



## Section 1 – Introduction and Background

### 1.1 The Northern Lincolnshire Sub-Regional Choice Based Lettings Partnership

1.1.1 This document sets out the housing allocation policy for the Northern Lincolnshire CBL Partnership. The policy allows applicants to choose from those properties available for letting. As well as offering improved choice the policy will also:

- Provide an efficient single access route for housing applicants in Northern Lincolnshire
- Ensure consistency and transparency in the way applicants are treated by all the partners
- Help to tackle homelessness and community stability
- Give help to people needing to move within the area to another landlord if necessary or from one local authority area to another

1.1.2 This policy has been developed by the Northern Lincolnshire CBL Partnership (referred to as ‘the partnership’ throughout this document). The partnership is made up of 2 local authorities and their partner stock-owning landlords. The following partners have all signed up to the Northern Lincolnshire Sub-Regional CBL scheme (which is to be known for operational purposes as Home Choice Lincs) and have agreed to allocate and let vacant properties in accordance with the policy set out in this document.

- North East Lincolnshire Council
- North Lincolnshire Council
- Amplius
- Lincolnshire Housing Partnership Ltd
- Ongo Homes
- Sanctuary Housing Association

1.1.3 The contact details for all of these organisations are listed in Appendix 1

1.1.4 As well as the landlords of transferred council housing there are other housing associations and housing companies (sometimes referred to as Registered Providers) operating in the region.

- 1.1.5 If not all, then a proportion of their vacant housing stock will also be advertised through the scheme in accordance with this policy and in line with the nomination agreements, which exist between them and their local authority partners.

## **1.2 Our Vision for the Service**

“To enable people to access a range of affordable housing that meets their needs”

## **1.3 Aims and Objectives**

- 1.3.1 The shared aims and objectives of this policy are:

- To meet the statutory legal requirements for the allocation of social housing as set out in legislation.
- To let our homes in a fair and transparent way.
- To provide a service that is accessible to all.
- To allow local, regional and national mobility where this encourages sustainable communities.
- To make efficient use of the affordable housing stock in meeting housing needs.
- To assist local authorities in preventing and reducing homelessness.

## **1.4 The Northern Lincolnshire Common Housing Register**

- 1.4.1 The Common Housing Register (referred to as ‘the register’ throughout this document) is a key part of the scheme. The register is a single list of all the applicants who have applied for and been accepted on to the scheme. People who apply to join the register will have the benefit of applying to all the partner landlords within the partnership. This means applicants need only register once to be considered for vacancies across the whole of the Northern Lincolnshire sub-region. Section 2 sets out who is eligible to join the register.

- 1.4.2 The policy has been drawn up to offer a choice of housing options to all housing applicants based on their housing need.

- 1.4.3 The policy meets the statutory requirements for all allocation of social housing by ensuring that reasonable preference is given to those in the prescribed categories (see paragraph 3.1.2).

- 1.4.4 The property adverts provide information about the property’s attributes, together with information about the local neighbourhood, to enable applicants to make informed decisions about which accommodation they want to bid for. The information on the website will also include links to other useful websites.

## **1.5 Our Commitment to Sustainable Communities**

- 1.5.1 A key aim of the partnership is to create communities that are balanced, safe, inclusive and sustainable, whilst encouraging community cohesion. To achieve this aim, a proactive approach will be adopted where areas have the potential to fail.
- 1.5.2 Where local lettings policies are to be applied these will be published as part of the CBL scheme and on individual property advertisements as appropriate.
- 1.5.3 It is important that the partnership has the ability to operate the policy in a way that supports the long-term needs of communities. This will mean that some property adverts may be limited to specific categories of applicants, where a sensitive letting is needed or where the balance in a particular area needs to be redressed. This action will only be taken in exceptional circumstances and only when there is clear evidence. The relevant partner landlord will retain the evidence as to why this action was taken and the outcomes will be made available when letting results are published to ensure openness and transparency.

## **1.6 New Housing Developments**

- 1.6.1 The partnership is committed to providing high quality homes where people want to live and will continue to provide new housing developments where the financial resources are available. The partnership recognises that newly built properties that are a product of regeneration or restructure schemes may have certain restrictions placed on them when they are let for the first time. This may be dictated by targets set for the development by funders of the scheme and will mean that the property adverts may be targeted at specific groups of applicants e.g. where displaced residents have priority for new housing stock in a particular regeneration area.
- 1.6.2 Some rural affordable housing developments have planning conditions attached to them that limit the allocation of these homes to people who are not able to afford to buy a home that meets their needs on the open market and who have a local connection to the community.

## **1.7 Equality and Fairness**

- 1.7.1 The partnership will ensure its policies and practises are non-discriminatory and will aim to promote equal opportunity by preventing and eliminating discrimination

on the ground of gender, colour, race, religion or belief, nationality, ethnic origin, disability, age, pregnancy and maternity, sexual orientation, gender reassignment or marital status. The scheme will be accessible, responsive and sensitive to the diverse needs of individuals and staff will be trained in valuing and promoting equality and diversity in the delivery of the lettings service.

1.7.2 The impact of the policy will be monitored, to ensure that it promotes equality of opportunity to individuals and minority groups. In order to achieve this, all applicants will be asked to provide details of their ethnic origin and other personal information. This will be collected when they register to join the scheme. The partnership will ensure that all potential applicants have equal opportunity to apply, bid for and receive offers of accommodation. We will do this by:

- Actively working with community and voluntary organisations to raise awareness of the policy and the procedures.
- Providing practical assistance to those who may have difficulty in registering, bidding and in understanding how the system works.
- Monitoring the profile of those who register and bid to ensure that minority and hard to reach groups are actively engaged in the service.
- Monitoring the outcome of bids/profile of communities.
- Promote the service to under-represented groups.

