



Arun Housing Services

Housing Allocations Scheme 2012

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A R U N
DISTRICT COUNCIL

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Arun District Council – Allocations Scheme

1.0 Introduction

- 1.1 The Allocations Scheme sets out the priorities and procedures for the allocation of affordable (social) housing in the Arun District. Approximately 9% of all homes in Arun are affordable homes comprising Council homes owned and managed by the Council and homes owned by Registered Provider Landlords (Registered Providers) as at 1 April 2012. The scheme applies to applicants applying to join the housing register for the first time (referred to as ‘home seekers’) and existing Council or Registered Provider tenants wanting to move (referred to as transfers). The provision of an Allocations Scheme is a legal requirement; Section 167 of the Housing Act 1996 refers.
- 1.2 The scheme has been developed in the context of the Localism Act 2011 which gives local authorities greater authority to determine whether people do or do not qualify for social housing within their areas and the priority they should be given.
- 1.3 The Council is committed to offering an element of choice to all those seeking housing, enabling people to make well-informed decisions about their housing options referred to as ‘Choice Based Lettings’. Choice based letting will help to improve the sustainability of the affordable housing stock across Arun by encouraging residents to have a stake in their community.
- 1.4 The Council has joined with other local authority partners in Sussex to operate a choice based letting scheme called ‘Homemove’. Homeseekers and transfer applicants are placed in one of three bands of housing need according to their circumstances. Vacancies are advertised on the Homemove website and can be found at www.homemove.org.uk and applicants are able bid for a property, in some circumstances residents may also receive a personal free information sheet. Housing need, local priorities, local connection and how long an applicant has waited are considered when a home is allocated, Section10 Refers.
- 1.5 Changes to housing legislation have introduced new forms of tenancy. Applicants who are offered an Arun District Council tenancy will be offered a fixed term flexible tenancy if they are moving into accommodation with two or more bedrooms, unless they are existing Arun Tenants who are moving to smaller accommodation that does not have disabled adaptations. At the end of this tenancy their need for this accommodation will be reviewed. This will have one of the following outcomes:-
- A further fixed term tenancy of the existing property may be agreed
 - The tenant may be given 12 months notice that they will need to be making arrangements to move to alternative accommodation. Officers will work with the household to help them identify suitable alternative accommodation, either in the private sector or within the social housing stock depending on circumstances.

For further information please refer to the Council's Flexible Tenancy Policy at www.arun.gov.uk

- 1.6 The social housing sector now also offers 'affordable rents' in addition to 'social rents'. Many housing association properties are now offered at an 'affordable rent' which is usually higher than social rents as it is fixed at 80% of open market value. When advertising a property the details will clearly state the rent level of the property that is being advertised. Applicants are able to exercise choice regarding the properties for which they bid. If, however, they are subject to time limits within the Band in which they are placed, applicants will be expected to bid for social and affordable rented homes as both will be considered suitable.
- 1.7 To meet the needs of existing affordable housing tenants and to improve the sustainability of communities and make the best use of the existing affordable housing stock, a proportion (25%) of vacancies of both new and existing homes will be offered to current tenants of Arun District Council and participating Registered Providers.

2.0 **Equalities and Diversity**

- 2.1 A fair and equitable community is a key objective of the Council's Sustainable Community Strategy 'Our Kind of Place'. The Allocations Scheme aims to ensure that the allocation of affordable homes and associated services is fair and that no service users are discriminated against on the grounds of their age, disability, race, colour, religion, ethnicity, gender, sexuality, family status, transgender or transexuality.
- 2.2 Access to the scheme may be more difficult for people with a disability, sight or hearing impairment and for those who do not speak English as a first language. The Council is committed to helping all those who need assistance to access the scheme particularly by working closely with other agencies and supported housing providers.
- 2.3 The scheme has been subject to an Equalities Impact Assessment. This is available on request and contains an action plan to ensure that the impact of the allocations policy is monitored and reported regularly.

3.0 **Principles**

- 3.1 The Allocations Scheme is based on the following key principles
 - 1) To allocate housing fairly, consistently and carefully and to ensure that allocations decisions are transparent.
 - 2) To provide clear and easy to understand information to allow applicants to make informed choices, and ensure that the Allocations Scheme sets a clear framework by which to assess all applications, without fettering discretion.
 - 3) To enable applicants to express choice in selecting their accommodation wherever possible.

- 4) To provide appropriate advice to applicants whom the Council is unable to house, including accurate and timely referrals to other agencies.
- 5) To provide a high quality service with clear standards. We expect staff to be able to do their jobs without fear of personal injury, abuse or discrimination.
- 6) To meet the requirements of Part VI Housing Act 1996 (as amended by the Homelessness Act 2002) and the Localism Act 2011 giving reasonable preference to those applicants in greatest need. The Council is required to give reasonable preference to the following categories of person:
 - Those who are homeless or threatened with homelessness or to whom a duty has been accepted (within the meaning of the Housing Act 1996 as amended by the Homelessness Act 2002).
 - Those in unsanitary or overcrowded housing or living in unsatisfactory conditions.
 - Those who need to move on medical or welfare grounds, including a disability.
 - Those who need to live in a particular locality in the district, where failure to meet that need would cause hardship to themselves or others.

Applicants may fall into one or more of these categories

- 8) To have regard to the Codes of Guidance issued by the Government from time to time and best practice.
- 9) To take account of the Council's own published Housing and Homelessness Strategies and local priorities.
- 10) To create sustainable communities having regard for local circumstances.
- 11) To reduce the cost and use of temporary accommodation by providing advice and assistance to prevent homelessness and by making sure that homeless people and people threatened with homelessness are rehoused as soon as possible.
- 12) To make the best use of the affordable housing in the district ensuring that vacant homes are let quickly and efficiently.
- 13) The Allocations Scheme will be reviewed from time to time to reflect any changes in the law or Government Guidance and ensure continued improvement.

4.0 **Consultation**

4.1 The Council recognises the importance of involving, consulting and raising awareness with local communities about housing allocations to reach agreement about an allocation scheme that balances housing needs from both national and local perspectives. Engaging with stakeholders before the current scheme was agreed was therefore a priority. An overview of the consultation process is attached as Appendix 1.

5.0 **Service Standards**

5.1 The Council will publish service standards for the allocations scheme which will also be included with the housing service standards agreed for and with its own tenants, Appendix 2 refers. The Council will review and publicise its performance against these standards annually.

6.0 **Information**

6.1 The Council will provide a free summary of the Allocations Scheme known as the Scheme Users Guide to any member of the public upon request. The guide is also issued to all applicants upon registration. The Council will provide a full copy of the Allocations scheme on its website and a copy can also be inspected at the Council offices. The Council will provide a full copy of the Allocations Scheme (at a reasonable cost) upon request.

6.2 Vacancies are advertised on the Sussex Homemove website, www.homemove.org.uk (11.1 refers). Details of all recently let properties are also included showing the number of bidders for each property and the Band and priority date of the successful applicant. Applicants who are vulnerable and unable to access the internet or call into the Civic Centre, Littlehampton or into the Town Hall in Bognor Regis, will be sent a personal free information sheet on request. Other Band C applicants may be included in this scheme if there are special circumstances. Applicants who do not fall within these categories are able to subscribe to receive a freesheet at a moderate cost (£10 for 6 months in May 2011) by writing to:- Homemove, PO Box 340, Ruislip, HA4 4AR.

