Nottingham City Council

Housing Allocations Policy

Plus the operation of the Choice Based Lettings scheme for Nottingham City

Managed by

Nottingham City Homes

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1 Introduction

This document contains the Nottingham City Council Housing Allocations Policy and details of the Nottingham HomeLink Choice Based Lettings scheme run in partnership with Registered Providers with properties within the city.

1.1 Allocations Policy

It is a legal requirement for Local Authorities, such as Nottingham City Council (NCC), to have an allocation scheme (policy).

NCC's allocations policy is operated on its behalf by its ALMO (Arm's Length Management Organisation), Nottingham City Homes (NCH).

The allocations policy aims to address housing need whilst contributing to the development of balanced and sustainable communities.

The Council is required to make the most effective use of all housing tenures to balance the prevailing housing market, to include social housing stock in the city.

This document describes the policy in detail – including who is eligible to apply for housing and how priority is given to different applicants.

As there are not enough social housing properties in Nottingham to meet the demand, it is necessary to prioritise applicants so that properties that become available are offered fairly. The policy has been framed to address this aim.

NCC also offers support to prevent homelessness, and assist people in urgent housing need to access a home that will meet their requirements.

1.2 Key Aims & Objectives

The key objectives of the allocations policy and Choice Based Lettings (CBL) scheme are:

- to ensure the allocation of social housing is open, fair and accountable to applicants
- to help create safe, mixed and balanced communities that contribute to sustainable regeneration
- to encourage genuine customer choice and empowerment
- to address housing need for residents of Nottingham City and those with a local connection to the City
- to widen the housing options for residents of Nottingham City
- to give new tenants a feeling of ownership of their property
- to make more efficient use of the available housing stock
- to ensure that properties are appropriately allocated to applicants according to type and size for their needs
- to reduce the time properties are void between lettings
- to help tackle low demand for some types of properties
- to reduce the number of refusals on 'hard to let' properties

- to ensure the policy has flexibility to address specific local issues
- to create a customer-led choice based lettings system
- to increase understanding and satisfaction in the lettings system
- to create a single point of access to all social housing in Nottingham City
- to bring together a larger pool of available housing, giving applicants more choice and helping to ease localised problems of high demand
- to enable greater mobility within Nottingham City
- to ensure the scheme meets government objectives and requirements
- to meet the legal requirements for the allocation of social housing as set out in Part VI of the Housing Act (1996) as amended by the Homelessness Act (2002)

1.3 Annual lettings plan

NCC's allocation policy provides for the operation of an annual lettings plan that will set targets for allocations in accordance with local needs. The plan sets to achieve an appropriate balance in meeting a range of housing needs, helping to promote more sustainable and balanced communities. Lettings outcomes will be closely monitored to ensure that, in overall terms, preference is continued to be given to those in the greatest housing need.

1.4 Local Lettings Policies

In the interest of sustainable, manageable communities, 'Local Lettings Policies' (LLPs) are applied in certain areas of Nottingham City which have particular problems, for example, crime and antisocial behaviour. LLPs may also be used to address other local priorities, for example, supporting people in work or seeking work.

This will usually mean that certain restrictions are placed on the letting of properties within the area.

Each HomeLink partner is responsible for agreeing their own LLPs. However, wherever possible, this will be done in consultation with all HomeLink partners.

LLPs are reviewed regularly and every attempt is made to keep the use of Local Lettings Policies to an absolute minimum.

A LLP will only be established when there is sufficient evidence to warrant it. The reason for it will be recorded, including a clear definition of the particular problem to be addressed, timescale and how the outcome will be measured.

Because LLPs are subject to frequent review and change they are not listed in this document. However a copy of the current LLPs in place throughout Nottingham City can be obtained at any Area Housing Office, or viewed on the NCH and Nottingham HomeLink website.

1.5 Nottingham HomeLink choice based lettings scheme

Applications for, and allocations to, social housing stock are administered through the Nottingham CBL scheme, called Nottingham 'HomeLink', which is operated by

NCH on behalf of the NCC and other local Registered Providers (Housing Associations), under a Partnership Agreement.

The partner Registered Providers are:

- Accent Nene Limited
- Affinity Sutton
- Derwent Living
- Guinness Northern Counties
- LHA ASRA (Family First / Leicester Housing Association)
- Longhurst and Havelock Homes Limited
- Nottingham Community Housing Association Limited
- Places for People Homes Limited
- Raglan Housing Association Limited
- Spirita
- Tuntum Housing Association Limited

Including NCC/NCH, the above Registered Providers are referred to collectively as HomeLink partners in this policy.

The CBL scheme is there to provide choice for applicants and make best use of available housing.

When customers approach NCH for assistance with housing, the first priority will always be to discuss all the available housing options and pursue the best solution according to the customer's circumstances.

Nottingham HomeLink aims to give customers more choice in where they live. It also gives more transparency to the allocation process, as feedback is given on how each property is let.

More information is available from the website www.nottinghamHomeLink.org.uk or in the leaflet 'Guide to Nottingham HomeLink' which can be obtained from any NCH area housing office, the NCH Housing Services Centre, and from the offices of the HomeLink partners.

The two main aspects of the scheme are:

1. the processing of applications for housing
2. the advertising and allocation of vacant properties to suitable applicants

Once registered, applications are placed on HomeLink's database (Housing Register). NCC operates a banding scheme (Bands One to Band Five) which has been devised to determine priority between applications and how they are ordered within each band. See section 4 for further details.

1.6 Legal framework

It is a requirement under Part V1 of the Housing Act 1996 as amended by the Homelessness Act 2002 that all Local Authorities must have and publish an

allocations scheme (policy), and ensure that properties are offered according to that policy.

This policy takes into account the requirements of the above legislation and the relevant statutory guidance including “Allocation of Accommodation: Choice Based Lettings Code of Guidance for Local Authorities” published August 2009 and the “Fair and Flexible” guidance published in December 2009.

Reasonable Preference (RP)

Section 167(2) of the legislation requires that the allocations policy must be framed to give reasonable preference to certain categories of people as follows:

1. people who are homeless (within the meaning of Part VII of the 1996 Act)
2. people who are owed a duty by any Local Authority under section 190(2) 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
3. people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
4. people who need to move on medical or welfare grounds, including grounds relating to a disability
5. people who need to move to a particular locality in the district of the Local Authority where failure to meet that need would cause hardship (to themselves or to others)

Applications from these categories of people are therefore placed within Bands One, Two, Three, and Four of the Housing Register.

1.7 Equalities

Nottingham City Council and its partners are committed to the promotion of equality of opportunity and anti-discriminatory practices in the provision of services to ensure that housing applicants are treated fairly.

Applicants who are eligible to join the Housing Register will not be discriminated against on the grounds of race, colour, ethnic or national origin, disability, religion, age, gender, sexual orientation or marital status.

Regular monitoring and equality impact assessments will be carried out to ensure equality of opportunity and anti-discriminatory practices.

1.8 Confidentiality

The Data Protection Act 1998 and Section 166 of the 1996 Housing Act will be observed at all times.

However, by signing the declaration on the application form, applicants are agreeing to their information being shared, where necessary, with members of the HomeLink partnership and other relevant agencies, including non-partner Registered Providers.

Applicants are entitled to see their application file if they so wish. If the file contains information from third parties, for example letters from doctors and other agencies,

each third party must be contacted for their consent before these documents are made available.

2 The application process

2.1 Processing applications – The Housing Register

It is the responsibility of NCH staff in the HomeLink team to maintain the Housing Register and ensure that applications are kept up to date.

Anyone can make an application for housing, and most people are eligible to go onto the Housing Register, although there are some exceptions which are set out in section 3.2, People not eligible to join the Housing Register.

Once an application has been received, checks are carried out to determine if the applicant is eligible to go on to the Housing Register. If they are not eligible, they will be informed of the reason why and they may appeal this decision if they wish; see section 6.1, Right to review under part VI Housing Act 1996.

Once a customer has been accepted as eligible, their application will be assessed and they will be placed into one of five 'bands' on the Housing Register. The band will reflect their current housing circumstances and their requirements. A full list of the criteria for each band is given in section 4, The Housing Register Banding Scheme.

If a customer feels that they have been placed in the wrong band, they can request a review of the decision; see section 6.1 Right to review under part VI Housing Act 1996.

2.2 Obtaining an application form

Applications can be made on line on the HomeLink website at www.nottinghamhomelink.org.uk or by completing a paper application form which can be obtained…

- from any area office of each HomeLink partner
- from NCC's Housing Aid Centre
- by downloading a copy from the HomeLink website www.nottinghamhomelink.org.uk
- from various other local advice centres / agencies

The form is available in large print and, if required, a verbal translation service can be arranged.

Applicants who require assistance in completing the form, can get help from any of the HomeLink Partners listed in section 1.3 above.

2.3 Assessing application forms

Completed application forms are assessed by the HomeLink team.

Where an application form is returned by an applicant with insufficient information to enable the HomeLink team to process the application, the form will be returned to the applicant and the application will remain inactive/unregistered pending receipt of the required information.

At any time, if an applicant is found to have given false information or has failed to make a material disclosure, they can be removed from the housing register and

their application rendered void. Any subsequent application must contain all material information.

The date of registration will be the date the completed form (with all required information) is received, provided the information received means an application is still eligible to be registered.

