



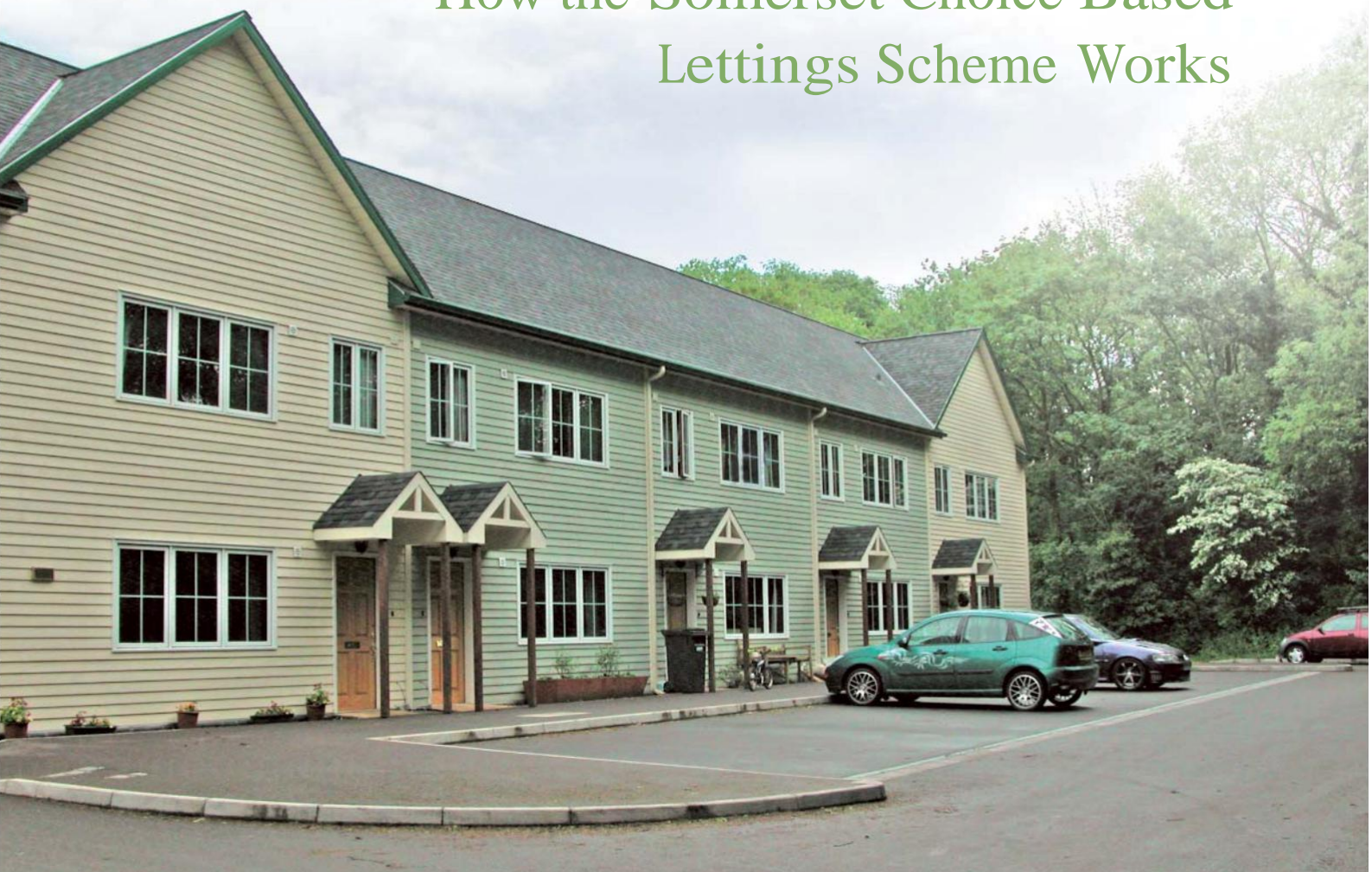
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# Homefinder Somerset Common Lettings Policy

Issue No 3: August 2013

How the Somerset Choice Based  
Lettings Scheme Works





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## Homefinder Somerset - Common Lettings & Assessment Policy

### I. Introduction

I.1. This document describes the Homefinder Somerset Choice Based Lettings Scheme (CBL) and Common Housing Allocation Policy run by the five Somerset district councils in partnership with the majority of housing associations operating within Somerset. It has been drawn up with regard to the following documents:

- Somerset Strategic Housing Framework
- Somerset Homelessness Strategy
- Somerset Tenancy Strategy

I.2. We believe that such schemes involving a partnership of housing authorities and registered providers of social housing working together with private landlords wherever possible is the best way to achieve the greatest choice and flexibility meeting applicant's needs.

The scheme's key objectives are:

- To deliver a customer-led choice based lettings system.
- To widen the choice of housing outside traditional local authority boundaries.
- To ensure the scheme is open, fair and accountable to applicants and staff.
- To increase understanding and satisfaction in the lettings system.
- To give new tenants a feeling of ownership of their property.
- To help create 'sustainable' communities.
- To make more efficient use of the available housing stock.
- To help tackle low demand.
- To reduce 'void' turnaround times.
- To reduce the number of refusals on 'hard to let' properties.
- To create a single point of access to all social housing in the County.
- 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 regional mobility.
- To meet the legal requirements for the allocation of social housing as set out in the Housing Act (1996) as amended by the Homelessness Act (2002).

### 2. The Scheme in Brief

2.1. All applicants for social housing across Somerset will complete the same application form and will be assessed against the same clear set of criteria laid out in the 'Banding' structure (see section 6). Depending on their circumstances, applicants will be placed into one of four Bands, Gold, Silver, and Bronze or in a very small number of cases an Emergency Priority Band.

2.2. Once the application has been registered, applicants will be advised of their banding, application date, the size of property they are eligible for, together with a personal reference number which will enable them to express an interest for social housing vacancies being



advertised across the whole of Somerset. Affordable housing including shared ownership and accredited private sector vacancies may also be advertised using this same process.

- 2.3. Expressions of interest for properties can be made, by using an automated phone line, the Homefinder Somerset website (via the Internet), or in person by visiting an office of one of the partner landlords. Applicants will be able to monitor the success of their expressions of interest and their history of expressions of interest via the website.
- 2.4. Once the deadline has passed for expressions of interest to be made, the successful applicant will usually be the person in the highest band with the earliest application date. An offer will then be made subject to the potential landlord confirming the details on the original application form and the current circumstances of the applicant. Incorrect information may result in the offer being withdrawn and the band being re-assessed.
- 2.5. Applicants for sheltered or supported housing will also have an assessment of their support needs. Applicants with identified support needs that express an interest for sheltered or supported housing vacancies will have priority over other applicants within the same band irrespective of whether those with no identified support needs have an earlier application date.
- 2.6. The banding and application date of the successful applicant, together with the total number of expressions of interest made for each property will be published. This enables applicants to develop realistic expectations regarding their chances of success and likely waiting period.

### 3. Application Procedure - Who Can Apply?

- 3.1. The Homefinder Somerset Register is open to almost any one. It may include existing tenants looking to transfer to another property, homeless families looking for a permanent home and other applicants who either rent in the private sector, own or are buying a property or lodging with family and friends. Married couples and civil partners will receive equal treatment under the policy. Social landlords normally allocate properties to families in order to make the best use of stock – please refer to section 13 (property size) for more information.
- 3.2. An application may include anyone that is reasonably expected to live together as part of the same household; this may include friends of the applicant.
- 3.3. Where more than one eligible applicant has a shared application they will be treated as joint applicants.
- 3.4. To apply for a property, applicants must be registered on the Homefinder Somerset Register and that application must reflect their current circumstances.



3.5. Application packs are available from the offices of all the partners within the scheme and include details of how the scheme works and how to find and express an interest for a home

3.6. Who Cannot Participate?

3.6.1. The Homefinder Somerset Register is open to all applicants except the following:

3.6.2. Persons from abroad who fail the 'habitual residence' test, UNLESS they have refugee status, exceptional leave to remain or indefinite leave to remain. Habitual Residency provides details about an applicant's right to stay in the UK and any eligibility for public housing.

3.6.3. There are certain regulations laid out by statute that govern the allocation of properties to persons from abroad and these will be referred to when assessing applications.

