



Doncaster Council's Allocation Policy



Doncaster
Metropolitan Borough Council

2008

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Document History

Version	Date	Comments
1.0	December 2006	Agreed by Cabinet 13 December 2006
1.1	May 2007	
1.2	June 2007	
1.3	November 2008	Amendments following consultation
1.4	December 2008	Final cabinet version. 10 December 2008

Section 1 - Introduction

What is this document?

This is Doncaster Metropolitan Borough Council's Housing Allocations Policy. The policy is operated on behalf of Doncaster Council by its "arm's length" management organisation, St Leger Homes of Doncaster.

As we do not own enough properties to meet the demand from everyone who has registered to move to one of our homes, we need to have a system in place which aims to give priority for housing to those who are in most housing need. In this way everyone can see that properties are offered fairly.

This document sets out in detail how we will let our properties and undertake our statutory duties to ensure that reasonable preference is given to applicants in housing need, whilst also making efficient use of our stock.

Doncaster HomeChoice allocates properties according to its policy on equality and diversity, both Doncaster Metropolitan Borough Council and St Leger Homes of Doncaster are committed to making sure that all people are treated fairly.

The reason that you are asked to provide information about your ethnic origin, religion and other personal details is so that the policy can be monitored to ensure that properties are being let fairly.

We will make sure that the lettings process is as transparent as possible, reduce bureaucracy and work within the confines of our legislative duties including but not limited to the 1985 and 1996 Housing Act, the Homelessness Act 2002 the Data Protection Act 1998, the Human Rights Act 1998, the Disability Discrimination Act 1995 and the Race Relations Act 1976 and the Race Relations Act (Amendment) 2000.

Why is this document needed?

The policy addresses the requirements of the Housing Act 1996 Part 6 which says that all local authorities must have an agreed allocations policy which is published and that it must then ensure that properties are offered according to the policy. The Homelessness Act 2002 amended Part 6 of the 1996 Act and those requirements are also covered by this policy.

What happens when you apply for housing?

When an applicant applies for housing, their application will be checked to see if they are eligible to join the housing register. Most people who apply are able to join the register and the few exceptions to this are listed in section 2. If an application is refused, there is a right to appeal against the decision.

There are 5 bands in the Housing Register.

Once an applicant's application has been accepted, they will be placed on the register in either one of the three priority bands, the bronze band or in the general

band. Our priority bands are: platinum, gold and silver. The Platinum band reflects the highest priority. The Bronze band is for applicants with low housing need. There is also a General band for applicants who have the financial capacity to resolve their own housing need. Applicants in the general band will be offered assistance in resolving their need or desire to move. A full list of the bands and the circumstances for being in a band are detailed in section 4. Again, if an applicant feels that they are not in a band which reflects their level of urgency for being housed they can appeal.

The policy also sets out what type of property applicants will be offered. We have to specify which households will be prioritised for different types of property to ensure that we make the best use of our properties and so that we can house as many applicants in housing need as possible. The types of property we can offer to different households is detailed in appendix a.

We offer our available properties for rent through a choice based lettings scheme known as 'Doncaster HomeChoice'. The scheme enables all applicants to view every available property so that from those that they are eligible to move to, they can choose which they would like to bid for. This system gives more transparency to the allocation process as we will give feedback on how each property is let. More information is available on our website www.doncasterhomechoice.co.uk or in our leaflet "A guide to Doncaster HomeChoice" which you can get along with advice from staff at any of our area offices or from the Doncaster Homechoice Team.

Section 2 – Administration of the register - who can register, verifying applications, restrictions on applications and updating of the register

This section looks at who can and who cannot apply for a home with Doncaster Council. All applications will be considered and those who are assessed as not being eligible will be told in writing the reasons why and will not be placed on the housing register.

Who can register?

Doncaster HomeChoice operates an open registration scheme. This means that any person over the age of 16, regardless of tenure or financial circumstances can apply to be placed on the housing register provided they do not fall within one of the exceptions described below as set out in the Housing Act 1996 Section as amended by the Homelessness Act 2002.

Applicants who currently own their own home or have significant financial resources are able to apply and will be placed in the General Band until their housing need and a financial assessment of their ability to meet their own needs is complete.

If the assessment confirms that they are in housing need and do not have the financial or other means to meet the need e.g. if they require sheltered housing and they cannot afford it or there is no private provision in the area they require, to maintain family or community support, they will be placed in the appropriate priority band or bronze band, dependant on their level of housing need. .

If after we carry out a financial assessment it is assessed, that through the sale of their current home or use of other financial means available to them, they are able to resolve their own housing need, they will not be moved to a priority band but will remain in the General band. Properties will only be allocated to the General Band if there is no demand from eligible applicants in any other band.

Where a property is going to be allocated to an applicant who owns his or her own home confirmation of sale or intended sale of the home will be required before we can complete the allocation. Once the offer of a tenancy has been accepted, the property must be occupied as the applicant's only or principal home.

Who cannot register?

- People subject to immigration control within the meaning of the Asylum and Immigration Act 1996 unless they are a class prescribed by regulations made by the Secretary of State.
- People from abroad where the Secretary of State determines they are ineligible
- **People who are not habitually resident in the United Kingdom**

Anyone who has lived outside the British Isles in the last **five years** is subject to the habitual residence test **unless** they are exempt because they are classed as a worker or because they are a refugee. If an applicant fails the habitual residence test they are not eligible for registration on to the waiting list.

