



# Waltham Forest Council

## Full Allocations Scheme

September 2013



# Waltham Forest Council

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# 1.0 Introduction

- 1.1 In June 2012, the Government published guidance intended to assist authorities to take advantage of the provisions in the Localism Act. The Act gave Local Authorities the flexibility to manage their own Housing Registers, to discharge the homelessness duty into the private rented sector without consent of the applicant, and encouraged authorities to make use of the flexibilities within the Allocations legislation. Waltham Forest Council has taken the opportunity to update its Allocations scheme to ensure that it is best equipped to manage increasing demand for affordable housing and to ensure that the policy is also aligned with welfare reform proposals and the Localism Act.
- 1.2 This Allocations Scheme takes effect from September 2nd 2013. It outlines the policies relating to the allocation of social housing (Council and Housing Association homes) by the London Borough of Waltham Forest. The Housing Register and the Allocations Scheme is managed on the Council's behalf by Ascham Homes, the Arms' Length Management Organisation which also manages the Council's housing stock. In this document, where we refer to "the Council", this will include Ascham Homes acting as the Council's agent.
- 1.3 Within Waltham Forest there is a high demand for accommodation but a very limited supply of social housing. As a Council, we have to ensure that we have a scheme that enables us to allocate this scarce resource as fairly as possible, in a way that best meets the needs of the whole community as well as meeting statutory requirements. Like all authorities, we are having to look increasingly at the resources offered by private sector housing, and our intention is to discharge the homelessness duty into good quality private sector accommodation where appropriate. In addition, as a result of welfare reform and affordability issues, we may not always be able to offer accommodation within the borough to homeless households. Appendix 6 of this document gives details of the Council's approach to the provision of temporary accommodation outside the borough.
- 1.4 While we are continuing to offer secure tenancies for the vast majority of tenants, we are taking the opportunity to introduce a scheme which will offer 5 year fixed term tenancies to economically active single people or couples who may not otherwise qualify for an offer of social housing. These tenancies will be offered for a small number of one bedroom properties which would otherwise be difficult to let, and tenants will be supported in saving for a deposit so that they can obtain their own accommodation at the end of the tenancy.

1.5 In this document, we set out who is eligible to be on our Housing Register (sometimes called the waiting list) and how we decide what priority applicants will have, based on their circumstances. Applicants may have additional preference, reasonable preference or no preference, and details about how this decision is made can be found in Section 5. People who have additional or reasonable preference will be able to bid for properties through our Choice Based Lettings scheme (details in Section 8); those who have no preference are entitled to remain on the Housing Register if they choose to do so, but they will not be able to bid for properties.

1.6 As the Council cannot offer social housing to most of those who apply for it, those seeking accommodation may like to consider:

- Low cost home ownership (see <https://www.shareto-buy.com/london> for further information about this).
- A mutual exchange (swap) of accommodation (this is a scheme that applies to Council and housing association tenants (see section 23 of this document).
- Renting in the private sector
- Moving to other parts of the country where there is a better balance between the supply and demand for social housing
- Sheltered housing for applicants aged 50+ who may need some support to live independently.
- More information on these options can be found on the Council's website [www.walthamforest.gov.uk/housing](http://www.walthamforest.gov.uk/housing)

1.7 It should be noted that the Allocations Scheme cannot cover every eventuality. In special cases where there are exceptional circumstances, the Director of Housing Solutions has discretionary power to award additional priority and approve offers of housing, taking into consideration all factors relevant to housing and social needs. Where this document refers to rules and criteria for determining priority and eligibility for housing, subject to any legal constraints, discretionary powers may be used to deal with special cases which may need to be treated as exceptional.

1.8 Information about the Allocations Scheme is available on the Council's website [www.walthamforest.gov.uk/housing](http://www.walthamforest.gov.uk/housing), in Council offices, or on request from Waltham Forest Direct. Assistance and further information about the Allocations Scheme can be obtained from:

**Waltham Forest Direct**

**Tel: 020 8496 3000**

**Email: [wfdirect@walthamforest.gov.uk](mailto:wfdirect@walthamforest.gov.uk)**

## 2.0 Who is eligible for social housing in Waltham Forest?

### 2.1 Immigration Status:

The following people are rendered ineligible for an allocation of social housing by The Housing Act 1996:

*“Those people subject to immigration control and certain other people from abroad excluded by law and regulation.”*

Additional information on these restrictions can be found in the Allocation of Housing and Homelessness (Eligibility) Regulations 2006 and the Immigration (EEA) Regulations 2006.

### 2.2 Unacceptable Behaviour:

The Council may decide that an applicant is ineligible for social housing if it is satisfied that:

- S/he, or a member of his/her household, has been guilty of unacceptable behaviour (such as non-payment of rent, causing a nuisance or annoyance, or domestic violence/abuse) serious enough to make him/her unsuitable to be a tenant of the Council, **and**
- In the circumstances at the time his/her application is considered, s/he is unsuitable to be a tenant of the Council by reason of that behaviour.

Further information regarding the Anti-Social Behaviour Policy Guide (for Waltham Forest Council Tenants and Leaseholders) can be found at [www.aschamhomes.org.uk](http://www.aschamhomes.org.uk)

### 2.3 Local Connection:

Eligibility for the Housing Register will be restricted to those who have a current address (including temporary and informal arrangements) in the London Borough of Waltham continuously for the last 2 years or longer. This restriction does not apply to:

- Households to whom a full homelessness duty has been accepted (as defined by S193 of the Housing Act 1996 Part VII)
- Armed Forces personnel (as defined by The Allocation of Housing (Qualification Criteria for Armed Forces Personnel) (England) Regulations 2012)
- Waltham Forest Council tenants with secure tenancies (including those living in out-of-borough properties)

## 2.4 **Age:**

Eligibility for the Housing Register will be restricted to those aged 18 or over, with the exception of young people leaving care nominated by Waltham Forest Leaving Care Service and 16 and 17 year olds who have approached Ascham Homes for an assessment under Housing Act 1996 Part VII or to whom a full homelessness duty has been accepted (as defined by S193 of the Housing Act 1996 Part VII).

## 2.5 **Exceptions:**

Any applicants who fall outside the eligibility requirements but who feel that they have a particular need to be housed in the London Borough of Waltham Forest due to exceptional circumstances may contact the Council and ask for their circumstances to be considered by the Social Needs Panel. Where people are applying for sheltered housing, their case will be considered by the Sheltered Housing Panel.