2.3.1 Verification of applicants and documentation required

All applicants will be required to provide certain information as detailed below:

- proof of suitability to be a tenant for each member of the household, for example references from previous landlords
- at least **two** forms of identification, one of which shows current address, and another with the applicant's signature
- proof of address of current accommodation and tenancy status
- details of last 5 years accommodation
- photographic identification for every person aged16 and over in the household
- details of all household members (name, DoB, ethnicity, NI number, etc)
- proof of any local connection to Nottingham City
- disclosure of any non-spent convictions of the applicant(s) and / or any member of the household
- disclosure of any housing or tenancy related action (current or previous), taken against the applicant(s) and/or any member of the prospective household, relating to rent arrears, anti social behaviour or any other breaches of tenancy, including notices served or court orders obtained

2.3.2 Additional evidence for certain groups

In addition, extra evidence is required to verify **certain** categories of applicant which can include proof of:

- pregnancy
- access to children / child benefit
- nationality / immigration status
- habitual residence
- medical / disability problems
- overcrowding assessment
- Public Health assessment, regarding housing conditions – in cases where the applicant considers that they are living in insanitary or unsatisfactory housing conditions
- support needs
- agency recommendations
- landlord management reports and recommendations

- eligibility for 'local area preference' where applicable, see section 4.5.1 Application Accelerators …. Local Area Preference (LAP)

2.3.3 Notifying applicants

All applicants accepted as eligible for re-housing will be sent a registration letter informing them of the outcome of their application, the band awarded and the reasons why.

They will also be given information on how to bid for properties.

Applicants who are ineligible for housing, will be informed, in writing, of this with the reasons why and information on their right to review, see section 6.1 Right to review under part VI Housing Act 1996.

2.4 Special categories of applicant – additional steps

2.4.1 Support needs / risk assessment

All new applications for housing will be checked to see whether they will have any support needs when they become a tenant. This is done in order to ensure that all new tenants have the best possible chance to sustain their tenancy and to minimise the risk of failure.

All applications will also be checked to identify and manage any risk, either to the applicant or from the applicant, in addition to identifying people who may not be eligible for housing in certain areas where there is a LLP in place.

2.4.2 Assessment of Homeless cases

People who believe they are currently homeless, or are threatened with homelessness within 28 days, may make a homeless application.

Homeless applicants will normally be assessed by the NCC's Housing Aid section.

Certain applicants who are applying as homeless to other Local Authorities may be subject to the allocations policies of those Local Authorities, and they will be told this at the time that they apply.

2.4.3 Processing cases of severe harassment, domestic violence or threats of violence

Applicants fleeing violence will be assessed according to their current housing circumstances.

Tenants of HomeLink partners' suffering racial harassment, domestic violence or other threats of violence, who are applying for re-housing, will be initially assessed by their local / area office.

Applicants in this situation, who are not tenants of a HomeLink partner, may be directed to NCC Housing Aid or the relevant housing advice service, where a full housing options assessment will take place.

2.4.4 'Related parties'

All applicants are asked to declare if they are a 'related party'.

'Related parties' are people who are either:

- Local Authority elected members

- HomeLink partner organisation's board members
- members of staff of any partner organisation
- or relatives of any of elected / board member or member of staff

Applications of 'related parties' are registered and maintained centrally and are subject to additional scrutiny to ensure that no applicant has an unfair advantage over another applicant.

2.4.5 Allocations and Tenancy Management Panel

A panel of senior officers will meet weekly to consider and make decisions on various allocations matters which include decisions on applicant's eligibility and priority as follows:

- Housing Management recommendations for increased banding (NCH tenants and where necessary non social housing tenants)
- Housing Management recommendations to remove previous increased priority
- confirmation of decisions to either not to allow applicants onto the Housing Register, or to take them off the register, because of the applicant's unacceptable behaviour (see section 3.2.2 Perpetrators of unacceptable behaviour)
- permission to make a direct offer for urgent cases or for good housing management reasons in the case of non-crisis situations

2.5 Housing advice

Applicants will be encouraged to consider all the housing options open to them, particularly because there may be a significant length of time before they can be offered a property through the Housing Register or if they are ineligible to apply.

All housing options will be explored, including:

- accessing accommodation in the private sector
- assistance with housing rights, including landlord and tenant negotiations
- debt advice and housing benefit advice
- referral to a mediation scheme
- referral to the Sanctuary[1] scheme
- assistance in accessing support
- the use of guaranteed deposit schemes
- low cost homeownership including shared ownership
- mutual exchanges

[1] Sanctuary – The City's scheme to support survivors of domestic violence to remain in their homes with additional security measures to keep them safe

2.6 Notification of change in circumstances

2.6.1 Applicants requirement to notify changes

The registration letter advises applicants to inform Nottingham HomeLink of any change of circumstances as soon as they become aware of them.

Notification may be by telephone, on-line, in an office interview or via the annual review process.

It is important that applicants inform Nottingham HomeLink of any changes in their circumstances immediately, so that any effect on their application can be assessed and the applicant informed.

Wherever possible, it is in the best interest of the applicant to notify HomeLink before the change occurs, in particular, when a change of address or change of tenure type occurs, as they may no longer be eligible to remain on the register or their banding / list position may change.

2.6.2 Movement between bands after re-assessment

If, as the result of a re-assessment, the applicant is moved to a higher or lower band, the applicant will be informed in writing.

If they are moved to a lower band, the applicant will also be informed of the reason for the change of band and their right of review.

2.7 Annual review

The Housing Register is reviewed annually.

On the anniversary of their registration date, applicants will be sent an annual review letter and form to complete, in order to confirm that they are still actively seeking accommodation and either that their circumstances remain unchanged or to notify HomeLink of any changes.

On return / confirmation that the applicant(s) are still seeking housing, all applications will be reassessed and any change in their place on the register will be notified to the applicant.

If they do not reply within 21 days, either their application will be closed; or, if the applicant appears to be vulnerable, they will be contacted by a HomeLink support officer, after which, subject to circumstances, their application may be closed.

2.8 Closing applications

Applications will be closed if:

- as a result of a re-assessment the applicant is no longer eligible for housing
- the applicant does not reply to an offer letter, a review letter, or any other letter or contact made requesting a response
- a change of tenure occurs
  Meaning if a non-social housing tenant becomes a social housing tenant (not via the HomeLink scheme) or vice versa, the application will be closed and the applicant will have to make a new application. Waiting time will not be carried forward.

Before any application is closed, checks will be made to ensure that if there are any known vulnerability issues, the applicants support worker / networks will be contacted.

All applicants whose applications are closed will be informed in writing and will be given the right to a review of this decision, see section 6, Review Procedure.

2.9 Re-instatement into a band

In certain circumstances it is possible to re-instate a closed application, but the following must apply:

- the applicant is eligible to be registered and has been eligible since the original application date
- the applicant still lives at the last known address and holds the same tenure
- all relevant forms have been completed and additional information provided, including proof of address and tenure type, going back as far as the original application date
- the applicant has not bought a property, obtained a council or housing association tenancy, since the original application date
- the application was closed within six months prior to the request for re-instatement
- an office-based interview has taken place

A re-instated application will retain its original registration date and band start date, if the re-instated application has the same band as the original application prior to closure.

More information on the Review and Appeals procedures relating to the Housing Register can be found in section 6, Review Procedure.

3 The Housing Register - eligibility

3.1 Overview

Anyone seeking advice and help with housing can make an application to join the Housing Register, but only some people are eligible for social housing.

Everyone seeking help with housing from NCH or one of the HomeLink partners will be offered advice about their housing options regardless of whether they are eligible to join the Housing Register.

Any person may be allocated housing and therefore accepted onto the Housing Register, provided that s/he is over 16 and not ineligible under the Housing Act 1996 Section 160A as listed below in section 3.2.

An allocation may not be made to two or more persons jointly if one of them is ineligible.

3.2 People not eligible to join the Housing Register

3.2.1 People from abroad

Housing accommodation will not allocated to persons from abroad who are ineligible for housing if:

1. they are subject to immigration control within the meaning of the Asylum and Immigration Act 1996, unless Regulations by the Secretary of State prescribe otherwise
2. they fall within a class of persons who are ineligible by virtue of Regulations made by the Secretary of State

Unless, they are already a secure tenant, an introductory tenant or an assured tenant of housing accommodation allocated to them by a Local Housing Authority.

3.2.2 Perpetrators of unacceptable behaviour

The following are ineligible for an allocation of housing accommodation if:

- the applicant or a member of their household has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant: and in the circumstances at the time the application is considered, they are unsuitable to be a tenant by reason of that behaviour
- the behaviour referred to above, is that which would (if the applicant or any of their household were a secure tenant of NCC) entitle NCC to a Possession Order under section 84 of the Housing Act 1985 on any ground in Part 1 to Schedule 2 to that Act (except ground 8)
  This could include rent arrears, anti-social behaviour or other breaches of tenancy.

NB If such behaviour occurs after an initial application has been made, it can still be considered at the point of short listing applicants for a particular property and they can be removed from the register.

3.2.3 Notification of ineligibility

If it is decided that any applicants are ineligible to join the Housing Register, there is a requirement to give the applicants written notification of that decision, together with information about their right to a review. In these circumstances the applicants will be informed in writing by the HomeLink team.

If an applicant is considered to be ineligible for an allocation after they have registered, they will also be notified of this in writing and will have a right of review against this decision.

A review procedure is in place, and is fully explained in section 6, Review procedures.

3.3 Single and joint applications

Applications can be made in the name of one person or up to four people.

The application should include details of all people wishing to be housed together.

3.3.1 Single applications

Single applications can include people living on their own, or people wanting to apply for a tenancy themselves who may have other people included in their household on their application.

When assessing eligibility, all household members' circumstances will be assessed.

If a single applicant is offered and accepts a tenancy, the tenancy will be granted only in their name.

3.3.2 Joint applications

Joint applications can be accepted for up to 4 people. Joint applications should be from adults who have a long term commitment to live together. All joint applicants must agree that they are applying together and in order to be accepted as joint applicants, each individual must be eligible for acceptance on to the Housing Register.

If joint applicants are offered and accept a tenancy, they will, in turn, become joint tenants to the tenancy and are jointly responsible for complying with the conditions of the tenancy.

