limited circumstances it may be necessary to assist certain vulnerable people outside of the choice based lettings process and to allocate properties to them.

### **Homelessness - Expressions of interest**

Applicants who are awarded priority on the grounds of homelessness or the prevention of homelessness will be closely monitored and reviewed by Cheshire East Housing Options and Homechoice case workers.

### **Statutorily Homeless Households**

Households accepted as homeless by the Cheshire East Housing Options Team and therefore owed a full housing duty under the provisions of the Housing Act 1996 Part 7 (as amended by the Homelessness Act 2002) will be automatically placed into Band A on the Housing Needs Register. They will then be able to express an interest in advertised



properties, for which they are eligible, within the partnership area for a period of 14 days from the date of the Homelessness decision letter.

After the 14 day period has expired, expressions of interest may be made by the Housing Options Team in conjunction with Cheshire Homechoice for a suitable property on the household's behalf. Although the caseworker will take account of the customers' preferences, expressions of interest will not be restricted by those preferences.

If a customer is subsequently offered accommodation either verbally or in writing by the Housing Provider, and refuses it, the Housing Options Team may discharge its temporary and long term duties under the Homelessness legislation. They may also reduce the customer's priority on the Common Housing Register from Band A to Band C.

### **Homeless Prevention /potentially homeless**

Applicants assessed as meeting the criteria for homeless prevention will be placed in Band B. Applicants will remain in Band B for a period of 20 working days (4 weeks); after this period they will be reviewed and if they are not expressing interest on suitable properties their application will be re-assessed and placed in Band C.

### **Short Listing**

Expressions of interest for properties will be placed in the order of priority e.g. Band A highest priority, then Band B, Band C, Band D and finally Band E.

If two or more customers within the same Band have expressed an interest for the same property for which they qualify, the date they entered their current Band will be used to determine the higher priority. If the Band date is the same, the original housing register application registration date will be used to determine priority.

Where properties are targeted at specific customers, they will be given priority for that type of accommodation e.g. accessible accommodation for customers with disabilities or new build properties where certain eligibility rules apply under Section 106 agreements.

If a customer is ranked first for more than one property and provided the eligibility criteria are met, they will be contacted to make a decision about which property they wish to consider and no further offers on additional properties will be made.

### **Viewing Properties and Receiving Offers**

Landlord partners may request additional information to support the allocation process.

A formal offer of accommodation will not be made until the information and/or supporting evidence has been provided and failure to do so may lead to the customer's application being closed.

Customers who unreasonably refuse 2 verbal/written offers within a 12-month period will have their priority reduced to Band E for a period of 6 months. Customers accepted as Statutorily Homeless will be assessed in line with current housing legislation that applies to refusing offers.

If a customer does not agree with their priority being reduced, they can request a review.

### **Feedback on Results**

Lettings results will be made available to the public upon request.

- Lettings results for property type and neighbourhood
- The total number of expressions of interest made for the property
- The successful customer's registration date and/or priority Band.
- Properties described as a management let, where a direct offer was made and the property was not advertised.
- The results of customer satisfaction surveys.

### **Nominations**

Registered Providers (not part of the Partnership) operating within Cheshire East will provide at least 50% of their vacancies (excluding transfers) for nominations via the scheme. The Local Authority (or their partners) will monitor to ensure compliance with the nomination agreements in their area.

### **Future Development of the Scheme**

The Partnership is committed to continually reviewing its practices and procedures associated with this policy, to ensure a consistent and joined up approach in the delivery of a first class choice based lettings service for Cheshire Homechoice.

## **Appendix 1**

### **Contacts**

#### **Cheshire East Council**

Westfields  
Middlewich Road  
Sandbach  
Cheshire  
CW111HZ  
[www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)  
Tel: 0300 123 5031

#### **Plus Dane Group**

Shepherds Mill  
Worrall Street  
Congleton, Cheshire  
CW12 1DT  
[www.neighbourhoodinvestor.com](http://www.neighbourhoodinvestor.com)  
Tel: 01260 281037

#### **Wulvern**

Wulvern House  
Electra Way. Crewe  
Cheshire,  
CW1 6GW  
[www.wulvernhousing.org.uk](http://www.wulvernhousing.org.uk)  
Tel: 01270 506200

#### **Peaks & Plains Housing Trust**

Ropewalks  
Newton Street  
Macclesfield  
Sk11 6QJ  
[www.cppht.com](http://www.cppht.com)  
Tel: 0800 012 1311