## 3.0 How to apply for social housing in Waltham Forest

- 3.1 The Housing Register and the Allocations Scheme is managed on the Council's behalf by Ascham Homes, the Arms Length Management Organisation which also manages the Council's housing stock. In this document, where we refer to "the Council", this will include Ascham Homes acting as the Council's agent.
- 3.2 All applicants must complete an online Housing Application form at **[www.walthamforest.gov.uk/housing](http://www.walthamforest.gov.uk/housing)**. The Council will then assess eligibility and determine the level of an applicant's housing priority. Advice on how to complete the on-line application form can be obtained from the Council's Customer Service Centre at **137 Hoe Street, Walthamstow, E17 4RT** or from Waltham Forest Direct staff tel. **020 8496 3000** or email at **wfdirect@walthamforest.gov.uk**
- Before being allocated a property, applicants will have to provide evidence for the information that they give when applying.
- 3.3 Applicants must inform the Council of any changes in their circumstances, by using the Change of Circumstance form in the Housing Application section of the Council's website.
- 3.4 Applicants who move home and do not keep the Council informed of the change in their circumstances may have their application for housing cancelled. Registration is time limited to 12 months and applicants are required to re-apply annually. See also Section 6 of this document on 'Re-assessments and Reviewing the Housing Register' for more information.
- 3.5 Updated information about how the scheme operates will be published through the Choice Homes website **[www.elcchoicehomes.org.uk](http://www.elcchoicehomes.org.uk)** and it is therefore important that applicants regularly visit the website as this will be the primary source of information relating to the Allocations Policy.



## 4.0 How we assess your housing need

4.1 Eligible applicants for social housing are placed into one of four levels of priority in accordance with the criteria set out below:

- Additional Preference Plus
- Additional Preference
- Reasonable Preference
- No Preference

## 5.0 Priority Bands

### 5.1 **Additional Preference Plus:**

Additional Preference Plus will be awarded to the following:

- 5.1.1 An applicant who has been awarded additional preference on two or more separate grounds as detailed below (5.2).
- 5.1.2 An applicant who occupies Council accommodation that has two or more bedrooms above his/her household's requirements (according to the Council's assessed housing need).
- 5.1.3 An applicant who occupies housing association / registered provider accommodation that has two or more bedrooms above his/her household's requirements (according to the Council's assessed housing need) and the Council has the right to nominate a person to occupy the resulting vacancy.
- 5.1.4 An applicant who has succeeded to a Council tenancy but who under-occupies the property by two or more bedrooms above his/her household requirements (according to the Council's assessed housing need).

### 5.2 **Additional Preference:**

Additional Preference will be awarded where the applicant is in any of the following categories:

- 5.2.1 A Council Panel decides that the wellbeing of the applicant or a member of his/her household is being seriously damaged or threatened to the extent that s/he needs to be rehoused urgently.

- 5.2.2** The applicant is awaiting urgent discharge (eg from a care home, hospital, mental health unit, rehabilitation centre etc.) and requires rehousing into alternative permanent accommodation.
- 5.2.3** The applicant is nominated to the Council under the Move-On Quota by a hostel provider from an agreed list of organisations managing supported schemes for single people and s/he is ready to move into independent general needs accommodation. All cases are assessed by the Council's Move-On Panel.
- 5.2.4** The applicant is referred to the Council under the Channel Quota (maximum of 4 referrals per year).
- 5.2.5** The applicant is referred to the Council by the Waltham Forest Bronze Group under the Safe & Secure External Move Quota (maximum of 4 referrals per year which may be temporary housing and outside of the borough, subject to the availability of suitable vacancies).
- 5.2.6** The applicant is referred to the Council under the Safe & Secure Victim Quota (maximum of 8 referrals per year).
- 5.2.7** The applicant is referred to the Council under the Multi-Agency Public Protection Arrangements (MAPPA) Quota (maximum of 3 referrals per year).
- 5.2.8** The applicant is referred to the Council under the Rehabilitation (alcohol and substance misuse) Quota (maximum of 3 referrals per year).
- 5.2.9** The applicant is approved by Children's Services (Waltham Forest Social Services) as eligible for a nomination under the Foster Care Quota. This will include approved foster carers and adopters accepting responsibility for Waltham Forest children. Applications will need to be supported by the Children's Services and referred cases will be considered by the Council's Social Needs Panel. Eligibility for bedrooms will be dependent upon the assessed caring capability of the agreed foster carer or adopter. The quota in respect of these nominations is unlimited although the Housing Service reserves the right to review this in light of service pressures.

- 5.2.10** The applicant is a young person leaving care nominated by the Waltham Forest Leaving Care Service.
- 5.2.11** The Council's Sheltered Housing Panel decides that an applicant needs accommodation with a degree of support (sheltered housing and extra care scheme accommodation) on the grounds of disability/health needs, poor housing, age and/or social isolation.
- 5.2.12** The applicant is a retiring Council caretaker in tied accommodation (i.e. Housing, Social Services and Education) and has retired on grounds of age or ill health. This will only apply to caretakers where an earlier commitment was made to provide them with alternative housing upon retirement as part of their original terms and conditions of employment and where they do not have the ability to move to a property that they already own (including having a part or shared financial interest) or to which they have reasonable access.
- 5.2.13** The Council has previously entered into a written agreement to provide accommodation to a former Waltham Forest Council tenant upon release from prison or other institution (for detention and/or treatment), following an earlier voluntary surrender and relinquishment of their Waltham Forest Council tenancy.
- 5.2.14** The applicant has been referred to the Council by the Veterans' Nomination Scheme (maximum 2 referrals per year).
- 5.2.15** The Council urgently needs possession of the applicant's property (such as the need to decant, redevelop, rehabilitate, refurbish, repair or demolish a property).
- 5.2.16** The applicant occupies Council accommodation that has one bedroom above his/her household's requirements (according to the Council's assessment of their housing need) – see para 5.1.2 for those with more than one spare bedroom.
- 5.2.17** The applicant occupies Housing Association accommodation that has one bedroom above his/her household's requirements (according to the Council's assessed housing need), and the Council has the right to nominate a person to occupy the resulting vacancy – see para 5.1.3 for those with more than one spare bedroom

- 5.2.18** The applicant occupies Council or housing association accessible accommodation specifically built or adapted for wheelchair use and where no member of the applicant's household has such a need. In the case of housing association accommodation, this applies where the Council will have been given the right to nominate a person to be a tenant of the property that the applicant vacates.
- 5.2.19** The applicant has succeeded to a Council tenancy but under-occupies the property by one bedroom in comparison to his/her assessed housing need.
- 5.2.20** The applicant was a long-term carer for a Council tenant who has now died or moved to supported accommodation and the carer has no automatic right to succeed to the tenancy.
- 5.2.21** The applicant has, in the opinion of the Director of Housing Solutions, an urgent need to be rehoused.