7.0 **Personal Information**

7.1 Applicants have the right to see the information held about them and receive a copy of the information held on computer, or on paper file. This is a 'subject access request' for which the Council charges a reasonable administration fee.

7.2 Personal information will be handled in accordance with the Data Protection Act and will be subject to appropriate confidentiality.

7.3 By submitting an application form to join the Housing Register an applicant consents to the processing of sensitive personal data about themselves. Where an applicant's household includes non dependent adults, their consent will also be obtained. The Council may disclose information contained in an application and about associated

'bidding' activity and rehousing prospects to agents and/or service providers and may also share this information with other relevant Council services as the law permits.

7.4 All information submitted in respect of an application will be verified. Verification may include credit checks, Electoral Register and Council Tax records checks, and other agencies.

8.0 **Housing Register**

8.1 Who can apply?

The Council will consider all applications for housing from both home seekers and transfer applicants in accordance with this Allocations Scheme. The Housing Register is open to anyone who is 16 years of age or over (subject to the exclusions provisions see 8.3 below) who has a local connection within the Arun District and is in housing need as defined by this policy. Although applications will be accepted from those aged 16 or over, those under the age of 18 will only be offered accommodation in certain circumstances, see 8.8 below.

8.2 Joint Applications

8.2.1 Applications from partners who are cohabiting may be registered as joint applications giving both parties joint and several rights and responsibilities for any future tenancy. Partners include same sex couples.

8.2.2 In some cases one partner may be ineligible due to their immigration status; in this case the other partner will be registered as the sole applicant.

8.2.3 Joint applicants will not be accepted where either applicant, if they were to apply singularly to join the housing register, would either be excluded or deferred from the register on the grounds of previous unacceptable behaviour (by them or any other person included on their application for rehousing), rent arrears or housing debt (8.3 below refers).

8.2.4 Dependents, family members or other adults who are not partners of the applicant (such as residential carers) cannot usually be joint applicants.

8.2.5 If joint applicants wish to change to sole applications (for example due to relationship breakdown) but wish to remain registered, the application will continue in the name of a partner with residency and parenting responsibilities for children of the household. The remaining applicant may make a new application in their own name, with a new application date. Couples with no dependents may mutually agree to have an application transferred to the sole name of one of the partners. The remaining applicant may make a new application in their own name, with a new application date. However if no agreement can be reached the original application will be cancelled and each applicant will need make a new application with a new application date. In the event of the Council being unable to contact one of the joint applicants by writing to them at their last known postal or e-mail address after a period of 4 weeks the application may be transferred into the sole name of the other applicant at that applicant's request.

8.2.6 Review and Appeals – Joint Applications

If an applicant disagrees with the decision to change their joint application to a sole application they can request a review. If the applicant is dissatisfied with the review decision they have a final right of appeal to the Housing Appeals Panel, Appendix 3 refers

8.3 Exclusions from the Housing Register

The following persons are not eligible for entry on the Housing Register for the allocation of affordable housing if one or more of the following criteria apply to their household:

8.3.1 Persons from abroad

By virtue of the Housing Act 1996 (section 160a), the Council cannot allocate housing to a person who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996 unless that person falls within an exemption specified by the Secretary of State.

8.3.2 Persons guilty of unacceptable behaviour

The Council will not exclude an applicant on the grounds of unacceptable behaviour where the events occurred more than 7 years ago.

The Council will exclude an applicant from the register where the applicant, or a member of the households, has been guilty of unacceptable behaviour within the past 7 years, which if the applicant was a tenant of the council would entitle the Council to a possession order (Part 1 of Schedule 2 of the Housing Act 1985).

Unacceptable behaviour can include:-

- Serious proven breach of tenancy conditions including harassment, nuisance and violence including serious nuisance or annoyance to neighbours such as Demoted Tenancy, Notices upheld in respect of Environmental Protection Act or Noise Act.
- Conviction of using the accommodation or allowing its use for immoral or illegal purposes
- Allowing the property to be seriously damaged by the tenant or other residents or visitors which has resulted in an evidenced claim for the Council or other Landlord
- Conviction of an arrestable offence committed in the locality relating to violence or threats of violence
- Conviction of an arrestable offence relating to violence or threats of violence against Council staff
- Eviction from social housing for nuisance or harassment (racial or otherwise) where this behaviour is apparent at the time of application

8.3.3 Rent Arrears and Housing Related Debt

Applicants with rent arrears or housing related debts to the Council or other Registered Provider (Housing Association) in excess of £1,000 will not be accepted on to the register. Housing related debt includes rent bonds and deposits, any recoverable

payments made on behalf of the applicant in respect of homelessness or previous tenancies with the Council or Registered Provider, Council Tax debt and housing benefit overpayment on their property.

If the applicant is a former tenant of a housing association and their former landlord is not satisfied that repayments of a former debt are being made, the application may be excluded from the register and no further application accepted until the debt is cleared.

8.3.4 Applicants with no Local Connection to Arun

Applications from households who do not meet one of the local connection criteria contained in Appendix 5 will not be accepted onto the Housing Register.

8.3.5 Applicants who have no housing need

Applications from households whose circumstances do not meet any of the Band Reasons, and therefore are not considered to be in housing need will not be accepted onto the housing register.

8.3.6 Applicants with sufficient income and/or savings to secure alternative housing

Applicants will be considered as having sufficient financial resources to meet their housing need in full for the property size for which they are eligible if their total household income is four times greater than the Local Housing Allowance or they have savings of more than £16,000 (or equivalent to savings/capital/asset limit for state benefit entitlement). This will be reviewed in April each year.

8.4 Suspensions from the Housing Register.

Applicants will be accepted on to the housing register, but their application will be suspended and they will not be offered accommodation in the following circumstances:-

8.4.1 Rent Arrears and Housing Related Debt

Applicants with rent arrears or housing related debt to the Council or Registered Providers (Housing Associations), under £1000 will be eligible to join the housing register but their application will be suspended until the debt is repaid in full. Housing related debt includes rent bonds and deposits, any recoverable payments made on behalf of the applicant in respect of homelessness or previous tenancies with the Council or Registered Provider, Council Tax debt and housing benefit overpayment on their property.

8.4.2 Property Condition

If the applicant is a tenant of the Council or a Registered Provider (Housing Association) and the tenants' current home requires repairs, cleaning, decorating and other general maintenance which in accordance with the tenancy agreement are the tenants responsibility they will be suspended. An application will be activated when the tenant

has completed the necessary work. Exceptions may be made for vulnerable applicants, older residents and where an applicant is downsizing, moving from a house to a flat.

8.5 Reapplying for the Housing Register

A fresh application will be considered from previously ineligible applicants if:-

- The applicants immigration status has changed, or
- The applicant can demonstrate that previous behaviour resulting in exclusion from the housing register has improved
- The applicant has cleared rent arrears or housing-related debt or is sustaining payments for at least six months and the debt is below £1000.
- There are new and exceptional circumstances to support accepting an application

8.6 Notification-Exclusions, Suspensions

If the Council decides that an applicant should be excluded from the register or suspended as explained above, the Council will notify the applicant in writing setting out the reasons for the decision, the time period for the exclusion and their right to request a review of the decision. Such a notice, if not received by the applicant, is treated as having been given if it is available at the Council's office for a reasonable period for collection either by the applicant or on the applicant's behalf.