Applicants no longer wishing to apply jointly

If one / both / all applicants in a joint application no longer wish to apply jointly and want to be considered on their own, separate applications can be made from the original joint application.

When a request to split the joint application is received, each party's circumstances will be re-assessed separately to see if they remain eligible and if so, an appropriate band awarded.

Separate applicant with same or lower band – registration / band date

If the separate applicant is awarded the same or a lower band as was awarded to the joint application, they will retain the same registration / band dates as in the original application.

Separate applicant with higher band – registration / band date

If the separate applicant's circumstances have altered so much that they are awarded a higher band, the registration date will remain the same but their new band start date will commence on the date they are placed in the higher band.

3.4 Family households

Applicants will be regarded as having a 'family' where at least one dependant child is living permanently within the household. This includes natural children of the applicant(s), plus adopted and foster children.

In this policy, 'dependent' children are defined as children aged up to 18, who must be living with the applicant as their main home.

Children aged over 18, but still living at home, are regarded as adult members of the household.

Where the applicant has access to their children, but whose main home is with the other parent or another carer, they will not be counted as permanent members of the household. However their access arrangements will be taken into account when assessing their housing need.

3.5 Pregnant applicants

Applicants who are pregnant will be accepted as a 'family', requiring appropriate sized accommodation, as soon as their pregnancy has been confirmed.

However, applicants who are pregnant will have their application circumstances re-assessed immediately prior to an offer being made, to ensure that they are still eligible for the size and type of accommodation according to the occupancy rules.

3.6 Age qualification for 16 & 17 year olds

Although people aged 16 years or over can register on the list, they will usually only be considered for housing after they have reached 18.

The exceptions to this are:

- homeless young people to whom a duty is owed (Part VII, Housing Act '96)
- NCC care leavers with a firm recommendation from Children's Services
- any other firm recommendation from Adult or Children's Services
- teenage parents, referred by Housing Aid, who have a full assessment and support plan in place, who are also at risk of losing their accommodation

Any tenancy granted to a person under the age of 18, has to be 'held in trust' for them by a responsible adult who is required to act in their best interests. The responsible adult is someone appointed to act on their behalf.

4 The Banding Scheme

4.1 Overview of the banding scheme

The mechanism for administering the allocations policy is a 'banding' scheme which has been devised to assess eligible applicants, determine their level of priority (band) and the order of applicants within the different bands.

Once a single or joint application has been received, the application will be assessed and eligible applicant(s) will be placed into an appropriate band (Band One to Five).

Local Authorities are required by law to give 'reasonable preference' (RP) to applicants displaying certain housing need and these are incorporated within Bands One to Four.

By assessing their individual housing circumstances all applicants are placed within one of five bands depending on their current circumstances – Band One holds the highest priority and Band Five the lowest.

4.2 Summary of the banding scheme categories

This table shows the 5 bands with the categories of need included in each band – the detailed explanation of each category is in the next section.

BAND ONE: Homeless	BAND TWO:	BAND THREE:	Band Four:	Band Five:
Statutory Homeless (RP)	Severe racial harassment, domestic violence or other threats of violence Medical and disability grounds (RP) People in hospital ready for discharge – own home can't be adapted to requirements (RP) Welfare grounds - general (RP) Welfare grounds -Young people leaving care (RP) Insanitary and / or Unsatisfactory Housing Conditions (RP) Severe overcrowding (RP) Vulnerable Teenage parents Nottingham City Rough Sleepers Permanent moves due to major repairs / redevelopment Families with more than 1 child living in 1 bed accommodation within the City Families living in City high rise flats for over 2 years **Releasing high demand properties:** • under occupation by 2 or more bedrooms • giving up adapted properties • releasing property to address urgent need Social Housing tenants employed by HomeLink partners, leaving tied accommodation Management Recommendations – survivors with no right of statutory succession	Priority need - Intentional Homeless (RP) Social Housing Tenants who need to move for management reasons: • non violent relationship breakdown • serious and irreconcilable neighbour disputes/lower level harassment • former tenants who gave up tenancy when sent to prison • tenants with physical/mental health issues (RP) Non-urgent welfare cases (RP) Hardship Cases (RP) Overcrowding – lacking at least 1 bedroom (RP) Hostel residents with move-on support referred through Homelessness Prevention Gateway Families within the City living in flats / maisonettes without garden **Special Circumstances:** • foster parents requiring larger property • prospective adopters Nottingham City Lodgers with dependant children living with them	Other Homeless Households (RP) Other Overcrowding (by reason, other than natural growth) (RP) Social housing tenants not in Bands 1-3 Private Tenants Lodgers without dependant children living with them Lodgers with dependent children living outside the City Homeowners who do not fall into higher need band	People aged under 18 without exceptional circumstances Hostel residents without move-on support People serving in HM Forces and living in Forces accommodation People serving a custodial sentence People employed by a HomeLink partner with accommodation tied to their employment

(RP) = Reasonable preference group

4.3 Details of banding scheme categories

These are the definitions for the groups within the bands and qualifying criteria.

Those with (**RP**) denoted next to them are groups which have been afforded 'Reasonable Preference' as defined by Section 167(2) of the Housing Act 1996.

4.3.1 BAND ONE: Homeless (RP)

Band One is specifically for households under Part VII Housing Act 1996, to whom a full Housing duty is owed. These applicants will be dealt with by NCC's Housing Aid. Applicants accepted as homeless to whom a full duty is owed, but who have a connection with another Local Authority, could be referred back to that Local Authority in accordance with Section 198 Housing Act 1996.

This category may include tenants of HomeLink partner landlords who become homeless and have an immediate need to move.

4.3.2 BAND TWO:

Severe racial harassment, domestic violence or threats of violence

Applicants, who are experiencing serious harassment, domestic violence or other threats of violence, where there is a serious risk of harm to a member of the household, if they were to stay in their current accommodation.

This category is for:

- HomeLink partner tenants who, after a full investigation, have received a management recommendation for urgent re-housing
- applicants who have been accepted under partnership arrangements with the police and the National Witness Mobility Service which operate for victims and witnesses of serious crime
- applicants living temporarily in a refuge, who are potentially homeless in accordance with Section 198 Housing Act 1996, but have been assessed as needing additional move on support over a set period of time

Medical and disability grounds (RP

This category relates to applicant(s) who have an urgent need to move on medical grounds or disability.

To qualify for this category , an applicant or a member of their prospective household must:

a) have a diagnosed medical condition and/or disability; and

b) have an urgent need to move because they are living in accommodation that is unsuitable for them or a member of their prospective household, by virtue of their medical condition and/or disability for one of the following reasons:

   (i) they are unable to function independently in their home; and /or

   (ii) they are unable to manage access to their home or access is very limited.

And in either (i) or (ii) above, it must not be possible to remedy the problem in any way, for example, by the applicant(s) arranging/obtaining adaptations to the property or by the provision of other support.

The assessments will be conducted by NCH, taking into account one or more of the following:

1. Advice and/or evidence from health and social care professionals for example GP's Consultants and Social Services.
2. Firm recommendations from Occupational Therapy (OT) or Adult/Child Social Services or Nottingham Healthcare Trust.

People in hospital ready for discharge – own home cannot be adapted (RP)

People who are in hospital, or another institutional care facility, who cannot return to their present accommodation, as it is considered no longer suitable / cannot be adapted.

There must be a specific recommendation, with supporting evidence, from the hospital / institution and a detailed care / support package must be in place before the applicant is placed in this band.

This category will also include people leaving hospital or another institutional care facility who:

- gave up a tenancy before going into hospital as their property was no longer suitable
- will face homelessness if discharged because their previous accommodation is not suitable

Welfare grounds - general (RP)

Applicants considered within this category will have severe support / care needs and be in considerable / urgent risk in their present accommodation.

This category will also include recommendations on the grounds of mental health.

Recommendation may be received from:

- NCC Adult or Children's Social Care Services
- Nottingham Healthcare Trust

Welfare grounds - young people leaving care (RP)

Applicants who are Nottingham City 'care leavers' will be placed in this category if they have been recommended for housing by Children's Services and are accepted under the care leavers' protocol. A copy of the protocol is in Appendix 1: Care Leavers Protocol.

A 'care leaver' is defined as a young person between 16 and 21 who was in the care of NCC at the time of their 16th birthday.

Care leavers do not have to be currently resident in Local Authority accommodation in order to fall within the scope of the protocol.

Nottingham City rough sleepers who are in regular contact with support services

Applicants referred under the 'Rough Sleepers Initiative' by either Housing Aid or from the Street Outreach Team.

Applicants who qualify for this priority are people who…

1. have a significant history of sleeping rough on the streets within the past twelve months
2. have current and regular engagement with support services
3. have been the subject of a case conference by the multi-agency 'Rough Sleeping Task Group' and are considered appropriate candidates for housing
4. are accepting a future package of housing related support agreed by the multi-agency, Rough Sleeping Task Group

Band Two priority will only be awarded when the Task Group is confident that, on the balance of factors and risks, the applicant will be able to sustain his or her own tenancy with the appropriate agreed support package.

Permanent moves due to major repairs / redevelopment

These applicants are usually, but not always, living within a regeneration scheme led by NCC. Where re-housing into a social rented tenancy has been agreed, residents will be awarded this category within Band Two.

Within regeneration schemes, homeowners and leaseholders who are required to move due to area redevelopment work, will be considered for allocation of a social rented tenancy **only** when suitable alternative residential accommodation on reasonable terms is not otherwise available.

The band start date will be set from the approval date for the scheme; and then dated sequentially within regeneration phases.

Additionally, the criterion for determining priority order of applicants in this category who have identical band start dates will be their length of occupancy in their dwelling. The residents with the earliest tenancy start date will take priority.