## 5.3 **Reasonable Preference:**

An applicant will have a reasonable preference if s/he is in one or more of the following categories. For each category the applicant is in, s/he is awarded either 1 or 3 reasonable preference points. Where the applicant is in more than one category his or her points are cumulative (with the exception of the circumstances in 5.3.5 below).

- 5.3.1** The applicant is occupying accommodation that was offered as a qualified assured shorthold tenancy under s193(7B) of the Housing Act 1996 and made an application to join the Housing Register within 3 months of the start of that tenancy (3 points)
- 5.3.2** The applicant accepted accommodation through the Council's Rent Deposit Scheme or Self Help Scheme prior to 01/04/2013 and made an application to join the Housing Register within 3 months of the start of that tenancy (3 points)
- 5.3.3** The applicant is homeless, within the meaning of Part 7 of the Housing Act 1996. (1 point)

**5.3.4** The applicant is:

- a) owed any of the following duties under Part 7 of the Housing Act 1996:  
s190(2) intentionally homeless with priority need,  
s193(2) full housing duty,  
s195(2) priority need and unintentionally threatened with homelessness,  
or
- b) occupying accommodation secured by an authority under s192(3) of the Housing Act 1996 – power to secure accommodation for those without a priority need who are not homeless intentionally.

(1 point)

**5.3.5** Where an applicant falls into one or more of the categories listed under sub-sections 5.3.3 or 5.3.4 above, s/he will only be awarded 1 point in total. Points awarded for sub-sections 5.3.3 or 5.3.4 above are not cumulative.

**5.3.6** Homeless applicants placed into temporary accommodation will not be eligible to receive an award of reasonable preference unless his/her/their application has been assessed and agreed for permanent rehousing by the Waltham Forest Council.

**5.3.7** The Council is satisfied that an applicant is threatened with homelessness, is eligible for assistance and in priority need and did not become threatened with homelessness unintentionally, in accordance with S195(1) and S195(2) of the Housing Act 1996. This award of reasonable preference will remain in place as long as the applicant remains at the address from which the initial application was made. (6 points).

**5.3.8** A Council Panel has decided that the health or wellbeing of the applicant or a member of his/her household is being significantly damaged or threatened to the extent that it is desirable for him/her to be rehoused on a non-urgent basis. A Panel will award 3 points for each circumstance that causes a person to satisfy these criteria (for example an applicant may receive 3 points on account of risk to health from the location of the property and 3 points on account of harassment from neighbours).

**5.3.9** The Council's Sheltered Housing Panel has decided that the health or wellbeing of the applicant or a member of his/her household is being significantly damaged or threatened to the extent that it is desirable for him/her to be rehoused into sheltered accommodation on a non-urgent basis. In such cases, an applicant may be awarded reasonable preference sheltered priority 2 or sheltered priority 3, according to the level of need and identified risk.

**5.3.10** The applicant:

- is not living in self-contained accommodation (3 points), or
- is living in accommodation that is overcrowded in comparison to the Council's size rules set out in Appendix 1 (3 points for each extra bedroom required).

**5.3.11** The Council's Social Needs Panel has decided that the applicant is occupying insanitary or unsatisfactory housing that poses an ongoing and significant threat to the health or wellbeing of the applicant or a member of his/her household (3 points).

Where that housing is private sector accommodation the Panel will have regard to any Notice served by its Environmental Health Service and any remedial action that could be taken by the applicant or otherwise to make the property sanitary and satisfactory.

Where that housing is Council accommodation the Panel will have regard to a report from one of its surveyors and any remedial action that could be taken by the applicant or otherwise to make the property sanitary and satisfactory.

**5.3.12** On the basis of documented supporting evidence, the Council's Social Needs Panel has determined that the applicant needs to move to a particular locality within Waltham Forest and a failure to meet that need would cause hardship to the applicant or others (1 point).

**5.3.13** For homeless applicants who have been placed into temporary accommodation within the boundaries of Waltham Forest by another local authority, and are eligible within paragraph 2.3 of this policy, the criteria that have been set out previously for obtaining reasonable preference points apply. However, each award of reasonable preference points is limited to 1 point only.

## 5.4 **No Preference:**

- 5.4.1** An applicant will be determined as having no preference if s/he does not have a reasonable preference, additional preference, or additional preference plus award.
- 5.4.2** The Council may accord an applicant no preference if s/he has sufficient financial resources to enable him/her to secure his/her own accommodation. This may apply in the following circumstances:
- Where an applicant has a financial interest in a property either in the UK or abroad (including but not restricted to, applicants and family members that are leaseholders, freeholders, and those contributing to a property loan/mortgage etc.).
  - Where an applicant and/or his or her combined household has savings or other capital greater than £70,000.
- 5.4.3** Applicants who have no preference are entitled to remain on the Housing Register if they choose to do so, but they will not be able to bid for properties.
- 5.4.4** General housing advice is available to all applicants on the Choice Homes website.

## 6.0 Re-assessments and reviewing the Housing Register

- 6.1 Once an applicant's housing need has been assessed his/her name is entered onto the housing register. The Council may review an applicant's housing need at any time. Applicants are required to re-apply annually.
- 6.2 Applicants placed in either the Reasonable Preference Band, the Additional Preference Band, or the Additional Preference Plus Band may have their priority downgraded at any time following re-assessment of their case, should it become apparent that the existing priority level is no longer appropriate. In some cases, this could mean that an applicant is no longer eligible to receive an offer of alternative accommodation.
- 6.3 Unless there are exceptional circumstances, an applicant will be automatically removed from the Housing Register if:
- S/he does not respond to a request for information within 21 days of a written request being sent to the applicant.
  - S/he has changed his/her address without telling the Council within 12 weeks of the change and has not fully updated his/her application for housing via the Council's on-line registration system.
  - S/he does not re-register for housing annually each year.
- 6.4 Removal from the Housing Register will, in the absence of exceptional circumstances, result in the loss of any previously awarded priority and accumulated time waiting on the register, if the applicant subsequently re-applies for housing.