8.7 Review and Appeals – Exclusions and Suspensions

If an applicant disagrees with the decision to exclude or suspend their application they can request a review. If the applicant is dissatisfied with the review decision they have a final right of appeal to the Housing Appeals Panel, Appendix 3 refers.

8.8 Applications from Under 18s

- 8.8.1 Anyone over the age of 16 can join the housing register, although we will not usually offer them accommodation until they are over 18. In the event that there is an urgent housing need, a further assessment will be carried out and we will work with the individual to find the most suitable accommodation which will only be made if we are satisfied that the young person is able to live independently, able to sustain a tenancy, and has an identified package of support available to them.
- 8.8.2 A person under the age of 18 however does not have the legal capacity to hold a tenancy. Therefore the Council or a Registered Provider partner will normally expect that any tenancy granted to a person who is under 18 will be held by Trustees until that person attains the age of 18.
- 8.8.3 If there is a joint application from a household which includes children and one or both of the applicants are under 18 a licence will be given until the youngest applicant reaches 18. The Council or Registered Provider will not unreasonably withhold granting a new joint tenancy to both parties when the youngest applicant reaches the age of 18.

8.9 Applications from Home Owners and those with Financial Resources

8.9.1 Home owners who are in housing need and do not have the means to resolve their housing situation will be accepted onto the housing register.

8.9.2 Where there are medical problems, applications will be accepted from Owners in the following circumstances:

- Where it is not possible to adapt the current accommodation to meet the needs of the owner occupier's medical condition
- Where it is too expensive to adapt the existing accommodation to meet the needs of the owner occupier's medical condition and they cannot afford to buy or rent suitable alternative housing
- The sale of the property would not allow the owner occupier to purchase or rent an alternative property suitable to their needs
- Where there is low demand for a particular type of property e.g. some Sheltered Housing Schemes

8.10 Intentionally altering circumstances

Applicants have a responsibility not to intentionally worsen their circumstances to achieve or progress to a higher band. They have the responsibility to make best use of the financial resources of their household and the accommodation they have and will be assessed as if this is the case. Should an applicant have the means to secure more suitable accommodation or has voluntarily given up accommodation which is suitable for their needs, or where a deliberate act results in the worsening of overcrowding without good reason, the Council may assess the application based on the applicants need in their previous accommodation, prior to the 'intentional' act or on the basis that applicant has the means to resolve or at least improve their housing circumstances. The Council will reasonably consider, on a case by case basis, the joint income and resources of an applicant and their household against the availability and affordability of suitable housing.

8.11 False Information

If an applicant intentionally provides false information or withholds information when applying to the Council for housing, we will consider taking legal action against the applicant (this could include a fine of up to £5000). Under section 171 of the Housing Act 1996 it is an offence to:

- Intentionally provide false information or
- Intentionally withhold information that should have been given to the Council

If the applicant has already been granted a tenancy the Council may take action to recover the property.

9.0 **Registration and Assessment of Need**

9.1 How to apply

All applicants requesting re-housing must complete an application form to join the housing register. Applicants are encouraged to apply on line at:-

<https://www1.arun.gov.uk/ihousing/HousingApplication/appstart.asp>.

Help will be provided where requested to complete an application form.

If it is not possible for an application to be made online, paper applications can be made available by contacting the Housing Allocations Team. However a paper application form will only be provided if it is not possible for the applicant to apply on line.

9.2 Validation and Information

Applicants will be assessed based on the information provided on the application form. It is the applicant's responsibility to ensure that the form has been completed accurately. Any incorrect information could mean that the priority given is altered at any stage of the process.

If the Council wishes to carry out enquiries to verify the information that has been provided at any stage of the process it may do so. Assessment of the application will be delayed whilst this is carried out. However the Council will not, delay the assessment of the application unreasonably.

No allocations will be made until the applicant has provided all verification requested. If this is not provided when required it may result in the applicant losing a potential offer of accommodation.

9.3 Medical Information

A self assessment medical form is available for completion if an applicant feels that their current accommodation is affecting their health or the health of a member of their family and the applicant feels that this should be taken into account when assessing the household's priority for housing.

9.4 On the receipt of an application and any self assessment medical form the Council may require specialist advice to determine the applicant's housing need. Specialist advice may include referral to a medical adviser, social services or other individuals or agencies as appropriate.

9.5 If the Council considers that further medical information is required from a medical adviser a request will be made for that applicant to obtain a formal medical letter or report directly from the medical specialist concerned. The Council is not able to directly contact an applicant's doctor, consultant or specialist nor is the Council able to pay for such an assessment to be made. The Council may seek its own specialist advice when considering medical information as part of an application and may also seek the advice of the Occupational Therapy service concerning applications where either the applicant or a member of the applicant's household has mobility needs.

Once all the medical advice has been received and taken into account the Council will consider what medical priority should be awarded.

9.6 Home Visits

To assess applicants' current housing circumstances it may be necessary to visit an applicant at home.

9.7 Assessment of Need

Once all the relevant information is received, and checked for eligibility where necessary, an application will be registered and placed in the appropriate priority band, in addition a local priority weighting may be granted, section 10 refers. The applicant will receive written confirmation of their registration date, priority status and reason for it, the property size for which they can bid and mobility group if appropriate. If an applicant disagrees with the assessment of need or local connection or priority assessment the applicant can request a review. If the applicant is dissatisfied with the review decision they have a final right of appeal to the Housing Appeals Panel, Appendix 3 refers.

9.8 Registration Date

The registration date is the date the application is received, or in the case of homeless applicants to whom a full duty is accepted the date that the Council accepts a duty to rehouse if this is earlier.

9.9 Change of circumstances

All applicants are required to inform the Council immediately when their housing circumstances change. A change in circumstances may mean an application is moved up or down a band, or local connection or local priority is altered. If any change results in a band change the Council will write to inform the applicant of the new band, their new priority date if applicable and their right to request a review of the decision, see 9.7 above.

9.10 If an applicant is moved into a higher band then the priority date will be the date they were accepted into the higher band. If an applicant is moved to a lower band then their priority date will be their original acceptance date. If an applicant disagrees with the assessment of need the applicant can request a review. If the applicant is dissatisfied with the review decision they have a final right of appeal to the Housing Appeals Panel, Appendix 3 refers.

9.11 Adding Adults to an Application

Additional adults will not be added to an application where this results in the need for larger accommodation than the applicant's household was originally eligible, other than if an overriding need such as ill health or disability can be evidenced. Simply wishing to be part of the household is not sufficient reason for inclusion on the application.

Adults requiring an extra bedroom will only be added to an application if they have a demonstrable need to live with the applicant and if they plan to make their sole home with the applicant on a permanent basis.

Applicants who require an additional bedroom to enable full time (24 hour) care may include this on their application. Proof of this requirement will be sought.

9.12 Adding children to an Application

An expected child (or children) will be eligible to be included on the application from when the mother is 6 months into her pregnancy. At this date housing need, and housing requirements will be assessed including the expected child as a member of the household.

9.13 Renewing Applications

The Council may write to an applicant on or after the anniversary of their application to establish whether an applicant wishes to remain on the housing register. If no response is received within 4 weeks a final letter will be sent advising the applicant that the application will be cancelled in one week if they fail to make contact. Where possible the Council will make additional contact with applicants who have a high a level of need.