## **1.8 Meeting our obligations**

1.8.1 This policy has been developed with regard to the Codes of Guidance issued to local housing authorities in England, in exercising the functions under 167(1A) and 167(2E) of the Housing Act 1996 as amended by the Localism Act 2011.

1.8.2 The partnership will ensure that the policy is compatible with obligations imposed by other existing legislation, and guidance, in addition to Part 6 of the Housing Act 1996 as detailed below; this list is not exhaustive.

- Equality Act 2010
- The Human Rights Act 1998
- Children Act 1989
- General Data Protection Regulations 2018
- Crime & Disorder Act 1998
- Homelessness Act 2002
- Planning and Compulsory Purchase Act 2004
- Localism Act 2011

1.8.3 In addition, the partnership will ensure that the policy is compatible with sub-regional and regional housing strategies, together with existing homeless strategies across the sub-region.

1.8.4 Decisions regarding administration of this policy will be made by officers of the

partnership acting under delegated authority.

- 1.8.5 Responsibility for operating the housing register is delegated to officers employed by North East Lincolnshire Council as the lead authority for Home Choice Lincs. They are responsible for verifying the applications to join the register and reviewing decisions taken in accordance with section 2 of this policy.

## **1.9 Advice and Information**

- 1.9.1 A clear summary of the scheme will be made available to all applicants on the website. A full copy of this policy is available by downloading it from the website [www.homechoicelincs.org.uk](http://www.homechoicelincs.org.uk) or on request from any of the partners.
- 1.9.2 Our staff will at all times give impartial advice to all applicants, their authorised representatives and support agencies needing help with how to use the service.
- 1.9.3 Where appropriate, applicants will be put in touch with other agencies or departments offering a wide range of housing solutions to those in need e.g. services for elderly or disabled people wanting help to remain in their current home, disabled adaptations and other Housing Options Services across the sub-region.

## **1.10 Monitoring**

- 1.10.1 To ensure that the aims and objectives of this policy are met and that overall priority is given to those in the reasonable preference categories, the partnership will ensure that robust monitoring arrangements are in place to monitor lettings outcomes. Information from the register will be analysed to assess housing need and demand across the sub-region. This will help determine where new social housing is both needed and created.
- 1.10.2 Applicants' satisfaction levels will also be monitored in order to identify any improvements to the scheme in terms of ease of access to the service and the quality of the information and advice they receive.

## **1.11 Information Sharing, Confidentiality and Data Protection**

- 1.11.1 The partners will continue to build upon the existing information sharing protocols that are in place within their local authority boundaries and, where appropriate,

these protocols will be developed further across the sub-region to ensure consistency in sharing information with other statutory and voluntary organisations.

- 1.11.2 All information received relating to an applicant's housing application will be treated as confidential in accordance with GDPR and the consent given by applicants as part of the application process. Information will not be given to third parties unless consent has been given by the applicant. However consent will not be required where there is a sufficient public interest in disclosure including fraud investigation, serious anti-social behaviour, prevention of crime and safeguarding.
- 1.11.3 Where an applicant has difficulty communicating directly unaided, reasonable efforts will be made to secure their informed consent before using advocates or interpreters to communicate on their behalf.

## **Section 2 – Joining the Housing Register**

### **2.1 Who can register?**

- 2.1.1 Anyone over the age of 16 years can register provided they are eligible (see section 2.2). They do not have to have an existing connection with Northern Lincolnshire although priority may given to local applicants (see section 4.8).
- 2.1.2 Applicants aged 16 and 17 years old will be allowed to register in the same way as other applicants. However young people are not able in property law to take on a tenancy in the same way as a person over 18. Accordingly offers to young people will usually be subject to a requirement that third party trustees are appointed on their behalf in respect of their tenancies. Third parties may be relatives or representatives from statutory or voluntary sector bodies. As an alternative, under eightheens may be offered licences where landlords reserve rights of entry for themselves or other support agencies either to inspect or provide attention and services. Under both of these arrangements normal full tenancies are granted when young applicants reach 18 years.

### **2.2 Applicants not eligible due to immigration status**

- 2.2.1 Applicants who wish to bid for council owned properties or be nominated by a council to be a tenant of a housing association need to meet the requirement of section 160ZA of the Housing Act 1996. This deals with the immigration status of people who have come to the United Kingdom from abroad. The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 set out who is eligible for housing assistance.
- 2.2.2 People who are not eligible to apply for housing under section 160ZA of the Housing Act 1996 (and any subsequent legislation) will not be considered for

vacancies under the scheme. Further information on immigration status is set out in Appendix 3.

## **2.3 Applications not accepted due to behaviour**

2.3.1 Any applicant (or a member of their household) who is guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant can be refused registration. This can include anti-social behaviour, rent arrears and where applicants have given false or misleading information in connection with their applications. Applicants in these circumstances will be assessed according to the current legislation and statutory guidance and case law. The full policy for dealing with applicants who have a history of unacceptable behaviour is attached as Appendix 2.

## **2.4 Joint Applications**

2.4.1 Joint applicants will be accepted provided both applicants are eligible, aged 16 or over and intend to occupy the property together as their only or main home. If the joint applicants do not currently reside together the application will be assessed and placed in a priority band using the details of the household member with the greatest housing need.

2.4.2 Where one of the applicants is under 18 the landlord may only grant the tenancy to the person who is over 18.

## **2.5 Multiple applications**

2.5.1 Multiple registrations are not allowed. If an applicant is already registered, the applicant must decide which registration they want to keep. The other registration will be deleted.

## **2.6 Request to transfer to another home**

2.6.1 Existing social housing tenants can apply to move and will have their priority assessed in the same way as other applicants. However applicants who have recently been housed through the scheme will not be eligible to apply again for 12 months from the date of signing for the property unless there has been a significant and unavoidable change in their circumstances. Some transfer moves and other allocations are exempt from the requirements of Part 6 of the Housing Act 1996 and will be dealt with separately. This includes assignment or succession by a relative and mutual exchanges (i.e. assignment by way of an exchange of tenancies).