**Persons between 16 and 18 years of age**

3.6.4. It should be noted that a tenancy will not usually be given to applicants under the age of 18 years without a 'guarantor' (e.g. Social Services, parent, guardian, litigation friend). Partner organisations may have different policies in dealing with persons under the age of 18. For more details please contact the individual landlord.

**Non Qualifying Persons**

3.6.5 Applicants who do not have a local connection to one of the five local authority partners within Homefinder Somerset (as defined in section 22.4 below) will not qualify to join the Homefinder Somerset Housing Register.

3.7. What Other Factors Are Taken Into Account?

3.7.1. An application can be affected where there is evidence that an applicant has broken their existing or previous tenancy conditions (including rent arrears and anti-social behaviour) for which there are statutory grounds for possession, or who have committed acts of physical violence against staff or other residents. Grounds will not be used as a 'blanket ban' against all such people, but will be considered alongside each applicant's relative housing need. See Selection Procedure 24.3.

3.7.2. Where possible, such grounds will be identified at the initial application stage of the Homefinder Somerset process and the applicant will be informed in writing that any expression of interest for a property may be unsuccessful. All partners of Homefinder Somerset will also be notified of this decision. Applicants will be informed, on request, of decisions about the facts of the case that may affect whether to allocate housing.



3.7.3. Any applicant has the right for a review of the following decisions:

- a) That they are ineligible.
- b) That all priority will be suspended because of unacceptable behaviour.
- c) About the facts of their case: e.g. banding or eligibility for a property.

A Housing Officer who has not been involved in the original decision will carry out such reviews.



#### 4. Protocol for Housing Dangerous Offenders and Potentially Dangerous Offenders

- 4.1. All five District Councils within the scheme have entered into an agreement to use the Somerset Multi-Agency Protocol in dealing with dangerous offenders in order to exchange information on any applicant who has been convicted of a serious offence. Any applicant who confirms on their application form, or who is suspected, or accused, of being a dangerous offender, will be subjected to the provisions set out in the information exchange protocol.
- 4.2. There is not a blanket ban preventing dangerous offenders from being included on the housing register. However, before any known offender is offered housing, full consultation will be undertaken with the relevant support agencies to assess the risks involved. Some dangerous offenders will be given a high priority so that the relevant agencies can continue to monitor them. The Somerset Multi-Agency Protocol is only for specific offender group and only covers referrals from the Public Protection Team and Avon and Somerset Constabulary and does not guarantee the provision of a tenancy.
- 4.3. Re-housing of dangerous offenders will be carried out in consultation with the relevant agencies to minimise the risk to the public and with the long term aim of influencing the successful accommodation and resettlement of the offender, thus minimising the risk of re-offending and protecting the public and victims of offenders. The Local Authorities or Probation will express an interest on behalf of any applicant who falls within this category.
- 4.4. In the interests of public protection, it is essential that the Police and Probation Service are able to control and monitor the behaviour and activities of dangerous offenders. This task is made more difficult if such offenders do not have a fixed address or are housed in circumstances that make it difficult for the agencies to monitor them appropriately.

#### 5. Transfer Policy

- 5.1. All existing tenants of the partners have the right to apply for a transfer, subject to any restrictions that apply to their tenancy. Tenants' housing needs will be assessed and placed in the relevant band on the register together with all other applicants.
- 5.2. Some advertised properties will be labelled giving preference to transfer applicants to ensure that each landlord makes the best use of their housing stock.





## 6. Assessment of Applications

- 6.1. The scheme will assess all applications according to the level of housing need of individual applicants. All applications will be placed into one of four Bands - Gold, Silver or Bronze or in exceptional circumstances placed into Emergency Priority Band (section 7 refers).

### **Applicants financial resources**

- 6.2 Social Housing provided throughout Homefinder Somerset is for people who are considered to have insufficient resources to meet their housing need.
- 6.3 The resources available to each household will be assessed to determine whether they are sufficient to meet their housing need in accordance with this policy.

### **Household Income**

- 6.4 Applicants with a gross household income more than five times higher than the relevant Local Housing Allowance level (or successor) prevailing in the relevant Somerset local authority area at the time will normally be considered to be able to meet their housing need, through either renting privately or owner occupation. Local affordability issues will be taken into account given that some areas of Somerset have especially high property values. Such applicants will therefore be placed in the Bronze housing need band unless the applicant falls within the circumstances set out at 6.8 below.
- 6.5 Further information on the financial assessment and the Local Housing Allowance rates that apply across Somerset are available from local authority housing teams.

The following types of income are fully disregarded:

- Attendance Allowance
- Disability Living Allowance

### **Capital, Savings and Equity**

- 6.6 The capital, savings, property, land and equity available to an applicant's household will be assessed. If it is determined that, given:
- The applicant's household capital, savings, property, land and equity;
  - The size and composition of the applicant's household;
  - The local housing market (for example prices to buy or rent privately);

that an applicant can resolve their own housing need within their local housing market, they will be placed in the bronze housing need band.

- 6.7 Applicants can contact their local authority housing teams for details of how this assessment is made.



- 6.8 Applicants who have an overriding medical or support need may be exempt from the financial assessment. Applicants who are under occupying a property type that is in high demand in a specific area may also be exempt from the requirements for a financial assessment. These exemptions will be dealt with on a case by case basis.
- 6.9 Partner landlords within Homefinder Somerset may have different policies relating to the levels of income and other assets of those households that they will accommodate. Whether an expression of interest for a home is accepted will therefore be subject to the policies of the each partner landlord. More information is available from each Homefinder Somerset partner.
- 6.10 Applicants may be required to demonstrate that they can afford the rent on any prospective tenancy before being allowed to sign for it.

### **Banding Criteria**

- 6.11 Note that an applicant who accepts an offer of housing that does not fully meet their housing needs and then subsequently reapplies to the housing register with no change in their circumstances, will normally be placed in the bronze band.
- 6.12 The criteria for being placed within each band is as follows:

#### **Gold Band**

##### **Homeless/Threatened with Homelessness:**

Applicants accepted as homeless by a local authority within the Homefinder Somerset area under Part VII of the Housing Act 1996, (as amended by the Homelessness Act 2002) including Rent (Agricultural) Act Cases. -

##### **Lack of bedrooms / Overcrowding:**

Applicants who lack 2 or more bedrooms, (Section 13 refers) or have been confirmed as overcrowded (defined as a category 1 hazard and/or Statutory overcrowded) by a Local Authority officer, UNLESS evidence exists that proves the overcrowding is deliberate. Where an applicant is sharing facilities please also see Silver band Lodger/Shared Accommodation.

##### **Under-occupation:**

The applicant is a tenant of a Homefinder Somerset partner who resides within the Homefinder Somerset area and under-occupies their existing property and is looking to move to a smaller, more suitable property. Note: Where a tenant lives in specialist two-bedroom property this may not apply. Applicants will only be able to benefit from this banding once when applying to the register unless there is a subsequent change in their circumstances.

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**Harassment:**

The applicant is a victim of harassment or violence (including racial harassment) at their current property within the Homefinder Somerset area, providing evidence exists to substantiate the claim (e.g. from Police/Housing Officers). This band will last for three months and may be extended for a further three months if the harassment or violence is continuing and evidence is provided to confirm this. Applicants must express an interest on properties away from the area where the harassment or violence is or has been occurring.

**Medical/Welfare:**

The applicant is awarded a 'high' medical priority (see section 14).

Note that where public monies have been committed or works begun to adapt the applicants property to meet the applicants housing needs the applicant may be moved to bronze band.

**Disrepair:**

Based on the conditions identified, the local authority has deemed your home to have the presence of Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CANNOT be resolved or reduced to a Category 2 hazard within 6 months. In all cases the landlord must be informed of the hazard for this banding to apply.

**Supported Housing:**

The applicant resides within a short-term Supported Housing project (usually up to a maximum of two years) and is seeking to 'move-on' into independent accommodation. NB: The Project Manager of the scheme must confirm in writing that the applicant is ready for such a move and has acquired reasonable skills to sustain a tenancy. Until this time, the applicant will be placed within the Bronze Band. The application date will be the date they entered the Supported Housing, or the date a homeless application was made, where the earliest date will apply.