9.14 Removing or suspending an application from the Housing Register

An application will normally be removed from the Housing Register in the following circumstances:

- An applicant does not respond to correspondence within 28 days
- An applicant asks the Council to cancel their application
- An applicant accepts the tenancy of a property provided by the Council or another social housing landlord
- An applicant accepts the offer of home purchase by shared ownership
- An applicant no longer qualifies for the Register
- An applicant successfully moves under the mutual exchange scheme
- An applicant is no longer eligible to be on the housing register

An application will normally be suspended if new information shows that the applicant meets the criteria given in paragraph 8.4. This will be monitored if the applicant bids successfully for a property.

When an application is removed or suspended from the register the Council will let the applicant know in writing and explain why. If an applicant disagrees with the decision to remove or suspend their application from the register the applicant can request a review. If the applicant is dissatisfied with the review decision they have a final right of appeal to the Housing Appeals Panel, Appendix 3 refers

10.0 Prioritising Applications and the Banding System

There are three priority bands; Band A is the highest priority band and Band C the lowest. To prioritise between applicants within the same band the following priority criteria are applied to rank applicants:-

10.1 Local Priority Status

Local priority status (see 10.13 below) will be the first consideration when prioritising between applicants in the same band.

10.2 Registration date

Registration date will be the second consideration when prioritising between applicants in the same band.

10.3 Highest Bid Number

In the event of a tie, where two applicants have the same status (that is Local Priority Status only or Local Connection Status only or Local Priority Status and Local Connection Status) and have both been registered on the housing register for the same length of time priority will be given to the applicant with the highest bid number. Every bid will be assigned a random number when the bid is made. This is expected to occur rarely and at the time of adopting the allocations scheme had in fact never occurred.

10.4 An applicant with Local Priority Status will always have priority over an applicant with one or more lower ranking priority criteria. Where there is a tie, i.e. both have the same ranked priority (e.g. both have a local priority status or both have a local connection priority, the next ranked priority will be considered and so on.

10.5 Priority Bands – Band A Bidding Timescales

Band A is the highest priority band; applicants placed within this band therefore have high and urgent need. The Council wishes to ensure these applicants are rehoused as soon as practically possible. Moving on homeless households placed in temporary accommodation provided by the Council is important to ensure sufficient ongoing supply of temporary accommodation and to minimise costs. The following conditions therefore apply to applicants placed in Band A :-

- Band A applicants are required to bid for suitable properties within 6 weeks or 12 weeks of registration in the band as indicated above (except bands relating to under-occupation). Applicants who fail to bid in each bidding cycle, using the maximum number of bids allowable, within these timescales, and fail to accept a resulting offer of accommodation, will be dealt with in the following way:-
- Homeless households where the Council has accepted a duty placed in Band A are required to bid within 6 weeks. If an applicant fails to bid for suitable properties and accept a resulting offer of accommodation within this time scale the Council may either make a direct offer and discharge its duty, or consider that it has discharged its duty by the offer that has been made. One reasonable offer of accommodation will be

made as discharge of the council's rehousing duty. If this is refused the application will be cancelled.

- Applicants who are in Band A (except those relating to under-occupation) and are not applicants owed the main homeless duty will be cancelled if they fail to bid for suitable properties or if they refuse an offer of suitable accommodation which is made as a result of a bid.
- Applicants in Band A who have been placed in temporary accommodation by the Council are only permitted to bid for properties that are immediately available or undergoing minor works.
- In assessing whether a property is suitable for an applicant when applying the time limits set within Band A all tenancy types and rent levels are considered suitable. If applicants have a particular need to be in a certain location they should submit their reasons in writing for consideration.

10.6 Bedroom Deficiency

In assessing bedroom deficiency every bedroom that is available within the property will be taken into account regardless of its size. For the purposes of this policy, a bedroom is defined as any room which is capable of accommodating one or more beds and can be used for this sole purpose. In the case of single people and couples without children a bed sitting room is considered to have the required number of rooms.

10.7 Priority Bands - **Band A**

10.7.1 Homeless households owed the main duty (see below) by Arun District Council placed in bed and breakfast or short term temporary accommodation where the only prospect of meeting the households needs is in permanent accommodation.

(Applicants required to bid within 6 weeks of being placed in Band A)

10.7.2 Homeless households owed the main duty (see below) by Arun District Council placed in temporary accommodation where the landlord requires the property back or the property is unsuitable to meet the applicants' needs or a member of the households needs.

(Applicants required to bid within 6 weeks of being placed in Band A)

10.7.3 Homeless households owed the main duty (see below) by Arun District Council making their own temporary arrangements (including securing short term housing) or suffering family split due to a genuine lack of accommodation.

(Applicants required to bid within 6 weeks of being placed in Band A)

(Main duty is defined as the main duty under section 193 Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002))

- 10.7.4 Overriding medical priority where the housing conditions are having a major adverse effect on the medical condition of the applicant or member of the household so that emergency priority is warranted. (10.10 refers below).
(Applicants required to bid within 6 weeks of being placed in Band A)
- 10.7.5 Applicants living in Council or Registered Provider accommodation within the Arun District who are under occupying two or more bedrooms.
(Applicants with no required timescale to bid)
- 10.7.6 Households who are overcrowded as defined by current legislation and where this is confirmed by Arun District Council's Private Sector Housing Section and a prohibitions order has been served or an overcrowding notice has been served.
(Applicants required to bid within 6 weeks of being placed in Band A)
- 10.7.7 Transfer applicants needing permanent or temporary rehousing where the property is imminently required for essential works and the tenant cannot remain in the property. Although the Council will encourage and assist such tenants to make bids through the Homemove system it is recognised that there will be a duty to provide suitable alternative accommodation and will make a reasonable offer within the necessary time scale whether a successful bid is made or not.
(Applicants required to bid within 6 weeks of being placed in Band A)
- 10.7.8 Properties where a prohibition order has been served by Arun District Council's Private Sector Housing Section and where there is an imminent risk to the tenant or it would be unreasonable for the tenant to remain in the property whilst remedial works were carried out.
(Applicants required to bid within 6 weeks of being placed in Band A)
- 10.7.9 Applicants releasing an adapted property or to make best use of adapted stock where the tenant does not require adaptations or where the existing property cannot be adapted to meet the applicants needs
(Applicants with no required timescale to bid)
- 10.7.10 Priority transfer e.g. emergency harassment, agreed in exceptional circumstances due to significant and insurmountable problems associated with the tenant's occupation and there is imminent personal risk to the household if they remain.
(Applicants required to bid within 6 weeks of being placed in Band A)
- 10.7.8 Severe need – exceptional circumstances and/or multiple needs, which warrant emergency priority as agreed by the Housing Services Manager
(Applicants required to bid within 6 weeks of being placed in Band A)
- 10.7.9 Applicants who prevent their own homelessness by securing accommodation including by means of a deposit or bond with advice from the Council and have occupied that accommodation for a minimum period of 12 months and have met the conditions of their tenancy which has been confirmed by their current landlord. Where the Council has provided the Bond or deposit the account must not be in arrears with the agreed repayment plan. In these circumstances the application will be accepted onto the list from

the beginning of the tenancy, but the application will be suspended until the tenant has occupied the accommodation satisfactorily for 12 months

(Applicants required to bid within 12 weeks of being placed in Band A)

10.7.10 Applicants registered for 5 years or more threatened with homelessness within 28 days with a child or children at secondary school

(Applicants required to bid within 12 weeks of being placed in Band A)

10.7.11 Statutory and Non-statutory successors – where agreement has been reached to rehouse an applicant to more suitable accommodation than the affordable housing currently occupied by the applicant in the Arun District .