## **2.7 Applications from Employees / Members and their close relatives**

2.7.1 Registrations can be accepted from employees, elected members, board members and their close relatives, provided they are eligible to apply. Applicants must disclose any such relationship at the time of applying. In order to ensure transparency and impartiality, employees, elected and board members must not attempt to apply any undue influence in the handling of an application from friends or close relatives. In these circumstances approval must be given prior to an offer of accommodation within the procedures of the relevant partner landlord.

## **2.8 How to register**

2.8.1 Applicants will only need to register once to be considered for housing by all the partner landlords.

2.8.2 Advice and support in completing registrations will be provided on request, particularly for those who would have difficulty in registering or bidding. A member of staff will work through the questions on the registration with the applicant and if necessary enter the answers they give.

2.8.3 Applicants will also be asked to make a declaration of consent to allow enquires to be made about their eligibility for housing and level of priority.

2.8.4 Existing or previous tenants may be asked to provide a reference from their current or previous landlord. Alternatively, a character reference may be requested, if the applicant has not previously held a tenancy.

2.8.5 The application process is used to correctly identify the priority band and establish whether the applicant has any needs that require additional support and help in applying for housing.

2.8.6 On registration, applicants will be written to and given:

- The Date they were registered
- The Priority Band they have been awarded
- Their Username and Password
- Information on how to apply for homes
- Their bedroom entitlement
- Who to contact for advice and information
- What checks will be made before an offer is confirmed
- The right to request a review of decisions

Further information is available on the website

2.8.7 Applicants must check the accuracy of this information, as it will be used to decide their priority for receiving an offer of housing.

## **2.9 Changes to Circumstances**

2.9.1 It is the responsibility of the applicant or their advocate to update their online application with any change in circumstance that could affect their application. The application will be re-assessed on the basis of their changed circumstances.

2.9.2 Failure to disclose relevant changes in circumstances may affect whether a bid for a property can be accepted or if accepted whether any subsequent offer is withdrawn. In the event that a tenancy is granted following an applicant's failure to disclose a relevant change in circumstances the partner landlord may seek to terminate the tenancy and recover possession of the property.

## **2.10 Keeping the Register up to date**

2.10.1 All applicants who have not bid for any property within a 12 month period will be invited to renew their application either via a message on their account or in writing. Their application will be closed if no response is received within 21 days. However if they make contact within 3 months of being closed their application will be reactivated and their registration date will not be affected. Any applicants making contact after the 3 months has lapsed will have their registration date amended to reflect the date they made contact.

2.10.2 Applicants in bands 1, 2 and 3 will be reviewed regularly to ensure they are not having difficulties with the scheme and to check that they are bidding for suitable properties as they come up. (Refer also to section 3.4 – Review of Reasonable Preference Bands).

2.10.3 Applicants are responsible for ensuring that their contact details are kept up to date. It is particularly important that mobile phone and land line numbers are correct as well as postal and email addresses so that applicants can be made offers or invited to view properties.

## **2.11 Deliberately Giving False Information or Withholding Information**

2.11.1 It is a criminal offence for anyone applying for housing from a housing authority to knowingly or recklessly give false information or knowingly withhold information,

which he has been reasonably required to give. (Section 171 of the Housing Act 1996).

2.11.2 Anyone found guilty of such an offence may be fined up to £5,000 and could lose the tenancy if they have been rehoused as a result of providing false information or deliberately withholding information.

2.11.3 Applicants who are found to have made fraudulent claims in this way will be suspended from the scheme for 12 months.

## **2.12 Deliberate Worsening of Circumstances**

2.12.1 Whilst this policy is intended to make sure that those with urgent housing needs are rehoused more quickly, it is not intended to reward applicants who deliberately worsen their circumstances in order to secure housing.

2.12.2 Any applicant who deliberately worsens their housing circumstances in this way will be given a lower priority than other applicants with a similar banding. This means that an applicant will be overlooked for an offer of accommodation if there are other applicants within the same Priority Band with a similar level of need. Any applicant overlooked for an allocation of accommodation in this way will be notified that their priority within the Band has been reduced for 12 months, after which time the application will be reassessed on the basis of their then current housing circumstances.

## **2.13 Notifications about Decisions and the Right to review of a Decision**

2.13.1 Procedures to allow applicants to request a review of a decision made under the Home Choice Lincs scheme are set out in appendix 5.

2.13.2 Applicants have the following rights concerning decisions about their housing applications:

- The right to be notified in writing of any decisions to refuse registration.
- The right to be notified in writing of any decisions to suspend their application
- The right, on request, to be informed of the reason for not receiving an offer of accommodation.
- The right, on request, for a review of a decision in respect of any of the above. The applicant will also be informed of the decision in respect of the review and the grounds for that decision.
- The right, on request, for a review of their banding

- The right to request a review of any decision to cancel an application or have their priority reduced where they have deliberately worsened their housing circumstances.

2.13.3 Applicants will be notified of these rights in writing whenever a decision is made that affects their registration.

## **Section 3 – Assessing Housing Need**

### **3.1 Legal Background**

3.1.1 In framing this policy and to ensure that those in greatest housing need are given preference for an allocation of accommodation, the partnership has considered the categories of people that must be given reasonable preference by local authorities, set out in s166A of the Housing Act 1996 as amended by the Localism Act 2011 .

