

Newark and Sherwood District Council



Allocations Scheme

Issue 4c

Reviewed July 2020



1. INTRODUCTION AND LEGAL BACKGROUND

Newark and Sherwood District Council (NSDC) operates an Allocation Scheme ('Scheme')

Council housing and some Registered Provider (RP) properties (where NSDC has 'Nomination Rights') are let to people in accordance with this Scheme. NSDC has Nomination Rights to most RP properties in the district. This means NSDC nominates applicants on the Housing Register who are successful in 'bidding'. However RP Allocation Schemes may differ to this Scheme and each will make the final decision as to who properties are offered to. If you wish to view a copy of their allocation policy you should contact the provider direct. Some RP's keep their own Housing Register and Applicants can apply to join these individually.

Applicants who are not currently NSDC tenants are defined as 'Housing Applicants'. This will include applicants who are current tenants with a RP.

Current NSDC Tenants

All NSDC tenants who have held their current tenancy for at least one year may apply for a transfer. These are defined as 'Transfer Applicants'. This time period may be relaxed where a move is required to either meet an evidenced medical or social need of a member of a household, address under occupancy or in the interests of effective and efficient use of stock.

Transfer Applicants will be required to give up their existing property as a condition of granting them a tenancy of another property, although their status as a tenant will be unaltered and their rights under the Right to Buy scheme will remain uninterrupted.

Legislative Framework

It is a requirement under Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011 that all Local Housing Authorities must have and publish an Allocation Scheme and ensure that properties are allocated according to that Scheme. This Allocation Scheme has taken into account all of the legal requirements outlined in Part VI and other relevant Acts and statutory guidance as may be amended from time to time.

This Scheme will make reference to specific pieces of legislation or guidance. The reader should note that both can be amended from time to time. Any amendments which alter the meaning of this Scheme will be available online until such time this Scheme requires formal amendment.

Reasonable Preference

The legislation requires that an Allocation Scheme 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).

Applicants from these Reasonable Preference categories are placed within Bands One to Three of the Housing Register (discussed in more detail in Section 6 – Applicant Bandings) in order to give them Reasonable Preference over other applicants.

Please note that those applicants, who would fall within a Reasonable Preference category, will not qualify if they are subject to any of the exclusions set out in Section 3 – Exclusions of this Scheme.

Armed Forces

The Armed Forces England Regulations 2012, provide that Additional Preference must be given to an applicant with urgent housing needs who falls within one of the Reasonable Preference categories referred to above if:-

1. S/he is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributed (wholly or partly) to his/her service; or
2. S/he has formerly served in the regular forces; or
3. S/he has recently ceased or will cease to be entitled to accommodation provided by the Ministry of Defence following the death of his spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service; or
4. S/he is serving or has served in the reserved forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service

Forces are defined as “regular forces” are the Royal Navy, Royal Marines, The Army and the Royal Air Force. “Reserved forces” are the Royal Fleet Reserve, The Royal Naval Reserve, The Royal Marines Reserve. “The Army Reserve” are the Territorial Army, The Royal Air Force Reserve or Royal Auxiliary Air Force.

NSDC usually define former and serving members of the armed forces as:

1. People who left the regular Armed Forces within the last 10 years, except those dismissed under Section 265 as set out in Schedule 3, Part 2 of the Armed Forces Act 2006.
2. Serving members of either the regular or reserve Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
3. Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner.

Additional Preference for Armed Forces

An applicant who has been assessed as having Reasonable Preference and who meets the additional preference criteria will be have their banding increased by a maximum of one band. Those already awarded Band 1 will be given an additional six months waiting time.

Consideration has also been given to the Armed Forces Covenant (signed on 16 July 2013) between the Armed Forces community, Armed Forces Charities and Newark and Sherwood District Council. More information about this can be found at www.newark-sherwooddc.gov.uk/communitycovenant/.

Right to Move Regulations

The Allocation of Housing (Qualification Criteria For Right To Move) (England) Regulations 2015 (the 2015 Regulations) provide that local authorities must not disqualify certain applicants on the grounds that they do not have a local connection with the authority's district. Specifically, a local connection may not be applied to existing social tenants seeking to transfer from another local authority district in England who:-

1. Has Reasonable Preference under s.166(3)(e) because of a need to move to the local authority's district to avoid hardship, **and**
2. need to move because the tenant works in the district, **or**
3. need to move to take up an offer of work.