Insanitary and / or unsatisfactory housing conditions - serious cases (RP)

Applicant(s) will only be placed in this band once they have been assessed by the Public Health Section as living in insanitary or unsatisfactory housing conditions. Insanitary or unsatisfactory housing conditions are considered to be those where there is a Category One hazard at the applicant's current home, which cannot reasonably be remedied. A Category One hazard is as defined in the Housing Health and Safety Rating System (HHSRS) – Housing Act 2004.

Pending the outcome of the assessment, applicant (s) are placed in a band according to their other housing needs.

Judgements about whether an applicant is placed in this band under the particular category will focus on the presence of a Category One hazard being in existence in the applicants(s) current home. Although this alone may not warrant the re-housing of the applicant(s).

A number of additional factors will also be considered, including but not limited to the practicality, reasonableness and economic viability of remedying the hazard.

Once the assessment has been carried out and relevant additional factors taken into account, a decision will be taken by NCH as to whether to award an applicant priority under this category.

Severe overcrowding (RP)

This category includes:

1. households whose current accommodation is 'Statutorily overcrowded', by way of natural growth, taking into account the legal permitted number of occupants for the size of dwelling, according to the Housing Act 1985, or
2. households who are two or more bedrooms short of the bedroom standard, detailed below, by way of natural growth

The bedroom standard is a separate bedroom is required for each…

- married or cohabiting couple
- adult aged 21 years or more
- pair of adolescents age 10-20 years of the same sex
- pair of children aged under 10 years regardless of sex

  (Any unpaired person aged 10-20 years is paired, if possible, with a child aged less than 10 years of the same sex. If that is not possible a separate bedroom is allocated. The same applies for an unpaired person under 10.)

A claim of severe overcrowding is only considered where it arises as the product of natural growth i.e. it occurs when a new child is born, adopted / fostered or when household members reach the relevant age.

If the applicant's current property has 2 reception rooms, providing there are no safety reasons why it cannot be used as a bedroom (such as the presence of a fire with back boiler in the room), then one reception room will be counted as a bedroom when assessing if there is overcrowding.

Vulnerable teenage parents who are at risk of losing their accommodation

Applicants who are teenage (16-19 year old) parents and pregnant 16-19 year olds who are at imminent risk of losing their current accommodation will be referred to their local housing aid service for a Homelessness Prevention Gateway[2] overview assessment of housing and support needs.

These cases will be awarded Band Two if the assessment confirms that the applicant is at risk of losing their accommodation, but have a support plan in place and are capable of sustaining a tenancy.

Families with more than 1 child living in 1 bed accommodation within Nottingham City

This category includes tenants (who are not lodgers) whose households include at least two or more dependant children aged up to 18. The tenancy can be either in social housing or be to a private rented property.

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[2] 'Homelessness Prevention Gateway' – he process carried out by Housing Aid to fully assess individual support and accommodation needs so that appropriate services can be provided

This priority will usually only be considered where it arises as the product of natural growth i.e. it occurs when a new child is born, adopted / fostered, or residency is altered for a child to live with family on a full time basis.

If this situation has occurred through family moving into accommodation which is inadequate in terms of size for their family, the priority will not usually be awarded, unless there is proof that there was no other option for the family.

Proof will be needed of the tenancy, property size and family composition.

Families living in Nottingham City high rise accommodation with dependent children, for over 2 years

This category is meant to promote the successful re-housing of families with young children who are living in Nottingham City high rise accommodation and are conducting their tenancy in a satisfactory manner. Families living in high rise flats with dependent children will usually be placed in Band Three. However when they have lived in the accommodation with their child(ren) for 2 years they will be placed in Band Two, providing they are conducting their tenancy in a satisfactory manner.

Applicants with rent arrears or where there is a possession order in force will not qualify for this category.

These families will be given individual bidding support to help them to move to more suitable accommodation.

Releasing high demand properties

This category includes applicants whose current dwelling is a type of high demand property which, when they move, will then be available for other HomeLink applicants:

- **Under-occupation** - applicants who are social housing tenants of HomeLink partner landlords and will be vacating high demand properties, which are under-occupied by 2 bedrooms or more, and where their property is not part of a Local Lettings Policy or Plan where under-occupation is allowed. (*This will include applicants who have succeeded to a tenancy but who will not fully occupy the property*).

  The relevant landlord will make an assessment of the likely demand for the property that will be vacated.

  Applicants in this category, who are relinquishing a larger family home (three bedrooms plus), may be allocated a property with 1 bedroom more than their household requires, as defined by the occupancy criteria and subject to availability.

- **Social housing tenants of HomeLink partner landlords vacating an adapted property**, which is in high demand and where the adaptations are no longer needed. This is either because the person for whom the adaptations were installed no longer needs them, or the person with disabilities does not reside there anymore.

  The relevant landlord and adaptations agency NCC will make an assessment of the likely demand for the property that will be vacated

- **Social housing tenants of HomeLink partner landlords releasing property for re-letting to applicants in urgent housing need.** This may include people living in supported accommodation where they no longer

require that level of support, and people leaving properties where there is shortage of supply but high demand from urgent need cases.

The relevant landlord will make an assessment of the likely demand for the property that will be vacated.

Social housing tenants employed by one of the HomeLink partners leaving tied accommodation

Current employees of HomeLink partner organisations, (NCC, NCH & partner Registered Providers), with a tied tenancy, who have a definitive leaving date, will be considered for re-housing within Band Two in the following circumstances:

- those leaving their job because of retirement due to age or ill health
- those leaving their job because of redundancy
- those who gave up their council tenancy to take up their tied tenancy, even if they are leaving their job for reasons other than retirement or redundancy and in some types of dismissal

Placement into Band Two will be no longer than 6 months prior to the agreed leaving date.

The detailed policy on people with Tied Accommodation tenancies is in Appendix 3: Policy for Tied Accommodation Tenants.

Management recommendations - survivors with no right of statutory succession

This category is for occupiers remaining in a property managed by one of the HomeLink partner landlords after the death of the tenant, where there are no rights to statutory succession, but where a management recommendation has been approved to allow the occupiers to remain in the property or be re-housed elsewhere.

In these circumstances a direct offer will be made in order to free up the property they occupy and to make best use of that property.

All cases will be considered with extreme sensitivity. See Appendix 2: Non-Successors.

6 month review of Band Two applicants

Applicants in housing need who have been placed into Band Two will be given one to one support and advice to assist them to bid effectively, and therefore take the opportunity to move into accommodation which will resolve their current urgent need for re-housing.

After six months, applicants who have not accepted an offer will have their status reviewed.

If the outcome of the review identifies there is still an urgent need to move, one ‘direct offer’ will be made of a property suitable in terms of size and facilities for the applicant(s) needs.

If the offer is refused, the applicant(s) will be removed from Band Two and placed in a different band, according to their circumstances.

Only exceptional cases, where there have been no opportunities for them to bid, or reach the top of the shortlist of a suitable property, will be allowed to remain in Band Two.

4.3.3 BAND THREE:

Priority need but intentionally homeless (RP)

Applicants who have been assessed by the Local Authority as homeless and in priority need, but have been found to be 'intentionally homeless', as defined by Section 191 of the Housing Act 1996.

Social housing tenants who need to move for management reasons

This category recognises the needs of HomeLink partners to maximise the use of the social housing stock, or to move some tenants for management reasons which do not warrant urgent re-housing.

All cases will be as a result of an approved HomeLink partner landlord recommendation.

Types of cases may include:

- **non violent relationship breakdown**
  (*only in the cases of families with dependent children or where the tenant has been identified as vulnerable and in need of additional sup*port).
- **cases of harassment / serious irreconcilable neighbour disputes** involving tenants of HomeLink partners, where the applicant is considered not to be in fear of violence, but where there is still a case for re-housing
- **former tenants who gave up their tenancy when sent to prison** and where there has been an agreement at the time of termination to re-house on release
- **tenants with physical or mental health problems, not considered chronic / severe (RP)**, but where Housing Management or another support agency believes there are grounds for re-housing because their current housing impacts negatively on the physical or mental well being of a member of the household

Hostel residents needing to move on with support plan in place

Hostel residents referred through the 'Homelessness Prevention 'Gateway'[3] who have undergone an assessment of housing and support needs and have a support plan put in place, are moved to Band Three when it is deemed they have the capability to live independently.

The support package is designed to assist people to improve their life skills to sustain a tenancy.

There are two exceptions to the requirement to have a support package:

- people living in a women's aid refuge (hostel)

[3] 'Homelessness Prevention Gateway' – The process carried out by Housing Aid to fully assess individual support and accommodation needs so that appropriate services can be provided.

- refugees living in hostels, whose circumstances are generally different to other hostel dwellers, in that their presence in a hostel is not usually associated with a history of homelessness and / or a chaotic lifestyle

Non-urgent welfare cases (RP)

Households who are considered to be living in accommodation which is unsuitable for their needs, but are not considered to be in urgent need of re-housing.

This category will include not only applicants who need a move due to social / care needs, but also those with other social needs which do not require ongoing care and support, such as vulnerable people who have a need to have a secure base in which to build a stable life, but who could not be expected to find their own accommodation.

Recommendation may be received from:

- NCC Adult or Children's Social Care Services
- Nottingham Healthcare Trust

Hardship cases (RP)

This category includes people who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship.

Examples include a person who needs to move to a different locality:

- in order to give or receive care
- to access specialised medical treatment
- to take up a particular employment education or training opportunity

Overcrowding – lacking at least 1 bedroom (RP)

This relates to applicants who are not statutorily overcrowded, but are, as a result of natural growth, lacking at least one bedroom, according to the bedroom standard, as detailed in section 4.3.2 Severe Overcrowding

A claim of overcrowding is usually only considered where it arises as the product of natural growth i.e. it occurs when a new child is born, adopted / fostered or when household members reach the relevant age, unless there is proof that the person(s) causing the overcrowding had no other option but to join the applicant(s) household.