## 7.0 Allocations – Property Size

- 7.1 The size of property that an applicant can bid for or be allocated is, with certain exceptions, based on the number of people in the household and their relationship to each other. The relevant rules are listed in Appendix 1. All allocations will be made subject to an affordability assessment, to ensure that tenants are not put at risk of rent arrears and the possibility of losing their homes.
- 7.2 Where an applicant's household increases his/her application will be reassessed on the basis of the new household size without affecting the category start date providing the increase is due to:
- A child being born to an existing household member.
  - A child of an existing household member arriving from elsewhere (for example, abroad) to join his/her parents. This will not apply if the child had previously been living with his/her other parent unless that child could reasonably be expected to live with the applicant.
  - A child being adopted by an existing household member.
  - A child being fostered where Social Services have confirmed the long term nature of the fostering arrangement.
- 7.3 In other instances, unless there are exceptional circumstances an applicant may add an additional member to his/her household but the change in the applicant's priority takes effect at the date when the additional member is added. An example of exceptional circumstances would be where one of the Council's Panels is satisfied that an elderly person requires day to day care which can only reasonably be provided by a live-in carer.

## 8.0 Allocating General Needs Housing

- 8.1 We aim to advertise the majority of available homes on the Choice Homes website and in the magazine every week. Applicants are encouraged to actively participate in bidding for vacancies that match their need. Apart from properties where bidding is restricted or which are allocated by a direct offer, properties are generally allocated as follows.
- 8.2 A bidder with additional preference plus has priority over any other bidder. If there is more than one bidder with additional preference plus, priority is given to the bidder who has had the status longest.
- 8.3 If there is no bidder with additional preference plus, priority is given to a bidder with additional preference. If there is more than one bidder with additional preference, priority is given to the bidder who has had the status longest.
- 8.4 If there is no bidder with additional preference, priority is given to a bidder with reasonable preference:
- a) If there is more than one bidder with reasonable preference, priority is given to the bidder with the most reasonable preference points.
  - b) If there is more than one bidder with the most reasonable preference points, priority is given to the bidder who has had that number of points the longest.
  - c) If there is more than one bidder with the most reasonable preference points the longest, priority is given to the bidder who has been on the housing register the longest.
- 8.5 Some advertised properties are subject to multiple viewings whereby up to five applicants will be invited to view the property at the same time. This is done to speed up the allocation process.
- 8.6 The bidding process and ranking of submitted bids is explained more fully on the Council's website - [www.walthamforest.gov.uk/housing](http://www.walthamforest.gov.uk/housing)

## 9.0 Allocating Sheltered Housing (see also Appendix 2)

- 9.1 Applicants bidding for sheltered housing will be considered according to their level of need. The Sheltered Housing Panel will award applicants a level of priority based on their personal circumstances. Sheltered Priority 1 bidders will be ranked first, followed by Sheltered Priority 2, and then Sheltered Priority 3. Where there is more than one bidder with the same level of priority, applicants will be considered in order of their priority award start date, with the oldest date being ranked first.
- 9.2 Where a sheltered housing vacancy occurs that is considered more suitable for a couple because of its size, joint applicants may receive greater priority for the vacancy, regardless of final bidding positions and the normal short-listing criteria stated above.

N.B. Applicants will need to choose to apply for either general needs or sheltered housing, and will not be able to be registered for both at the same time.

## 10.0 Allocating Accessible Housing

- 10.1 Properties advertised with an Accessible Housing Register (AHR) category of A to E+ will ordinarily be allocated to the highest placed bidder with an appropriate disability and health assessment. However, the Council reserves the right to allocate accessible accommodation outside of the normal shortlisting order regardless of final bidding positions, to meet urgent housing needs.
- 10.2 Full details of the shortlisting order for accessible housing can be found in Appendix 4.

## 11.0 Restricted Bidding

- 11.1 The Council may, from time to time, agree a local lettings policy for a specific group of properties that varies from these published rules. Information on such schemes will be explained fully when properties are advertised or allocated.
- 11.2 The Council may sometimes restrict bidding or give higher priority to specific groups applying for certain properties. This may apply to the following:
- To existing Council or housing association tenants who are under-occupying their current homes and have been approved for a move to smaller accommodation in line with the Council's Under-Occupation Scheme.
  - To existing Council or housing association tenants who are occupying accessible accommodation specifically built or adapted for wheelchair use and no member of the applicant's household has a need for this.
  - To existing housing applicants who are severely overcrowded (severe overcrowding is defined as an applicant having two or more bedrooms less than their assessed bedroom need). Sometimes priority may be given to overcrowded Waltham Forest Council tenants over and above all other overcrowded applicants to release a further vacancy for a household in housing need.
  - To homeless households living in temporary accommodation to whom the Council has accepted a s193 Housing Act 1996 duty, and where there is a need to reduce the overall number of homeless households living in temporary accommodation
  - Allocations of accessible housing available as part of the Accessible Housing Register (AHR). These properties may be restricted to applicants assessed by the Council's Disability and Health Panel as needing a specific Accessible Housing Register (AHR) property (Category codes of A to E+).
  - Allocations of privately rented properties that may be advertised along with Council and housing association vacancies available to existing Council tenants occupying one-bedroom accommodation or larger and to homeless applicants in temporary accommodation.

11.3 A small quota of one-bedroom properties or bedsits owned by the Council, which might otherwise be difficult to let, will from time to time be reserved for allocation to economically active single people/couples. This quota will not exceed 3% of the total number of annual voids for this type of property. For the purposes of this policy, the term “economically active” is defined as follows:

**Where at least one household member is currently in paid employment for 16 hours a week or more, and has been in employment for any nine out of the last twelve months.**

## 12.0 Disregarded Bids

12.1 A bid placed for a property may be disregarded if:

- Priority was only awarded to an applicant for a specific type of property and the bid was for accommodation that did not meet that criterion.
- The applicant owes rent arrears to the Council.
- The applicant has bid for accommodation that does not meet the household size requirements of the landlord, as may be described in the property advertisement.
- The applicant has bid for accommodation that is substantially smaller than his/her assessed housing need and statutory overcrowding may occur at the time of the property being allocated.
- The applicant is a Council tenant and the Council is in the process of taking eviction action against them for a breach of the terms and conditions of their tenancy.
- The applicant already has an outstanding offer of alternative accommodation.
- The applicant has placed a successful bid for more than one property and is under consideration for an alternative offer of accommodation.
- The applicant has failed to provide sufficient information and necessary documentation to enable the Council to fully verify their correct level of housing need.
- The applicant's housing need has been re-assessed resulting in a lower level of priority.