A Relevant Person has a need to move for the purpose of the 2015 Regulations if the Applicant:-

1. Works in the district of the local housing authority, **or**
2. Has been offered work in the district of the local Housing Authority **and**
3. The authority is satisfied that the relevant person has a genuine intention of taking up the offer of work.

The 2015 Regulations do not apply if work is short term or marginal, ancillary to work in another district or voluntary.

NSDC has opted for the minimum quota allowed from guidance due to the high number of applicants on the Housing Register with identified housing need and low number of allocations that become available each year. The quota is therefore set at 1% of housing allocations forecasted for the coming year, based on the actual number of allocations in the previous year.

This will be reviewed annually and altered if required.

Equal Opportunities

NSDC and its partners are committed to promoting equal opportunities and anti-discriminatory practises in the services it provides. It is committed to giving all applicants an equal opportunity to obtain housing, whatever their age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity.

Data Protection

Applicant's details will only be disclosed to a third party with either the Applicant's consent, or lawfully (where one of the exemptions under Data Protection legislation applies) with other relevant agencies including but not limited to the Police, Health Service, Social Services and RPs.

By returning an application to us, applicants are giving their consent for NSDC to process and hold sensitive data which will be used in the assessment of the application and may be used for the delivery of other services provided.

2. REGISTRATION

Applications for housing are administered and processed by NSDC. More information is available from www.newark-sherwooddc.gov.uk/housing or by telephoning Customer Services on 0800 561 0010.

Every Applicant must complete an application form together with all relevant and supporting information required and submit this to us for registration.

Properties that become available to let will usually be offered to applicants on the Housing Register. Applications for housing will normally be completed online via www.newark-sherwooddc.gov.uk/housing

Applicants can request advice and assistance in completing their application form from us, this may include translation where required.

Once registered Applicants are placed on the Housing Register and provided with a bidding number.

Who Can Apply

Anyone aged 16 years or over can apply to go on the Housing Register if they have a local connection and is not subject to immigration control as set out in Asylum and Immigration Act 1996 and subsequent amendments.

An Applicant cannot usually be offered a tenancy until they are 18 years old. However in certain circumstances a tenancy could be offered and held in trust until the applicant reaches the age of 18. This will be assessed on a case by case basis and subject to NSDC senior officer approval.

Local Connection

To join the Housing Register, an Applicant must usually have been resident in the District of Newark and Sherwood for the following time periods or qualifying criteria:

1. 2 consecutive years **or**;
2. 3 out of the last 5 years **or**;
3. 5 or more consecutive years in which your close family associations have been resident within the District. These associations include but are not limited to parents, grandparents, adult child/ren (18+), aunts, uncles or any other evidenced close family member;
4. be in employment for an average of 16 hours per week for the last 6 months or more within the district **or**;
5. Applicants who are statutory homeless **or**;
6. Is classified as a Nottinghamshire County Council Care Leaver **or**;
7. Special conditions might include, but is not limited to, the need for specialist medical or support services which are available only in NSDC, Right to Move Regulations **or**;
8. Former or serving members of the armed forces:

- a) those who are currently serving in regular forces at any time in the five years preceding their application for an allocation of social housing;
- b) bereaved spouses or civil partners of those serving in the regular forces where
 - (i) the bereaved spouse or civil 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.
- c) 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*.

* For Housing Options Only - Section 315 of the 2008 Act amends s.199 of the 1996 Act so that a person serving in the Armed Forces can establish a local connection with a district through residence or employment there, in the same way as a civilian person.

Some new build affordable housing units typically secured on a market housing development through a planning agreement called a Section 106 Agreement or through a rural affordable housing scheme will detail a more specific local connection criteria in line with both local and national planning and housing policy. Where this situation arises the property advert will clearly stipulate the local connection criteria applicable.

In exceptional circumstances and to ensure effective use of stock, allocations may be advertised and made available to households who do not have a local connection.

If the Applicant does not meet the above criteria but feel that they have special or unusual circumstances that should be taken into account, the applicant should apply in writing to NSH explaining what these special circumstances are.