What checks are made on applicants and what documents are needed?

An application will remain inactive until we receive all the information we require to complete a full assessment. This means that we cannot allocate a property to the applicant during this period.

As a minimum requirement, all applicants are required to provide the following;

- Three forms of identification, one of which shows their current address, one with the applicants signature and one which confirms their National Insurance number; and
- any evidence in support of priority for any band apart from the Bronze band;
- Validation of information supplied from the Border and Immigration Agency.

Risk and needs assessment

Before being made the offer of a tenancy, all applicants will be interviewed in order to verify the information on their application and to see whether they have any support needs. This will enable us to look at putting in place support mechanisms before a tenancy is started. If at this point we find that an applicant has provided incorrect information or has failed to declare any information which is relevant to their application with us, they may be removed from the register if they are not eligible or suspended if they fall under the criteria for suspending applicants from the register.

Risk assessments may also be carried out on applicants found guilty of certain criminal offences.

Decisions about managing any risks associated with an applicants release from prison into the community, will involve multi-agency arrangements with the police, probation services, social services, health professionals and other relevant bodies.

What happens if false information is provided?

It is very important to supply the correct information as any applicant seeking to obtain accommodation by making a false statement, by withholding relevant information or by failing to tell the Doncaster HomeChoice about any material change in circumstances, commits a criminal offence and is liable to have their application cancelled. If the applicant has been allocated a property in these circumstances then court action to evict the tenant will be considered.

What are the reasons for being suspended from the Housing Register?

The Allocation of Accommodation Code of Guidance for Local Housing Authorities, November 2002, states: "Where a housing authority is satisfied that an applicant (or a member of the applicants household) is guilty of unacceptable behaviour serious enough to make him unsuitable to be a tenant, in accordance with section 160A(7) and (8) of the Housing Act 1996 permits the authority to decide to treat the applicant as ineligible for an allocation."

Where we deem an applicant to be ineligible for an allocation they are still able to join the housing register but their application is then suspended until we are satisfied that the reason for the ineligibility no longer applies. We do this by operating a Suspension Policy. This gives us the right to stop people from being allocated a tenancy or transferring homes. Everyone who is suspended has the right of appeal against this decision.

Applicants will in the first instance be suspended for a period of 12 months. Following this period the applicant may apply to have their case reviewed in order to have their suspension lifted. At this point the applicant must be able to provide evidence to demonstrate a period of acceptable behaviour and that they will be able to conduct a tenancy in a satisfactory manner. If a risk assessment identifies the need for a support package to minimise the risk of a future tenancy failure, this may be a condition of the suspension being lifted.

Evidence

The following will be accepted as evidence in order to suspend an applicant from the list. The list includes but is not limited to;

- Copy of Injunction;
- Copy of any other Court Orders;
- Copy of correspondence leading to further court action after Notice Seeking possession;
- Copy of Notice of Proceedings for Possession of an Introductory Tenancy or demoted tenancy;
- Copy of Suspended or outright Possession Order;
- An established agreement to pay an outstanding debt and evidence that payments have been maintained;
- Evidence to demonstrate a period of changed behaviour or where relevant, engaging with a support agency;
- Legal action taken to evict on the grounds of anti-social behaviour;
- Evidence regarding a breach of a tenancy agreement with any landlord;
- Anyone subject to an Anti-Social Behaviour Order or other civil restraining order and it is believed that they would be a significant risk to the community;
- An assault on a member of staff.
- Copy of a Violent Incident Report and a report detailing what action is now going to be taken.

Doncaster HomeChoice shares its Suspension List with Registered Social Landlords in an effort to combat the issue of moving antisocial behaviour from one area or landlord to another.

The following are examples of unacceptable behaviour;

1. Malicious damage to property and/or unpaid rechargeable repairs

Applicants or their household members will normally be suspended if they have deliberately or negligently caused damage to a current or previous tenancy.

2. Perpetrators of anti-social behaviour

This is defined as conduct or behaviour likely to impact on the quality of life of a community, or of an individual.

3. Anyone who has been violent to or threatened staff or agents of St Leger Homes of Doncaster, Doncaster Metropolitan Borough Council, Housing Associations, previous landlords or the police

Individuals who have caused an actual physical attack, or intimidating behaviour of a nature which has warranted a referral to the Police or a Notice Seeking Possession to be served or individuals who have used verbal abuse, which is so severe that a Violent Incident Report has been completed.

Removal of reasonable preference

The Revision of the Code of Guidance on the allocation of accommodation published in November 2002, states: "By virtue of s.167 (2B) and (2C) an allocation scheme may provide that no preference is given to an applicant where the housing authority is satisfied that he, or a member of his household, has been guilty of unacceptable behaviour serious enough to make him unsuitable to be a tenant of the housing authority; and the housing authority is satisfied that, in the circumstances at the time the case is considered, he deserves not to be treated as a person who should be given reasonable preference."

Therefore, Doncaster HomeChoice may make the decision to reduce or remove reasonable or additional preference.

Reasons for not being able to choose anywhere in the Borough to live

We maintain the right to deny access to an allocation in a determined geographical area. For example, it may not be appropriate for the applicant to return to an area where previous anti social behaviour or criminal offence took place.