## 13.0 Direct Offers of Accommodation

- 13.1 In certain circumstances, an allocation of accommodation may be made through a direct offer of a particular property to an applicant. Certain housing applicants with additional preference may not be eligible to bid and will receive a direct offer only. Direct offers will be made in the following circumstances:
- 13.2 Where the Council is discharging the full housing duty under s193(2) of the Housing Act 1996 and the applicant has not secured accommodation through bidding. A direct offer may be made before the end of any bidding period. Direct offers will be made based on a range of circumstances including:
- The suitability of the applicant's temporary accommodation (refer to Appendix 6 – Temporary Accommodation Placement Policy)
  - The high cost of the temporary accommodation (to the Council)
  - Where the lease for the temporary accommodation is due to expire and a move to alternative temporary accommodation is not reasonable (to be determined by the Social Needs Panel)
  - Where there is no other suitable alternative accommodation available
- 13.3 Where an applicant has additional preference (see Appendix 5 for details of which applicants with additional preference are also entitled to bid for a limited period). Where additional preference has been awarded by a Council Panel, the Panel may specify that a direct offer may be made of a property which is the same size as the applicant's current home, or of any larger size up to and including the applicant's assessed need. This does not affect the applicant's ability to bid for a property in the normal way.
- 13.4 Where the applicant is a Council tenant placed into temporary housing on an emergency basis.
- 13.5 Where the applicant has additional preference, has been placed in temporary accommodation and has not secured alternative permanent housing within three months of acquiring that status. In some situations, a Panel may recommend a direct offer only, to reduce the length of time spent in temporary accommodation.

- 13.6 Where a property has particular features to meet specific needs. For these properties the Council may make a direct offer having particular regard to:
- a) The applicant's needs.
  - b) The suitability of the property for those needs.
  - c) Whether the applicant is owed the full duty under s193 of the Housing Act 1996.
  - d) Whether the applicant cannot be discharged from hospital for want of suitable accommodation.
  - e) Whether the applicant has any additional preference and if so how long s/he has had it.
- 13.7 Where the applicant has particular support needs (including applicants agreed for sheltered and/or extra care housing).
- 13.8 Where the applicant needs supported accommodation and is in temporary accommodation designed to encourage and develop living skills. In these circumstances the applicant may not bid.
- 13.9 Offers made at the Council's own instigation where there are exceptional circumstances (for example, where it is necessary to urgently decant the occupiers of a property or a tenant needing an urgent move on management grounds such as fleeing violence).
- 13.10 The applicant has succeeded to a property that is too large for him/her (according to his/her assessed housing need) but has failed to bid for smaller accommodation or has not yet placed a successful bid.
- 13.11 In order to fulfil any other unspecified housing management duties or where the applicant has, in the opinion of the Director of Housing Solutions, an urgent need to be rehoused.
- 13.12 The Council reserves the right to end an additional preference/ additional preference plus bidding period with a direct offer at any time, to make the best use of available stock and reduce the use of temporary accommodation.



## 14.0 Limited Offer Policy

- 14.1 Certain housing applicants will be subject to the Council's limited offer policy. These applicants will only be eligible to receive one offer of suitable alternative housing.
- 14.2 An applicant who is subject to the limited offer policy will have the right to request a suitability review of any offer made to them, if they feel that the property does not meet their housing needs.
- 14.3 Applicants who are subject to the Council's limited offer policy are as follows:
- All agreed homeless applicants owed a full housing duty
  - Former Waltham Forest Council tenants released from prison or other institution (for detention and/or treatment) and agreed for housing, having previously entered into a written agreement to voluntarily surrender and relinquish their Waltham Forest Council tenancy.
  - Applicants placed into temporary housing and awarded additional preference.
  - Council tenants placed into temporary housing on an emergency basis.
  - Applicants delaying discharge awarded additional preference.
  - Move-On Quota applicants awarded additional preference.
  - Rehabilitation (alcohol and substance misuse) applicants awarded additional preference
  - Channel Quota applicants awarded additional preference.
  - Safe & Secure External Move Quota applicants awarded additional preference.
  - Safe & Secure Victim Quota applicants awarded additional preference.
  - Multi-Agency Public Protection Arrangements (MAPPA) Quota applicants awarded additional preference.
  - Leaving Care applicants awarded additional preference.
  - Sheltered housing applicants (including Extra Care). This applies to homeless applicants and non-Council tenants. Existing Waltham Forest Council tenants agreed for sheltered housing (including Extra Care) will be eligible for two offers of alternative accommodation with a view to releasing a further vacancy for a household in housing need.
  - Retiring staff in tied accommodation awarded additional preference.
  - Succession applicants awarded additional preference.
  - Carer applicants awarded additional preference.
  - Urgent moves approved by the Director of Housing Solutions.

## 15.0 What happens to your housing application after you accept an offer?

- 15.1 Once an applicant has accepted an offer of permanent Council or housing association accommodation, as a result of a move facilitated by the Council, or an offer of private sector accommodation made in discharge of the S193 homelessness duty.- their housing application will be closed.
- 15.2 For the avoidance of doubt, an applicant will be considered as having accepted an offer of accommodation once s/he has signed a pre-tenancy document or full tenancy agreement.
- 15.3 Where an applicant subsequently ends the tenancy of an accepted offer or fails to move in (regardless of timescale since the initial acceptance of the offer), s/he may submit a new application for housing (via the Council's online housing registration system) if s/he wishes. However, this will constitute a fresh application effective from the date submitted and any previously awarded priority and accumulated waiting time on the housing register will be lost.
- 15.4 The Council may also take into account the circumstances of the applicant at the time, including the reason(s) for ending the tenancy or failing to move in. In certain limited circumstances, this could mean that an applicant may not be eligible for further housing or may be assessed as having a lower level of priority and housing need.

## 16.0 Under-Occupation Scheme

- 16.1 We want to encourage existing tenants to move to smaller accommodation if, for example, household members have moved away and they no longer require all of the available bedrooms. We therefore offer an incentive scheme to encourage the best use of housing stock. Any payments (including the removal service and any other services) will be made subject to available funding, and subject to the circumstances of the applicant in accordance with the current scheme. Incentives and payments may be amended, withdrawn or suspended at any time.
- 16.2 If an existing tenant is rehoused into a smaller property with fewer bedrooms through a move facilitated by the Council, the Council may make them an Under-Occupation Incentive Payment after they have moved. This is normally paid by way of a cheque. However, if there are any outstanding rent arrears, the payment will be made direct into the tenant's rent account(s).
- 16.3 In the case of existing housing association tenants, Under-Occupation Incentive Payments will only be made available where the Council agreed to rehouse the applicant(s) through our Under-Occupation Scheme, and where we have agreement from the housing association that we can nominate another applicant to them for the property that has been vacated.
- 16.4 Under-Occupation Incentive Payments are not available to tenants who move by way of a mutual exchange, or where a tenant vacates a property and the move has not been facilitated by the Council.
- 16.5 Full details of the current incentive scheme can be found on the Council's website [www.walthamforest.gov.uk/housing](http://www.walthamforest.gov.uk/housing).