Asylum and Immigration

An Applicant will not be eligible to join the Housing Register if they are subject to immigration controls under the Asylum and Immigration Act 1996 or Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2016, unless they;

1. Already hold a NSDC tenancy
2. Already hold an Assured tenancy
3. Are in a class as may be prescribed by regulations made by the Secretary of State a copy of which can be provided upon request or can be found using this link
<http://www.legislation.gov.uk/ukpga/1996/52/part/VI>

Any application identified as falling under the Asylum and Immigration Act 1996 (which may be amended from time to time) and in accordance with Regulations made by the Secretary of State, will be assessed in accordance with the Act and subsequent guidance.

Applicants who are not eligible at the point of application will not be placed on the Housing Register and will be notified of this in writing stating the reasons their application is not considered eligible and how to re-apply if their circumstances change.

The regulations that determine which persons from abroad, other than persons subject to immigration control, are ineligible for an allocation of housing accommodation under Part 6 of the Housing Act 1996 or for housing assistance under Part 7 of that Act were amended on 7 May 2019.

Under regulations 4 and 6 of the Eligibility Regulations, a person who is not subject to immigration control is ineligible for an allocation of social housing and for housing assistance respectively where they are not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland or their only right to reside in those places is:

- (a) as an EEA 'jobseeker' or as the 'family member' of an EEA jobseeker;
- (b) an initial right to reside for a period not exceeding three months under the Immigration (European Economic Area) Regulations 2016 (the EEA Regulations);
- (c) because they are a non-EEA national primary carer of an EEA dependant under the EEA Regulations.

Advocate

If an Applicant feels they cannot manage their own affairs and are unable to bid for properties themselves, they can choose someone to act for them. This person will be called an 'Advocate'. Applicants need to complete and sign the relevant questions on registration and ensure their advocate signs the declaration to act on their behalf.

The Applicant or their advocate is responsible for keeping their application up to date with their current circumstances by advising of any changes that could affect their application.

Information Declarations

If Applicants give false or misleading information or withhold information, which is reasonably required for the Applicants to give, they will be removed from the Housing Register and may be liable to prosecution. If they have been offered a tenancy as a result of this misinformation or the withholding of relevant information, the tenancy will be terminated. If Applicants have deliberately altered their circumstances to increase their banding, the right is reserved to move them into the correct band and may result in suspension of their application entirely.

If you are an employee or a Councillor of NSDC, your application must include a statement of this fact. In addition, a senior officer of NSDC must approve any offer of a property made to persons in these circumstances.

3. EXCLUSIONS

Some Applicants, although registered may not be eligible for the allocation of a property.

NSDC reserve the right not to make an offer of accommodation to individual applicants where satisfied that:

1. The applicant, or a member of their household, has been guilty of unacceptable behaviour, which if the applicant was a tenant of the Council would entitle the Council to a possession order.

2. The unacceptable behaviour is serious enough to make the applicant unsuitable to be a tenant.
3. The applicant or a member of their household is deemed unsuitable at the time of allocation.

Examples of unsuitability include but are not limited to:

1. Behaviour linked to financial gain such as benefit fraud or any other criminal offence of a similar nature.
2. Non-payment of rent, rechargeable repairs, other housing debt such as garage rent arrears, former rent arrears including NSDC and other social housing providers, anti-social behaviour, or any behaviour type which would be considered a breach of terms and conditions of NSDC's Tenancy Agreement (including any future variation)
3. Existing tenants wishing to transfer who have breached the terms and conditions set out in their Tenancy Agreement.
4. Behaviour which has resulted in any criminal or civil sanction against the applicant or a member of their household which affects their suitability to be a tenant (including but is not limited to, injunction, possession order, criminal conviction, money judgment or enforcement of the same).
5. If an applicant intentionally gives or has intentionally given in the past, false information on any part of a housing application form or form to claim benefits of anytype

The exclusions in this section include past or present behaviour of the individual or any member of the applicant's household.

In some circumstances a limit may also be placed on the type of property and/or area an applicant can apply for in order to manage any wider risks posed.

Financial Resources and Affordability

The outcome of your financial assessment may affect the types of accommodation you/your household are eligible for.

An Applicant would not normally be made an offer of accommodation, if they own or have interest in another property in the UK or abroad that is reasonable to occupy. Generally an Applicant in these circumstances will only be considered for supported housing, and/or extra care, set against their housing needs.

All Applicants will be required to complete a financial assessment and will be required to self-certify their financial position, with relevant supporting evidence to confirm their ability to sustain a tenancy in line with NSDC's Tenancy Agreement.