**Care Leavers:**

Where a young person who has been looked after, fostered or accommodated and has had a duty of care accepted under the Children Act in the Homefinder Somerset area, and is ready for independent living, they should be awarded gold band to enable a planned move on to independent suitable accommodation providing a support plan is in place. The application date will be the date of the applicants 16<sup>th</sup> birthday.

**Combined Medical/Welfare:**

The applicant has been awarded a 'medium' medical priority, combined with a 'medium' disrepair award from the Silver Band (See Appendix 1&2).

**Cumulative need**

The applicant is awarded four or more silver band housing needs with the exception of those applicants that are found to be intentionally homeless by the relevant local authority.



### **Decants**

Social Housing Tenants of a Homefinder Somerset landlord whose existing properties are subject to major works for rebuilding/renovation or re-designation and are within the Homefinder Somerset area and need to move to another location, will be placed into the gold band to enable them to move quickly. Applicants will be placed into gold band up to 12 months before the proposed start date of the scheme/works (this date has to be confirmed by the landlord) and will be given an effective date 1 year prior to their actual application date.

### **Tenancy Succession**

Where the Local Authority receives written support from a Homefinder Somerset landlord that an applicant has been living in a social housing property within the Homefinder Somerset area but has no legal right to succession on that property, and the landlord confirms that they intend to pursue possession of the property, the applicant may be placed into gold band. The applicant will be subject to the financial assessment set out within the policy and will also be subject to automatic expressions of interest after a 9 month period. Please refer to section 26.8 for further details.

### **Silver Band**

#### **Medical/Welfare:**

Applicant awarded a 'medium' medical priority (see section 14).

#### **Disrepair:**

Based on the conditions identified by the local authority, it has been shown that your home has Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CAN be resolved or reduced to a Category 2 hazard within 6 months and/or has shown that your home has Category 2 hazards, Band D (Housing Health & Safety Rating System).or at least 4 Category 2 Hazards.

#### **Lodgers/Shared Facilities:**

Applicants that have dependent children and are lodging with friends or family or in accommodation with shared living facilities. This will take precedence over any lack of bedroom requirements.

#### **Lack of bedrooms:**

Applicants who lack one bedroom in their current home.

#### **Other Homeless:**

Homeless/threatened with homelessness applicants not accepted by the Homefinder Somerset partners under Part VII of the Housing Act 1996 or who have nowhere to live (e.g. No Fixed Abode 'NFA').



### **Split Families:**

Applicants who, not by choice are living in separate households due to the lack of suitable accommodation available, and cannot live together and wish to be re-housed and have not been accepted by the Homefinder Somerset Partners under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002). This includes those who may not have been living as part of the household at the time of the application, but whom it would be reasonable to expect to live with the applicant, as part of his/her household. An application form should be completed by the household living in the worst property out of the households applying, to ensure the application is placed in the correct banding.

### **Work/Support**

Applicants who are able to demonstrate the need to move nearer their place of work within, the Homefinder Somerset area because they have secured or has permanent employment (over 16 hours) in the area (evidence of the employment must be provided). Also applicants who are able to demonstrate the need to move nearer local facilities or relatives, in order to receive, or give, essential and critical medical or other support or care within the Homefinder Somerset area where significant harm would result if this was not provided.

### **Children in flats:**

Applicant who is pregnant or has a child/children under 10 years of age and lives in a first floor flat or above and has no access to a lift. Proof of pregnancy must be provided.

### **Bronze Band**

#### **Adequately Housed:**

Applicants who, at the time of their application, live in a property which is adequate for their needs in terms of size and facilities. This applies to applicants who live in social housing, are owner-occupiers or tenants of private landlords. Note an applicant that lives in a self contained bedsit/studio flat or apartment where no facilities are shared will be banded in bronze unless they have other housing needs.

#### **Owner occupiers:**

Applicants who are owner-occupiers (this includes shared equity properties), whose home is not suitable for their needs and who have sufficient equity within the property to obtain suitable alternative accommodation. The Local Authority will consider each application on an individual basis. (Note: high medical needs or disrepair problems may over-ride this rule and place the applicant in a higher band).

#### **Medical/ welfare:**

Applicants awarded a low medical/welfare assessment. (See Section 14)



**Disrepair:**

No significant hazards identified justifying enforcement action by the local authority.  
(See Appendix I).

**Move-on:**

Applicants who are living in short term supported housing within the Homefinder Somerset area or are care leavers, prior to confirmation received by the Project Manager of the scheme or relevant care leavers protocol arrangements that the applicant is ready to move on, (at which point they will be placed into the Gold Band whilst maintaining their original application date).

**Lodgers/Shared Facilities:**

Applicants with no dependent children that are lodging with friends or family or in accommodation with shared living facilities. This will take precedence over any lack of bedroom requirements.

**Adequate Financial Resources**

Applicants that are deemed to have adequate financial resources that can meet their own housing needs.

**Accepted Offer That Doesn't Meet Needs**

The applicant has previously accepted an offer of accommodation that does not meet their housing needs and has reapplied to the register with no other change in circumstances.

**Previous use of Under Occupation**

The applicant has previously made use of the underoccupation banding and has reapplied to the register with no other change in circumstances.

**No Housing Need**

The applicant has no identifiable housing need.

**Deliberately Worsened Circumstances**

Households that have been assessed as having deliberately worsened their housing circumstances by moving into accommodation that is unsuitable for their needs and /or by taking no action to improve their circumstances which can be evidenced may be placed into bronze band.



## 7. Emergency Priority Band

- 7.1. An 'Emergency Priority Band' will only be issued to any applicant who requires an 'urgent' move to ensure the applicant's safety and welfare for whatever reason. Substantial evidence must exist before such a priority is awarded. This priority may be awarded where circumstances could include:
- a) The award of an 'urgent' medical assessment as defined in appendix 2 or
  - b) The award of an 'urgent' disrepair inspection by a Housing Standard Officer or Environmental Health Officer (EHO), or
  - c) In extreme cases where the Police or other relevant agency recommend an urgent move to escape violence or threats of violence. Applicants must express an interest on properties away from the area where the violence or threat is or has been occurring) , or
  - d) Where the applicant, or a member of their household, has suffered a sudden 'traumatic event' which is linked to their home and living within their home will cause considerable distress (e.g. serious sexual assault), or
  - e) Where there are extreme cases of cumulative need and where it is unacceptable for the applicant to remain in the current banding (subject to the discretion of the Assessment Panel).
- 7.2. Please note that awarding of 'Emergency Priority Band' can only be made by the Assessment Panel except where confirmation has been received from a hospital that an applicant is bed blocking and they are unable return to their home due to its unsuitability or where the circumstances referred to 7.3 below apply. Where an immediate decision is required, the Senior Manager within the respective local authority administering the housing register will consult two other members of the Assessment Panel, one of which must be from another partner organisation in order for a decision to be made. The case, and subsequent decision, must be reported to the next Assessment Panel meeting.
- 7.3. Emergency Priority Band may also be awarded where the tenant of a 'sheltered' or 'adapted' property for the disabled has died leaving another family member in the property and the landlord wishes that family member to be moved quickly to enable the property to be let to an applicant who requires it.
- 7.4. Emergency Priority Band is time limited and will last for 28 calendar days. If the applicant has not applied for a property suitable for their needs within that time their Emergency Priority Band will be reviewed by the Assessment Panel and if not renewed the applicant will be placed in the appropriate band for their needs. If no suitable vacancy has arisen within this time then the Emergency Priority Band will be renewed automatically.



## 8. Application Date & Effective Date

8.1. All applications will be given an 'Application Date', this is the date the application is **treated** as being received. This date determines how long an individual has been on the housing register and is usually the date the application is made.

All applications will also be given an 'Effective Date' this is the critical date for allocation purposes. The Effective date is the date the applicant was placed in their current band, for most applicants this will be the same as their application date (see 8.1 (a) to (c) and 8.2(a) to (d) for exceptions). If an applicant's circumstances alter resulting in a change of banding their Effective date would be amended (see 9.2 for details).

a) Applicants in short term supported housing will be given an effective date of the date they moved into the scheme.

b) Homeless applicants accepted under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) will be given an effective date of the date the formal homeless application is taken by the Local Authority, unless they are already in Gold band for other needs.

c) Care leavers with a care plan in place and confirmation they are ready to move on will be given an effective date of the date they reach their 16th birthday.