## 17.0 Properties Advertised in the Council's Choice Based Lettings System

- 17.1 Waltham Forest Council will make every effort to ensure that property advertisements are accurate but cannot accept responsibility for any errors.
- 17.2 Where possible, a picture of each individual property or block will be displayed within the advertisement. However, sometimes the Council may display a substitute picture of a similar property or block, and this fact will be noted on the advertisement.
- 17.3 It is possible that some advertised properties may still be awaiting initial surveyor inspections and may have to be withdrawn from the Choice Homes Scheme if it later becomes apparent that they require extensive maintenance works. Waltham Forest Council and other housing providers reserve the right to withdraw properties from the Choice Homes Scheme at any time and without notice to applicants.
- 17.4 Where an applicant has placed a bid for a property that is subsequently withdrawn from the scheme, the bid shall be considered for all purposes as not having been made, regardless of any final bidding position.
- 17.5 It should be noted that being in the top bidding position for a property within a bidding cycle does not guarantee an offer of housing. Nothing is final until a formal offer of accommodation has been made.
- 17.6 Many landlords operate their own individual allocation policies which may differ from the allocation policy of Waltham Forest Council. Where an applicant is nominated to another landlord following a successful bid for a property, any resultant offer of accommodation is subject to the applicant meeting the criteria of the receiving landlord's own allocation policy.

## 18.0 Cross Borough Bidding

- 18.1 There are a number of cross-borough schemes operating within London to facilitate mobility into and out of Waltham Forest. Cross-borough moves and the exchange of properties between various social landlords are monitored to maintain an equal balance between the number of applicants moving into an area and those moving out.

## 19.0 Decants

- 19.1 The Decant offer process set out below applies in the following circumstances and subject to the following conditions
- 19.2 Decanting will only be carried out where a Waltham Forest Council property is due to be demolished, refurbished, extensively repaired, or modified (change of use/ size etc.). This may relate to an individual property or as part of a redevelopment or regeneration project. Rehousing may be temporary or permanent depending on the individual circumstances of each case.
- 19.3 The Council will not ordinarily rehouse non-Council tenants that require decanting from their existing accommodation. However, the Council may have a statutory obligation to provide assistance in limited circumstances in accordance with homelessness legislation.
- 19.4 In addition, the Council may consider providing temporary assistance in the case of a disabled non-Council tenant requiring temporary accommodation whilst necessary adaptations are made and/or specific facilities are installed within their current accommodation. This would normally follow the award of a Disabled Facilities Grant to make such adaptations and/or install specific facilities to enable their continued occupation of the accommodation. These cases would ordinarily be referred to the Council's Social Needs Panel for assessment and consideration for temporary housing.
- 19.5 **Major Repairs to Council Properties**
- 19.5.1** Where a property is in a state of extensive disrepair, a survey should be carried out by a maintenance surveyor employed by the Council (or its agent) to investigate the extent of disrepair and to report back their findings and recommendations.
- 19.5.2** If extensive repairs are necessary and they cannot be carried out whilst the tenant remains in occupation of the property, the surveyor would recommend rehousing to enable works to be completed. This may relate to an individual property or as part of a redevelopment or regeneration project.

## 19.6 Improvement Programmes

- 19.6.1** These are programmes designed to improve the structural condition and fabric of Council accommodation. In some cases, it may include changing the layout of a property to enable the installation of necessary amenities that may have been lacking previously (for example the installation of an internal toilet and bathing facilities etc.), and/or an increase/decrease in the number of available rooms.
- 19.6.2** Other changes may also be carried out to ensure that the property complies with current building regulations in terms of health and safety.

## 19.7 Emergency Decants

- 19.7.1** Occasionally, a situation may arise whereby a Waltham Forest Council tenant's property may be deemed as unsafe and the tenant will require alternative accommodation immediately. A situation like this could occur following a major fire, flood, or other major structural problems.
- 19.7.2** In these cases, the tenant is likely to be placed initially in temporary accommodation.

## 19.8 Decant Offer Process

- 19.8.1** With the exception of emergency decants, all other Waltham Forest Council tenants that require decanting will be referred to and rehoused by Housing Solutions.
- 19.8.2** The following will also apply:
- Each tenant will be asked to indicate whether s/he would prefer to be rehoused on a temporary or permanent basis. In some instances, it may not be possible to allow the tenant to return to the property in the future. In such cases, this will be explained to the tenant and later confirmed in writing.
  - Where a decanted property was previously under-occupied by more than one bedroom in excess of assessed housing need, the vacating tenant will not ordinarily have any right to return to the property in the future.

- Each tenant being decanted will ordinarily only be eligible to receive an offer of accommodation of the size that the Council has assessed them as needing, regardless of the size of property that they may be moving from.
- Ordinarily, each tenant will be awarded additional preference to enable them to bid for advertised vacancies via the Council's Choice Homes Scheme. The period of additional preference award will last for between 3 to 12 months (at the Council's discretion), depending on the nature of the case and the urgency required for rehousing or the deadline placed upon the Council. In some instances, rehousing may be via a direct offer process. The Council reserves the right to make a direct offer at any time, to individual or all decant cases.
- When making direct offers to decant cases, the Council will endeavour to give each tenant as much choice as possible, subject to the availability of suitable accommodation. In cases where the Council is required to meet a close rehousing deadline or vacant possession of the property is required as a matter of urgency, a direct offer will be made as close as possible to the type of property required and area requested. If a direct offer is refused, the Council may apply to the County Court to decide if the offer is "on reasonable terms" as specified by the Land Compensation Act 1973.
- The Council will arrange for the tenant's removals to the new address if required. However, the cost of these will ordinarily be deducted from any compensation payment(s) that a tenant may be eligible to receive.
- In the case of a tenant being permanently decanted to a smaller property with fewer bedrooms, the Council will arrange and pay for removals to the new address if they are organised and carried out by the Council's approved contractor.

**19.8.3** The Council may, from time to time, agree a local lettings policy for a specific group of properties that varies from these published rules. Information on such schemes will be explained when these properties are advertised or allocated.

## 19.9 **Notice of Seeking Possession and Legal Proceedings**

**19.9.1** The Council may serve a Notice of Seeking Possession on the tenant(s) of a property at any time, where vacant possession is required as part of the decant process.

**19.9.2** Where an offer of alternative accommodation has been refused, the Council may apply to the County Court to obtain vacant possession of a Council property as part of the decant process.

## 19.10 Compensation

**19.10.1** There are two forms of payment made to people under the Land Compensation Act 1973.

### **19.10.2 Home Loss Payments:**

These may only be made where a tenant cannot return to the property. For example, where the property has been or will be demolished/disposed of, or whereby it will no longer be suitable. To qualify, an applicant must have been a secure tenant of the property for a period of at least twelve months.