Appeals

The individual circumstances of every application will be considered. If an applicant is not accepted onto the register, they will be informed in writing and will be given the right of appeal. Details in section 6.

How will applications on the Housing Register be kept up to date?

The housing register will be updated when we are advised of any change in circumstances or on the anniversary of the registration date.

When reviewing an application, we will send the applicant a letter asking if they wish to remain on the housing register and if there have been any changes in their circumstances. Failure to reply will ultimately result in the application being cancelled.

When would an applicant be cancelled from the Housing Register?

A housing application will be cancelled when:

- The applicant asks for it to be cancelled;
- The applicant has been re-housed;
- An executor or personal representative advises us that the applicant is deceased;
- The applicant has gone away and there is no forwarding address;
- The applicant fails to reply to the annual review letter;
- An applicant ceases to qualify.

The applicant will be informed of any cancellation in writing and will be given the right of appeal. See section 6.

Section 3 – Restrictions on the allocation of properties

This section sets out the requirements which applicants may be expected to fulfil before they are allocated a tenancy together with the restrictions which we place on the allocation of properties.

What are the situations where an allocation may be denied or have a restriction placed on it?

Age

Applicants under the age of 18 must fulfil one of the criteria outlined below;

- Have a support mechanism in place or a key worker is available (each case will be assessed individually); or
- have been accepted as homeless and in priority need under Part VII of the Housing Act 1996; or
- have been accepted as care leavers;
- be a lone parent.

Rent arrears and other housing debt owed to Doncaster Council

Normally applicants with rent arrears or other housing related debt from either a current or former tenancy will not be allocated a tenancy until they have cleared these arrears. Every case, however is considered on its merits and where there are extenuating circumstances, applicants may be offered a tenancy. This will primarily apply to applicants in platinum, gold and silver bands and in all cases it is expected that an agreed repayment plan is in place with regular payments being maintained before an offer is made.

Prisoners

Prisoners will be actively considered for an allocation when they have their release date. Until then, their applications will be suspended.

Members of HM Forces

We will consider members of HM Forces when they are within fourteen weeks of being discharged. Until then their application will not be actively considered.

What type of property will applicants be considered for?

Age Restrictions on flats and bungalows

If bungalows or flats are age restricted we will indicate this when we advertise the property. Certain properties are age restricted to older applicants.

Bungalows will initially be allocated to applicants over 60 years old or to disabled applicants with appropriate medical recommendations.

Adapted properties will be allocated to applicants assessed as requiring the adaptations already carried out to the property.

Sheltered accommodation, will be allocated to people who have been assessed as requiring this type of accommodation and are over 60 years old or younger applicants who have health and/or disability needs.

All age restrictions must be decided in line with guidance on local lettings policies or sheltered accommodation criteria. If there is no interest in a property with a minimum age limit, a decision will be made by the Housing Assessment Panel in agreement with a designated officer within DMBC to lower the age limit.

What size home can an applicant apply for?

When looking at bedroom requirements, we have taken into account the shortage of family housing in Doncaster and our need to make the best use of the stock we have. As a result, the number of bedrooms a household requires is assessed by looking at the number of people to be housed, their ages and gender of children. See appendix a for details.

The exception to this is where an applicant is requesting rehousing due to demolition/clearance who can request another property with the same number of bedrooms as (or fewer bedrooms than) their current home, even if the household does not now meet the minimum household size rules.

A woman who is pregnant (confirmation will be needed at around 21 -24 weeks) will be counted as a household with a child. If she already has a child, the unborn baby will be treated as if it were the same gender.

In accordance with the Allocations Code of Guidance our allocations system gives reasonable preference and flexibility to broken families that have; carers, shared access, equal or staying access. Consideration will be given to families cleared to adopt or foster children where more bedrooms are needed to meet the adoption or fostering needs.

Applicants may be considered for a bedroom in excess of their current assessed needs if they have staying access where a parent has the child up to the age of 17, to stay at least two nights in every week. Proof of access must be provided. A letter of supporting evidence is required.

If an extra bedroom is needed to give or receive care, supporting evidence will be required. A distinction will be made between requiring frequent care and overnight care.

Doncaster HomeChoice will not make an offer of a property if it will result in overcrowding.

Local Lettings policies

In the interest of creating and maintaining sustainable, manageable communities where people want to live, we may introduce local lettings policies. Local lettings policies will usually be proposed by St Leger Homes but must be agreed by the Council and reviewed annually.

As local lettings policies are subject to frequent review and change they are not listed in this document. A copy of any current policies in place can be found on the Doncaster HomeChoice website www.DoncasterHomeChoice.co.uk or at area offices.

Section 4 – How the banding scheme works

This section details the banding scheme which determines the priority given to an applicant. There are five bands within the scheme, three priority bands which are, Platinum, Gold and Silver, the Bronze for applicants with low level housing need and the General band for applicants who have the financial capacity to resolve their own housing need, . The band in which an application is placed is based on the information supplied on the registration form and any subsequent information.

Harassment and Violence

All applicants who require rehousing as a result of violence, threats of violence or harassment will be assessed by a multi agency assessment panel who will consider the evidence provided as to the severity and therefore the urgency of the rehousing need and whether additional preference should be given.