3.1.2 Those who should be given reasonable preference are

- (a) People who are homeless within the meaning of Part 7 of the Housing Act 1996 as amended.
- (b) People who are owed a duty by any housing authority under section 190(2), the duty to secure temporary housing for intentionally homeless people to give them chance to find a home for themselves,
- (c) 193(2) the duty to secure accommodation for those unintentionally homeless and in priority need until they are secured permanent housing
- (d) 195(2) the duty to take reasonable steps to make sure accommodation is available for people in priority need and threatened with homelessness unintentionally
- (e) or who are being assisted by any housing authority under section 192(3) the power to secure accommodation for unintentionally homeless people who are not in priority need
- (f) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- (g) People who need to move on medical or welfare grounds, including grounds relating to disability
- (h) People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others)

3.1.3 In addition, section s166A gives housing authorities the power to frame their allocation schemes so as to give additional preference to particular descriptions of people who fall within the reasonable preference categories and who have particularly urgent housing needs.

3.1.4 To ensure that local priorities are met, the scheme may provide for factors other than those in section s166A of the Housing Act 1996 in determining which

categories of people are to be given preference for an allocation of accommodation within the scheme, providing they do not dominate the scheme at the expense of those listed in the statutory preference categories in s166A. This can include quotas to ensure that those with lesser housing needs have some chance of being housed.

- 3.1.5 The partnership will ensure that monitoring arrangements are in place in order to monitor lettings outcomes and will review the policy as a minimum every 3 years in order to ensure that it meets our key aims and our legal duties.

### **3.2 Assessing Housing Need and Determining Priorities**

- 3.2.1 The scheme has been drawn up in accordance with government guidance and to reflect the pattern of housing need in Northern Lincolnshire.

The scheme has 4 Priority Bands to assess the housing needs of applicants. All eligible applicants will have their housing needs assessed and will be placed in the relevant Band, according to their level of housing need. The applicants' date of registration will be recorded and in the case of those in bands 1, 2 and 3, the date they entered into the relevant Band (the effective registration date, see section 4.7).

### **3.3 The Priority Bands**

- 3.3.1 Applicants will be assessed and given a priority band in accordance with the following categories of housing need:

*Additional information on priorities and the selection process is given in Appendix 4.*

*Applicants will be required to provide supporting evidence in order to be placed in one of the high priority bands*

#### **Band 1: Urgent Housing Need**

- 3.3.2 **A) People losing their home due to a recognised regeneration scheme within any one of the local authorities within the sub-region.**
- This includes registered social landlord tenants, private tenants and owner-occupiers living within the boundary of a defined regeneration area who are required to move home.
  - People living-in with the main householder/s who require their own accommodation, provided they have lived there, as their sole or main home, for at least 12 months

**3.3.3 B) Applicants owed a S.195 Prevention Duty** who are considered priority need and unintentionally homeless, and the Authority is satisfied there is no reasonable prospect of the current accommodation continuing to be available for at least 6 months.

**C) Applicants currently owed a S.189B Relief Duty** who are considered priority need and unintentionally homeless and the Authority are satisfied they will be owed the main S.193(2) duty when the 189B Relief Duty comes to an end

**D) Those applicants the Authority owes a main S.193(2) duty to**, assessed as priority need and unintentionally homeless.

**3.3.4 E) People who need to move on urgent medical grounds**

Examples include:

- People in hospital who cannot be discharged because no suitable accommodation is available
- People with a physical or sensory disability who are unable to access their home or essential facilities within it and who have requested a move as an alternative to home adaptation
- Persons serving in the regular or reserve forces and suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service whose current home is no longer accessible to them.

**3.3.5 F) People who need to move on urgent welfare grounds**

This includes:

- People ready to move on, leaving supported housing as part of an agreed plan to re-integrate into the community.
- People with learning disabilities/difficulties who are assessed as having to move in order to receive care and support or where their current housing is having a detrimental effect on their quality of life and ability to live independently.
- A householder with a child in need (as defined in the Children Act 1989), where a formal referral has been made by Social Services for a change of location in order to safeguard the welfare of the child
- Children leaving the care of the local authority under the Children (Leaving Care) Act 2000.
- Adoptive parents or prospective adoptive parents who need to move due to their current accommodation being unsuitable or who need to move to a different location to safeguard or promote the well-being of the child or children they have adopted or are planning to adopt.

- People who are fostering children as part of a long-term arrangement and who need a larger home.
- People leaving local authority care following a referral from social services e.g. people leaving rehabilitative care to return to independent living.

*Please note: It may be necessary to defer offers where a suitable care and support package needs to be put in place or until the applicant's support needs have been assessed. The partners reserve the right to use discretion in the range of choice permitted to people in this category, where this is in the interests of sustainable and balanced communities.*

**3.3.6 G) People who have succeeded to a tenancy and who have a need or expressed wish to move to alternative accommodation**

- People who have succeeded to or have been assigned a tenancy but have expressed a wish to move to alternative accommodation as the property is not suitable for their needs because of its size or type.

**3.3.7 H) Current tenants in need of a management transfer due to being found to be at risk in their current home**

**3.3.8 I) Current tenants of the partner landlords who have come to the end of their fixed term tenancy and need to move to alternative accommodation**

**Band 2: High Housing Need**

**3.3.9 A) People living in overcrowded conditions who are 2 or more bedrooms short of requirements.**

- Overcrowding is assessed on the number of people within the household and according to the best use of bedrooms. (See Appendix 4)

**3.3.10 B) Those owed a S.189B Relief duty but assessed as not in priority need, for as long as that duty is owed to the applicant.**

**3.3.11 C) People not in priority need but threatened with homelessness (S. 195)**

- Those owed a S.195 Prevention duty but not considered to be in priority need, for as long as that duty is owed to the applicant; and the Authority are satisfied there is no reasonable prospect of the current accommodation continuing to be available for at least 6 months.