### **19.10.3 Disturbance Allowance**

- These payments may be made in respect of expenses incurred as a result of a tenant moving to a new property. The allowance would include an amount towards removal expenses, costs associated with the disconnection and reconnection of services (gas / electricity / telephone), and a contribution towards curtains and carpets.
- Where a Council tenant takes up the right to return to their previously decanted property, they are entitled to a disturbance allowance towards the removals and disconnection and reconnection of services following both moves. An allowance towards carpets and curtains would not apply in this case.
- If there are any outstanding rent arrears, any payment will be made direct into the tenant's rent account(s).

### **19.10.4 Under-Occupation Scheme (Decants)**

In addition to the payments mentioned above, a decanted tenant moving to a smaller property on a permanent basis qualify for an Under-occupation Incentive. This may take the form of a cash payment or help with removal arrangements. Full details of the current incentive scheme may be found on the Council's website at [www.walthamforest.gov.uk/housing](http://www.walthamforest.gov.uk/housing)



## 20.0 Existing Council sole tenants seeking a Joint Tenancy and vice versa

20.1 The Council is not legally obliged to consider or make any such changes to an existing tenancy unless required to do so by way of a court order.

20.2 Where a court order has been granted, the Council will make the required change as soon as possible.

### 20.3 Existing sole tenant requesting a new joint tenancy

- This is treated for legal purposes as an assignment of the tenancy from the sole tenant to the joint tenants. Where an existing sole tenant submits a written request for a husband, wife, partner, family member, or other person to be added to their tenancy with a view to creating a new joint tenancy, such requests will not ordinarily be considered.
- Where a husband, wife, partner, family member, or other person wishes to reside with the tenant, s/he can legally do so with the tenant's consent and whilst the tenant continues to occupy the property as his/her principal home.

### 20.4 Existing joint tenant/s requesting a new sole tenancy

20.5 Where one party to a joint tenancy has left a Waltham Forest Council property on a permanent basis, the Council may consider granting a new sole tenancy to the remaining joint tenant. It should be noted that the decision to grant a new sole tenancy to a remaining joint tenant is at the discretion of the Council. In any such case, the prospective sole tenant will be required to serve a Notice to Quit to determine the existing joint tenancy as a condition of grant of the new tenancy

**NB:** Where an existing tenant has changed his/her name by way of deed poll or has married etc, the Council will give consideration to a written request from the tenant to update the tenancy records to reflect the change of name.

## 21.0 Succession to a Council Tenancy

- 21.1 The Localism Act 2011 restricted the statutory right of succession to spouses and partners only, unless the local authority decided expressly to include expanded succession rights in its standard secure tenancy agreement. Waltham Forest Council has decided not to expand succession rights in this way. This means that for tenancies granted from 1 April 2012 onwards, different conditions apply for tenancy successions.
- 21.2 For tenancies granted BEFORE 1 April 2012, the tenancy may pass on to the tenant's partner/spouse, or to another family member living in their home, subject to certain conditions being met. Succession can only occur following the death of the tenant.
- 21.3 For tenancies granted ON or AFTER 1 April 2012, the tenancy may pass on to the tenant's partner/spouse only, with the exception of some cases where accommodation has been adapted for disabled household members.
- 21.4 For full details of succession rights for tenancies granted BEFORE 1 April 2012, please see Appendix 9.
- 21.5 For full details of succession rights for tenancies granted ON or AFTER 1 April 2012, please see Appendix 10.
- 21.6 For details of the Carers' Policy relating to successions, please see Appendix 11.

## 22.0 Failed Successions, Unauthorised Occupants, Squatters and Trespassers

- 22.1 In line with its obligation to fulfil its statutory duties and requirement to allocate accommodation to those applicants in greatest housing need, the Council will take legal action as necessary to recover vacant possession of a dwelling occupied by any person other than an existing tenant (with the exception of a current husband, wife, or civil partner of an existing tenant). This will apply in the case of failed successions (where an applicant does not meet the necessary legal succession criteria, or where no right of succession exists), unauthorised occupants, squatters, and trespassers (including former joint tenants where a tenancy has been lawfully determined by the service of a valid Notice to Quit).

- 22.2 When taking action in such cases, the Council will refer the applicant(s) to the Housing Solutions team for an assessment of their housing needs.
- 22.3 The Council will also consider whether its intention to commence legal action to recover possession of the dwelling is proportionate, taking full account of the applicant's current circumstances and also in comparison to other applicants who are awaiting rehousing via the housing register.

## 23.0 Mutual Exchanges

- 23.1 The Council's policy on mutual exchange reflects the legal position and the rights of secure tenants, as laid out in the Housing Act 1985, Section 92 (Assignment By Way Of Exchange).
- 23.2 All permanent secure Council tenants have a legal right to exchange accommodation with another permanent secure or assured tenant (Council or other registered social landlord) within England, Scotland, Wales, & Northern Ireland.
- 23.3 An exchange of accommodation may take place between two or more tenants and relies on each party taking up permanent residence of the exchange partner's property.
- 23.4 Where two or more tenants submit an application for a mutual exchange, the following will apply:
- Each tenant involved in an exchange must have a clear rent account. This condition may be waived (and/or modified) in circumstances that are, in the Councils' view, exceptional and where it is fair and just to do so. Any applicant or his/her representative may make representations to the Council as to why the general policy of the Council regarding rent arrears should be waived or modified.
  - Each tenant must obtain written permission from the Council and any other landlord involved, before making any arrangements to move.
  - Tenants may be permitted to exchange and move into a property with a maximum of one bedroom in excess of their assessed housing need (Waltham Forest policy). Permission will be subject to an affordability assessment. It should be noted that some social landlords may not permit tenants to move into a property larger than their assessed need.

- Tenants may also be permitted to exchange and move into a property with fewer bedrooms than their assessed housing need, subject to there being no statutory overcrowding. However, it should be noted that some other social landlords may not permit this. Where a tenant does move into a Waltham Forest Council property with fewer bedrooms than their assessed housing need, they will be required to sign a written statement to acknowledge responsibility for any overcrowding that may occur.
- The Council may refuse an exchange on certain grounds, as laid out in the Housing Act 1985, Schedule 3 (Grounds for Withholding Consent to Assignment By Way Of Exchange). It may also permit an exchange but impose certain conditions.
- Where an exchange is permitted, each tenant will assign (sign over) their existing tenancy to the proposed exchange partner.
- There is no financial help available towards the cost of moving and tenants who move by way of a mutual exchange are not eligible for Under-Occupation Incentive Payments.