Other measures will also be considered e.g. close circuit television, injunctions, mediation or sanctuary but the primary consideration is for the ongoing safety and wellbeing of the victim

Platinum Band

This band will include **all households considered to be homeless and where Doncaster Council owes a full duty to rehouse under the provisions of the Housing Act 1996 and Homelessness Act 2002.** This covers households who are in priority need who have a local connection and have not made themselves intentionally homeless. It also covers those applicants who do not have a local connection but who would not be safe if they were made to return to an area where they have a local connection.

The band also includes **applicants whose property is in the Doncaster Borough and has been approved for demolition or clearance via a Council cabinet decision.** Applicants will be moved to the platinum band at a date as directed by Doncaster Councils nominated officer. Any lodgers able to prove 12 months residency prior to the clearance order being made, can submit a separate application and will be considered for this category. Owner Occupiers in the approved demolition or clearance area will be moved into the Platinum Band once they have formally agreed to sell back their property to DMBC where this is necessary to progress the regeneration scheme. Private tenants in the approved demolition or clearance area will be moved into the Platinum Band once their landlord has formally agreed to sell back the property to DMBC.

The band will include **tenants vacating adapted properties** where the adaptations to a property are no longer required by a member of the household, and the Council is requesting an urgent move due to the extensive nature of the adaptations with an identified applicant in need.

Finally, applicants will be placed in this band where **major works are required to their property, making it uninhabitable and** after an assessment has been carried out as to whether they can resolve their own housing need. Applicants will be placed

in this band from a date directed by the Councils Private Sector housing team or the Executive Management Team of St Leger Homes of Doncaster.

Gold Band

Applicants with urgent housing need whom under the Housing Act 1996 are given reasonable preference will be placed in the gold band. An applicant with more than one assessed reasonable preference in the Gold band may be considered to be in greater need than other applicants within the Gold band. Such applicants will have their case reviewed to see whether through their cumulative need they should be moved to the Platinum band. Such reviews will be undertaken by the Doncaster HomeChoice Manager using a framework agreed with DMBC's Homeless and Advisory Section.

Gold Band priority includes;

Applicants whose current home is statutorily overcrowded according to the Housing Act 1985 and those who are sexually overcrowded;

There are two kinds of overcrowding, statutory overcrowding and sexual overcrowding.

Statutory

Statutory overcrowding is defined in law and determined by DMBC's private sector housing team on both space standards and sexual overcrowding. In addition, if necessary an assessment on the Crowding and Space standard under the Housing Health and Safety Rating System will be carried out. They will then send a written report to the Doncaster HomeChoice team confirming the presence or otherwise of statutory overcrowding taking into account the permitted number of the dwelling and the number of occupants.

Sexual

Sexual overcrowding occurs where;

- Two or more children of the opposite sex have to share a bedroom and one child is 10 or over; or
- A child aged 10 or over has to share a bedroom with his or her parents; or
- A child aged 10 or over has to share with an adult of the opposite sex.

If the overcrowding occurs for reasons other than natural overcrowding proof will be required that there was no other option and that the situation has existed for a 6 month period. In the case of a property with 2 reception rooms, one room will be counted as a bedroom for this purpose, providing there are no safety reasons why it cannot be used as a bedroom, e.g. the presence of a fire with back boiler in the room.

Applicants occupying a property that has been assessed as a category one hazard under the Health and Safety Rating System with a vulnerable group in residence;

Applicants living in private accommodation assessed to be prejudicial to health as defined by the Environmental Protection Act or category 1 under the Housing Health and Safety Rating System Regulations, where it is agreed by the Private Sector Manager and the Doncaster HomeChoice Manager that the most appropriate course of action is to re-house the household. Where the applicant is the owner occupier of the property they are only eligible if they have no recourse to funds (this includes raising funds through a loan or mortgage). In all cases, where access to undertake works is unreasonably restricted this may result in priority being removed.

Applicants in critical need for re-housing due to medical/health or welfare reasons;

Medical priority will be given to people who are chronically sick or severely disabled where their current home is substantially unsuitable for their needs. In the case of physical disability, DMBC will assess whether adaptation work to an applicants home is appropriate. Priority will only be given if re-housing is assessed to be more appropriate than undertaking adaptation work to the applicants existing home.

This category also covers applicants who need to move for urgent social or welfare reasons where there is an immediate need to move.

Applicants unable to return home from hospital, as their current property does not meet their medical needs or where temporary accommodation would be inappropriate or they require immediate re housing preventing an admission to hospital or institution;

This category includes people who have been in hospital or other institutional care setting where their current home is no longer suitable to return to even as a temporary measure while more suitable long term home becomes available. The request for housing under this category must be backed up by a specific recommendation. The recommendation will be assessed and if approved, will be placed into the gold band. In the event that the Council deems the current home to be suitable to adapt and this is the preferred solution, the application will not be placed in the Gold Band.

Applicants that need to move to a particular location as not to do so would suffer hardship to themselves or others;

This includes those who will give or receive support to access specialist medical treatment or give or receive care. In these cases an established ongoing medical need must be demonstrated such as mental illness or disorder, physical or learning disability, or progressive medical condition. Additionally, the required travel time is impacting on the ability to give or receive support or care in a significant way will be taken into account.