If the applicant's current property has 2 reception rooms, providing there are no safety reasons why it cannot be used as a bedroom (such as the presence of a fire with back boiler in the room), then one reception room will be counted as a bedroom when assessing if there is overcrowding.

Families living in flats/maisonettes within Nottingham City with no access to a private garden

This category has families with dependant children, living within Nottingham City, in flats or maisonettes without access to a private garden, but which are otherwise suitable to occupy. This must be confirmed either by the social landlord's records or a site visit.

A child must be residing in the property as their permanent residence, not as part of a contact or access arrangement. Documentary proof will be required that the child(ren) reside with the applicant(s).

These families will be given individual bidding support to help them to move to more suitable accommodation.

Nottingham City lodgers with dependent children living with them (as their main home)

This category includes applicants with dependant children, who are living as lodgers in insecure accommodation, within Nottingham City.

Lodgers are defined as people who share a home with their landlord (who may be a stranger, family member or friend). Proof of such circumstances will be required.

This is in line with one of the key aims of the policy namely "to address housing need for residents of Nottingham City and those with a local connection to the City".

Special circumstances / requirements

Some applicants who are placed in Band Three because of their household's special circumstances / requirements, including:

- **approved foster parents needing larger accommodation** – applicants who foster children on behalf of NCC, Adult or Children's Services, who need to move to larger accommodation in order to foster more children.
  Supporting information from Adult or Children's Services will be required.
- **approved adopters** – those who have been approved by NCC Children's Services, but are currently in unsuitable accommodation, to enable the placement of the child(ren) to occur.
  Supporting information from NCC Children's services will be required.

Review of Band Three management recommendations

Applicants, who have been placed in Band Three as a result of a management recommendation, will be given one to one support and advice to assist them to bid effectively.

All cases will be reviewed after 6 months. Only those exceptional cases, where there have been no opportunities to bid successfully, will be allowed to remain in Band Three.

If the outcome of the review identifies there is still a need to move, one 'direct offer' will be made of a property suitable in terms of size and facilities for the applicants needs.

If the offer is refused the applicant will be removed from Band Three and placed in a different band, according to their circumstances.

4.3.4 BAND FOUR:

The two 'Reasonable Preference' categories within Band Four will be placed at the top of the band and considered, in 'band date' order before other applicants within the band.

Other homeless households (RP)

The remaining types of homeless cases are included in this band:

- applicants who are homeless, but they or their household members are not in priority need as defined by Section 189, Housing Act 1996
- any other homeless household

If the applicant is roofless, the member of staff who is assessing the application will arrange an interview at a suitable location, e.g. a housing office or housing advice centre, in order to discuss other housing options and a possible referral to the Homelessness Prevention Gateway[4] project.

Other overcrowding (RP)

This category relates to those applicants who are statutorily overcrowded, but not by way of natural growth. This includes overcrowding that is caused by people (of any age) joining or re-joining the applicant(s) household, unless there is proof that the person(s) causing the overcrowding had no other option but to join the household.

Social housing tenants who wish to transfer, but do not fall into Bands One to Three

This category comprises of all social housing tenants who are requesting a transfer from their current accommodation, but who do not fall into one of the higher bands.

Private sector tenants

This includes applicants wanting to move, but who already have a private sector tenancy.

Other lodgers (without any dependent children or living outside of the City)

This category is for applicants, living as a lodger(s), in insecure accommodation.

'Lodgers' are defined as people who share a home with their landlord (who may be a stranger, family member or friend).

Proof of such circumstances will be required.

It includes both:

- applicants (single people or couples)
  Applicants within this category may have access to children whose main home is not with them.
- lodgers with dependent children living outside of Nottingham City

Homeowners

This category is for applicants who are current homeowners who want to apply for re-housing, but do not fall into a higher need band.

[4] Homelessness Prevention Gateway' – The process carried out by Housing Aid to fully assess individual support and accommodation needs so that appropriate services can be provided

4.3.5 BAND FIVE:

People aged between 16 and 18 without 'exceptional circumstances'

Applicants under the age of 18 who do not have any of the exceptional circumstances listed in section 4.3 Age Qualification for 16 & 17 year olds, are not actively considered, but their application is retained.

When the applicant reaches 18, an assessment is carried out and they are placed in the most appropriate band according to their housing circumstances at that time.

The waiting time since initial registration is carried forward to the relevant band.

Hostel residents who are yet to complete a support needs assessment

People who apply from a Nottingham City hostel and who have not yet been assessed by the Homelessness Prevention Gateway as ready to move on, will be placed in Band Five and encouraged to continue to engage with support, advice and training opportunities available through the support workers within the hostel.

The application will remain in this band until it is considered they are ready for move on when they will be placed in Band Three. The waiting time since initial registration is carried forward to Band Three.

People serving in HM Forces and living in forces accommodation

HM Forces personnel who are living in forces accommodation are not actively considered and their application is retained.

Assessment of banding will be made on the housing circumstances after discharge.

People serving a custodial sentence

Prisoners are not actively considered and their application will be retained as there is no ability to take up an offer of accommodation.

On release, prisoners are registered according to their living circumstances that will apply from that point onwards.

Prisoners who have given up a council tenancy and an agreement has been made to re-house on release, are placed within Band Three on release.

People employed by a HomeLink partner with accommodation tied to their employment

Employees living in tied accommodation with no agreed leaving date will be held in Band Five until they have a leaving date.

This includes current employees of HomeLink partner organisations, NCC, NCH and partner Registered Providers.

When an agreed leaving date is known, the application will be re-assessed due to the change of circumstances, and will be moved to the appropriate band. Movement to a higher band will be no longer than 6 months prior to the agreed leaving date.

Most types of employee will be placed within Band Two when they have a leaving date for their employment. Full details are in Appendix 3: Policy for Tied Accommodation Tenants.

4.4 Tenants of other Local Authorities and non-partner Registered Providers

Applications from social housing tenants, who have a specific urgent need to be re-housed in Nottingham City, may be accepted onto the Housing Register as a result of a 'reciprocal' request from another social landlord who is not one of the HomeLink partners.

The applicant will have been already accepted as a high priority case for re-housing according to the Registered Provider / Local Authority's own allocation criteria. Cases will only be accepted if the Registered Provider / Local Authority cannot re-house the applicant within its own stock.

4.5 Band Dates

With the exception of Band Four, once allocated to an appropriate band, applicants within the band will be ordered within the band by 'band date' order, earliest first, so priority is given to applicants with the earliest band date.

In Band Four, the two 'Reasonable Preference' categories will be placed at the top of the band and considered, in 'band date' order before any other applicants within the band.

The applicant's 'band start date' is arrived at as a combination of:

1. the date of acceptance into the band after assessment, plus
2. any additional time awarded due to their circumstances

The effect of adding additional time is to place the applicant higher in the list of applicants within their designated band, thereby accelerating their application.

4.5.1 Application 'accelerators' – additional time awards

There are three categories of applicants who may be awarded an additional time 'accelerator' in order to change their band start date to an earlier date within the band.

These are cases where the applicant is

- in Band Two and recommended for very urgent re-housing on **medical / disability grounds**
- the subject of '**local area preference**' (LAP)
- in Band Two with **more than one of the criteria** for that band

Applicants can be awarded time accelerators for all three situations if their circumstances warrant it.

Medical / disability recommendation for re-housing

Where an applicant has a very urgent medical / disability issue or is in hospital waiting for discharge and has been placed in Band Two, they are eligible for an extra 12 months acceleration to their waiting time in that band in the following circumstances.

These include people who are:

- **terminally ill** and need to facilitate their care
- **at risk** or in immediate danger of serious injury / harm **due to poor mobility** and the limiting aspects of their present accommodation
- **at risk** or in immediate danger of serious injury / harm **due to their mental health** and limiting aspects of their present accommodation
- **bed blocking** i.e. staying in hospital or another institution, where they cannot return to their present accommodation, as it is considered no longer suitable and cannot be adapted

Local Area Preference (LAP)

NCC believes that communities are strengthened if people who need housing have the opportunity to stay in the area where they currently live.

Therefore, additional waiting time of 12 months will be awarded if an applicant needs to stay in their current area because they need to…

- **have easy access to a local school or college of education** in order to continue their children's education at their current school or where a child up to the age of 18 is in education at a college of higher education
  A local school or college is defined as one which is located within two miles of the applicant's present place of residence.
- **give or receive regular family / child care support** as they have **dependent children** and give / receive regular support from a family member who also lives in the area (within a one mile radius of the accommodation)
  The support must be on a regular basis, on more than one occasion per week, and is provided to either allow parents to go to work or attend regular, essential appointments (e.g. hospital) or where there is a family support need highlighted by a professional due to vulnerability of the applicant.
- **give or receive regular disability / ill health support** as they have a **disability or permanent ill health** and give / receive regular support from a family member who also lives in the area (within a one mile radius of the accommodation).
  The support must be on a regular basis, on more than one occasion per week. Evidence will be needed to be provided from a professional person, e.g. General Practitioner or Occupational Therapist to show that the person in receipt of support is vulnerable and requires regular support from a family member.

Multiple Band Two criteria

If an applicant within Band Two has more than one Band Two housing need criteria, a time award of **an extra 6 months** is added for each separate criterion, up to two additional criteria.

This will only apply where the needs are different and distinct.

4.5.2 Moving bands – impact on band start date

Moving to a higher band

When an applicant's circumstances change and they are assessed to be in a higher band, their new band date will start on the date they are accepted into the new band, except in the following situations:

- applicants who are hostel dwellers, when they fulfil the criteria for 'move-on'
- 16/17 year old applicants moving to a higher band on reaching the age of 18

Moving to a lower band

When an application originally assessed to be in either Bands One or Two, is subsequently placed in a lower band, the band start date will be the date of

registration, unless there has been movement within the bands prior to placement in Band One or Two.