*Please note: In some cases, where applicants have made themselves homeless as a result of unacceptable behaviour, which make them unsuitable to be a tenant as defined by legislation, they will be suspended from the scheme until there is evidence of a change in behaviour. (See Appendix 2)*

**3.3.12 D) People who need to move due to a high medical need**

- People who have been assessed as having a physical medical condition or a disability where a move to suitable alternative accommodation would significantly improve their health. For example, people who need single level accommodation, People who have been diagnosed as having a significant mental health condition where their current property is having a detrimental effect on their condition (strong evidence must be provided from a mental health professional).
- People with a medical condition or disability who are assessed as having to move in order to receive care or support will be allowed to bid for homes with an additional bedroom in order to provide sleep-in for a carer, (evidence of care package will be required)
- Serving or former members of the Regular or Reserve Forces who need to move because of a serious injury, medical condition, or disability sustained as a result of their service where suitable alternative accommodation would significantly improve their health

**3.3.13 E) Social housing tenants of the partner landlords that are under-occupying a property by 1 or more bedrooms and are wishing to down-size to a smaller property****3.3.14 F) People living in an adapted property where the adaptations are no longer required by any member of the household.**

For the purpose of the policy an adapted property is one where significant alterations or additions have been made to a property and/or the facilities within it for a disabled person.

**Band 3: Other Housing Needs & Efficient Use of the Housing Stock****3.3.15 A) People who need to relocate**

- People who apply to move to a particular locality within the sub region in order to take up an offer of employment, education or training, or to be nearer to family or friends in order to give or receive support.
- Members of the Armed Forces and former Service personnel where their application is made within 5 years of discharge

Applicants will need to provide evidence of their housing needs.

**3.3.16 B) Parents with shared childcare**

- Those requiring housing who have shared access to children (involving two or more overnight stays in a week on average) who are occupying accommodation, which is insufficient for looking after the children, providing they have sufficient income to afford the extra bedroom
- An applicant with access to children will normally only be considered eligible for a suitably sized flat, unless a house becomes available for which there is no demand.

### **3.3.17 C) People who are 1 bedroom short of requirements**

- The calculation will use the rules detailed in Appendix 4.

### **3.3.18 D) Intentionally homeless households**

- People who have been assessed by one of the councils' housing advice teams as being intentionally homeless.
- People previously assessed as homeless who have refused offers of suitable accommodation and have been notified that the relevant council has discharged its statutory duty.

### **3.3.19 E) People occupying insanitary housing or otherwise living in unsatisfactory housing conditions**

- Determination of insanitary or unsatisfactory conditions as assessed by the relevant local authority or partner landlord for the area in which the property is situated.

## **Band 4: No or Low Level Housing Need**

- People assessed as having no identified housing need or only a low level of need. For example, a person whose current home is adequate to meet their basic needs.
- Any applicant who is a home owner or has an asset of significant value pending determination of their ability to resolve their own housing needs. Applicants may be requested to provide evidence of financial circumstances, medical or other care needs in order that their level of housing need can be reassessed. Applicants will be required to put their property on the market prior to any formal offer of accommodation (exceptions may apply, eg when the property can't be sold for legal reasons).

## **3.4 Reviewing Bands 1,2 & 3**

- 3.4.1 Applicants in the reasonable preference bands, with the exception of those who are statutorily homeless, will have their application reviewed periodically to check whether their circumstances have changed and they are still entitled to be in this Band. This review will also identify which applicants are not bidding on available properties and the reasons why, in case they need more support in accessing the scheme.
- Band 1 – reviewed every 3 months
  - Band 2 - reviewed every 6 months
  - Band 3 - reviewed every 12 months
- 3.4.2 If no additional support with bidding is needed, the partnership reserves the right to place any applicant failing to apply for suitable accommodation or any applicant refusing an offer of suitable accommodation, into a lower priority band.
- 3.4.3 Applicants who are statutorily homeless will be reviewed by the local authority that has accepted a duty to secure accommodation for them on a more frequent basis to ensure they are bidding for available properties advertised on the scheme. If applicants have not been bidding on the scheme, their homeless officer will contact them after a suitable period of time to encourage the applicant to start bidding. The partnership reserve the right to bid on behalf of the applicant where they have not been actively bidding on the scheme or are unable to do so. The partnership also reserve the right to issue a direct offer of suitable housing, in order to discharge the homelessness duty. Statutorily homeless applicants will be expected not to unreasonably refuse a suitable direct offer.

### **3.5 Making Direct Offers without Advertising**

- 3.5.1 As well as applicants bidding for advertised properties there will also be circumstances in which some applicants will receive direct offers. Examples includes cases where a sensitive letting is required because of the applicant's previous history or where there is a particular urgent housing problem, including hate crime, which is having a serious detrimental effect on the applicant's health or wellbeing.
- 3.5.2 Applicants needing a direct offer will usually be given a Priority Band that reflects their housing need and encouraged to bid for advertised properties. The exception will be where particularly vulnerable people need to be integrated into the community working alongside other statutory and/or voluntary organisations. There will still be an aim to provide choice where this is possible.
- 3.5.3 Applicants eligible for a direct offer will receive an offer of accommodation, which will either be in their expressed area of choice or an adjacent area. However, this will be subject to availability, particularly in areas of high demand and low turnover. The offer of accommodation will in most cases be made in date order of approval being given for a direct offer. However, where there are particularly urgent housing

needs, an offer may be made outside of this order, for example, in the event of an emergency due to a fire or flood.

3.5.4 In order to ensure a transparent lettings process, feedback will be provided to the general public when the lettings results are published to show that a letting has resulted from a direct offer without an advertisement. Examples of cases where a direct offer may be made include:

- Social housing tenants who are unable to remain in their home as a result of major works eg due to fire or flood.
- Ex-offenders subject to Multi Agency Public Protection Arrangements (MAPPA), where a full support package is in place with other relevant statutory and voluntary organisations to enable them to be returned to the community.
- People who are at an imminent risk of violence or a threat of violence e.g. victims of domestic violence, hate crime or through a witness protection scheme.
- Homeless people who have not been successful in bidding for accommodation
- Applicants in need of specialist accommodation, such as extra care facilities to enable them to remain independent in their home.
- Difficult to let properties advertised via Kwik Key or any other marketing platform
- Permanent decants

## **Section 4 - The Choice Based Lettings Scheme**

### **4.1 Advertising Properties on the Choice Based lettings Scheme**

4.1.1 Choice Based Lettings works by allowing applicants to express interest in available properties that are advertised each week. From those applicants responding (bidding), the successful applicant will be decided in line with the priority scheme set out in section 3 above and section 4.7 below.