Applicants in service tenancies;

Applicant in service or tied tenancies will need to contact the Doncaster HomeChoice team as soon as it is known they must leave their accommodation and evidence of this will need to be provided.

If an applicant is in accommodation tied to their employment with DMBC and they are retiring (or the service is subject to change), consideration will be given to them being given the opportunity to remain in their current accommodation where a service tenancy is no longer required by DMBC. Any application will be reviewed on a case by case basis by the Strategic Director of Housing Services at DMBC in conjunction with the Director of Customer Services at St Leger Homes and will include reference to the continuing needs of the service and type of accommodation occupied and other criteria outlined in this Allocations Policy.

Any young person under the age of 21 that the Council has assessed and owes a duty to house under the Children Act;

Applicants leaving accommodation based Supporting People funded schemes who have been assessed by the Support Provider in conjunction with the client as no longer requiring the level of support provided by the service and

- **Where the move to independent accommodation has been identified as appropriate and**
- **An appropriate package of resettlement/longer term support is ready to be put in place**

Applicants in this category will be moving out as a planned move and have an ongoing support package, Priority will be awarded 14 weeks prior to their support package coming to an end.

Applicants who have been assessed by Doncaster Council's Homeless and Advisory Section as at risk of homelessness who have a local connection who are not statutory homeless and have a priority need under the Housing Act 1996 and Homelessness Act 2002.

Silver Band

An applicant with more than one assessed reasonable preference in the Silver band may be considered to be in greater need than other applicants within the Silver band. Such applicants will have their case reviewed to see whether through their cumulative need they should be moved to the Gold band. Such reviews will be undertaken by the Doncaster HomeChoice Manager using a framework agreed with DMBC's Homeless and Advisory Section.

Applicants will be placed in the silver band if their application falls into one of the following categories;

Social Housing tenants who give up a high demand family property that they are under occupying to achieve best use of stock;

Each application will be assessed by the Doncaster Homechoice Manager who will review the type of family property an applicant currently occupies together with the demand for the area. Silver band priority will be granted where the vacancy will help to alleviate an under supply of family housing in the area.

Tenants vacating adapted properties;

Where the adaptations to a property are no longer required by a member of the household, the Council may wish to use the property for other people with disabilities. In cases where the Council is requesting an urgent move due to the extensive nature of the adaptations with an identified applicant in need, the application will be moved to the Platinum Band.

Applicants who have been assessed by Doncaster Council's Homeless and Advisory Team as homeless without having a priority need under the Housing Act 1996 and Homelessness Act 2002

Applicants who have been assessed by Doncaster Council's Homeless and Advisory Section as intentionally homeless and having a priority need in accordance with the Housing Act 1996 and Homelessness Act 2002.

Applicants taking up a particular employment, education or training opportunity;

All applicants will be assessed by Doncaster HomeChoice .

Applicants in substantial need for rehousing due to medical/health or welfare reasons;

Medical priority will be given to people with a moderate ongoing level of illness or disability. Within this category are applicants who are able to use the facilities of their current home but it is not wholly suitable for their needs though either physical or mental ill health. Need will be assessed by a Medical Officer or Occupational Therapist to evidence their priority status.

This category also covers applicants who need to move for moderate social or welfare reasons of needing to give or receive care.

Bronze Band

All other Applicants whose need does not fall into the priority bands but still wish to move and those whose priority award has expired or removed after they have refused a reasonable offer will be placed in this band, with the exception of applicants indicated below.

General Band

All new applicants and all existing applicants on review or prior to an allocation being made will be required to have a financial assessment. Applicants will be placed in the General band if through financial and medical considerations; they are assessed as being able to resolve their own housing need. This assessment could include lack of suitable accommodation in the area.

What order will applicants will be placed in within the Bands?

Applicants in the priority bands of platinum, gold and silver will be placed in effective date order with the relevant date being when they were entered into the band... This ensures that all priority applicants are fairly awarded priority based on their change in circumstances and not their original application date... If two applicants moved into a priority band on the same date then the applicant with the earlier application date will take priority.

Bronze band and General band applicants will be in order of application date.

How do applicants appeal if they do not agree with the band they have been placed in?

The individual circumstances of every application will be considered. All applicants will be advised in writing of the band in which they are placed and their registration date and/or effective date and will be advised of the right of appeal. See section 6.

Reasonable preference

Doncaster HomeChoice will recognise cumulative need, where an applicant qualifies for a priority on a number of grounds; they may qualify for an additional preference. Doncaster HomeChoice will conduct an additional assessment of the needs of these applicants to determine whether the household should be given any additional preference to that already given.

Such reviews will be undertaken by the Doncaster HomeChoice Manager using a framework agreed with DMBC's Homeless and Advisory Section.

Once an applicant moves to a priority band will there be a time limit for them to bid for a property?

Yes, applicants in Platinum, Gold and Silver Bands are given time limits. This acknowledges the urgency of their housing situation.

Applicants who are in the Platinum band as a result of being accepted as homeless must be actively making bids for properties which they are eligible for. If applicants have not made a successful bid within 8 weeks of being placed in the band where suitable accommodation was available, they will be made one offer of a suitable property in order to discharge the Council's duty under Part VII Housing Act 1996. There is a right to a review the suitability of the offer but if the applicant is not successful with the review they must either accept the property or the Council's legal

duty will be discharged and the applicant will be moved into the band which reflects their present housing circumstances. Please note that if the applicant is in temporary accommodation provided by the Council, this could also result in them being asked to leave and find their own accommodation.