If an applicant fails to provide this information, intentionally gives false information or diverts their interest in property in this respect, they will be excluded from being made an offer of accommodation.

Non Bidders

Applicants not bidding for accommodation will be reviewed regularly and those in priority Bands One and Two will be contacted to establish why they are not bidding and to ascertain if any support is required to facilitate future bidding.

In certain circumstances where applicants are not bidding for accommodation, without justification, their application may be removed from the Housing Register.

Exceptions

An exception may be made in making an offer of accommodation in the following (but is not limited to) circumstances:

1. There is no valid court order; or
2. A debt relief order is in place and in payment; or
3. At least 75% of their total housing debts has been paid off; or
4. Evidenced support needs.

All exceptions will be considered on a case by case basis.

If the Applicant does not meet the above criteria but feel that they have special or unusual circumstances that should be taken into account, the applicant should apply in writing to us explaining what these special circumstances are.

Statutory Homeless Applicants

If any of the exclusions contained within this Scheme are applicable to an applicant who is owed a statutory duty by NSDC, a case review will be convened and a final decision regarding an offer of accommodation would require NSDC senior officer approval.

4. REVIEW OF DECISION TO EXCLUDE FROM THE ALLOCATION SCHEME

Applicants can request a review in writing of any decision to exclude them from the Allocation Scheme, or any restrictions placed upon them. A senior officer, not previously involved in the case will consider this review.

The Applicant or their Advocate is responsible for keeping their application up to date with their current circumstances. They must advise of any changes that could affect their application and complete a change of circumstances form where appropriate. Failure to do so may result in an offer of a property not being made.

Applications registered under this scheme will be subject to review as and when necessary. Applicants will need to confirm or amend their information in order to remain registered for housing. Applicants who do not respond to these requested will have their applications cancelled.

These reviews will be conducted either in writing (including email) or online.

ASSESSMENT OF HOUSING NEED

Applicants are prioritised according to their housing need and are placed in the relevant 'banding'. This will allow applicants in greatest need to be given priority.

Transfer Applicants will be banded under the same assessment process as housing applicants.

We will notify the applicant of their registration date, registration number and priority band awarded. Information will also be provided as to the suitability and size of property applicants are eligible to bid for.

If an applicant's circumstances require a change in banding after registration, a band date will be applied as part of the allocation procedure (see Section 8 – Allocation Procedure). This will be the date an Applicant qualifies for that band and not their original registration date. If an applicant is assessed as Band 4 the original registration date will apply.

5. APPLICANT BANDINGS

BAND ONE

HOMELESSNESS

Homeless households are defined as those who, NSDC has a statutory duty to secure accommodation (within the meaning of Part VII of the Housing Act 1996 as amended by the Homelessness Reduction Act 2017), are in priority need and who are not homeless intentionally.

Applications from these households are likely to be in temporary accommodation provided by the authority and will receive a direct offer of suitable accommodation in order to discharge NSDC's main housing duty. Applicants deemed to be owed a statutory duty will not be offered the opportunity to bid for accommodation, instead this will be managed in liaison with their assigned case officer at NSDC who will place bids on the Applicants behalf.

If this offer of accommodation is refused, and the property is considered reasonable and is suitable for the household's needs, then no further offers of accommodation will be made. NSDC will have discharged its duty under the Provision of Part VII of the Housing Act 1996; however, the homeless applicant has a right to request a review of this decision under Section 202 of the Housing Act 1996 by writing to NSDC within 21 days of the date of refusal, stating the reasons they do not agree with the decision.

MEDICAL GROUNDS

High Priority – A medical condition or disability where current accommodation seriously undermines and affects the Applicant or a member of their household's health and the accommodation is therefore considered unsuitable. Supporting evidence will be required.

LIVING CONDITIONS

Identified Category 1 hazards where the enforcement of Housing Act 2004 (Housing Health and Safety Rating System) is in place and subject to Environmental Health action. This priority is only awarded for the period of time that the work remains outstanding.

CARE LEAVERS

Applicants who have met the criteria within the care leaver element of the scheme and have been registered with the Council for a minimum of 8 weeks in a Band Two.

Applicant should note that in order to secure an offer of accommodation a positive Ready to Move form will need to have been submitted to support their application. Until such time as this is received applicants placing bids for advertised accommodation will have their bids overlooked.