(Applicants required to bid within 12 weeks of being placed in Band A)

10.8 Priority Bands - Band B

10.8.1 Households lacking 2 or more separate bedrooms excluding households who are in interim accommodation provided by Arun District Council. Please see paragraph 10.6 for the definition of bedroom deficiency.

10.8.2 Management transfers to properties of the same size and type agreed by the Housing Services Manager.

10.8.3 Medium medical needs (see 10.10)

10.8.4 Ex-tenants returning from institutions where a commitment has been made in order to secure the relinquishment of a Council tenancy on entering the institution.

10.8.5 Applicants with dependant children lacking a bedroom and lacking a kitchen or bathroom and/or sharing a kitchen or bathroom with non family members (non family members as defined by Section 113, the Housing Act 1985) excluding households in temporary accommodation provided by Arun District Council.

10.8.6 To enable fostering or adoption where an assessed need and an agreement has been reached with Social Services and the Housing Services Manager to provide permanent accommodation prior to any placement taking place.

10.8.7 Applicants who for at least the last two years consecutively; have been renting in the private sector and have met their tenancy conditions as confirmed by their current landlord and are in receipt of Housing Benefit and in full or part time (24 hours per week) employment and have been on the housing register for a minimum period of two years.

10.8.8 Applicants moving on from care or supported housing as authorised by the Housing Services Manager.

10.8.9 Applicants who have met the conditions of their tenancy and this has been confirmed by their current landlord and have a priority need in accordance with Part 7 of the Housing Act 1996 (as amended by Homelessness Act 2002) and are threatened with homelessness within 28 days or have received a valid notice to vacate accommodation in the private rented sector or armed forces accommodation.

- 10.8.10 Applicants in housing need who have been registered in Band C for a minimum and immediately consecutive period of 5 years and have unsuccessfully bid for a minimum of 5 suitable properties per year.
- 10.8.11 Applicants, who are tenants of Arun District Council or Registered Provider, and are underoccupying by one bedroom and are on housing benefit.
- 10.8.12 Applicants who have a fixed term tenancy with Arun District Council or Registered Provider and have been advised that their tenancy will not be renewed on expiry. Where an applicant fails to identify and bid successfully for an alternative property within 6 months of being instructed to do so, the Council will then bid on the applicant's behalf following which one offer of suitable alternative property on a fixed term tenancy will be made.

10.9 Priority Bands - **Band C**

- 10.9.1 Households lacking one separate bedroom or who are street homeless.
- 10.9.2 All applicants who are defined as homeless or threatened with homelessness under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002).
- 10.9.3 Households identified in an Adult Social Care Plan where accommodation is required to assist in delivering a Care Plan or to relieve other social/welfare hardship as agreed between Social Services and Housing.
- 10.9.4 Low medical priority (see 10.10)
- 10.9.5 Other unsatisfactory housing conditions as supported by the Council's Private Sector Housing Section.
- 10.9.6 Applicants for sheltered housing where there is no higher housing need.
- 10.9.7 Applicants who need to move to a particular area where failure to meet that need would cause hardship e.g. to give or receive support
- 10.9.8 Applicants with dependant children living with and sharing a kitchen or bathroom with family members (family members as defined by Section 113, the Housing Act 1985.) excluding households in temporary accommodation provided by Arun District Council.

10.10 Bands for Medical Categories

Bands for those with medical needs will be awarded on the following basis:

- 10.10.1 Band A - High Medical priority will be recommended where one of the household has a life threatening condition which is seriously worsened by their current housing. Band A will also be given where current housing conditions and/or other circumstances are having such a major adverse effect on the medical condition of any member of the household as to warrant emergency priority.

10.10.2 Band B - Medium Medical Priority will be recommended where the current housing conditions are having a major adverse effect on the medical condition of one of the household which could affect life expectancy.

10.10.3 Band C - Low Medical Priority will be recommended where the current housing conditions are having an adverse effect on the medical condition/quality of life of one of the household which creates a particular need for them to move.

10.11 Mobility Needs

Irrespective of the band assessment, where a member or one of the household has a substantial and permanent physical disability which may place them in mobility groups 1 and 2 (see below) the Council will refer the applicant to an Occupational Therapist for a report on housing needs. Taking into account the recommendation of the report one of the following mobility groups will be awarded.

1. Wheelchair user indoors and outdoors.
2. People who cannot manage steps or stairs and may use a wheelchair some of the time.
3. Independent but can only manage one or two steps or stairs.

10.12 Care Needs

Irrespective of the band assessment, where a member or one of the household has substantial and permanent care needs the Council may refer the applicants details to a medical officer for a health and/or social report on housing needs or call a multi agency panel with the applicants consent.

10.13 Local Priorities

The allocation of affordable housing has a significant effect on the shape and nature of local communities. Whilst the Council primarily gives preference to applicants with the greatest housing need by means of the banding system, to differentiate between applicants in the same band, priority will be given to the applicant who meets one of the Council's local priorities. The Council wishes to reward applicants who improve their housing circumstances or have waited a long time for housing and where appropriate to reduce the priority of those applicants who unreasonably refuse offers of accommodation and has reflected both these aims in the banding system. In addition some properties will be specifically ring fenced for applicants who meet a local priority.

LP1 - Economic Contribution

Applicant is currently in full or part time work (minimum of 24 hours per week) or attending a recognised training course in resulting in a qualification or voluntary work for a minimum of 8 hours per week which has been verified, and has been working, training or volunteering for the last two years.

(Also see page 23 PEC7 – Property subject to an Employment Condition)

LP2 – Supported Housing earned citizen approach

Applicants who need to move on from care or supported housing in Arun with the agreement of the Housing Services Manager are placed in Band B so have high priority. The provision of move on accommodation is considered essential to ensure that limited supported housing resources are used most effectively and as far as possible those with supported housing needs avoid facing a housing crisis. Ensuring applicants are able to take on the responsibility of living in mainstream housing is however a major consideration. The Council will therefore give further priority to applicants who have completed a pre tenancy qualification award or similar assessment. The Council will work with supported housing providers to implement suitable assessment processes.

10.14 Properties with specific eligibility criteria

To bid for some vacancies applicants will need to meet specific eligibility criteria as follows:-

PEC1 - Promoting Mobility for Existing Tenants

In addition to the priority extended to existing tenants of both Council and other Registered Provider housing in the Arun District, 25% or 1 in 4 of all vacancies of affordable homes (including first time lettings of new build homes) will be offered to existing tenants only providing their landlord is participating on the transfer scheme (TS). The Council will ensure that those properties offered to transfer applicants are a fair representation (property type and size) of all annual vacancies. This policy is intended to enable more movement within the Council's housing stock, thus creating more vacancies for which Home-seekers can bid.

Note: both the Council and Registered Providers may suspend applications from transferring tenants where the tenants current home requires repairs, cleaning, decorating and other general maintenance which in accordance with the tenancy agreement are the tenants responsibility. An application will be activated when the tenant has completed the necessary work. Exceptions may be made for vulnerable applicants, older residents and where an applicant is downsizing.