4.1.2 The partnership will advertise the majority of their vacant properties as part of the scheme, including properties that have been designed or adapted to meet the needs of disabled or older people.

4.1.3 Each of the partner landlords will have responsibility for preparing the property description and advertising their vacancies on the scheme. Adverts will be clearly labelled to show the property features, local neighbourhood information and the types and applicant Band of household that can bid for it. Where possible, properties will be advertised during the previous tenant's 4 week notice period and will be withdrawn from the scheme if the tenant changes their mind about moving or the property is withdrawn by the partner landlord.

4.1.4 Applicants will be informed at registration what types of property they will be able to bid for. There will sometimes be other restrictions in the advert. For instance affordable rural housing schemes may specify local connections and income

levels. Bids from applicants will only be accepted if they can match the requirements in the advert.

## **4.2 Accessible Properties for People with Disabilities**

- 4.2.1 Accessible properties are homes that have been designed for or significantly adapted to meet the needs of people with physical or sensory disabilities. Accessible homes will be advertised as part of the scheme to ensure that applicants assessed as needing this type of accommodation are given the widest possible choice.
- 4.2.2 Applicants with a need for accessible accommodation will be given priority for this over those without that need, and the property advert will make this clear. The advert will also describe the accessible features together with local neighbourhood information to help people choose whether to bid or not.
- 4.2.3 In selecting an applicant for an accessible property from the short-list of qualifying applicants, the full circumstances of each case will be considered when deciding who will be offered the property. In some circumstances priority may be given outside of date order, if the vacancy is particularly suitable for the needs of an applicant.
- 4.2.4 Applicants with an 'assessed need' may be considered for certain age designated properties. This is at the discretion of the property landlord. In order to be considered the applicant must provide evidence of their medical condition and be in receipt of Enhanced PIP or High Rate DLA.

## **4.3 Specialist Accommodation Schemes**

- 4.3.1 Properties which provide extra care facilities or support services may be advertised as part of the scheme. Vacant properties may also be directly matched to qualifying applicants who meet the eligibility criteria, following a detailed assessment of their housing needs by their service providers in order to ensure that an appropriate mix of residents is maintained.
- 4.3.2 Other schemes may be provided for certain client groups such as those with learning difficulties or mental health problems.
- 4.3.3 In these cases, vacant properties may be directly matched to qualifying applicants who meet the eligibility criteria, following a detailed assessment into their housing needs by their service providers.

## **4.4 The Bidding Cycle**

- 4.4.1 Available properties will be advertised on a daily basis. Each property will be advertised for a 7 day period and will be advertised on the scheme's interactive website. Other ways of advertising available properties may also be used.
- 4.4.2 Applicants (or their advocates) wanting to bid can do so directly by accessing the website at any time at home or by visiting locations with internet access such as publicly accessible landlords' offices, libraries, council contact centres, community groups and support organisations.
- 4.4.3 Advice and support will be provided to applicants who need it, to ensure they are able to use the scheme to bid for properties.
- 4.4.4 Applicants can bid for up to 3 properties per week. The scheme website will tell applicants their position on the list at the time they bid.

#### 4.5 **Advertising Similar Properties in the Same Week**

- 4.5.1 Where there is more than one property of the same description in the same location, only one of the properties may be advertised. The remaining empty properties will be offered to qualifying applicants that have also replied to the original advert. The property advert will show the number of properties of the same type that are available at the same time. An example is where there are a number of flats with a similar description available in a multi-storey block or where a new estate has several identical properties on offer.

#### 4.6 **Kwik Key**

- 4.6.1 If a property has been advertised at least once and there have been no bids from suitable applicants, the property may be advertised again as a Kwik Key property. The property will be offered to the first eligible applicant that bids for the property on a first come, first served basis, subject to meeting the landlord's lettings criteria.

#### 4.7 **Short-listing and Selection**

- 4.7.1 Short listing and selection will be based on the banding system. Applicants in Band 1 will be ranked first, followed by those in Bands 2, 3 and 4. If there are two or more applicants with a similar level of need qualifying for a property and local connection, the effective date of registration will be used as a deciding factor.
- 4.7.2 The effective date of registration is the date the home seeker is first registered on the scheme except that if the home seekers level of need increases, for example from band 3 to band 2, it will be the date on which the level of need changed to the higher band.

If the effective registration dates are the same and the level of need is similar, the deciding factor will be to give preference for the allocation to the applicant whose household best fits the property attributes. This may include consideration of their financial circumstances with preference for those in low paid employment or work related training.

- 4.7.3 A local connection to the local authority and the behaviour of applicants (see appendix 2) will also be taken into account in deciding priority for an offer of accommodation. Where properties are targeted at specific applicants, they will be given priority for that type of accommodation e.g. accessible accommodation for people with disabilities, properties where certain eligibility rules apply, or where there are sustainability issues.
- 4.7.4 Applicants who are fleeing domestic abuse in another area and have either been accepted as statutorily homeless by one of the councils or are ready to move on from supported housing will not be required to have a local connection.
- 4.7.5 In order to make the most effective use of the housing stock it may be appropriate to consider whether the property could be offered to an applicant in order to release another property for which there is a higher demand. For example a single elderly person moving into a smaller property to make a family house available.
- 4.7.6 If an applicant is ranked first for more than one property and provided the eligibility criteria is met, they will be required to make a decision about which property they wish to accept within an agreed timescale determined by the landlord.