8.2 In order to give additional priority to the following groups:

- (a) former members of the Armed Forces that have left the services in the last 5 years
- (b) serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- (c) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- (d) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service

In these cases the effective date will be backdated five years from the date of application.





## 9. Change of Circumstances

- 9.1. A change to the information supplied on the initial application could result in a change of banding and, or bedroom eligibility. Once registered for housing the applicant has a responsibility to promptly report any change of circumstance to the local authority in writing or by completing a paper or online change of circumstance form.

Examples of changes in circumstances that an applicant must report are:

- Change in household members
- Change in medical condition of any household member
- Changes/alterations to the condition of the property they live in
- Changes in income of any household member
- Changes in capital including the inheritance of any capital or property of any household member
- The inclusion or exclusion of domestic pets
- They no longer wish to remain on the housing register
- Where a landlord has carried out improvements to remove previously identified hazards

If an applicant **changes address** and wishes to remain on the register a new housing register application must be completed. The applicant can notify the Local Authority of this change by telephone and receive advice on how to register their new details.

- 9.2. After the initial banding of an application where the application and effective date are usually the same. If there is a change in the applicants' circumstances resulting in a move to a higher band; the effective date will be amended to the date the change is reported. If an application is moved into a lower band the effective date will be amended to the application date.
- 9.3. In circumstances where registered 'Joint' applicants subsequently separate, the Homefinder Somerset scheme reserves the right to apply the original registration date to the household affected.

## 10. Application Renewals

### 10.1. Annual Renewal

Within 12 months from their initial registration date, all applicants may be sent a renewal letter. If the renewal information is not returned within 28 calendar days a cancellation letter will be sent.

If the applicant has been identified as potentially disadvantaged, including prison leavers, a letter will be also be sent to the carer/agency specified. Failure to respond may result in a cancellation of application. Applications that are cancelled are subject to the review process.



## 10.2. No Expression of Interest Renewals

Where an applicant has not expressed an interest in any available properties for one year, from their date of application, they may be contacted to see if they still wish to remain on the Homefinder Somerset Register. If there is no response within the required time limit of 28 calendar days from the letter being sent, the application may be cancelled. The applicant will be notified of the cancellation in writing. If the applicant contacts the Local Authority within 28 calendar days of their application being cancelled and indicates that they still wish to be considered for housing the application will be reinstated from their last application date in band.

## 11. Cancelling Applications

### 11.1. An application will be cancelled from the Homefinder Somerset Register in the following circumstances:

- At the request of an applicant,
- Where an applicant does not respond to an application review, within the specified time limit,
- Where a Local Authority or a Registered Social Landlord has housed the applicant,
- When a tenant completes a mutual exchange,
- Where an applicant does not maintain their application through the review process, or where the applicant moves and does not provide a contact address,
- Where the applicant has not supplied the relevant information requested within 28 calendar days.

### 11.2. When an application has been cancelled (except where an applicant is housed by a Homefinder Somerset partner landlord), the applicant or their representative will be notified in writing. Where an applicant has been highlighted as potentially disadvantaged, the Local Authority will contact the applicant to check their circumstances before cancelling the application.

### 11.3. Any applicant whose application has been cancelled has the right to ask for a review of the decision.

## 12. Rejoining the Homefinder Somerset Housing Register

### 12.1. Where an applicant wishes to re-join the housing register at a later date their new date of registration will be the date they re-apply. Their date in band will be the date that they are placed in the housing needs band following assessment of the new application. This will apply to all applicants unless the applicant falls within the provisions of section 8b) in which case those provisions will apply.



## 13. Size of Property

- 13.1. Applicants will be able to express an interest for selected properties that match the needs of their household. A maximum of two people can share a bedroom. Household members living together as a couple will be assessed as requiring one bedroom unless there are exceptional circumstances.

To calculate the bedroom eligibility we allow one bedroom for:

- A single applicant or couple (married or unmarried)

We allow one additional bedrooms for:

- Any two children of the same sex under the age of 16
- Any two children under 10 irrespective of sex
- Any other person aged 16 or over
- Any other child, (other than a child whose main home is elsewhere)
- A carer who does not live in the household but provides a household member with long term overnight care

When the bedroom calculation awards a separate bedroom for any other person over the age of sixteen, if the household has two same sex household members that wish to share a bedroom the applicant must sign a 'bedroom reduction declaration form'. This would allow applicants to express interest on properties smaller than the bedroom calculation. The applicant will be made aware that their current banding could be affected and should they need to reapply for social housing this declaration will be taken into account when calculating the bedroom requirement.

When letting houses, priority will normally be given to households with children under the age of 16.

Individual landlord's letting policies or local planning policies can affect the size of the households that may apply for particular properties. Any such restrictions will be included in the property advert.

- 13.2. Because of the very high demand for properties within Somerset, additional bedrooms cannot be given to applicants who do not have children who normally live permanently with them as their full time principle home. Partner landlords may choose to allow applicants to express an interest for properties that are larger than their needs but this will be on a property by property basis and is at the landlords discretion.



- 13.3. For any current tenant of a partner landlord downsizing to smaller accommodation there are no restrictions on the size of property they can move to providing no overcrowding will occur. The new property has to have at least one bedroom less than their current home. However in certain circumstances, where an applicant for example is moving from a house to a flat with the same number of bedrooms, then the number of bedrooms maybe disregarded.
- 13.4. Where tenants of a partner landlord are overcrowded within their accommodation account should be taken of the room sizes in determining an applicants banding. For example, where a tenant is living in 2 bedroom, 3 bed space unit, if there is a couple and 2 children living within the property, these applicants should be viewed as one bedroom overcrowded, Silver Band, eligible to apply for a 3 bedroom property, as they are one bed space overcrowded.
- 13.5. Applicants who are overcrowded by 2 bedroom spaces or more should be 'Gold Banded'. See section 6.1 – gold band for further information. Consideration for an extra bedroom will also be given where the applicant has demonstrated a need for long term overnight care.
- 13.6 Applicants who are approved foster carers or are in the process of gaining approval may be granted an additional bedroom over and above the calculated bedroom need for their existing household. Only one additional bedroom will be granted in these circumstances.
- 13.7 Applicants who have adult children in the armed forces where the child's main and principle home is with the applicant may be granted an additional bedroom.
- 13.8 Applicants who have adult children that are in full time education where the child/children's main and principle home is with the applicant may be granted additional bedroom(s) except where the child is in rented accommodation for the purposes of attending their full time education course. Any such additional bedrooms would not qualify for Housing Benefit.

#### 14. Medical Assessments

- 14.1. An applicant's (or member of the household included within the application) medical condition can be assessed in one of two ways:

##### Physical condition/illness:

Applicants complete a Health & Housing Assessment Form, which asks for details of the applicant's medical condition, reasons why their current property affects that condition and reasons why they wish to move.

##### Mental Health

The Health & Housing Assessment Form also assesses an applicant's mental health condition. Applicants may wish this form to be supported by a professional worker (e.g. CPN, Social Services, Doctor) who has knowledge of the applicant and their condition.

- 14.2. All medical applications will initially be assessed by an appropriate Housing Officer or by Assessment Panels.



- 14.3. The assessment will be based on the applicant's (or member of the household included in the application) medical condition, the affect their property has on that condition and how moving to an alternative property can help that condition. (See Appendix 2 for Medical Assessment Notes)
- 14.4. Following the medical assessment, the applicant will be informed in writing of the outcome and any change to their banding. If the applicant disagrees with this assessment they may appeal to the panel to reconsider their medical application. The Panel will only under take reviews where further medical evidence is supplied by the applicant to substantiate their application. Any requests for a review of the Panel's decision must be made within 14 days and the decision will be reviewed within 28 calendar days.
- 14.5. Where an applicant's (or member of the household included in the application) medical circumstances change substantially, a new medical application should be submitted along with any supporting evidence.
15. Disrepair Assessments
- 15.1. The application form asks applicants about the condition of their current home. Where an applicant indicates the property is in a bad state of repair they will be sent a 'Property Condition Report Form' to complete and return to their local authority housing office. The form asks the applicant for details of the hazards that are affecting their health or safety and these will be used by an appropriate Housing Officer or referred to an inspector (normally an Environmental Health Officer (EHO) or Housing Standards Officer) when conducting an inspection of the property. If the applicant resides outside of the Homefinder Somerset area, then the Homefinder Somerset Partnership will contact the respective Local Authority to arrange an inspection, if required.
- 15.2. Following the inspection, and depending on the condition of the property, a level of priority will be allocated - either nil, low, medium, high or urgent, which will determine the band in which the applicant is placed. If the applicant is an existing social housing tenant the relevant landlord will be notified of the problem.