Applicants placed in the platinum band as a result of moving from a clearance area will be given an initial time limit of 14 weeks. This will be reviewed and availability of accommodation will be taken into account. If following this time the demolition scheme is being held up because the applicant is still in their property, a final offer will be made as soon as possible. If the applicant refuses the property the priority may be cancelled and legal action may be taken to repossess the property.

All applicants in the Platinum, Gold and Silver bands must be actively making realistic bids each week for properties which they are eligible. If applicants are not actively bidding on properties where it would have been reasonable for them to do so, their application will be reviewed and they may lose their priority status.

It will be the applicant's responsibility to bid for available properties but support will be given where needed and actively identified.

Applicants in priority bands who refuse a suitable offer of accommodation will be reviewed and may have their priority removed.

There is no time limit placed on Bronze or General Band applicants.

Applicants who lose their priority status will move to the Bronze band unless they meet the criteria of the General Band.

Section 5 – Advertising and Letting Properties

This section details how Doncaster HomeChoice will advertise available properties, sort the bids once the bidding cycle is closed and in turn offer properties to successful applicants.

Available properties will be advertised weekly with five days given to place a bid. Applicants can express an interest in up to a maximum of three properties in any given lettings week. Within those five days bids can be withdrawn by the applicant and a maximum of 3 active bids made each week.

How will applicants bid for properties?

Bids can be made by telephone, on the internet, via text message, or in person at a local area housing office.

When the bidding cycle is closed, lettings officers will generate a list of applicants who have expressed an interest in a property. The applicant in the applicable band with the earliest effective date and then earliest application date will be identified and verification checks will be carried out before an allocation proceeds. If the applicant at the top of the shortlist refuses the offer the property will be offered to the second ranked person, and so on, until the property is let.

How do applicants find out if they have been allocated the property?

Lettings Officers will contact successful applicants who will have to make a decision on whether to accept the offer before they will be considered for further offers. If an applicant appears at the top of more than one list, they will be contacted and asked which property they prefer, unless they are currently under offer for a property advertised in a previous lettings cycle. .

Applicants who are unsuccessful will not be contacted, however, feedback on homes that have been let will be published weekly giving the successful applicants band, effective date and registration date.

How long will applicants be given to decide whether to accept the offer of a property?

Applicants will normally be given 48 hours to make a decision on an offer and will be offered an accompanied viewing of the property.

Will all properties be advertised to bid on?

All properties will be advertised with the exception of properties required for the following criteria. Feedback on these allocations will be advertised as a Direct Match.

- Properties adapted to meet the specific needs of people with mobility or other medical conditions. Applicants for all adapted properties will be initially nominated through DMBC's Accessible Housing Register Occupational

Therapist to ensure best use of this limited housing stock to those with identified and assessed needs

- Housing Management purposes such as decanting during major refurbishment, use as temporary accommodation, or situations where the rehousing of a household must be a managed process and it is inappropriate to advertise.

- **Housing Management Lets**

There are some situations where Doncaster HomeChoice may need to use vacant properties for specific management purposes and the qualifying person will normally receive one reasonable offer of accommodation. This is called a Housing Management Let. Housing Management Lets will be assessed by the Housing Assessment Panel before a decision is made. In exceptional cases where confidentiality is restricted a decision will be made by the Director of Customer Services at St Leger Homes and in their absence the Assistant Director for the Service without reference to the Housing Assessment Panel.

- **Extra Care Housing Schemes** Access to Extra care housing will be assessed separately by an officer within Neighbourhoods Communities and Children's Services as these schemes need a balance of tenants with varying levels of personal care and support needs.

- **Multi Agency Assessment Panel**

All applicants who require rehousing as a result of violence, threats of violence or harassment or where a sensitive let is required will be assessed by a multi agency assessment panel who will consider the evidence provided as to the severity and therefore the urgency of the rehousing need and whether a direct match should be given as part of the overall assessment.

- **Regeneration Schemes** where a demolition area has been agreed by cabinet decision to allow for regeneration where it is necessary to ring fence properties in adjacent areas for applicants whose homes are to be demolished. In this instance, the decision to ring fence will be made by a panel chaired by the Director of Housing within DMBC. The following factors will be taken into account when making a decision to ring fence properties:

- Timescale of demolition;
- Availability of suitable properties in the area;
- Impact of other priorities.

Where there are complex or multiple needs that can only be met within a reasonable time within that area, a decision may be taken by the panel to lift the ring fencing for such cases.

What is a housing assessment panel?

There may be times when certain circumstances are not covered fully by the allocations policy or may need further assessment. These cases will be referred to the Housing Assessment Panel using the referral form found in the procedure document. Each case will be looked at individually and assessed on its own merits and will involve the appropriate agencies before a decision is reached, including multi agency meetings where appropriate.

Applicants will be informed in writing of the decision made and will have the right to appeal. See section 6.

What properties are given to the different bands?

To ensure that applicants from each of the bands has the opportunity to be allocated a home, the Council will set a quota for the number of properties which should be offered to each band over a 12 month period. Properties are selected for each band, based on property type to effectively meet housing need.