STATUTORY OVERCROWDING

Applicants living in statutory overcrowded housing.

The permitted number of people for a property is worked out from the number and sizes of the rooms in the property, as detailed in the Housing Act 1985, shown in the two tables below:

Number of rooms	Permitted number
1	2
2	3
3	5
4	7.5
5	10
6 +	A further 2 persons for every room

Floor area of room	Number of persons
Over 110 sq ft	2
90 to 110 sq ft	1.5
70 to 90 sq ft	1
50 to 70 sq ft	0.5

Both tables are used and the lowest number reached is the permitted number for the property.

All living rooms and sleeping rooms are included in the calculation when the permitted number of persons is worked out. Kitchens, bathrooms and toilets are not included in the calculation.

When working out the number of persons sleeping in the property, occupants are counted as follows:

- Over ten years old - 1 person
- One to nine years - 0.5 person
- Under one year - not counted

A senior officer will assess and award the correct Banding according to the above assessment tables.

UNDER OCCUPATION – CHANGING PLACES SCHEME (applicable to NSDC tenants only)

The Changing Places Scheme is designed to give priority to Transfer Applicants who occupy a property of two or more bedrooms and want to move to smaller accommodation. Applicants awarded this Band who have not actively bid for accommodation within a twelve month period, will be demoted to the Band that represents their housing needs. Applicants losing this priority due to inactive bidding will only be reassessed following significant changes to their housing needs.

If evidence, such as the District Wide Housing Needs Survey carried out by NSDC, no longer supports the necessity for the Changing Places Scheme to have a priority status, relevant amendments or a revoking the scheme will be considered as part as the wider Scheme review process, as set out in Section 14 – Scheme Review.

BAND TWO

HOMELESSNESS PREVENTION AND RELIEF DUTIES

This band is only applicable to applicants who are considered to be statutorily homeless and NSDC are working with under Prevention Duties and/or Relief Duties as assessed by Housing Options under the requirements of the Homelessness Reduction Act 2017. Applicants awarded this band will be expected to be engage in tasks specified in their Personal Housing Plans (PHP's) and are considered likely to be owed section 193 main housing duties after their 56 day Relief duty ends i.e. are likely be in priority need and who are not considered to be intentionally homeless.

APPLICANTS REQUIRING MOVE ON ACCOMMODATION FROM DESIGNATED SUPPORTED HOUSING PROJECTS AND TO IDENTIFIED CARE LEAVERS

This Band is only applicable when the Applicant's support needs have been identified and provision for meeting these needs is in place.

MEDICAL GROUNDS

Medium Priority – A medical condition or disability where current accommodation undermines or moderately affects the Applicant or a member of their household's health and is considered unsuitable and/or where this is leads to social isolation. Supporting evidence will be required.

CARE LEAVERS

Applicants who have met the criteria within the care leaver element of the scheme.

INSECURITY OF TENURE

Applicants who have been served a valid Notice of Seeking Possession or court possession proceedings from a landlord or mortgage lender other than NSDC, or RPs. Applicants will be required to provide evidence that the Notice served is not a result of their or a member of the households act(s) or omission(s).

OVERCROWDING

Applicants who are lacking two bedrooms or more in their current home but are not considered to be statutorily overcrowded.

AGRICULTURAL WORKERS

Agricultural, horticultural and forestry applications for workers who need their workers to be housed under the Rent (Agricultural) Act 1976. We will make a decision to give priority under this band after receiving detailed information from applicants and their employers.

BAND THREE

MEDICAL GROUNDS

Low Priority - Where current accommodation creates some difficulties for an Applicant or a member of their household's health but it is considered manageable in their present accommodation.

THREATENED WITH HOMELESSNESS

This band is only applicable to applicants who are threatened with homelessness and who NSDC are working with under Prevention and/or Relief Duties as assessed by housing options under the Homelessness Reduction Act 2017. Applicants awarded this band will be expected to be engage in tasks specified in their Personal Housing Plans (PHP's) and are considered likely to be owed section 193 main housing duties after their 56 day Relief duty ends i.e. are likely be in priority need and who are not considered to be intentionally homeless.