## 16. Notification

16.1. Once you have been verified as eligible to join the register, your fully completed application form will then be assessed. We aim to undertake this assessment within 15 working days. You will then receive a letter confirming your application details. This letter will notify you of the following ;

- a) The Band in which the applicant has been placed (bronze, silver or gold or emergency)
- b) The reason for their banding
- c) The size of property the applicant is eligible for,
- d) The Application Date,
- e) A reminder about informing us of any change in circumstances,
- f) The Homefinder Somerset review procedure (see section 17),
- g) A personal reference number to allow expressions of interest for properties.

16.2. Applicants will also receive notification of their application details within 15 working days if they have submitted a Change of Circumstances' form.

## 17. Review Procedure

17.1. Once an applicant has been notified in writing of the band in which they have been placed or their ineligibility, they will have a right to request a review against the assessment. Reviews must be submitted in writing, to the local authority housing office within 28 calendar days of the date on the notification letter and include the reason why the applicant believes their banding or ineligibility is wrong, together with any additional information that the applicant believes is relevant.

17.2. The request for a review will be acknowledged by the Local Authority within 7 calendar days of its receipt. An officer who played no part in the original assessment will carry out the review and respond in writing to the applicant within 28 calendar days of the receipt of the review letter. Following the review, the applicant will be informed of the outcome in writing.

17.3. If the applicant is dissatisfied with the outcome of the review then they can request a further review through the relevant local authorities reviews procedure.

## 18. Finding a Home

18.1. Once applicants have been entered on the Homefinder Somerset Register and notified of banding and reference number, they can start to look for a property of their choice.



## 19. Advertising

19.1. All partner landlords are committed to advertising their available properties as widely as possible. Properties can be advertised on a weekly/fortnightly basis and may be advertised in one or more of the following ways:

### a) Newsletters

Adverts may also be placed into free Homefinder Somerset newsletters, which will be available in a number of localities across Somerset.

### b) Website

A dedicated Homefinder Somerset website is available ([www.homefindersomerset.co.uk](http://www.homefindersomerset.co.uk)) and is accessible to anyone with Internet access. The website will allow applicants to view all available properties across the whole of Somerset and apply 'on-line' for properties of their choice.

### c) Local Offices

Computers will be placed in some landlords' offices for applicants to view and express an interest for available properties. Other sites may also be considered.

### d) Hotline

A local number is available for applicants to call to hear what properties are available. Applicants will hear an options menu where different size properties can be selected and heard. This service is important to the Homefinder Somerset service and our efforts to assist disabled applicants, particularly those who are blind or partially sighted to access the service. The Hotline service will also benefit those applicants who are unable to read.

## 20. Advertisement Deadlines

20.1. All advertisements will carry a deadline by which time expressions of interest for particular properties must be received. This will normally be one week from the date of the advert. Any applications received after the deadline has been reached will not be considered for the property.

## 21. Property Descriptions

21.1. Properties advertised will carry (where possible) a photograph of the property and a full description. As a minimum the description will include:

- a) Type of property
  - b) Number of bedrooms
  - c) Location of property
  - d) Any adaptations (e.g. disabled facilities)
  - e) Services provided (e.g. support, carer, cleaning)
-



- f) Heating type
- g) Rent charged/service charges

## 22. Labelling Properties

22.1. Adverts will also give information on who will be eligible to apply for the property. For example, if the property is a sheltered housing unit the advert may state that only applicants above a certain age with support needs would be eligible or where there are other support needs due to physical or mental disabilities. An adapted property suitable for someone in a wheelchair may be labelled to say that applicants must require such a property.

22.2. Properties will only be available to applicants in certain 'Bands' according to the size and type of the property, the number of annual vacancies and level of demand. For example, a three-bedroom property in a high demand area may only be advertised to 'Gold' Band applicants, areas where there is low demand may be offered to both Gold and Silver Band applicants, or in some cases, all bands. In addition certain properties may only be available to applicants that meet specific eligibility criteria (e.g. eligible for supported housing, or having certain age requirements for household members).

### 22.3. Supported Accommodation (e.g. sheltered)

In addition to the banding system, all partner landlords may wish to ensure that supported accommodation is allocated to those who have not only a housing need but also a 'support' need (as detailed in the application form). Landlords will therefore be looking to accept expressions of interest from applicants in the highest band and who may have an identifiable support need in addition to the earliest application date. This support need will be verified at the time of the home visit.

### 22.4. Local Connection

Although the banding system reflects housing need and subsequently the priority of each application, there may be occasions when it may be appropriate to protect housing for local people. Local connection is defined where an applicant has:

- Normally be resident in Homefinder Somerset. Local Government Association guidelines define this as having resided in the relevant area for six of the last twelve months, or three out of the last five years, where residence has been out of choice. In line with the Housing and Regeneration Act (2008) service personnel who have been based and living in Somerset will be considered to have a local connection with Somerset.
- Work in Homefinder Somerset. The Local Government Association guidelines define this as employment other than of a casual nature. For the purposes of this policy this will be defined as having had permanent work with a minimum of a 16 hour contract per week for the previous 6 months, and without a break in the period of employment for more than three months.





- Note that residency in a property where treatment or rehabilitation of any kind whilst working will not count towards establishing a local connection.
- Where an applicant needs to move to take up an offer of permanent employment (over 16 hours and evidence will be required) within Homefinder Somerset and commuting to their new place of work from their existing home would be unreasonable.
- Have family connections in Homefinder Somerset. The Local Government Association guidelines define this as immediate family members (parents, siblings and non-dependent children) who have themselves lived in the area for five years and with whom there has been frequent contact, commitment or dependency.
- Demonstrate a need to move to Homefinder Somerset to give or receive essential and critical medical or other support where significant harm would result if this was not provided.

Preference may be given to local residents who may be economically or socially driven from their community due to a lack of affordable housing. This may be due to planning restrictions (Section 106 Agreements) or to ensure sustainability of the parish where there is a clearly proven local housing need.

## 22.5. Transfer Applications

All the partner landlords are keen to ensure that they make the best use of their own stock. To achieve this, it is likely that a certain proportion of properties advertised will be labelled giving preference to transfer applicants or transfer applicants in a specific band, for example the silver band and in some cases preference will also be given to existing tenants of that landlord. The number of properties labelled as such will be monitored on a regular basis.

## 22.6. Accepted Duty Homeless Cases

In order to fulfil its statutory duties towards the homeless and to create a through flow of temporary accommodation a Local Authority may label properties allowing only households who have been accepted by that Authority as unintentionally homeless and in priority need, to express a preference or give preference to this group.



## 22.7 Sensitive Letting – individual properties

Occasionally there may be a requirement to assist in dealing with issues that impact on a small, specific location that may be only 1 dwelling on an estate or within a block. This may be to:

- Reduce the concentration of certain needs groups which are impacting on housing management
- Promote a mixed and sustainable community by seeking to select/not select households with particular characteristics

On these occasions certain property labels (e.g. minimum age of household members) may be used following a discussion between the local authority and the relevant landlord (where the local authority is not the landlord itself). The decision to apply particular requirements will be made by the relevant Homefinder Somerset local authority.

## 22.8. Labelling Caution

The general effect of labelling can be seen to compromise the extent to which vacancies will be let to the highest priority applicant as described under the banding system. It is therefore important for each landlord to minimise such labelling in order to maintain transparency to the allocation system.

## 22.9. Complaints

Any complaints about the applicant's banding should be directed to the Local Authority. Complaints regarding the labelling of the property e.g. size, amenities, should be referred to the individual landlord of the property. If a successful applicant is not offered the accommodation for any reason then any complaints regarding this should be directed to the landlord making this decision.

## 23. Expressing an interest in a Property

23.1. Where an applicant meets the eligibility criteria, and is placed within the stated band or bands given in the advert, they may express an interest for that property within the deadline given.

23.2. Applicants are limited to three expressions of interest per advert cycle, however, this will be monitored by the Homefinder Somerset Scheme on each advert cycle. Where an applicant expresses an interest for more than one property successfully, they will be given a time period (normally 48 hours) in which to decide which property they will accept.