#### 4.8 **Local Connection**

- 4.8.1 Applicants will be counted as having a local connection to a local authority area if they fit one or more of the following categories:
- They live in the local authority area and have lived there for 6 out of the past 12 months or 3 out of the past 5 years.
  - They previously lived in the local authority area and lived there for 5 years or longer.
  - They have close family connections with someone living in the local authority area. A close family connection is defined as parent, child, grandparent, grandchild or sibling who has lived in that area for 6 out of the past 12 months or 3 out of the past 5 years.
  - They were members of the Armed Forces or are former Service personnel discharged within the last 5 years. Bereaved spouses and civil partners of members of the Armed Forces leaving service family accommodation following the death of their spouse or partner.

- Their regular place of work is located within North or North East Lincolnshire. Casual work does not qualify. Applicants will only be considered to have a local connection in these circumstances, if it is unreasonable to expect them to commute to their place of work from their existing home.

4.8.2 In the event that any particular scheme has more specific local connection criteria attached under the terms of the planning approval granted then these will be stated on the advertisement.

4.8.3 Applicants with a local connection will be given higher priority within their band than those who do not have a local connection.

#### **4.9 Viewing Properties and Receiving Offers**

4.9.1 When an applicant has been short-listed or selected for an offer, the landlord will arrange an opportunity to view the property. In some circumstances, more than one applicant may be invited to view, particularly in areas of low demand or in the case of properties that are frequently refused by applicants.

4.9.2 Participating landlords will usually require a payment of rent in advance and will carry out their own suitability assessments prior to any offers on all applicants being considered for one of their properties. This may include, but is not limited to, affordability, tenancy sustainability, previous behaviour and management of previous tenancies. More details can be found in individual landlords own lettings policies which are available on the HCL website.

#### **4.10 Time Allowed for Accepting an Offer**

4.10.1 Applicants will be allowed 2 working days after the viewing to make a decision about whether to accept. If there are extenuating circumstances longer may be allowed. Individual circumstances will be taken into account and applicants with specific needs will be given more time. For example, if an assessment for adaptation works is needed or someone with a disability needs more time to consider the move.

4.10.2 Applicants failing to attend viewings or applicants failing to respond to any form of communication from Home Choice Lincs or members of the partnership, may be suspended from bidding for properties for a 6 month period. Applicants will be invited to viewings at least 48 hours before the viewing is due to take place using a message sent via the website and at least one other method of contact. Applicants must ensure their contact details are up to date.

4.10.3 Anyone who is suspended from bidding for this reason will have the right to request a review of the decision.

#### **4.11 Publishing Feedback on Lettings Made**

4.11.1 Lettings results will be published openly on the website and will include the following information:

- The property type and neighbourhood
- The total number of bids made for the property
- The successful applicant's registration date and/or priority date and band
- Properties where a direct offer was made and the property was not advertised.

#### **4.12 Nominations**

4.12.1 Landlords will be required to advertise a minimum of 50% of their empty properties through HCL. The local authorities (or their partners) will monitor to ensure compliance with the nomination agreements in their area.

### **Section 5 – Other Housing Options**

#### **5.1 Registered Providers of Social Housing**

Non-partner Housing Associations operating within the sub-region will be encouraged to participate in the scheme.

#### **5.2 Low Cost Home Ownership**

The scheme may advertise or provide links to Government backed initiatives to promote low cost home ownership. These include shared ownership, rent to buy, and deposit assistance schemes. Other suitable Government backed products designed to help low income households become home owners may also be advertised as they become available.

#### **5.3 Mutual Exchanges**

In order to meet the Government's aspirations to help tenants to arrange mutual exchanges nationally, the scheme may provide links to approved national exchange services rather than advertise them directly.

### **Appendix 1**

#### **Head Office Contacts for Partner Local Authorities**

##### **North East Lincolnshire Council**

Municipal Offices,  
Town Hall Square,  
Grimsby,

North East Lincolnshire  
DN31 1HU

Tel: 01472 326296 option 2  
[www.nelincs.gov.uk](http://www.nelincs.gov.uk)

Email: [info@homechoicelincs.org.uk](mailto:info@homechoicelincs.org.uk)

**North Lincolnshire Council**

Church Square House  
30-40 High Street  
Scunthorpe  
North Lincolnshire  
DN15 6NL

Tel: 01724 297000  
[www.northlincs.gov.uk](http://www.northlincs.gov.uk)

Email: [housingadvice@northlincs.gov.uk](mailto:housingadvice@northlincs.gov.uk)

**Head Office Contacts for Partner Landlords**

**Lincolnshire Housing Partnership Ltd**

Cartergate House  
26 Chantry Lane  
Grimsby  
North East Lincolnshire  
DN31 2LJ

Tel: 0345 604 1472  
[www.lincolnshirehp.com](http://www.lincolnshirehp.com)

Email: [lettings@lincolnshirehp.com](mailto:lettings@lincolnshirehp.com)

**Amplius**

Leverett House,  
Gilbert Drive,  
Endeavour Park,  
Boston,  
Lincolnshire,  
PE2 7TQ

Tel : 0800 111 4013  
[www.amplius.co.uk](http://www.amplius.co.uk)  
email: [help@amplius.co.uk](mailto:help@amplius.co.uk)

**Ongo Homes**

Ongo House  
High Street

Scunthorpe  
North Lincolnshire  
DN15 6AT

Tel: 01724 279900 [www.ongo.co.uk](http://www.ongo.co.uk)  
email: [lettingsenquiries@ongo.co.uk](mailto:lettingsenquiries@ongo.co.uk).