This band will also be awarded to those applicants who NSDC are working with under Prevention and/or Relief Duties, who are engaging in tasks specified in their Personal Housing Plans (PHP's) and are considered unlikely to be owed section 193 main housing duties after their 56 day Relief duty ends i.e. they are not in priority need and/or are considered to be intentionally homeless.

LIVING CONDITIONS

Identified Category 2 hazards where the enforcement of Housing Act 2004 (Housing Health and Safety Rating System) is in place and subject to Environmental Health action. This priority is only awarded for the period of time that the work remains outstanding.

OVERCROWDING

Applicants who are lacking one bedroom in their current home but are not considered to be statutorily overcrowded.

SHARING

Applicants/households sharing personal facilities, such as kitchens and bathrooms within their current accommodation, with another household. This would exclude gardens and communal areas.

NO FIXED ABODE/ROUGH SLEEPERS

Rough sleepers are defined as being street homeless and having access to no accommodation at all, confirmation may be sort from Street Outreach Services. People of 'No Fixed Abode', who are for example staying at various locations on an ad hoc basis, are not regarded as rough sleepers.

Applicants who claim that they are of no fixed abode are those considered to have no settled accommodation and are living at various locations for very short periods of time.

Proof may be sought from each address and/or other agencies with which they are registered.

BAND FOUR

HOMELESS – NON-ENGAGEMENT

This band is awarded to applicants who are assessed by housing options under the Homelessness Reduction Act 2017 as being owed Prevention and/or Relief Duties for the period of time that this duty is owed where they are not undertaking the required actions and tasks identified in their Personal Housing Plans (PHP's).

This band is also awarded to all applicants who are assessed by housing options under the Homelessness Reduction Act 2017 as being owed Prevention and/or Relief Duties for the period of time that this duty is owed where the applicant would not be eligible for any other banding at the end of the Relief Duty.

OTHER APPLICANTS

Applicants or Transfer Applicants with no identified and evidenced housing need.

Applicants who have deliberately worsened their circumstances to be awarded a priority banding or who have not taken reasonable steps to prevent the worsening of their circumstances.

Applicants should note that if they are awarded Band 4 within this Allocations Scheme, this is unlikely to secure an offer of social housing and therefore, these applicants are encouraged to consider other housing options and products.

MEDICAL CIRCUMSTANCES

In complex cases where an individual's circumstances do not seem to fit the policy and its requirements as set out, a multi-agency meeting will be convened including NSDC Senior Officer/s and any other relevant party to establish the level of need and award appropriate priority/banding.

6. ADVERTISING PROPERTIES

Properties available for allocation will be advertised by us on our website. Properties advertised will give a description of the property, its location, any local connection criteria (where applicable see page7) and suitability criteria to help applicants make relevant and informed choices.

These website adverts will include social housing properties and may also include private rented properties available through NSDC's Realhome Scheme. Realhome is a tenant finding service for Private Sector Landlords.

More information on the Realhome Scheme is available on the NSDC website <http://www.newark-sherwooddc.gov.uk/realhome/>.

In some circumstances, properties may not be advertised as part of the Allocations Scheme. Examples of this can include but are not limited to:

1. Temporary accommodation required because of a flood, fire or other emergency.
2. Properties required for existing tenants when they are faced with home loss
3. Effective and efficient use of the housing stock and duties of NSDC.

Properties advertised will be available for both Applicants and Transfer Applicants.

Applicants or their advocate can request details of available properties by contacting Customer Services on 0800 561 0010

Applicants or their Advocate will be able to state their interest in a maximum of two properties per weekly advert cycle and unlimited RP or Realhome properties, giving their order of preference. Interest in a property can be made via telephone, email, online, text or in person. Applicants will not be contacted if their bid is unsuccessful.

Available properties will usually be advertised a maximum of twice. If the property remains vacant we will consider alternative ways of letting the available property. This could include allowing Applicants to bid on more than two NSDC properties per cycle and relaxing criteria.

7. ALLOCATION PROCEDURE

For all properties advertised a list will be generated of Applicants who have expressed interest in the property. Applicants who have stated their interest in the property and meet the criteria for that property will be matched by the following procedure:

1. Priority Band; then
2. Local Connection then
3. Banding Date.

It is the responsibility of the Applicant to provide information required to carry out the necessary verification checks and references.