23.3. Applicants may apply for properties via [www.homefindersomerset.co.uk](http://www.homefindersomerset.co.uk) or via the telephone. Computer facilities for expressing an interest in properties are available at the local authority offices shown below;



a) Mendip District Council, Cannards Grave Rd, Shepton Mallet  
BA4 5BT  
Tel: 0300 303 8588 web:- [www.mendip.gov.uk](http://www.mendip.gov.uk)

b) Sedgemoor District Council  
Bridgwater House, King Square, Bridgwater, Somerset  
TA6 3AR  
Tel: 0845 4082540 web:- [www.sedgemoor.gov.uk](http://www.sedgemoor.gov.uk)

c) South Somerset District Council  
Housing Advice Centre, Petters House,  
Petters Way, Yeovil, Somerset  
BA20 1EA  
Tel: 01935 462462 web:- [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

d) Taunton Deane Borough Council  
The Deane House, Belvedere Road, Taunton,  
Somerset, TA1 1HE  
Tel: 01823 356356 web:- [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk)

e) West Somerset Council  
West Somerset House,  
Killick Way,  
Williton  
TA4 4QA

And:

1 Summerland Road, Minehead  
TA24 5BP  
Tel 01643 703704

web:- [www.westsomersetonline.gov.uk](http://www.westsomersetonline.gov.uk)

## 24. Selection Procedure

24.1. Once the advert deadline has passed, landlords will review the prioritised list of applicants (the shortlist) that have expressed an interest in each property. The successful applicant(s) will normally be the applicant(s) who is in the highest band with the longest effective date. In the situation where there are two households with the same band and effective date the landlord will contact both households to assess who is in the greatest housing need and will take into account cumulative preferences and who is most suited to the property. Where an advert has been placed with more than one preference setting and no applicant meets all the preference criteria the shortlist will be ordered in accordance with the remaining preferences set for the property. The landlords will only offer the property to those applicants who meet the stated criteria and pass verification of their application.



- 24.2. Each individual landlord is responsible for the verification of the successful applicant and discrepancies in your application will be referred back to the local authority and this may result in a change to your banding. . Each applicant will be given the opportunity to view the property before making a final decision on whether to accept or refuse.
- 24.3. If an applicant has been identified as being unsuitable to be a tenant due to the grounds described in section 3.7, and has made no attempt to rectify the situation then the applicant may not be allocated the property despite a successful expression of interest. The applicant can make an application if they consider that they should no longer be treated as ineligible for an allocation of social housing, e.g. because the rent arrears have been cleared or an agreement has been reached and maintained over a reasonable period of time or because the person who had been guilty of anti- social behaviour is no longer part of their household.
- 24.4. If a property is subsequently withdrawn after an applicant has successfully expressed an interest, because for example the tenant of that particular property has failed to vacate the property or the property has been incorrectly labelled, the landlord will inform the successful applicant that the property is no longer available. If the property is not ready for occupation following a successful expression of interest and the applicant is likely to wait some considerable time before moving in, the landlord will inform the applicant and give them the option to express an interest for any other suitable properties.
- 24.5 If an applicant is banded in the Emergency band under 7.1 (c) where a relevant agency has recommended an urgent move to escape violence or threats of violence or are in the Gold band due to harassment in a specific area and expresses an interest on a property in the same general area. The landlord or the Local Authority may choose not to offer that property to the applicant if they are top of the shortlist if in their opinion it is unlikely to address the issues. .
- 24.6 When offering properties landlords should have regard to the housing needs of the applicant as per their banding reason.
- 24.7 A small number of properties advertised through the partnership are excluded from the selection procedure as described in section 24.1. These properties will be allocated using the criteria within the landlord's own individual allocation policy that will be detailed in the property advert.
- 24.8 It is the landlord's responsibility to explain their reasons for not offering properties to applicants including any landlord allocations policies
25. Feedback
- 25.1. An important part of the scheme is giving applicants feedback on who has recently been allocated properties. Accompanying each advert will be a feedback section giving details of the properties allocated.
- 25.2. Applicant's personal details will not be included. However, it is envisaged that the feedback form will include:



- a) Property size and type
- b) Property location
- c) Number of applicants who applied for each property
- d) Band of successful applicant
- e) Application date of successful applicant

25.3. An overview of this information will be regularly monitored.

25.4. Using this information, applicants will be able to see where properties are more likely to become available and where they may have the best chances of making a successful 'expression of interest'. It is essential that with any choice-based lettings scheme, applicants have as much information as possible in order to help them make an informed evaluation of their housing options.

## 26. Refusals

26.1. If an applicant decides to refuse an offer of accommodation, either at the accompanied viewing, or when an initial verbal offer is made, the property will be offered to the next eligible applicant.

26.2. If a homeless applicant refuses an offer of suitable accommodation, the Local Authority may decide to discharge its duty under the Homeless Legislation.

26.3. Homeless applicants have the right to request a review of certain decisions made by the

local authority in respect of their homeless application. Within the Homefinder Somerset Common Lettings Policy this includes the decision to discharge the main homeless duty to secure accommodation by providing suitable accommodation for the applicant.

26.4. If a homeless applicant wishes to request a review of the suitability of accommodation offered, this should be requested before the end of the period of 21 calendar days beginning with the day on which they are notified of the housing authority's decision to discharge its main homeless duty.

26.5. A homeless applicant who is requesting a review about the suitability of accommodation will be advised to accept and move into the accommodation pending the outcome of their review request. The Local Authority's Homeless Section will inform the appropriate officer as soon as a decision has been made, normally within 7 calendar days as to whether or not the property will remain available through the review process. It should be noted the property will only be held open in exceptional circumstances. If a non statutory review is conducted and the offer withdrawn by the Homeless Officer on grounds of suitability then the second placed applicant will be made an offer of the property. If the outcome of a review is overturned in favour of the homeless applicant, the alternative accommodation will be provided as quickly as possible. However if the review of suitability of the offer is upheld the applicant will still have accommodation to live in whilst they consider their further options.



- 26.6. Households who have been placed in the gold band because they are homeless or threatened with homelessness will be expected to express an interest for all suitable homes within the relevant local authorities area advertised through Homefinder Somerset each week. This will be monitored on a regular basis by the relevant local authority. If after a period of between 8 to 16 weeks applicants are not actively expressing an interest for suitable accommodation then automatic expressions of interest may be placed on their behalf. Before automatic expressions of interest are placed the relevant local authority will carry out an assessment as to what type of property would be suitable and in what location. Automatic expressions of interests will be limited to the local authority area where the applicant has been accepted as homeless unless the applicant has expressed a preference to move to another Homefinder Somerset local authority area. If the homeless applicant refuses a suitable offer of accommodation within the Homefinder Somerset area, the Local Authority will consider its duty towards them as a homeless household discharged, subject of course to the statutory review process.
- 26.7. Records will be maintained on the number of refusals for each property and the reason why the applicant decided to refuse. With the exception of applicants who are in gold band because they are homeless or threatened with homelessness, applicants who refuse three formal offers for suitable accommodation will have their case reviewed by the local authority managing their case. They will be offered advice and assistance regarding the Homefinder Somerset scheme. If they subsequently refuse one further offer they will be suspended from bidding for a period of 3 months from the date of the last refusal. After 3 months the applicant will be reassessed and placed in the appropriate band and may lose their original effective date.
- 26.8 Where an applicant is placed in gold band for tenancy succession, if after a period of 9 months applicants are not actively expressing an interest for suitable accommodation then automatic expressions of interest may be placed on their behalf. Before automatic expressions of interest are placed the relevant local authority will carry out an assessment as to what type of property would be suitable and in what location. Automatic expressions of interests will be limited to the areas where the applicant has expressed a preference to move to.
27. Difficult to Let
- 27.1. If a vacancy cannot be filled via the CBL scheme, the property can be re-advertised on a wider basis in conjunction with the Local Authority.
28. Excluded Properties
- 28.1. All the partner landlords are committed to advertising as many of their vacant properties as possible through the CBL system. There will be occasions when certain properties will not be advertised and the reasons for these exclusions will be monitored. An example would be extra care vacancies which are allocated jointly with Somerset County's Community Directorate (Social Services).