General needs properties will be allocated to each band according to the quota set by the Council. The exceptions to this are properties which have been adapted to meet the specific needs of people with mobility or other medical conditions where consideration in the first instance will go to those applicants whose needs have been assessed as matching those of the adaptations already made to a property.

Any amendment to the quota to respond to the changing requirements of the waiting list will be decided by the DMBC Director of Housing, as necessary and will also be reviewed on a 12 monthly basis.

Sorting Bids

All properties will be advertised to all bands, but priority will be given to applicants within the specified band, as per the banding quota. At the end of each lettings cycle the bids will be sorted within the given band in order of;

- Meeting the lettings criteria as stated in the property advert;
- Effective date;
- Application date.

If there are no bids from applicants within the specified band or bids from applicants within the specified band are exhausted, remaining bids will then be sorted in order of:

- Priority band;
- Effective date; and
- Application date

We will prioritise older applicants and younger people with medical needs within the specified band for age restricted properties.

Exhausted or nil shortlist

If there are no bids for a property from applicants who fulfil the property size and type, with the exception of adapted properties and sheltered accommodation, the property will be offered the following week with bids accepted from all applicants. The property will be allocated to the applicant whose application has the nearest fit to the property. The size of the property, relevant age restrictions and size of applicant's households will be taken into account.

How many offers can an applicant be made?

All offers are made following information given to Doncaster HomeChoice by the applicant. Applicants will only be made one offer at a time. Once they have been made an offer an applicant will not be able to be considered for other offers of accommodation until the current offer is refused.

Refusing an Offer

If an applicant within the Platinum, Gold or Silver Bands makes a successful bid and then refuses the offer of the property, their priority may be removed and they may be moved to the Bronze Band. Each case will be looked at individually and assessed as to the reason for their refusal. Applicants will be informed in writing and will be given the right of appeal. See section 6.

Public Protection and Risk Assessment Panel applicants

Any successful bids made by applicants who have been the subject of a multi agency public protection panel or a risk assessment meeting will be assessed by the Probation Service before the property is offered.

Withdrawing Offers

In exceptional circumstances it may be necessary to withdraw an offer for example where there is a change in the applicant's circumstances which affects their application or false information has been given. All instances of offers being withdrawn will be discussed with the applicant.

Offers to Employees/Elected Members/Board Members

In order that we are treating all applicants fairly, any applications from employee of Doncaster Metropolitan Borough Council or St. Leger Homes of Doncaster, Elected Members or St Leger Homes of Doncaster Board Members and their relatives, must be disclosed on the application form. These applications will be processed in the normal way, but in order to demonstrate our allocation is both fair and transparent; offers will not be released without the approval of an Assistant Director within St. Leger Homes of Doncaster.

Joint Tenancies

New tenants are required to take up joint tenancies where appropriate. This includes;

- Married couples
- Applicants living together as a couple including heterosexual, transsexual, gay and lesbian co-habitees or civil partnerships
- Two or more people have originally joined the register together, if both or all applicants are moving into the property they should be granted a joint tenancy except in the case of
- sheltered accommodation where one party is not eligible; spouses and registered civil partners will be considered
- Adapted properties where a joint tenancy will generally not be granted
- A person on the register wants a joint tenancy with someone who has also made an application

Creation of an existing sole tenancy to a joint tenancy

A sole tenant can apply for a joint tenancy if;

- They are husband or wife
- Where the parties have lived together for 12 months or more. This could be a couple living together, as friends, relations or where a carer lives with the person they are caring for providing there are no rent arrears outstanding or issues of anti social behaviour that could result in legal action being taken. Where there are adaptations in a property, the decision will be taken by the Housing Assessment Panel.

Section 6 – Review and Appeals Procedures

This section details how applicants can appeal against decisions made by Doncaster HomeChoice.

Right of review

Every application is made in accordance with the requirements set out in this policy document and any appeal must be considered by the Doncaster HomeChoice team.

Reasons for review

Applicants are entitled to a review in the following circumstances;

- If it is decided that they are ineligible to join the register due to their immigration status or unacceptable behaviour. In this case, the applicant must be notified of the decision and the grounds for it. The notice must be in writing and if not received by the applicant, is treated as having been given if it is made available at the offices for a reasonable period for collection;
- Where applicants feel they have been unfairly treated in the allocation process;
- Where applicants disagree with their registration or effective date
- Where applicants disagree with a removal of their priority

- Where applicants have been removed from the register other than at their request;

The review process

In all review cases an applicant must make a request within 28 days of the date of the letter informing them of the decision.

We will aim to deal with an applicants appeal within 28 days of receiving all documentation in support of the appeal. If we are unable to do so, we will acknowledge the appeal within that time telling them when they can expect a reply.

Where an applicant asks for a review of the decision, they will receive details inviting them to submit any further written representations or new information with a bearing on the review and a deadline date will be given.

Applicants are not required to provide reasons for challenging the decision, however, this may help the case, as there may be new information, which was not available at the time.

The officer involved in the original decision will not be involved in the review process. Homelessness reviews will be carried out by representatives from Doncaster MBC.

Second stage review

If applicants are unhappy with the outcome of your appeal, they are entitled to a second stage review.

The Housing Assessment Panel will review the decision and will then write to the applicant with the outcome, which will either be upheld or overturned. The letter will explain what action will be taken as a result and the reasons for doing so.