Change of tenure

If a change of tenure occurs; meaning a non-social housing tenant becomes a social housing tenant (outside of the HomeLink system) or vice versa, the applicant will have to make a new application. Waiting time will not be carried forward.

5 Bidding and Allocation

5.1 Advertising vacant properties

Properties are advertised:-

- on the internet on the scheme web site www.nottinghamHomeLink.org.uk
- in a news sheet displayed in HomeLink partner area housing offices and other partner organisations

The adverts inform applicants of

- the size and type of property
- the landlord
- the rent and other charges
- any specific eligibility criteria e.g. pets allowed or local lettings policy
- if preference is to be given to any band or group of applicants within a band
- the opening and closing times for bidding on each specific property

Generally, all vacant properties are advertised in this way, with the exception of properties required for housing management purposes (direct offers), for use as homeless temporary accommodation, or in situations where the re-housing of a household must be a managed process.

5.2 Bidding

5.2.1 Bidding process

Applicants already accepted onto the Housing Register, and placed in a band, can bid for properties that they are eligible for. Applicants can have up to 3 active bids on properties at any one time.

Applicants are expected to bid appropriately on accommodation that is suitable to their needs. See section on 'offers' below for further details.

Bids may be placed in any of these ways:

- on the internet at www.nottinghamhomelink.org.uk
- by calling the 24 hour bidding hotline on 0845 338 1988 using 'touch tone' phone *(one with * and # buttons)*
- by calling into an office of any Nottingham HomeLink partner

To place a bid an applicant has to give:

- their surname & date of birth
- their registration number *(issued when accepted onto the Housing Register and obtainable from any HomeLink partner)*

5.2.2 Bidding support

HomeLink Support Officers ensure that applicants who have notified HomeLink of any vulnerability issues are supported through the application and bidding process.

Support can be provided by:

- linking applicants with support networks and agencies
- individual contact to explain how the HomeLink scheme works and how to bid
- one to one ongoing casework support
- sending vulnerable applicants a personalised newsletter of properties they are eligible for if required
- bidding on behalf of the applicant (proxy bidding)

5.2.3 Homeless Band One applicants

Applicants within Band One, have 28 days from the date they were placed in the band, in which to bid for a property through the HomeLink scheme.

After that time, Band One applicants who have not made a successful bid and accepted an offer of a property through HomeLink will be made one offer of suitable accommodation.

If the applicant(s) refuse(s) the offer, the Council will be deemed to have discharged its legal duty to house the applicant(s) under Part VII of the Housing Act 1996, and the applicant(s) will be placed into a band which reflects their other housing circumstances.

There is a 'right to a review' of the suitability of an offer made to a homeless applicant, see section 6.2 Right of Review under Part VII Housing Act 1996.

5.2.4 Close of bidding

After bidding has closed, each vacant property will have a list comprising of all the eligible applicants who have placed a bid on the property in the HomeLink scheme.

From this list a shortlist of eligible applicants is drawn up.

5.3 Property occupancy criteria / restrictions

This section sets out the restrictions which might be placed on the allocation of different types / sizes of properties to groups of applicant, in line with one of the key aims of the policy, namely "to ensure that properties are appropriately allocated to applicants according to type and size for their needs".

The following rules apply:

5.3.1 2+ bed houses

Houses with 2 or more bedrooms will usually only be let to applicants with dependent children under the age of 18.

5.3.2 Parlour houses – houses with 2 living (dining) rooms

Applicants will be considered in this order:

1. families within Band Two with medical / disability recommendation (physical) who also fulfil the occupancy criteria
2. large families who fulfil occupancy criteria
3. families with at least one child with medical / occupational therapy recommendation (physical) who may not fulfil the occupancy criteria

5.3.3 1 bed flats / maisonettes

These properties will only be let to applicants without dependent children.

For ground floor flats, first consideration will be applicants who specifically need ground floor accommodation, usually people with medical / disability priority and older people over 60 years of age.

5.3.4 2+ bed ground floor flats / maisonettes with a private garden

These properties will usually be let to families with dependent children up to the age of 18.

These can also be let to applicants without children in special circumstances, i.e. tenants in Band Two who are either relinquishing desirable properties or are currently under-occupying larger properties (3 bedrooms plus), depending on individual circumstances.

5.3.5 2+ bed flats / maisonettes without a garden

Usually let to households with either adult sharers, children aged 18 and over, or with access to children or people relinquishing larger accommodation.

5.3.6 Bungalows

Applicants will be considered in this order:

1. those with Band Two medical / disability recommendation (physical)
2. elderly applicants (over the age of 60)
3. applicants over the age of 40

5.3.7 Adapted properties

These properties will only be let to people with medical / disability priority (physical).

5.3.8 Sheltered accommodation

Applicants must generally be aged 60 and over. For couples, both people must be over 60.

Applicants aged 55-59, who are in receipt of a Disability Living Allowance, will also be considered if no-one over 60 bids for the accommodation.

Age limits for different Registered Provider properties may vary – specific details will be available in adverts.

5.4 Occupancy levels for property types table

This table shows the minimum & maximum number of occupants normally allowed for each property type and size.

Property type	Household type	Single person	Single person access single child	Single person access 1+ children	Couple	2 adult sharers *(not couple)*	Pregnant woman *(single / couple)*	1 Child Family	2 Child Family	3 Child Family	4 Child Family	5 Child Family
	Min bed size	0	1	1	1	2	2	2	2	3	3	4 (3P)
	Max bed size	2 sc*	2	2	2 sc*	2	2	3	3	4	5	5+
0 bed	Bedsit / Studio	✓										
1 bed	Flat	✓	✓	✓	✓							
1 bed	Maisonette	✓	✓	✓	✓							
1 bed	Bungalow (& Chalet)	✓	✓	✓	✓							
1 bed	House	✓	✓	✓	✓							
2 bed	Garden Flat / Maisonette	sc*			sc*		✓	✓	✓			
2 bed	Other Flat / Maisonette	sc*	✓	✓	sc*	✓						
2 bed	Bungalow	sc*			sc*	sc*	sc*	sc*	sc*			
2 bed	House	sc*			sc*		✓	✓	✓			
3 bed	Flat							sc*	✓			
3 bed	Maisonette							sc*	✓	✓	✓	
3 bed	Bungalow							sc*	sc*	sc*	sc*	
3 bed	House							sc*	✓	✓	✓	
3 bed	Parlor House (3P)							sc*	sc*	✓	✓	sc*
4 bed	House									✓	✓	✓
5 bed	House										✓	✓
Sheltered	1 bed	Age 60+			Age 60+	Age 60+						
Sheltered	2 bed	Age 60+			Age 60+	Age 60+						
Victoria Centre		VC✖		VC✖		VC✖						

sc* only considered for this type where there are agreed Special Circumstances e.g. previously under occupying or relinquished desirable property, or specific medical/disability requirement type and size of accommodation

VC✖ Local Letting policy, let in date order to people either working, retired, in receipt of disability benefits with no children

5.5 Special schemes

5.5.1 Victoria Centre

Accommodation in the Victoria Centre is let through a special Local Lettings Policy.

This accommodation is leased to NCC by the Victoria Centre's owners, and properties can only be let to people who wish to live in the city centre, who are in employment or with other financial resources to sustain a tenancy.

Applicants must either be employed, receive disability benefits or state retirement pension. Proof will be required to this effect.

Accommodation will not be allocated to applicants with dependant children.

Applicants who wish to be considered for Victoria Centre are required to register their interest on their application form as a separate list of applicants is maintained outside of the banding system. Proof that applicants meet the above eligibility criteria will be required before applicants are placed on the Victoria Centre list.

Properties within the Victoria Centre are advertised in the same way as other HomeLink properties, but offers are made to suitable applicants from the separate Victoria Centre list, based on date order (earliest first) as there is no banding system for this scheme.

5.5.2 Lark Hill Village and other extra care schemes

Accommodation in Lark Hill Village is let through a separate joint allocations policy agreed between NCC and The Extra Care Charitable Trust who manages the stock. NCC has 100% nomination rights to all vacant properties in the scheme.

The allocations policy has been designed in partnership with Extra Care and follows the same principles as the NCC Allocations Policy. However, because the Village provides support as well as housing, some additional factors are taken into account in the selection and assessment criteria for new lettings. These factors include age profile, gender, individual ability and maintaining a balance between those who receive both personal care and support and those who only receive housing related support.

Other Extra Care Schemes being developed in partnership with NCC will be allocated following the same principles as Lark Hill Village.

5.6 Short-listing applicants and determining priorities within bands

From the list of applicants who have placed an appropriate bid on a property, a list of eligible applicants, in priority order, for the specific property will be drawn up, see sections 4.5 Band Dates and 5.3/5.4 Property occupancy criteria / restrictions and occupancy levels. Then housing related factors will also be applied to create a final shortlist.

The housing related factors are local connection, behaviour and financial resources. These factors are taken into consideration according to the Sections 159(7), 167(6) and 167 (2A) of the Housing Act 1996.

Short listing activity will also be recorded and scrutinised on a regular basis by senior managers at NCH and information will be shared with NCC.

5.6.1 Local connection

Save in the exceptional circumstances set out below , an applicant's local connection to Nottingham City will be taken into account in determining whether they are short-listed for a property.

The purpose of this is to meet a key aim of the policy, namely 'to address housing need for residents of the City and those with a local connection to the City'.

Therefore those applicants with a local connection to Nottingham City will get priority over those with no local connection.

Applicants applying for a property with one of the Registered Providers in the HomeLink scheme will not need to demonstrate a local connection to Nottingham City before they are considered for a property with one of the partner Registered Providers.