## 29. False Information and Deliberately Worsening Circumstances

29.1. Applicants who are found to have deliberately given false information on their Homefinder Somerset Register application form will have their application reviewed immediately. This may result in the 'Band' awarded being changed as a result. If an applicant is re-housed through false information, steps may be taken to end the tenancy and court action may be taken which could result in the applicant receiving a fine up to a maximum of £5,000 and/or a prison sentence.

29.2. An immediate review of an application may also be undertaken if an applicant is found to have deliberately changed or worsened their housing situation in order to be placed into a band higher than they would normally have been awarded. Households that have been assessed as having deliberately worsened their housing circumstances by moving into accommodation that is unsuitable for their needs and /or by taking no action to improve their circumstances which can be evidenced may be placed into bronze band.

29.3. All landlords in this agreement are committed to taking legal action against any applicant found to have gained a tenancy based on false information in their application form. (Section 171 of the Housing Act 1996).

## 30. Access to Personal Information

30.1. Individuals are entitled under the Data Protection Act (1998) to request details of their personal data held by the five Local Authorities. A charge may be made for providing this information.

30.2. The information received, in conjunction with housing applications, may also be used for housing management and research purposes.



### 31. Monitoring

31.1. A number of areas within the CBL system will be monitored on a regular basis to ensure that the system is operating in the most effective way. Areas to be monitored may include:-

- Number of registrations received
- Percentage of applicants registered and notified within 15 working days
- Number and percentage of applicants registered within each band
- Number of properties advertised by type, area, landlord
- Number of properties advertised with local connection label
- Number of properties, with reasons, excluded from CBL system, by landlord (e.g. decants)
- Number of expressions of interest and method of expressing
- Number of expressions of interest for each property by band
- Profile of those expressing an interest (e.g. waiting list, transfer, homeless, disabled, ethnic background)
- Number of applicants bypassed for breach of tenancy conditions
- Number of accepted offers by band
- Number of tenancies refused at sign up
- Number of properties re-advertised due to difficulty in letting
- Number of review requests
- Number of complaints
- Number of applicants in short term supported housing awaiting active re-housing (following confirmation by scheme of readiness to move)
- Number of homeless applicants in 'Gold Band' awaiting re-housing (not expressing an interest)
- Number of 'Gold Band' applicants who have not expressed an interest in a property for more than 6 months
- Number of Emergency Priority applicants awaiting re-housing
- Number of applicants from outside the Homefinder Somerset area being re-housed
- Banding the property is advertised in
- The use of labelling
- Number of people housed by band

### 32. Equal Opportunities

32.1. All partners of Homefinder Somerset are committed to a fair and equitable housing policy and to providing equal opportunities for all when allocating available properties. All housing applicants will be assessed according to their housing need and in accordance with the published lettings policy.

32.2. All partners of Homefinder Somerset are opposed to direct or indirect discrimination and recognise the need for appropriate systems to actively prevent discrimination on the basis of race, colour, ethnic or national origins, gender, sexuality, marital status, religion, physical disability or mental health. Any allegations or concerns that an organisation has not acted appropriately have to be made directly to that organisation. All partner landlords are publicly





## 33. Social Inclusion

33.1. All partners of Homefinder Somerset believe that applicants should be given every assistance to access the housing register and search for suitable properties. For example, the provision of the Homefinder Somerset 'Hotline' number will assist those applicants who experience literacy problems or who are blind or partially sighted and unable to read the adverts.

33.2. Applicants that lack capacity in decision making, particularly around changes in accommodation or who have learning difficulties may be assisted in the following ways:

- If the applicant agrees, staff may contact any professional or voluntary workers from health or Social Services with whom the applicant is involved to ensure they understand the procedures and that necessary support is provided. All agencies funded through Supporting People should be in a position to provide their clients with help on housing issues.
- Disadvantaged applicants are able to nominate a person (including family members, friends or professional worker) to express an interest on their behalf or to help them express an interest for suitable properties..
- An alternative is for Homefinder Somerset staff to automatically put the applicants forward for vacancies that would be suitable, in the small number of cases where the applicant has no support.

## 34. Policy Review

34.1. The Homefinder Somerset Scheme is regularly reviewed to ensure that the policy meets its stated objectives and complies with legislative changes. Any changes to the Common Lettings Policy are implemented only after prior notice to members and the majority agreement amongst the partner landlords.



35. Complaints

35.1. Any complaints regarding the scheme should be directed initially to the organisation processing an applicant's claim.

36. The Housing Ombudsman

36.1. If an applicant is not satisfied with the action taken by either the Local Authority or a Registered Provider of social housing and has exhausted the complaints procedure available, they can send a written complaint to the ombudsman.

For complaints relating to landlords:

The Housing Ombudsman Service can be contacted at:

Housing Ombudsman Service  
81 Aldwych London WC2B 4HN

Tel: 0300 111 3000  
Minicom 020 7404 7092  
Fax 020 7831 1942

[Email info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Web address [www.ihos.org.uk](http://www.ihos.org.uk)

For complaints relating to local authorities:

The Local Government Ombudsman  
PO Box 4771 Coventry CV4 DEH

LGO Advice Team on 0300 061 0614  
[www.lgo.org.uk](http://www.lgo.org.uk)

## APPENDIX I

### Disrepair Guidance

#### Gold: High

Based on the conditions identified the Private Sector Housing Team has deemed your home to have the presence of Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CANNOT be resolved or reduced to a Category 2 hazard within 6 months.

#### Silver: Medium

Based on the conditions identified the Private Sector Housing Team has shown that your home has Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CAN be resolved or reduced to a Category 2 hazard within 6 months.

And/or has shown that your home has Category 2 hazards, Band D (Housing Health & Safety Rating System).

#### Bronze: Low

No significant hazards identified justifying enforcement action by the local authority.



**APPENDIX 2**

**Medical Considerations**

When ill health (including both physical and mental health issues), disability or old age is aggravated by housing conditions and would improve if other accommodation were offered. The award for medical consideration is a range from Gold to Bronze Band.

Low	Minor Problems	Bronze
Medium	Moderate Problems	Silver
High	<b>Serious Problems</b> Medical issue(s) which have a serious impact on your housing need or make it unreasonable to remain in your current accommodation.	Gold
Urgent	Urgent Medical need which is life threatening or which is causing bed blocking with hospital/care facility	Emergency

(See following examples which are for guidance only)

In the case of stress this will be reflected when deciding on banding.

The two crucial factors that are looked for in any awards of medical conditions are:

1. The physical link between the identified medical complaint and the current housing accommodation/situation.
2. That there is a realistic expectation that the identified medical condition would improve if alternative, more suitable accommodation was made available.

The Housing Team will carefully consider any representation received and check the circumstances outlined with any banding award that may have previously been made. Where there is a need, a change to banding will be made. You do not normally need to submit medical certificates or letters from your GP. However, no supporting evidence is refused and may assist the Housing Officer in assessing your application. Please note that the Local Authority will not pay any costs associated with the provision of supporting medical evidence.

When determining what banding to award, staff should approach the matter from the standpoint of assessing what degree of need exists and, secondly, what adverse effect this has on the lifestyle of the household as a whole?

To achieve consistency in the allocation of banding under this heading a descending schedule is detailed below.



**Urgent Problems – Emergency Band.** This band will be reserved for those cases where an applicant's or tenant's housing medical issue(s) are urgent and are life threatening or which are causing bed blocking within hospital/care facility

Example 1: An elderly applicant who the medical specialists will not allow to be discharged from hospital back to a second floor split-level flat which necessitates the climbing of stairs both to gain access and also within the flat itself. This person suffers from a chronic heart condition and the only accommodation available to them would place their life at risk. This view is amplified when further research reveals that the applicant lives alone, has virtually no contact with any neighbours, becoming in effect, a prisoner within the flat should the medical authorities decide to discharge him/ her from hospital.

Example 2: Mr Stevens, a frail, elderly gentleman, lives on his own in an old caravan in the grounds of a house in a country area. The only mains service is electricity. He fetches his water from an outside cold water tap and must use an Elsan bucket toilet situated some distance from the caravan. Mr Stevens suffers from dizzy spells, arthritis and was admitted to hospital as a result of the cold during the winter and the danger of falls when collecting water or using the outside toilet.

**High/Serious Problems – Gold Band.** This band will be reserved for those cases where an applicant's or tenant's housing medical issue(s) have a serious impact on their housing need or make it unreasonable to remain in their current accommodation.

