

CHESHIRE HOMECHOICE

Common Allocation Policy

VERSION 2



Cheshire East Choice Based Lettings Partnership

"Providing housing solutions in Cheshire East through choice "

Section One The Common Allocation Policy

	Page
Background	5
Our vision	5
Key aims and objectives	6
Equality and fairness	6

Section Two The Common Housing Register

	Page
Introduction	8
Who can apply	8
Eligibility	8
Joint applications	10
Multiple applications	10
Transferring tenants	10
Mutual exchanges	10
Applications from Elected Members, Board Members and employees	11
How to apply	11
Advice, support and information	11
Home visits	11
Changes in circumstances	11
Housing Register Renewal	12
Closed applications	12
Deliberately Withholding information/providing false information	12
Reviews	13
Appeals	13
Cheshire Homechoice Panel	13
Cheshire Homechoice Board	14
Making a complaint	14

Section Three Assessing Housing Need

	Page
Reasonable preference groups	15
The Priority Band assessment system	15
Housing Needs Assessment	16
Statutorily homeless	16
Unable to occupy current accommodation	17
Downsizing	17
Homeless prevention/potentially homeless	17
Living in unsanitary conditions	18
Prohibition or demolition order served within 28 days	18
Households in supported accommodation	18
Urgent housing need	18
Care Leavers	19
Non-statutorily homeless	19
Awaiting homeless decision	19
Overcrowding	20
Under occupation	20
Insecure accommodation/lacking secure tenure	20
Housing impact on a medical condition	21
Housing impact on a households welfare	21
Households with children or pregnant women	21
Reduced preference	21

Local connection	22
Community connection	22

Section Four Short listing and Tenant Selection

Page

Introduction	24
Advertising properties	24
Adapted properties for applicants with disabilities	24
Extra care housing	25
Affordable housing developments	25
Community lettings	25
Local lettings	25
Expressions of interest	25
Support for vulnerable applicants	25
Homelessness & Prevention (expressions of interest)	26/27
Short-listing	27
Viewing properties and receiving offers	27
Feedback on results	28
Nominations	28
Future development of the scheme	28

Appendix

Page

Contacts	29
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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">• Riverside• Harvest• Muir• Regenda• Contour Homes• Places for People• Adactus	<ul style="list-style-type: none">• Equity• Anchor• Arcon• "Jonnie" Johnson• Great Places• Guinness• Northern Counties
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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 in Cheshire East through choice "

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 applicants who fall within the “Reasonable Preference” categories
- To give adequate priority to homeless applicants whilst maintaining a balance between the needs of the homeless and other applicants in housing need
- To empower applicants 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 applicants 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 applicants 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 applicants 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 applicant’s preferred way, where the applicant 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 applicants across Cheshire East who have been accepted onto the scheme. It includes new applicants and existing social housing tenants wishing to transfer. Applicants 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

Persons from Abroad

A person (defined by s13 (2) of the Asylum and Immigration act 1996) may not be allocated accommodation under Part 6 if he or she is a person from abroad who is ineligible for an allocation under s.160ZA of the 1996 Act. There are two categories for the purposes of s.160ZA:

- (i) *a person subject to immigration control* - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)),and,
- (ii) *a person from abroad other than a person subject to immigration control* - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

Persons subject to immigration control

The following categories of persons do **not** require leave to enter or remain in the UK:

- i) British citizens
- ii) Certain Commonwealth citizens with a right of abode in the UK
- iii) EEA nationals, and their family members, who have a right to reside in the UK that derives from EU law. Whether an EEA national (or family member) has a particular right to reside in the UK (or another Member State) will depend on the circumstances, particularly their economic status (e.g. whether he or she is a worker, self-employed, a student, or economically inactive)
- iv) persons who are exempt from immigration control under the Immigration Acts, including diplomats and their family members based in the UK, and some military personnel.