Definition of 'local connection'

The qualification for 'local connection' is the applicant must prove that they either:

- are normally resident in Nottingham City (for 6 out of the last 12 months)
- are in employment within Nottingham City and the employment is not of a casual nature
- have an immediate family member (parent / adult child / sibling), with whom they are in close contact, who has been living within Nottingham City for at least 5 years

Local connection cannot be gained through residence which is not of the applicant's choice, such as prison or a probation hostel.

Applicants qualifying under either the employment or family criteria will be expected to provide two references. The purpose of requesting these references is to obtain sufficient information about a person who does not currently reside within the City in order to make a judgement about their suitability to be a tenant, and to identify any support needs.

Working in Nottingham

If the person qualifies under the employment criteria, one of their references must be from the current employer confirming the employment and the nature of the employment i.e. that it is not of a casual nature. The second reference should be from the applicant's current or previous landlord, and if this is not possible, from a professional person who has known the person for at least 12 months.

Family connection

Where local connection is fulfilled by the family criteria, a reference will be required from the applicant's current or previous landlord (if not currently a tenant), and one from a professional person who has known the person for at least 12 months.

Exceptional circumstances

There are some exceptional circumstances when an applicant's local connection will not determine their position on the shortlist.

The exceptional circumstances are:

- applicants who have been accepted under the homeless legislation by NCC
- applicants who have been accepted for priority re-housing as a reciprocal arrangement with another Local Authority or Registered Provider
- members of HM regular forces and those who were discharged from HM regular forces within the 5 years preceding an allocation of social housing
- bereaved spouses or civil partners of those serving in the regular forces, where (i) the bereaved spouse or partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service
- existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service
- refugees who have been granted leave to remain within the last six months
- Nottingham City care leavers who have been placed outside Nottingham
- applicants who have been accepted from outside Nottingham as part of a Witness Protection recommendation
- applicants from outside Nottingham who are victims of domestic violence who cannot return to their place of origin for fear of violence
- people who had a local connection with Nottingham at the time they were placed in temporary accommodation (during the previous twelve months) outside the City boundary by a recognised referral agency

5.6.2 Behaviour

In short-listing applicants, we will take into account any behaviour of the applicant or of any member of their household which affects their suitability to be a tenant, including:

1. **Rent arrears** (Local Authority or other Registered Provider)

Applicants with any outstanding rent arrears will not generally be offered accommodation until the arrears have been cleared or, in approved exceptional circumstances, where an agreed repayment plan is in place, which is being adhered to by the applicant(s).

2. **Other behaviour**
   Any unacceptable behaviour that an applicant or member of his / her household has engaged in, will also be taken into account at the point of short-listing. (See section 3.2.2 Perpetrators of unacceptable behaviour for behaviour which would deem an applicant ineligible for the housing register).

Therefore, those applicants without any such behaviour issues which affect their suitability to be a tenant will usually get priority over others on the shortlist.

5.6.3 Financial resources

This factor includes the financial resources available to an applicant to meet his / her housing need. For example, homeowners, with financial resources, which the Local Authority believe will assist them to meet their housing need. Therefore, those applicants without the financial resources to assist them to meet their housing needs will usually get priority over those with financial resources.

5.6.4 Impact of housing related factors on shortlist order

When being considered in line with this policy, the above 3 housing related factors (*local connection, behaviour and financial resources*) will be weighted in order of importance.

Local connection is given most importance, followed by financial resources, followed by behaviour.

5.7 Offers

Having taken into account the band, band start date and any housing related factors, the applicant(s) at the top of the shortlist will be made an offer.

The successful applicant(s) will usually be made an offer within 3 working days of the advert closure. Because of the high number of bids received, it is not possible to contact applicants who have been unsuccessful. If an applicant has not been offered the tenancy within 10 days of the close of bids, they can assume they have been unsuccessful. Feedback on the band and the length of time on the list of the successful applicant will be published after the property is let.

5.7.1 Additional assessments

In certain circumstances, an additional assessment will need to be carried out prior to an offer being made:

1. Recommendation by Occupational Therapy or medical re-housing
   Properties that may be offered in such circumstances must be checked by the Disability Housing Advisors, at NCC, for their suitability for the applicant's needs, before the offer is made. If a property is deemed not to be suitable for an applicant's needs, it will be offered to the next suitable applicant on the shortlist.
2. Public Protection and Risk Assessment
   Any offers to applicants who have been the subject of either a Multi Agency Public Protection Panel or Risk Assessment Meeting (under the agreed

protocol), will be assessed by person(s) delegated at the panel / meeting with regard to the risk posed by the offender, prior to the offer being made.

5.7.2 Properties without any applicant bids

If a property doesn't receive any eligible bids, the property may be re-advertised or may be offered and let to an applicant who is prepared to accept it, providing they meet any eligibility criteria.

The decision to re-advertise or offer will be based on demand for the particular property and will be made by a senior officer, from either NCH or the relevant HomeLink partner.

The only exceptions to this are bungalows and adapted properties, which may then be let by a direct offer.

5.7.3 Direct offers

There are sometimes cases where it is necessary to make offers to applicants not appearing on a shortlist, for example urgent housing management cases, where the applicant is unable to participate in the bidding process, or to discharge a legal duty by making a direct offer of a property.

Also there are certain properties which require sensitive letting due to, for example, the nature of the accommodation.

Such cases are very exceptional and will be approved by either the Allocations and Tenancy Management Panel or a Senior Manager.

Only officers at managerial level are allowed to make non-shortlist (direct) offers.

Full details of these cases are recorded and every month are reported to / scrutinised by, the HomeLink partners.

5.7.4 Offer refusal

If the applicant refuses the offer, the property will be offered again to the next applicant(s) on the shortlist and so on until the property is let.

5.7.5 Number of offers that can be made or refused

Other than those applicants in Band One; where an applicant has been made 2 offers of accommodation (for properties they have bid for), which they subsequently refused, their application will be held and they will be unable to make bids for properties.

They will be informed of this in writing and before their application will be made active again, they will be invited to discuss their situation and requirements in detail. The applicant will be given advice with regard to realistic bidding and will be offered support with the bidding process.

If they subsequently continue to bid for and refuse properties, then their application will be reviewed and may be closed. Applicants will be notified of any decision to close their application in writing.

Band One applicants who have been made an offer in order to discharge the local authority's duty, will be advised in writing that if they refuse the offer a further offer will not be made and they will be advised of their right to review, see section 6.2 Right of Review under Part VII Housing Act 1996.

5.7.6 Offers to special categories of applicants

Board and elected members, staff, or their relatives ('related parties)

There are rules covering offers of accommodation for applicants who are eligible for an offer of accommodation or increasing their priority who are either

- local authority elected members
- HomeLink partner organisation's Board members
- members of staff of any partner organisation
- or relatives of any of elected / board member or member of staff

NCC and NCH

For board, elected members, and their relatives – offers must be formally approved by the Chief Executive of NCH, and the Director of Housing Operations.

For members of staff and their relatives, offers must be formally approved by the Director and an Assistant Director, Housing Operations.

All applications from related parties are kept centrally and offers scrutinised on a regular basis.

Partner Registered Providers

Each partner Registered Provider follows their own procedures for approving offers to related parties. Details are available from their respective offices.

5.8 Types of tenancy that may be offered

The type of tenancy offered, may vary between HomeLink partners.

The following is a brief explanation of the various types of tenancy that may be offered to applicants. Whilst applicants will be informed of what tenancy is being offered, advice on tenancy status will not be given and independent advice must be taken.

5.8.1 Introductory Tenancy – first time tenant Nottingham City Council

For applicants becoming a tenant for the first time, NCC will offer an 'Introductory Tenancy'.

Introductory (probationary) Tenancies were established by the 1996 Housing Act and are a 12 month probationary tenancy after which time they may become a 'Secure Tenancy' provided the tenant has met the conditions of their tenancy agreement and the Introductory Tenancy has not been extended.

An Introductory Tenancy will confer some of the same rights as a Secure Tenancy, but, the tenancy can be terminated more quickly.

5.8.2 Starter Tenancy – first time tenant Registered Providers

Similarly, applicants becoming a tenant for the first time of a Registered Provider (Housing Association) may be offered a 'Starter Tenancy'.

A Starter Tenancy serves the same purpose as an Introductory Tenancy, and also runs for a 12 month probationary period. A Starter Tenancy will become an 'Assured Tenancy', after the end of the probationary period.

Where the tenant has not met the conditions of their tenancy agreement, the association must give two months written notice to terminate the tenancy.

Not all Registered Providers offer starter tenancies.

5.8.3 Secure Tenancy – transferring Local Authority tenants

Secure Tenancies will usually only be granted by the relevant Local Authority when an existing social housing tenant, with an Assured or Secure Tenancy transfers to another property.

Secure tenants enjoy a number of explicit rights including the right to be consulted, the right to exchange your home, and the right to buy.

Secure tenancies can only be ended in certain prescribed ways, which will also be explained to applicants when they sign their tenancy agreement.

5.8.4 Assured Tenancy – transferring secure social housing tenants

Assured Tenancies were created by the 1988 Housing Act, and are the type of tenancy that most of the Registered Providers (housing association) partners in HomeLink will offer to most existing social housing tenants transferring into their properties.

The terms of an Assured Tenancy are very similar to those of a Secure Tenancy, but the landlord is able to charge an assured rent, which are still usually well below market rents, but often more than Local Authority rents. In addition there are some different grounds the Registered Provider can use to regain possession where there is a breach of the tenancy agreement.

These will be explained at the time that an applicant signs their tenancy agreement.

Those with a tenancy which started before 15.01.1989, who transfer to a property with the same landlord, will keep their secure tenancy type. If they are re-housed by another Registered Provider they will be given an Assured Tenancy.