Please note that gold band will only be made where the property cannot be adapted to meet the applicants needs or funds are not available for such adaptations or landlord permission cannot be obtained.

**NOTE:** It is expected that any medical award, which is assessed to be a serious problem, will be linked to medical or social service recommendations that have been received by the Housing Team.

Example 1 Mr Brown is a 39 year man who suffers with severe headaches, called cluster headaches. For this he takes large doses of medication and also needs oxygen to help relieve his pain. He currently lives on the third floor in a flat, which results in several problems. Mr Brown has to lift heavy oxygen cylinders up and down the stairs of the building to the third floor. In addition he finds that when he is suffering with his severe cluster headaches he finds himself very dizzy and this has proven to be rather dangerous when he has tried to go up and down the stairs. Mr Brown's headaches are also brought on by lots of background noise, and therefore struggles when he has noisy neighbours.



Example 2: Mrs Smith, an elderly widow, lives on her own in a first floor flat. She suffers from severe rheumatoid arthritis, and is unable to climb stairs. As a consequence she is housebound.

**Medium/Moderate Problems – Silver Band.** This again is a high banding award and should only be used to reflect moderate medical difficulties that have a clear relationship to existing housing circumstances.

Example 1: Mrs Baggins and her daughter are living in a property where Mr Baggins (husband and father) died of cancer. The young child (7 years old) is now constantly looking for her father in the property and this is causing considerable upset.

Example 2: Mr and Mrs Brown, are both aged 70, are the owner-occupiers of a large Victorian property. Mrs Brown also suffers from osteoarthritis and now finds mobility painful, which is aggravated by this large dwelling, where only the WC facilities are on an upper floor. Mr Brown has a blood disorder and has considerable problems keeping warm because the property has no central heating. The GP is concerned on both accounts and has advised the Housing Team accordingly.

With both serious and moderate problems officers have a certain amount of discretion regarding the award. This will be of particular use to visiting officers in assessing the degree of seriousness of any medical problem.

**Low/Minor Problems – Bronze Band.** The degree of the problem is minor.

Example 1: A family with a young child suffering from generalised symptoms of asthma and eczema aggravated by the cold.

Example 2: Minor problems relating to recurring colds/asthma or regular depression or unusual allergies could be pointed under this heading providing a link to the existing accommodation could be demonstrated.

### **Who is responsible for assessing medical priority?**

The Housing Team undertake the majority of assessments for applicant's housing need for re-housing under medical grounds. The team will base their assessments on the information provided in the application and any supporting information supplied by the applicant and /or their representatives.



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## **Referrals by the housing team for advice / information to third parties**

In the rare event that information contained within the application makes the assessment of an applicant's medical priority for re-housing unclear the applicant's circumstances and available medical information may be referred to an independent third party for advice to be given to officer's in relation to the applicant's medical issues and thus the applicant's need for re-housing. Upon receipt of a response officers will consider this information in order to assist them in making a decision as to the applicant's priority for re-housing.

## **Referrals to the Councils assessment panel.**

In limited often complex cases officers may be undecided about which band (priority) to award the applicant for re-housing on medical grounds. In such cases the matter can be referred by officer's to the Council's assessment panel. The panel will form a view considering all information available from the application (which may include information from relevant third parties) and reach a decision as to the client's banding priority for re-housing on medical grounds.

The following list covers some of the main factors, which can be reflected in a banding award under medical considerations.

1. Mobility - Inability to manage stairs/control-heating (e.g. put on extra clothing or adjust fire). size of accommodation, garden.
2. Applicants or tenants who are more or less confined to their existing accommodation, or where they depend on others to enable them to leave the dwelling.
3. Where present accommodation is causing the applicant's mental or physical disability, which could be overcome by a move to more suitable accommodation. The approach in this instance is to focus on how the applicant or tenant's circumstances could be improved by a move to alternative accommodation - banding will be awarded accordingly.



## APPENDIX 3

### Glossary of Terms about Choice Based Lettings

Advertising Period - The number of days in which a applicant has the opportunity to express an interest' in a home once it is advertised.

Cancellation of applications – this will mean the closing of an application on the system.  
Choice Based Lettings (CBL) - A new system being introduced for the allocation of social housing. CBL is designed to offer more choice and involvement for applicants in selecting a new home. It is a much more open, transparent and customer-based approach in the allocation of properties.

Consultation Period - A period of 6 weeks in which Mendip District Council, Sedgemoor District Council, South Somerset District Council, Taunton Deane Borough Council and West Somerset District Council consulted with all interested parties and stakeholders about its plans to introduce Choice Based Lettings. The initial consultation period was from May 2007 to August 2007 . A subsequent consultation took place between October 2010 and December 2010 with a further period in June and July 2013.

Express an Interest - - To be considered for an available home, applicants are required to contact us to 'express an interest' or 'bid' for a property. No money is involved in 'making a bid' or 'expressing an interest' in a property.

The Housing Health and Safety Rating System is a way of assessing properties to calculate the level of hazard (category 1, 2 etc.) or risk to health of a vulnerable household living or residing in that property. <http://www.communities.gov.uk/housing/rentingandletting/housinghealth/> and <http://www.communities.gov.uk/publications/housing/hhrsoperatingguidance>

Housing Register - A list of applicants for housing accommodation.

Banding Scheme - The system currently used by the Homefinder Somerset Scheme to determine the priority of a applicants housing need. Banding is allocated to the applicant to reflect their current circumstances and future housing need. The banding allocated determines the applicant's position in the waiting list for a particular type/size/location of a home.

Property Label - A description of the property being advertised as available to let. The label will generally include a photograph, location, type of property, number of bedrooms, type of heating, any disabled adaptations, whether there is a garden or not, if pets are accepted and other features. The label will indicate who may be eligible to express an interest for the property. This could include, for example, where a local connection may be required, if there is an age restriction or the property has adaptations.

Registered Provider – This is a term introduced by the Housing and Regeneration Act 2008 applying to housing associations registered with the Homes and Communities Agency. Registered Providers have access to Social Housing Grant public funding for the capital costs of providing housing.





Shortlist - Once the deadline has passed for registering an interest in a property, a list of those that have expressed an interest, who have met the advertising criteria for each individual property is generated by the computer system. Generally, the applicant offered the property will be the person who has been in the highest housing needs band for the longest period of time.

Social Rented Housing - Housing of a high standard, which is provided at below market cost for households in housing need by local Authorities and Registered Providers. It operates on a basis of accepted and regulated standards of good practice in relation to physical conditions, management, allocation, equal opportunities and accountability. The Homes and Communities Agency sets the maximum rent levels.

Supported Housing – Each partner Local Housing Authority will decide on the criteria that defines supported housing within their own area for the purposes of this policy.



#### **APPENDIX 4 – Eligibility Guidance**

The Homefinder Somerset partnership will exclude from the scheme people who are not resident in the United Kingdom at the date of their application. In line with Government legislation the HFS partnership will also exclude people who are subject to immigration control or who are not habitually resident in the Common Travel Area or who only have limited rights of residence in the Common Travel Area under European Union law, unless they have been prescribed as eligible by regulations, or unless they are already secure, introductory or in certain cases assured tenants. The Homefinder Somerset partnership will have due regard to any future changes to European Union law / Rights to Reside legislation.

Please see [http://england.shelter.org.uk/get\\_advice/homelessness/eu\\_and\\_eea\\_nationals](http://england.shelter.org.uk/get_advice/homelessness/eu_and_eea_nationals) and annex 2-4 of <http://www.communities.gov.uk/documents/housing/pdf/2171391.pdf> for further guidance.

## **Appendix 5 – Statement on Decision Making Process**

All applications are banded and given a bedroom eligibility by a member of the Registration Team based on the information provided at the time of registration by the applicant or applicant's representative and the applicant's household make-up. The applicant is notified in writing of the Registration Teams decision.

If an applicant wants the band or bedroom eligibility awarded by the Registration Team reviewed a written request they must be made within 28 days of being advised of the decision. The decision will be reviewed by another Officer who was not involved in making the original decision.

If additional information is received with the review request a review may not be required as the new information will be treated as a change in circumstances and in the first instance the banding/bedroom allocation will be reconsidered by the Registration Team.

If the applicant is not satisfied with the other Officers decision the Local Authorities complaints procedure may be followed.