PEC2 – Rural Housing

To sustain and support rural communities 75% of all vacancies (including first time lettings of new build homes) in the following rural parishes (as defined by the Rural Gazetteer 2002) will be allocated to applicants who have a substantial local connection with the parish.

Arundel, Findon, Clapham, Houghton, Patching, Slindon, Madehurst, Walberton, Fontwell, Burpham, Wepham, Warningcamp, Lymminster and Crossbush, South Stoke, Climping and Ford

This will include households from the gypsy and traveller community who have established a connection with the Parish by virtue of resorting to the Parish in accordance with the local connection criteria.

The local connection criteria is as follows:-

- Applicants who have lived in the parish for at least 2 years
- Applicants who have previously lived in the parish for 3 years out of the last 5
- Applicants with close relatives generally defined as parents, adult children and siblings who have lived continuously in the parish for 5 years.
- People who have permanent full time employment or an offer of permanent employment which provides an important service to the local community and who need to live locally to carry out their duties.

PEC3 – Property for people aged 50+ and 60+

Property for people aged 50+ and 60+ (including sheltered housing) will be specifically advertised as such.

PEC4 - Property for people with mobility needs

Property for people with mobility needs will be advertised as suitable for applicants with the following three categories:

1. Properties suitable for wheelchair user indoors and outdoors
2. Properties suitable for people who cannot manage steps or stairs and may use a wheelchair some of the time
3. Properties suitable for people who are independent but can only manage one or two steps

PEC5 - Property for people with care needs

Property for people with care needs will be advertised as suitable for applicants across the bands according to the type of scheme and its eligibility criteria. Applicants may then require further assessment to establish whether the accommodation will meet their particular needs.

PEC6 – Property subject to a Local Lettings Agreement

The eligibility criteria concerning properties subject to Local Lettings Agreements (section 16 refers) will be clearly advertised.

PEC7 – Property subject to an Employment Condition

1. The Council may restrict the allocation of affordable homes in estates where the levels of unemployment are above average when compared to other areas in the district to applicants where at least one household member is either in full or part time work (minimum of 24 hours per week) and has been in work for the last two years on.

11.0 **How are vacant properties advertised ?**

11.1 Vacant properties will be advertised on the Homemove website, there will also be a personal free sheet sent in accordance with the policy (see paragraph 6.2). The criteria by which the property will be allocated will be included in the advertisement and set the eligibility criteria for the properties such as:

- Size of household
- Whether the property is suitable for children
- Age limitations
- The mobility group, if applicable
- The level of care and support available
- Whether pets are allowed
- Whether it is available for cross boundary bids (the Council may advertise properties outside the Arun district where there is little or no demand for a particular property)
- Whether it is sheltered accommodation
- Who owns the property i.e. council or housing association
- The weekly rent including any other charges
- An estimate of the date the property will be ready for occupation
- If a local lettings policy applies
- Whether it is a rural property and a local connection criteria applies

11.2 The Council needs to ensure that all properties are used as effectively as possible therefore the Council will advertise and allocate Council owned properties subject to the following criteria:

- A bedsit for a single person or a couple
- One bedroomed accommodation for a single person or a couple
- Two bedroomed accommodation for households with one child or two children under the age of 10, or an adult household where there is medical need and/or a live in carer.
- Three bedroomed accommodation for households with two children of different sex where one or both is over the age of 10 years or up to four children
- Four bedroomed accommodation (including three bedroomed homes with a second downstairs reception room that can be used as a fourth bedroom) for households with four or more children.

Housing Associations have their own criteria regarding the makeup of households for their properties which may vary slightly from the criteria stated above. This will be made clear in their advertisements.

11.4 In cases where households have been accepted as homeless and have been awarded the relevant band, the household may bid for accommodation that falls outside the above criteria if it has been assessed that the property is reasonable for the households needs. The offer will discharge the Councils duty under Part VII Housing Act 1996.

11.5 The Council may allocate up to one additional bedroom above this standard where there is an overriding, proven medical need to support the request.

- 11.6 All adapted properties will be advertised across all bands with a mobility classification as below, and notes will be made where the potential for adaptation or further adaptation exists.
1. Suitable for wheelchair user indoors and outdoors.
 2. Suitable for people who cannot manage steps or stairs and may use a wheelchair some of the time.
 3. Suitable for people who are independent but can only manage one or two steps.
- 11.7 Applicants may not bid for properties that would result in over-crowding or under occupation.
- 11.8 Transfer applicants may be entitled to assistance under the Tenants Under Occupation Scheme if they move to a smaller property.
- 11.9 Where an age restriction applies and there are no eligible bidders, applicants without children may be considered.
- 11.10 As well as vacant properties the magazine will also include details of allocations made for properties that have been recently let, and will show the number of bidders for each property and the band and priority date of the successful applicant.

12.0 **The Bidding Process**

- 12.1 The Council will advertise empty properties and eligible applicants can make bids for properties by sending in a completed coupon, by telephone bidding, or by bidding online via the Homemove website. Full details of how to bid are set out in the Scheme User Guide which will be sent out to all applicants upon registration.
- 12.2 The Council is aware that some vulnerable applicants may need assistance in order to complete the registration and bidding process. The Council seeks to address this issue in the following ways;-
1. By providing regular training and awareness events for agencies who support vulnerable people to help them guide their clients through the process of registration and bidding.
 2. By giving direct advice and assistance to applicants, support staff and agencies during office hours either in person or by phone and by providing information on the Council's website.
 3. By providing information in a variety of formats and languages on request.
 4. Where necessary bids can be made by Council staff on behalf of applicants, proxy bidding by support staff, friends or family of a vulnerable person is also possible on request.
- 12.3 If an applicant in Band A does not bid within the specified timescales we will contact the applicant to check there are no difficulties in using the system and that their circumstances have not changed and the priority still applies. If the applicant still fails to

bid we may bid on their behalf for suitable properties or remove the priority awarded or make a direct allocation. (10.5 refers)

- 12.4 All bids for property will be checked against the eligibility criteria. Ineligible bids are excluded from consideration. Applicants who regularly bid for properties for which they are not eligible for will be contacted and advice given.
- 12.5 Applicants can bid for up to three properties in each fortnightly bidding cycle.
- 12.6 Once an offer has been made the applicant has the choice to refuse the property. If they refuse they will be able to bid again in the following cycle. Specific advice will be given to applicants bidding in Band A (10.5 refers).

13.0 **The Selection Process**

- 13.1 Eligible bids for each property are placed in priority order. Priority is decided first by band, second by local priority, thirdly by priority date within the band, and finally by the random number which is electronically generated. Every bid will be assigned a random number when the bid is made. This number is used to resolve a tie, the highest number gets priority.
- 13.2 If there are no eligible bidders for a property the Allocations team may decide to make a direct allocation or re-advertise the property on a first come first served basis.
- 13.3 No allocations will be made until the applicant has provided all the personal verification requested, a home visit may also be made. If verification information is not provided and/or a home visit declined when required, it may result in the applicant losing a potential offer of accommodation.
- 13.4 To minimise delays the Council or Registered Providers may arrange multiple viewings for up to three applicant households per property, where this is practicable. The Allocations team will arrange accompanied viewings, advise on any non-essential repairs to be completed after the tenancy start date and give a target date for the completion of these repairs.
- 13.5 The Allocations Team will offer the successful applicant the option to accept the offer of a property and arrange for them to sign for the tenancy agreement. Alternatively the applicant will be asked to make a decision whether to accept or not within 24 hours of viewing the property. This time scale will be strictly applied, if an applicant refuses the offer or fails to reach a decision within 24 hours the Council will immediately re-shortlist the existing bidders to allow an offer to be made to the next highest priority applicant.
- 13.6 Offers will normally only be made to the applicant at the top of the shortlist. However, in very exceptional circumstances a prospective Registered Provider landlord may need to reject an applicant on the top of the shortlist for a particular property if by accepting this would be a conflict with their own policies and procedures. This situation is most likely to occur where the applicant is a former tenant of the Registered Provider and there were breaches of conditions of tenancy.