23.5 To assist tenants in finding suitable mutual exchange partners, the Council has subscribed to the national Homeswapper Scheme. Tenants can register free of charge on this scheme to advertise for an exchange. In addition, monthly Homeswapper Registers are available for public viewing at the Council's housing offices, advertising details of all available exchanges, both within and outside of Waltham Forest.

23.6 More information regarding the Homeswapper Scheme can be found at [www.homeswapper.co.uk](http://www.homeswapper.co.uk).

## 24.0 Council Tenants Placed in Temporary Accommodation

- 24.1 Waltham Forest Council tenants placed into temporary accommodation on an emergency basis will be made one direct offer only of alternative housing in line with the recommendations of the Social Needs Panel.
- 24.2 A tenant has the right to request a review of the suitability of the offer, if s/he feels that it does not meet his/her needs.
- 24.3 Where an offer is deemed to be suitable by the Council, the tenant will be expected to accept the offer and vacate his/her temporary accommodation immediately upon the offered property being ready for occupation.
- 24.4 In the case of a tenant failing to accept a suitable offer following a review, his/her temporary accommodation will be withdrawn. Following this, the tenant will not be eligible to receive any further offers of alternative housing. In such cases, the tenant will then be required to make his/her own alternative housing arrangements or return to their former Council tenancy if it is still available to them.

## 25.0 Decision Taking

| Decision  | Decision Maker/s   |
|---|--|
| Eligibility for offer                               | Housing Register and Options Team  |
| Priority status on Housing Register                 | Housing Register and Options Team  |
| Exceptions to 2 year residency rule for eligibility | Social Needs Panel/Head of Housing Demand  |
| Exceptions to arrears policy                        | Social Needs Panel/Head of Housing Demand  |
| Appeals against deletion from Register              | Head of Housing Demand   |
| Urgent Need to be Rehoused                          | Head of Housing Demand   |
| Mutual Exchange                                     | Housing Register and Options Team  |
| Social Needs Panel decision                         | <p>Panel consists of:</p> <ul style="list-style-type: none"> <li>• Head of Housing Demand</li> <li>• Principal Officer Social Services</li> <li>• Mental Health and Housing Link-worker (or representative) from North East London Mental Health Trust</li> </ul> <p>In urgent circumstances decisions can be made by the Panel Chair only, but that decision will be referred to the next full Panel for ratification</p> |
| Sheltered Housing Panel Decision                    | <p>Panel consists of:</p> <ul style="list-style-type: none"> <li>• Unit Head Supporting People</li> <li>• Sheltered Housing Support Manager</li> <li>• Group Manager Older Peoples Services</li> <li>• Senior Occupational Therapist in Housing</li> </ul> <p>In urgent circumstances decisions can be made by the Panel Chair only but that decision will be referred to the next full Panel for ratification</p>         |

| Decision  | Decision Maker/s  |
|---|---|
| Disability and Health Panel Decision  | <p>Panel consists of:</p> <ul style="list-style-type: none"> <li>• Housing Register and Options Team Leader</li> <li>• Housing Disability Officer</li> <li>• Senior Occupational Therapist</li> </ul> <p>When the Panel decides that a professional medical opinion is required to determine an application, this will be obtained from a qualified agency.</p> <p>In urgent circumstances decisions can be made by the Panel Chair only but that decision will be referred to the next full Panel for ratification</p> |
| Move On Panel Decision  | <p>Panel consists of:</p> <ul style="list-style-type: none"> <li>• Housing Register and Options Team Leader</li> <li>• Unit Head Supporting People</li> <li>• 2 Hostel service providers</li> </ul>   |
| Reviews and appeals against the suitability of offers.  | Reviews Officer   |
| Requests to add additional family members to an application without losing time waiting priority. | Social Need or Disability and Health Panel  |
| Succession to a Council tenancy-whether applicant meets statutory requirements                    | <ul style="list-style-type: none"> <li>• Allocations Team Leader</li> <li>• Head of Neighbourhood Services</li> </ul>   |
| Decisions on requests for changes to existing tenancies   | <ul style="list-style-type: none"> <li>• Allocations Team Leader</li> <li>• Head of Neighbourhood Services</li> </ul>   |
| Reviews of Panel Decisions  | <p>The review will be considered by the next full Panel. If the original decision is upheld, the applicant will be advised to consider pursuing the matter through the Council's Complaints Process. The complaints process will only review the administration process or adherence to procedures and/or policy etc. and will not consider or comment on the panel or officers' decision.</p>  |

| Decision   | Decision Maker/s   |
|--|--|
| Reviews of Officers' Decisions                             | The review will be considered by an officer senior to the officer who made the original decision. If the original decision is upheld, the applicant will be advised to consider pursuing the matter through the Council's Complaints Process. The complaints process will only review the administration process or adherence to procedures and/or policy etc. and will not consider or comment on the panel or officers' decision |
| Variations to bidding periods in exceptional circumstances | <ul style="list-style-type: none"> <li>• Director of Housing Solutions</li> <li>• Head of Housing Supply/Allocations Team Leader</li> <li>• Relevant Panel</li> </ul>  |

## 26.0 Requests for Information

26.1 An applicant has the right to request such general information as will enable him/her to assess:

- How his/her application is likely to be treated under the scheme (including in particular whether s/he is likely to be regarded as given an additional or reasonable preference); and
- Whether housing accommodation appropriate to his/her needs is likely to be made available to him/her and, if so, how long it is likely to be before such accommodation becomes available to him/her

26.2 An applicant has the right to request the Council to inform him/her of any decision about the facts of his/her case which is likely to be, or has been taken into account, in considering whether to allocate accommodation to him/her.



## 27.0 Reviews

- 27.1 For the following decisions an applicant has the right to be informed of the decision and of the grounds for it and to request a review of it, namely a decision:
- That the applicant is not eligible for the Council's Housing Register by virtue of s160ZA(2) or (4) of the Housing Act 1996
  - That the applicant is not a qualifying person under s160ZA(7) of the Housing Act 1996
  - About the facts of his/her case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation to him/her.
- 27.2 A review can be requested in writing or by telephone and when requested the Council will notify the applicant:
- that s/he or somebody acting on his/her behalf may make written representations in connection with the review, and
  - of the procedure to be followed in connection with the review (if it has not already done so).
- 27.3 The Council will notify the applicant of the review decision within 8 weeks of the day on which the request is made to the Council, or such longer period as the Council and the applicant may agree in writing.
- 27.4 The review decision will be made by a Council Officer who was not involved in the original decision and who is senior to the officer who made the original decision unless made by a Panel. In the case of a Panel's decision, a review is conducted by the Panel making the original decision.