Verification checks and financial assessments will be undertaken for the Applicants shortlisted. The applicant will be asked to confirm that the information given on the application form regarding their circumstances has not changed since the application. In some circumstances, the successful applicant may be contacted to assess that they are in an appropriate position to sustain a tenancy in line with NSDC's Tenancy Agreement.

If the Applicant's verification checks are satisfactory, the offer of the tenancy of the property will be made.

In the event of the applicant's verification checks being unsatisfactory they will be advised of the reason for this decision in writing and the property will be offered to the next qualifying applicant.

Withdrawing an Offer

We reserve the right to withdraw any offer of accommodation. An explanation will be given to the applicant in writing.

Penalties for Refusing Offers of Accommodation

Applicants who refuse two offers of accommodation will have their application suspended for six months and will be unable to bid for properties advertised during this period.

If a further refusal of an offer of accommodation is made, following reinstatement on the Housing Register, a twelve month suspension will be applied.

After an application has been reinstated following a 12 months suspension an applicant will be able to bid for suitable properties as advertised. If they are successful in receiving a further offer of accommodation and subsequently refuse that offer their application will be removed from the waiting list and they will be required to submit a new application after a period of 12 months.

If an applicant's circumstances significantly change during a suspension then the review process at Section 14 should be followed.

8. SUITABILITY CRITERIA FOR PROPERTY TYPES

Applicants should have regard to the criteria stipulated in the advertisement of available properties prior to placing a bid to ensure they meet the required criteria.

Before an offer of accommodation is made we will take into account the suitability and size of the property in relation to the family/number of people seeking accommodation and the financial position.

The outcome of your financial assessment may affect the types of accommodation you/your household are eligible for.

Suitability criteria may be adapted from time to time to reflect the supply and demand of properties, management of stock and overall community housing needs.

To address issues of low demand certain properties have a designated age criteria, therefore the eligibility criteria may be different. Any such differences will be clearly identified when the properties are advertised.

The following will usually be applied:

1. Single applicants under 60 are considered to need bedsits/one bedroom.
2. An adult requesting to share with another adult (who is not a partner) will require one bedroom each.
3. Single/Couples over 60 are eligible for supported accommodation of one or two bedrooms. Applicants under 60 with proven medical need or disability may also be considered for supported one and two bedroom accommodation.
4. Married couples, same sex partners and persons' living as man and wife are considered to need one bedroom (unless the partner needs a separate bedroom on proven medical grounds).
5. Two dependent children of the same sex or two children under ten of the opposite sex will normally be expected to share a bedroom. Dependent children are defined as children less than 18 years who live with the applicant and where the applicant is the parent or guardian and in receipt of Child Benefit or the child is in higher education.
 - a. If you have a large family that may have little or no prospect of finding a property, which is large enough for your needs, we may permit for properties smaller than you need.
 - b. In such circumstances, before any amendments are made to your bedroom eligibility; applicant approval will be sought to consent to considering smaller property types. Applicants should note that the Council will not consider offers of accommodation that would make your household statutorily overcrowded and applicants are not required to accept smaller properties although they may face significant wait times for alternative accommodation.
6. If you have a shared residence order or staying access for children, you are not automatically entitled to additional bedrooms for your child/ren. As long as the child/ren have one home of an adequate size, we (The Council) will not automatically provide a second home for the child/ren.
7. In determining the size of accommodation required for a household, children will only be counted as part of a household where it can be evidenced that you have the main responsibility for those children and this is where the children will reside as their main home i.e. they are your dependents. In determining this we will take into consideration the individual merits of each case taking into account:
 - The dependency rules as set out in HMRC Child Tax Credit or its equivalent under Universal Credits;
 - Court Orders, legally binding consent order or relevant supporting documentation from a solicitor;
 - Percentage of time spent caring for the children, where the Dependent is staying overnight;
 - The regularity and permanence of the arrangement;
 - Affordability; and
 - Any exceptional circumstances which mean that it is especially necessary for a child to have a home with both parents e.g. for medical or special care needs.
8. Foster carers or those adopting children who require additional bedrooms will be assessed on an individual basis in liaison and as confirmed in writing by relevant social care departments.
9. A woman with a pregnancy confirmed by an appropriate medical practitioner, will be counted as a household with a child after 36 weeks of pregnancy and therefore qualify for a bedroom each. If she already has one child, the unborn baby will be treated as if it were the same sex. If she has two or more dependent children residing with her, consideration for additional bedroom eligibility may be applied to the application following the birth of the

child.