- 13.7 Applicants will generally not be penalised for refusing offers although enquiries will be made if applicants refuse several properties. Band A applicants to whom the Council does not owe the 'main' homelessness duty however are required to bid within specific timescales (10.5 refers) following registration after which the Council may bid on their behalf and if an offer of accommodation is unreasonably refused the application may be demoted to Band B for 12 months.
- 13.8 Homeless households where the Council has accepted the main duty and placed in Band A are required to bid within 6 weeks. If an applicant fails to bid within this time scale the Council may make a direct offer and discharge its duty. One reasonable offer of accommodation will be made as discharge of the Council's rehousing duty.
- 13.9 Homeless households where the Council has accepted the main duty and are in temporary accommodation may only bid for properties that are either immediately available or undergoing minor works.
- 13.10 Applicants will be required to provide verification of their housing circumstances prior to an invitation to view the property. The Council will contact the applicant to request this information when required. (Appendix 4 refers).

13.11 Exceptional need

Where the Housing Appeals Panel has agreed that an applicant's housing needs are immediate as well as exceptional, the Council may agree to offer an applicant accommodation ahead of other people on the Housing Register. Appendix 3 refers.

14.0 **Direct lettings**

- 14.1 In limited circumstances the Council may allocate properties outside the Allocation Scheme as follows:-
- 14.1.1 Special circumstances e.g. if the Public Protection Panel recommends that an applicant with high priority should be offered a specific property.
- 14.1.2 Homeless households in Band A who have failed to exercise choice through the bidding process within the timescale. The Council will make one reasonable offer of accommodation before their duty is discharged or priority lost.
- 14.1.3 Retiring Sheltered Housing Managers who have failed to bid successfully (and to whom the Council owes a contractual responsibility) may be made a direct offer.
- 14.1.4 Existing tenants who need to be moved from suitable accommodation for a short period may be offered a temporary property, for example in the event of a fire or flood.
- 14.1.5 Ex-Council tenants where a duty to re-house has been agreed who fail to bid within the timescales will be made one reasonable offer before the Council's duty is discharged or priority lost.
- 14.1.6 Non-statutory successors who fail to bid within the timescale will be made one direct offer. If refused the Council may begin possession proceedings.

- 14.1.7 Priority transfers who fail to bid within the timescale will be made one direct offer. If refused Housing Management will review and may recommend priority is lost.
- 14.1.8 Bespoke mobility adapted properties which have been newly developed to meet the specific and serious needs of an applicant.
- 14.1.9 Applicants for specialist supported housing schemes including some Extra Care schemes which require a process of nomination, assessment and acceptance in order to be considered for an allocation.
- 14.1.10 Statutory and Non-statutory successors, where agreement has been reached to rehouse an applicant to more suitable accommodation than the affordable housing currently occupied by the applicant in the Arun District, are required to bid within 12 weeks. If they fail to do so and suitable alternative accommodation has been available the Council may make one direct offer of suitable accommodation. If refused the Council may review and/or begin possession proceedings.
- 14.1.11 In all the above cases the Council will make a reasonable offer which as far as possible matches the size and type of property for which the applicant is eligible in the area of their choice and not in an area known to be unsafe for the household. The applicant must give their reasons for refusing. The property will not be held empty while the refusal is reviewed but will be let to another applicant.
- 14.2 If the offer is to a homeless household the case will be reviewed and the necessary follow-up action taken. If an offer is to other categories of applicant the Housing Services Manager will consider the reasons for refusal. If there is a clear mismatch e.g. where the applicant or property details were incorrect, the offer will be withdrawn and the applicant notified. If the offer was found to be a reasonable one the applicant will be notified of the reasons for this finding and the effect the decision has on their application.
- 14.3 If an applicant disagrees with the Council's direct letting decision they can request a review. If the applicant is dissatisfied with the review decision they have a final right of appeal to the Housing Appeals Panel, Appendix 3 refers.
- 15.0 **Ending a joint tenancy when one party to the tenancy leaves**
- 15.1 Normally the Council or Registered Provider will grant a joint tenancy to partners applying together for housing. A joint tenancy remains in joint names until one or both joint tenants terminate the tenancy. In the case where one party to the joint tenancy has left the property and has no intention of returning, the Council or Registered Provider may agree to offer the new sole tenancy to the remaining partner should they terminate the joint tenancy. Conditions may be attached to granting a new sole tenancy for example clearing any rent arrears relating to the current joint tenancy.

16.0 **Local Lettings Plans**

16.1 A local lettings plan is an agreement between the Council or Registered Provider and local tenants and residents which restricts lettings in the area to certain households. This is done to tackle a specific issue or problem that has been identified locally at either block, street, estate or neighbourhood level ,or to achieve a sustainable community on a new development.

16.2 Local lettings plans allow the council or Registered Provider to deliver better outcomes and improve life chances for current tenants and future residents.

16.3 Recommendations for local lettings plans may include:-

- Establishing and sustaining a mixed, stable and sustainable community on the development from the outset to foster a sense of ownership and community.
- Ensuring new tenants can sustain their tenancies.
- Setting a maximum or minimum age limit for certain properties
- Giving preference to tenants/applicants with a local connection or who already live or work in that area
- Preference to tenants /applicants who are giving or receiving support to or from family/extended family, voluntary work, day care, playgroups or other support from locally based organisations
- Preference to people who are employed
- Preference to other household types who would not normally be eligible under the council's letting policy – eg this could be couples without children, where there is a high density already in the area of families with children
- Preference to people who are under occupying or who are overcrowded in their current home in the local vicinity
- Sensitivity around the letting of homes to vulnerable people
- Once adopted a local lettings plan will override the Allocations Scheme. Any properties subject to a plan will be clearly labelled when advertised for lettings.

17. **Tenancy Policy**

The Councils' Tenancy Policy sets out arrangements to grant Periodic 'lifetime 'Secure Tenancies or to grant Fixed term (Flexible) Tenancies.

17.1 Periodic 'lifetime' Secure Tenancies, as defined by the Housing Act 1985, and Arun District Council's adopted Secure Tenancy agreement, will be offered to the following categories of applicants:-

1. All applicants who are offered one bedroom accommodation
- 2 All applicants who are offered Sheltered Housing or housing exclusively designated for older people
- 3 All existing secure tenants moving to accommodation with fewer bedrooms than they currently occupy

17.2 Fixed Term (Flexible) Tenancies will be offered to the following categories of applicants:-

1. All applicants who are offered accommodation with 2 or more bedrooms
2. All applicants with at least one child under the age of 5 years will be offered a 10 year fixed tenancy term
3. All disabled applicants moving to a home that has major adaptations to meet their needs
4. All existing secure tenants moving to accommodation with more bedrooms than they currently occupy
5. To an adult child of a deceased tenant where there has been no previous succession providing the applicant meets the condition in Tenants Policy

18. **Implementation Arrangements**

18.1 This scheme will come into force with effect from 1st January 2013.

18.2 Following approval by Cabinet, all new applications received will be assessed in accordance with the new scheme.

18.3 For applicants already on the Housing Register, a review process will be undertaken. The review will focus on one Priority Band a time. Applicants in each band will be invited to contact the Council to provide evidence that they meet the local connection criteria and if their housing circumstances have changed. Applicants will then be assessed in accordance with the new scheme. Applicants will be notified of any change to their priority for housing. This will include whether they remain on the Housing Register. It is envisaged that this process will be completed by 1st January 2013.