6 Review Procedure

6.1 Right to review under part VI Housing Act 1996

Applicants have a statutory right to review of the following decisions (Section 167(4A)(d), Housing Act 1996 (as amended by the Homeless Act 2002).

The decision:

- to treat them as ineligible under Section 160A(9) Housing Act 1996 for an allocation of accommodation
  Such a decision will be notified in writing to an applicant (160A(10).
- to take into account an applicant's (or a member of his/her household's) unacceptable behaviour, at any point
  such decisions will be given in writing.
- about the facts of his / her case, for example banding decisions and decisions to close applications

6.1.1 Procedure

Any request for a review should be made by the applicant within 21 days of their being notified of HomeLink's decision, but in some circumstances, where the applicant has been unable to do this, the local authority can, at their discretion, still accept a request to carry out a review outside the 21 day period.

NCH will complete the review within 56 days unless the applicant and the authority agree otherwise. Most reviews will be completed in less than 56 days.

The review will be carried out by an officer(s) who is(are) senior to the officer(s) who made the original decision. In the case of reviews against a decision made by the Allocations and Housing Management Panel, the review will be heard by Tenant Board Members and an Assistant Director, NCH.

An applicant only has a right to one review of a decision.

The review request in the above instances should be in writing and addressed to the Housing Options Manager, NCH

The applicant is advised to provide as much supportive information as possible.

6.2 Right to review under part VII Housing Act 1996

The right to review under part VI Housing Act 1996 is in addition to the statutory right to review homelessness decisions under Part VII Housing Act 1996. Applicants must request a review under part VII within 21 days of notification of the decision.

Such reviews are conducted by Housing Aid, Nottingham City Council rather than HomeLink. Such persons will receive those decisions in writing directly from Housing Aid and be notified of their right to review.

6.3 Review of decision made by a HomeLink partner Registered Provider

Requests for a review of a decision made by a HomeLink partner Registered Provider will be referred to the relevant partner to process.

Appendix 1: Care Leavers Protocol

NOTTINGHAM CITY HOMES JOINT PROTOCOL BETWEEN HOUSING SERVICES AND NCC CHILDREN'S SERVICES LEAVING CARE TEAM,

NCC's Children's Services Department has specific responsibilities for children who are or were looked after by the Local Authority on or after their 16th birthday.

NCC also recognizes that there is a corporate responsibility across all departments to provide appropriate and accessible services to support young people leaving care.

NCC's duty in relation to the provision of accommodation is discharged by NCH under the care-leavers protocol.

Care-leavers are particularly vulnerable in relation to 'getting started' in tenancies, not only due to their age and care experiences, but also because they do not usually have family support to help them in setting up home.

It is important that the quality of accommodation provided is of the highest possible standard, in order to give the City's children the best possible chance of sustaining their tenancy.

The protocol ensures that when a young person has been assessed as ready to leave care, and has the skills and support in place to ensure they can successfully live independently, they are 'fast-tracked' through the allocations system.

A robust assessment is made in every case and a recommendation is made detailing the support package which will be put into place to ensure the tenancy is sustained.

NCH staff will work with the individual care-leavers and their support workers throughout the allocation process, ensuring that the young people are given as much support as they need to make successful bids and gain a timely and quality allocation.

The corporate responsibility does not stop at the commencement of their tenancy, but carries on through the management of the tenancy.

All agencies should be aware of the need for extra support and for their responsibility to work together to ensure the young person is given the best chance to sustain their tenancy.

Appendix 2: Non - Succession

This appendix details the situation in which a direct offer can be made to those persons who have not succeeded a tenancy but

A. the survivor was living with the deceased tenant at the time of their death as their spouse / partner. This will include anyone living together as man or wife, or same sex partners; or
B. the survivor was a qualifying member (as defined in Section 113 Housing Act 1985) of the deceased tenant's family **and** they were living with the tenant at the property when they died, **and** had been living with the tenant for at least twelve months before their death; or
C. the survivor was an unpaid carer who had given up their own accommodation to care for the tenant and were living with the tenant when they died and had been living with the tenant for at least twelve months before their death

A spouse / partner will take precedence over any other member of the family, who would in turn take precedence over an unpaid carer.

Criteria (to remain in present property):

For new tenancy to be granted in such cases, the following criteria may have to be met:

1. the best use of social rented housing stock is being made by the allocation
2. that the prospective tenant does not owe former tenancy arrears from a previous tenancy
3. that the prospective tenant is eligible for accommodation (see section [3])
4. that prior to the death of the tenant, the tenancy has been conducted satisfactorily and there was no history of anti-social behaviour
5. where the property is in a sheltered scheme, the prospective tenant must fulfil the individual schemes age and eligibility criteria
6. if the property is subject to an age qualification, the prospective tenant must be of the appropriate age
7. if the property is a 3 bed bungalow, the prospective tenant must require bungalow accommodation for medical reasons
8. if the property is a 2 bedroom bungalow the prospective tenant must either require bungalow accommodation for medical reasons, or be over 60
9. if the property [is a flat / maisonette], it would not be substantially under occupied i.e. by more than one extra bedroom
10. if the property is a house, it would be occupied by applicants with dependent children

Whilst remaining occupants who do not fulfill the above criteria will not normally be considered for an allocation of that particular property, each case will be considered individually and if there are exceptional circumstances, a case may be prepared and submitted to the Allocations and Tenancy Management Panel to make a decision on whether a new tenancy can be granted.

Management Recommendation for allocations to non-successors

If a person fulfills the criteria in A , B or C above, but is not eligible to stay in the property because they do not fulfill the criteria as detailed in points 1, 5, 6, 7, 8, 9 or 10, above, alternative accommodation will usually be offered via a management recommendation.

Applicants in these circumstances will be placed in Band Two and a direct offer will be made.

Persons not meeting the criteria in points 2, 3 and 4 above will not be considered for another tenancy and will be expected to vacate the property or possession proceedings will be issued.

Whilst all survivors will be given appropriate advice about the right to succession they will not be asked to consider vacating the property before three months have elapsed following the death of the tenant, unless the survivor expressly requests otherwise.

Each case will be treated with sensitivity, initially through a home visit where the remaining resident(s) will be advised that an alternative home will made available for them and, that whilst legal proceedings will be taken to run concurrently with the management recommendation process, the applicant will be given one to one support until a suitable alternative home is found.

Appendix 3: Policy for Tied Accommodation Tenants

People with a Tied Tenancy – qualifications for re-housing

Current employees of HomeLink partner organisations (NCC, NCH & partner Registered Providers), with a Tied Tenancy who are planning their re-housing after their employment ends will be considered for re-housing.

To qualify for urgent re-housing, the current employee must

- be leaving their job because of retirement due to age or ill health
- be leaving their job because of redundancy
- have given up their social housing tenancy to take up their tied tenancy, even if they are leaving their job for reasons other than retirement or redundancy and some types of dismissal. (Any employee who has been dismissed will be considered individually, and the specific reasons for the dismissal taken into account, before deciding if they can be awarded Band Two, for example dismissal due to lack of capability, may well qualify, but dismissal for gross misconduct, may not).

Usually tenants with tied accommodation who have either voluntarily given up their job or have been dismissed from their employment, will not be considered for priority re-housing within Band Two.

Initial registration and change of circumstance

As soon as the member of staff takes up employment, they will be expected to complete an application for the Housing Register to be re-housed when their employment comes to an end. They will then be placed in Band Five until they need to be actively considered.

When they have an agreed leaving date for their employment, their application will be re-assessed due to their change of circumstances and they will be moved into the appropriate band.

The applicant will move to Band Two if they

- are leaving their job because of retirement due to age or ill health
- are leaving their job because of redundancy
- have given up their council tenancy to take up their tied tenancy

If they have either voluntarily given up their job or have been dismissed from their employment for gross misconduct, they will not automatically be considered for priority re-housing within Band Two, but assessed and awarded the appropriate band for their circumstances. The assessment will include proof that they need re-housing, such as an agreed retirement date, resignation details etc.

Placement into a higher band will be no longer than 6 months prior to the agreed leaving date.

Offers of accommodation

All offers of accommodation will be of a size and facilities according to the applicant's needs at the time of the allocation, unless the applicant has a written agreement made at the time of the tenancy / employment commencement to state otherwise.

Document History: Summary of versions

Version	Date	Source & Authority	Comments
1	October 2006	R (Cali) V London Borough of Waltham Forest [2006] All ER124	Page 14: Multiple need within Band Two reviewed to ensure compliance with case law.
		Agreed at NCC Executive Board 17/10/2006	Page 32: NCC ASB Team previously administered exclusions list- policy amended so that NCH administer the suspension list
2	May 2007	Agreed at Service Area Managers Meeting 13.03.07	Page 9: Addition to exemptions from local connection – people placed in temporary accommodation outside the City boundary.
			Page 16: Amendment of wording on award of band start date for clearance/demolition to reflect greater flexibility.
			Pages, 9,12, 20: Home Move scheme no longer operated; references removed
3	February 2009	Portfolio Holder Approval 29th October 2008	Page 11,18: New Band 2 priority awarded (29th October 2008) for families living in high rise accommodation within the City as their main home, with dependant children over the age of two and where that family have lived in high rise accommodation with their child for at least two years. Page 12,20: Amendment of wording/criteria - Band 3 for tenants of flats/maisonettes who have dependent children but no access to a private garden and families living in high rise accommodation with dependent children who do not meet the criteria for Band 2
4	February 2011	Executive Board Approval 21st September 2010	1. POLICY CHANGES: Proposed Key changes to Policy are detailed in the report to Executive Board 21st September 2010
		4.1 Minor wording changes December 2010	Minor Wording changes page 5,6,15,17,19
	August 2012	4.2 The Allocation of Housing (Qualification Criteria for Armed Forces (England) Regulations 2012 (SI2012/1869	Policy Changes as result of legislative requirements coming into force 24th August 2012 pgs