Regulation 3 of the Eligibility Regulations provides that the following classes of persons subject to immigration control **are** eligible for an allocation of accommodation:

- i) *a person granted refugee status*: granted 5 years' limited leave to remain in the UK
- ii) *a person granted exceptional leave to enter or remain in the UK without condition that they and any dependants should make no recourse to public funds*: granted for a limited period where there are compelling humanitarian or compassionate circumstances for allowing them to stay. However, if leave is granted on condition that the applicant and any dependants are not a charge on public funds, the applicant will not be eligible for an allocation of accommodation. Exceptional leave to remain (granted at the Secretary of State's discretion outside the Immigration Rules) now takes the form of 'discretionary leave'.
- iii) *a person with current leave to enter or remain in the UK with no condition or limitation, and who is habitually resident in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland (the Common Travel Area)*: such a person will have indefinite leave to enter (ILE) or remain (ILR) and is regarded as having settled status. However, where ILE or ILR status is granted as a result of an undertaking that a sponsor will be responsible for the applicant's maintenance and accommodation, the person must have been resident in the Common Travel Area for five years since the date of entry.
- v) *a person who has humanitarian protection granted under the Immigration Rules*: a form of leave granted to persons who do not qualify for refugee status but would face a real risk of suffering serious harm if returned to their state of origin (see paragraphs 339C-344C of the Immigration Rules (HC 395))

Other persons from abroad who may be ineligible for an allocation

By virtue of regulation 4 of the Eligibility Regulations, a person who is not subject to immigration control **and** who falls within one of the following descriptions is to be treated as a person from abroad who is ineligible for an allocation of accommodation:

- (i) a person who is not habitually resident in the Common Travel Area
- (ii) a person whose only right to reside in the UK is derived from his status as a jobseeker (or his status as the family member of a jobseeker).
- (iii) a person whose only right to reside in the UK is an initial right to reside for a period not exceeding three months under regulation 13 of the EEA Regulations
- (iv) a person whose only right to reside in the Common Travel Area is a right equivalent to one of the rights mentioned in (ii) or (iii) above and which is derived from EU Treaty rights

The following persons from abroad **are** eligible for an allocation of accommodation even if they are not habitually resident in the Common Travel Area:

- a) an EEA national who is in the UK as a worker (which has the same meaning as in regulation 6(1) of the EEA Regulations)
- b) an EEA national who is in the UK as a self-employed person (which has the same meaning as in regulation 6(1) of the EEA Regulations)
- c) a person who is treated as a worker for the purposes of regulation 6 (1) of the EEA Regulations, pursuant to the Accession (Immigration and Worker Authorisation) Regulations 2006 (ie nationals of Bulgaria and Romania required to be authorised by the Home Office to work until they have accrued 12 months uninterrupted authorised work)

- d) a person who is a family member of a person referred to in (a) to (c) above
- e) a person with a right to reside permanently in the UK by virtue of regulation 15(c), (d) or (e) of the EEA Regulations
- f) a person who left Montserrat after 1 November 1995 because of the effect of volcanic activity there
- g) a person who is in the UK as a result of his deportation, expulsion or other removal by compulsion of law from another country to the UK.

A person who is no longer working or no longer in self-employment will retain his or her status as a worker or self-employed person in certain circumstances. However, accession state workers requiring authorisation will generally only be treated as a worker when they are actually working as authorised and will not retain 'worker' status between jobs until they have accrued 12 months continuous authorised employment. 'Family member' does not include a person who is an extended family member who is treated as a family member by virtue of regulation 7(3) of the EEA Regulations

Non qualifying persons due to Unacceptable Behaviour

Under Section 160ZA of the Housing Act 1996, any applicant (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

In Line with s.160ZA of the Housing Act 1996, a joint application will not be accepted from two or more people if any one of them is a person from abroad who is ineligible. However, where two or more people apply and one of them is eligible an application will be accepted from the person who is eligible, as a sole applicant.

Multiple applications

Multiple applications will not be allowed. If multiple applications do exist, the application which is a most accurate reflection of the applicant'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 applicant.

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 applicants on request.

Applications from Elected Members, Board Members and Employees

Applications can be accepted from employees, elected members, board members and their close relatives. Applicants 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 applicant, which is expressed as a priority Band. Once an application has been registered applicants 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 available to all applicants and support will be offered to applicants needing assistance.

Home visits

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

Changes in circumstances

Applicants who move to a new address or whose circumstances change after they have been accepted onto the housing register (e.g. someone joining or leaving 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 an applicant'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 priority Band assessment the applicant will be informed in writing of the outcome of the re-assessment.