Appendices

Appendix 1 - Consultation with Stakeholders

- 1.1 The review of the Council's Allocations scheme was overseen by a group of 3 Councillors appointed by the Housing and Planning Working Group. Consultation with stakeholders included the development of a questionnaire particularly to gauge local priorities.
- 1.2 Approximately 5421 questionnaires were distributed to target groups and local organisations including ;-
 - All households on the Council's Housing Register
 - Registered Providers with stock in the Arun District
 - Members of the Arun District Council Landlords Forum
 - Members of the Homeless Forum in Arun
 - Town & Parish Councils in the Arun District
 - Age Concern Activity Centres
 - Citizens Advice Bureaux in Bognor Regis & Littlehampton
 - Support Agencies such as Sure Start, CVS Arunwide, The Diary, Anchor Staying Put, MIND, Stonepillow, ICIS, United Response
 - Job Centres in Bognor Regis & Littlehampton
 - 55 ADC Elected Members
 - 3 local MPs
 - Arun District Council Staff

The questionnaire was available to download from the Council website, with links from the main Council homepage, the Housing homepage and the Housing Register page.

- 1.3 A meeting with registered providers was held on 27 June 2012.
- 1.3 The views of stakeholders following receipt of the questionnaires' were reflected in the new draft scheme which was published for formal consultation, accompanied by a summary report analysing the questionnaires received on the Council's web site. Consultation ended on the 15 June 2012.

Appendix 2 –Service Standards

Arun District Council will:-

- Register applications within 14 working days
- Process change in circumstances within 14 working days
- Reply to letters within 10 working days
- Answer phone calls within 30 seconds
- Provide advice to applicants to help them with bidding choices over the phone, by e-mail and face to face
- Wear ID at all times including when visiting
- Deal with all enquiries in a fair and sensitive manner
- Advertise vacant properties for a minimum of 5 days
- Provide reliable information on when a property will be available to let
- Advise you of your right to request a review of a decision in accordance with the details contained within Appendix 3

An applicant is required to:-

- Keep the Council informed of any changes of circumstances
- Ensure that the Council have an up to date address
- Reply to requests for information as quickly as possible
- Treat Arun District Council staff with courtesy
- Give accurate information regarding personal circumstances.

Appendix 3 - Review and Appeal Procedures

1.1 In certain circumstances an applicant may request a review of the Council's decision concerning their housing application. Following a decision, if an applicant remains dissatisfied, they can ask for the decision to be reviewed by the Housing Allocations Appeals Panel.

1.2 In what circumstances can a request for a review be made?

Applicants may only request a review in the following circumstances;-

| | Circumstances for requesting a review | Scheme reference |
|----|---|-------------------------|
| 1. | Applicant disagrees with the decision to change their joint application to a sole application | Para 8.2.6 Page 6 |
| 2. | Applicant disagrees with the decision to exclude or suspend their application | Para 8.7 Page 10 |
| 3. | Applicant disagrees with the assessment of their housing need, local priority and local connection | Para 9.7 Page 13 |
| 4. | Applicant's disagrees with the assessment of need following a change in their housing circumstances | Para 9.10 Page 13 |
| 5. | Applicant disagrees with the decision to remove or defer their application from the register | Para 9.14 Page 14 |
| 6. | Applicant disagrees with the Council's direct letting decision to them | Para 13.11 Page 28 |

1.4 A request for a review must be made within 21 days from the day on which the applicant received notification of the Council's decision. The Council has the discretion to extend the time limit if it considered this would be reasonable.

1.5 Requests for a review may be made verbally or in writing. Applicants will be asked to explain why they consider the Council's decision to be unreasonable, and to provide any additional evidence required.

1.6 A Council manager senior to the officer making the original decision and who was not involved in making the decision will carry out the review.

1.7 The Council will carry out a review and respond to the applicant within 8 weeks of the review request being received. Applicants will be advised if for any reason the decision is going to be delayed.

1.8 What happens if the applicant disagrees with the decision?

The applicant has a final right of appeal to the Housing Appeals Panel which comprises three Arun District Councillors. The panel will be supported by a senior member of staff who has not been involved in the original decision.

- 1.9 A request for an appeal must be made within 21 days from the day on which the applicant received notification of the Council's review decision. The Council has the discretion to extend the time limit if it considered this would be reasonable.
- 1.9 Any request for an appeal must be on the basis that the published policy has not been applied correctly to the household's circumstances. If the applicant wishes to challenge the Allocations Scheme itself they are advised to seek independent legal advice.
- 1.10 Requests for an appeal may be made verbally or in writing, applicants will be asked to explain why they consider the Council's decision to be unreasonable. Applicants may present their case to the panel in person and may be accompanied by a relative or friend but may not be formally represented by a third party.
- 1.11 The Council will carry out an appeal hearing and respond to the applicant within 8 weeks of the appeal request being received. Applicants will be advised if for any reason the decision is going to be delayed
- 1.12 If the applicant remains dissatisfied with the Council's decision they will be advised that they have the right to refer their case to the Local Government Ombudsman service or equivalent and/or to seek specialist advice.

Appendix 4 - Verification Checklist

No allocations will be made until the applicant has provided all the personal verification listed below if applicable.

Your identity and that of the people in your household (birth certificate, passport, driving licence or similar)

Proof of any children you are responsible for i.e. Child Benefit notification

Proof of where you live and any non-dependents wishing to be housed with you (utility bills etc.)

Proof of any income and savings

Proof of any benefits which you receive

A copy of your present Tenancy Agreement

A Completion Statement if you have sold a property within the last 5 years

Proof of Right to Reside in the UK

Local connection is defined as follows:-

1. The applicant or their partner are living in the Arun District and have lived in the Arun District permanently for at least 5 years immediately prior to the application date, or have lived permanently in the Arun District for 10 years out of the last 15 years.
2. The applicant or their partner has worked on a full or part time basis (24 hours per week) in the Arun District for the past 2 years and remains in employment in the Arun District.
3. The applicant or their partner needs to be in the Arun District to give or receive support from or for a close relative (parents, adult children, brother and/or sister). The family member must be permanent resident in Arun District and have lived here permanently for at least 10 years immediately prior to the application date.
4. An applicant has been accepted as being owed the main homeless duty. The Homelessness main duty is defined as the main duty under Section 193 Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002)
5. Other exceptional circumstances that the local authority might reasonably consider constitutes a local connection as agreed with the Housing Services Manager, in consultation with the Chief Executive or Deputy Chief Executive. Should this local connection be supported, the matter will be reported to the Cabinet Portfolio Holder.
6. The Council will not disqualify the following applicants on the grounds that they do not have a local connection with the authority's district:
 - 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 serious injury, medical condition or disability sustained as a result of their service