Applicants are suitable for accommodation designated as supported accommodation if:

1. The Applicant or partner are 60 years of age or over
2. The Applicant or a member of the household is aged 60 years over. (Such applicants may be considered for some, but not all, supported accommodation).
3. The Applicant or a member of the household is under 60 years but has a proven mobility, medical or disability need. (Such applicants may be considered for some, but not all, supported accommodation).

In some circumstances medical authorities and/or evidence may be requested in addition to and in support of, a completed medical self-assessment questionnaire.

9. EFFECTIVE AND EFFICIENT MANAGEMENT OF TENANCIES AND HOUSING STOCK

This section of the Allocation Scheme enables priority transfers for existing tenants or applicants who find themselves in exceptional circumstances, which means remaining in their current accommodation is no longer deemed appropriate or safe and/or to enable NSDC to make best use of its limited available housing stock, prevent homelessness and create sustainable communities.

In such cases, a review of individual circumstances will be carried out by two senior officers within the Housing, Health and Wellbeing Directorate (not originally involved in the case) to make a final decision based on the evidence available.

The outcome of this decision may result in a direct allocation of accommodation, for reasons such as (but is not limited to):

1. Severe harassment, threats or actual violence, victims of anti-social behaviour, domestic abuse or where there is personal risk to the household if they remain. Sufficient evidence is required
2. Applicants who have either lost their statutory right to succession or have a succession right to a tenancy and the current accommodation is not suitable, as set out in the Tenancy Agreement.
3. To enable major repairs which require a permanent or temporary move (decant)
4. Where adapted properties are no longer required by a tenant or a member of their household.
5. Applicants or tenants requiring specialist and/or adapted properties.
6. Complex cases with multiple needs not addressed elsewhere in the scheme, where a multi-agency approach is required i.e. evidenced entrenched rough sleeping.

This decision may be part of a multi-agency risk assessment where information (including sensitive information) will be lawfully shared.

Local Lettings Schemes

Local Lettings Schemes can also assist in the management of existing housing stock, to help resolve issues such as areas suffering from a disproportionate amount of anti-social behaviour or to help widen housing choices for local people and provide sustainable communities.

Local Lettings Schemes are an exception. They implement additional specific criteria to be considered in a local area when allocating housing through this Allocation Scheme.

The application of Local Lettings Schemes will be carefully considered by NSDC based on need and evidence for a limited period of time and reviewed to assess its effectiveness.

Local Lettings Schemes will be published on our website, available at www.newark-sherwooddc.gov.uk

10. ANNOUNCEMENT OF LETTINGS/FEEDBACK

Results of every property allocated will be published on a monthly basis on our website, available at www.newark-sherwooddc.gov.uk

Feedback information is available to applicants, to understand their housing options, to make informed decisions and choices about their future bidding and to compare their housing need against the available housing.

We will continue to produce and publicise facts on the overall allocation of properties within the district on a monthly basis.

11. CUSTOMER COMMENTS PROCEDURE

Applicants who wish to comment or complain about the service are able to contact us via comments@nsdc.info or visiting the website at www.newark-sherwooddc.gov.uk in order to obtain the relevant forms for completion to ensure this is dealt with under official procedures.

12. REVIEWS AND APPEALS

If an applicant is dissatisfied with any decision relating to their application for housing, they may request a review of this decision. This will allow an applicant to have their circumstances initially considered and reviewed by a more senior officer, not previously involved in any assessment or decision.

If the applicant is still dissatisfied with the outcome, and feels there are additional special circumstances that should be (or have not been) taken into account, they would then be able to appeal in line with Stage 2 of our Customer Comment and Complaints Policy.

This process will ensure that an applicant's appeal is dealt with fairly, according to the Scheme, relevant legislation and within a time limited framework.

Requests should be made in writing, supported by evidence.

Review requests relating to the offer of accommodation to statutory homeless households in Band 1, is excluded from this review process. Further details can be found in Section 6 -Applicant Bandings.

13. SCHEME REVIEW

Senior officers from NSDC will regularly review the Allocations Scheme to ensure its requirements are being implemented and that it continues to meet relevant legislation and any new duties placed upon the Council.

Where amendments are necessary these will be implemented in consultation with applicants and stakeholders when and where appropriate.