If a applicant'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 applicant'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. Applicants 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 applicants 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 applicant (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 applicant has been re housed
- Notification has been received from an executor or personal representative that the applicant is deceased and s/he was the sole applicant
- It is discovered that the applicant has given false or misleading information in their application
- Information is obtained that gives reason to believe that the applicant 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)

Applicants 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 applicant 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

Applicants, 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

Applicants 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 applicant'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.

An independent 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 applicant 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 applicant is not satisfied with the decision made by a reviewing officer, they can request the Cheshire Homechoice Panel (see below), review the evidence provided and review the decision. Applicants 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 applicant 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
- Applicant satisfaction/complaint levels
- Accessibility for vulnerable groups
- Reduced preference applicants
- Ineligible or unqualified applicants
- 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 applicant wishes to make a complaint they should contact Homechoice to be informed to which partner the complaint should be directed and advise them of the partner's complaint procedure.

All applicants 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 applicant 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 applicants).

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 applicants as set out in section 166A (3) of the Housing Act 1996 (as amended) and the Homelessness Act 2002. These are:

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

In addition, section 166 A (3) gives local authorities the power to frame their allocation schemes to give additional preference to particular descriptions of applicants 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 applicants 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 166A (3)

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

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 the bedroom standard
- 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.

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.

Where more than one applicant in a short list has downsizing priority, the allocating landlord may use discretion in conducting the allocation and may overlook the effective date of the applicants.

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/ potential homelessness

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.

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 the bedroom standard 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 the following criteria will be applied:

Household	Bedroom Need
Single Applicant	Studio/ One bedroom
Couple	One bedroom
Person age 21 or over	One bedroom
Single child from birth	One bedroom
Two children, both under 10 years old	One bedroom
Two children of the same sex, aged 10-20	One bedroom
Two children of opposite sex, one over 10 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

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
- Members of the armed forces:
 - (a) members of the Armed Forces and former Service personnel, where the application is made within five years of discharge
 - (b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
 - (c) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result
- Other significant reason

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 1 out of the last 2 years 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

SHORTLISTING & TENANT SELECTION

Introduction

Cheshire Homechoice is a Choice Based Lettings scheme that enables applicants to express an interest in properties they are eligible for. The successful applicant 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.

Applicants 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 applicants who need adaptations such as a level entry shower or property specific age and disability restrictions. Expressions of interest from applicants may only be allowed if they can match the requirements in the advert.

Adapted properties for applicants with disabilities

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

Applicants 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 applicants choose whether to express an interest for that property or not.

In selecting a applicant for an accessible property from the short-list of qualifying applicants, 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 applicant.

Applicants 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 applicant will be considered for the property on the same basis as the other applicants 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 applicants 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 applicants 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 applicants 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 applicants who need it; to ensure they are able to access and use the scheme.

Support for vulnerable applicants

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

Applicants 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 applicants are able to access the scheme. When a vulnerable applicant is identified every effort will be made to assist and support them through the process. Some applicants 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 applicants 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 applicants using the system

Wherever possible the partnership would like applicants, 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 & prevention- 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 applicants' preferences, expressions of interest will not be restricted by those preferences.

If a applicant 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. The team may also reduce the applicant'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 applicants 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 household types, priority will be given to suitable applicants for that type of accommodation e.g. accessible accommodation for applicants with disabilities or new build properties where certain eligibility rules apply under Section 106 agreements.

If an applicant 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 an application being closed.

Applicants 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. Applicants accepted

as Statutorily Homeless will be assessed in line with current housing legislation that applies to refusing offers.

If an applicant 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 applicant'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

Town Hall
Macclesfield
Cheshire
SK10 1EA
www.cheshireeast.gov.uk
Tel: 0300 123 5031

Wulvern

Wulvern House
Electra Way. Crewe
Cheshire,
CW1 6GW
www.wulvernhousing.org.uk
Tel: 01270 506200

Plus Dane Group

Shepherds Mill
Worrall Street
Congleton, Cheshire
CW12 1DT
www.neighbourhoodinvestor.com
Tel: 01260 281037

Peaks & Plains Housing Trust

Ropewalks
Newton Street
Macclesfield
Sk11 6QJ
www.cppht.com
Tel: 0800 012 1311