The officer involved in the original decision must not be involved in the review. Homelessness reviews will be carried out by representatives from DMBC.

The applicant can request an oral hearing and may bring someone with them in support or to help them present their case.

Exception

Applicants who have been removed from the register due to non response to the annual review will be given 6 months from their cancellation date to be reinstated from their original application date. . However, if the applicant reappplies after the 6 month period, unless evidence can be provided to show that their application was cancelled in error, they will not be reinstated with their original application date. Any priority awarded will be based on their current circumstances.

Section 7 - Other Housing Options

This section details other options open to applicants on the Doncaster HomeChoice waiting list.

Succession

When a tenant dies and they did not succeed to their tenancy, the tenancy can be passed to one of the following;

- A husband, wife or registered civil partner, who has lived at the property as their only or principal home before the tenant's death;
- A member of the tenant's family, including cohabiting partner who has lived at the property for at least 12 months before the tenant's death. A stepchild will be treated as a child.

If there is more than one person wishing to succeed the tenant's husband, wife or registered civil partner will be chosen over any other member of the tenant's family.

By law there can only be one succession.

If the succession will result in a high demand property being under occupied, an adapted property being occupied by someone who does not need adaptations or a sheltered property being occupied by someone who does not fit the criteria, one management let of reasonable accommodation will be offered.

If no one is eligible to succeed to the property, it may be possible to create a new secure tenancy if the new tenant has lived at the property for at least 12 months before the tenant's death, and they have not been paying money as rent.

In the interests of maintaining the stock there will be no automatic rights.

Assignment

Assignment is when a tenant who has not already succeeded, can pass their tenancy on to another person whilst they are still living. The receiving person must have lived with them for the last 12 months.

A tenant will not be given permission to assign their tenancy if the property is set aside for people over 60 or people with mobility needs or if the property would be greatly under occupied.

Permission must be sought from St Leger Homes of Doncaster and an authorised manager will give agreement in writing before a tenant can assign their property.

A tenancy is usually assigned to a person who would succeed if the tenant dies.

Mutual Exchanges

Secure council and housing association tenants, in England, Wales, Northern Ireland and Scotland, who occupy permanent self-contained accommodation, have a legal right to exchange their tenancies under section 92 of the Housing Act 1985.

A Mutual Exchange is where a tenant can find their own exchange through for example adverts that are listed at Area Housing Offices and on the Doncaster HomeChoice website.

Only people with introductory, assured or secure tenancies can swap homes in this way. Mutual Exchanges can take place between Council and RSL homes, however before an exchange can take place both exchange partners must get their landlords permission. The landlord has 42 days to notify the tenant in writing if he agrees to the exchange-taking place. An exchange can only be refused on one of the following specified schedule of grounds, which are set out in Schedule 3 of the Housing Act 1985;

- The tenant or the proposed assignee is under a court order to give up possession, proceedings for possession have commenced, or a Notice Seeking Possession has been served;
- The property is larger than the assignees reasonably require;
- The property has been let as a service tenancy;
- The property has been adapted for a person with physical disabilities and if the exchange went ahead, such a person would not live there;
- The property is too small for the needs of the assignee;
- The property is part of a group home and if the exchange went ahead someone needing those facilities would no longer be living in the properties;
- The property is the subject of a management agreement with a Housing Association, and, most of the tenants of the properties within the agreement are members, and the assignee is not willing to become a member.

Consent will be withdrawn if the tenant has any debts outstanding to their current landlord or if the condition of the property is unacceptable. If any other breaches of tenancy have occurred the landlord can insist that the breach is remedied before proceeding with the exchange.

Nominations from Registered Social Landlords (RSLs/ Housing Associations)

Doncaster Council works in partnership with RSLs. When applicants join the housing register if they request, they can also be nominated for a Housing Association property. Each Housing Association has its own individual policy, which will be different to Doncaster Council's.

We will nominate applicants to RSLs in line with the Council's allocation policy and as laid down in the Nomination Agreement and ensure we maximise and monitor these nominations.

Where the nomination is to a property which has been built by a housing association to replace properties demolished for regeneration purposes, priority will be awarded to those rehoused from the area in the platinum band under demolition and then the applicants start date of the tenancy they held within the redeveloped area.

These criteria will only apply to the first letting of new properties within the area.

Affordable Housing Options

Due to the limited amount of social housing available it is important that we promote affordable housing options to raise awareness of the range of schemes available and ensure applicants are aware of the range of available housing options.

These options include but are not limited to the following. Initiatives may also be subject to change.

Shared Equity Schemes

If an applicant would like to buy a home of their own but can't afford to, they may wish to consider shared equity in a property. An applicant can buy an initial share of between 25% and 75% of the property and pay a rent on the remaining share that they do not own. Further shares can be bought at a later stage and can lead to the tenant owning their own home outright

Open Market HomeBuy

This is a Government backed scheme that aims to help certain qualifying groups of people who cannot afford to buy a home on the open market without assistance. The scheme provides access to additional money called equity loans, which run alongside a conventional mortgage loan.

Further information on current affordable housing options can be found on the Doncaster HomeChoice website or by contacting the HomeChoice team direct.



A Better Way of Letting

www.doncasterhomechoice.co.uk