**Sanctuary Group**

Sanctuary House  
Chamber Court  
Castle Street  
Worcester  
WR1 3ZQ

Tel: 0800 131 3348  
(mobiles) 0300 123 3511  
Email : [contactus@sanctuary-housing.co.uk](mailto:contactus@sanctuary-housing.co.uk)  
website: [www.sanctuary-housing.co.uk](http://www.sanctuary-housing.co.uk)

## **Appendix 2**

### **Policy on suspension from joining the register**

#### **1. Statutory and Regulatory Guidance**

- 1.1.1 The law allows local authorities to refuse to consider applications on the basis of past behaviour but it is left up to the authorities how to define this behaviour. The partners in this scheme will not operate blanket exclusion policies for housing applicants with rent arrears, previous convictions or anti-social behaviour
- 1.1.2 Officers dealing with the assessment of housing applications will observe all relevant legislation/ guidance.

#### **2. How the policy will be applied**

- 2.1.1 The partnership recognises that whilst it wishes to promote balanced and sustainable neighbourhoods, denying access to social housing might result in broader social exclusion for the households involved. Therefore, applicants will not be suspended automatically from the register if their circumstances 'fit' a defined category; each case will be judged on its own merits and efforts will be made to resolve any issues preventing applicants from being considered for offers.
- 2.1.2 For the purpose of this document, suspension means that an applicant has been assessed as ineligible to bid for properties and is unable to participate in the choice based lettings scheme on the grounds the suspension criteria listed below. This applies to existing as well as new applicants who register on the scheme.

#### **3. Examples of suspension criteria**

- Evidence of violence, harassment, racial harassment and threatening behaviour.
- Verbal or physical abuse towards any person employed by or on behalf of any of the partners.
- Damage, misuse or neglect of former or current home due to the actions of the tenant or other person living in or visiting the property.
- Using premises for any illegal activity
- Unspent criminal convictions
- Breaches of tenancy (including private sector tenancies).
- Housing related debts (see 3.1.1 for further info).
- Providing false or misleading information or failing to declare relevant information.
- Failure to attend viewings.
- Ineligible transfers.

- 3.1.1 Rent arrears, recharges, court costs – current tenants of the partner landlords with any debt on their account will be suspended until the account is clear. Other applicants will be suspended for any housing related debt above £250 owing to one of the partner landlords. If below £250 is owed continuous commitment to reduce the arrears must be demonstrated in order for the applicant to remain active on the register. The debt must be completely cleared in order for the applicant to be considered for an offer
- 3.1.2 The partnership will work collaboratively with the applicant and all relevant agencies including the police, probation and prison service in an effort to resolve an applicant's suspension and improve their chances of being integrated back into the community through a planned and managed approach. This may result in the applicant being overlooked for offers of accommodation whilst awaiting the outcome of an investigation or until such time as they can demonstrate their ability to successfully maintain a tenancy

#### **4. Periods of Suspension**

- 4.1.1 See appendix 6.

#### **5. Notifying the Applicant of the Decision**

- 5.1.1 All applicants will be notified in writing of any decision concerning their application, the reasons for it and their right to request a review of the decision.

## **Appendix 3**

### **Applicants not eligible due to immigration status**

#### **Overview**

The law governing eligibility, on the basis of immigration status, for an allocation of social housing is complicated and too complex to be fully set out in this document. It is also subject to change by regulation and there has been a significant number of changes since eligibility was introduced as a pre-requisite for housing in the Housing Act 1996 (as amended). All current and future regulations must be taken into account in assessing the eligibility of applicants.

#### **Summary**

The law defines who is and is not eligible, in terms of immigration status and habitual residence. The law is different for people from within the European Economic Area (EEA) and the UK and those from elsewhere. The following gives a broad overview of the current situation but is not a definitive statement of the law.

#### **EEA Nationals**

To be eligible for social housing, EEA nationals must have a right to reside in the UK:

- A right to reside can be gained by EEA workers, including those who are self-employed
- Special rules apply to Bulgarian and Rumanian (A2) nationals
- In certain situations, EEA nationals who are temporarily not in work can still be eligible
- EEA nationals who are not working but who are studying or are self-sufficient will be eligible in some circumstances if they pass the habitual residence test
- Family members of eligible EEA nationals are normally eligible even if they themselves are not EEA nationals

#### **People who are not EEA nationals**

People from outside the EEA are usually subject to immigration control and so need permission to enter and/or remain in the UK. Only some people subject to immigration control are eligible:

- Refugees and people granted discretionary leave, humanitarian protection or exceptional leave are eligible if their leave does not include a clause barring them from recourse to public funds

- People with indefinite leave to remain are usually eligible, subject to passing the habitual residence test
- Most people with other forms of limited leave to remain will not be eligible

Most other people from outside the EEA are not eligible for social housing.

### **Further information**

The Chartered Institute of Housing website at [www.housing-rights.info](http://www.housing-rights.info) is widely considered to be the most useful resource, for both advisers and applicants, for establishing eligibility.

Information is also available from other websites including:

Communities and Local Government website – [www.communities.gov.uk/housing](http://www.communities.gov.uk/housing)

Shelter website – [www.england.shelter.org.uk](http://www.england.shelter.org.uk)

## Appendix 4

### How Priority will be assessed

#### 1. **Band 1: Home Loss through a Regeneration Scheme (Decants)**

Advice and help with moving will be given to all residents who live in a regeneration area, as defined by any one of the partners. Bids will be accepted on the basis of a suitable property that meets the needs of the applicant's family. However, where necessary, and at the discretion of the landlord, bids may be accepted for properties that are the same size as the applicant's current home where this is larger than their bedroom need.

#### **Priority order for bids**

Offers will be made in order of the date they were given priority. If more than one applicant is given the same priority date, then the application date will be used as the deciding factor. Where the priority and application date is the same, the current tenancy start date or commencement of current owner occupation will be used as the deciding factor. Where the above criteria fail to prioritise one or more bids, selection will be based on the most efficient use of the housing stock.

#### 2. **Calculating Bedroom Shortage/Surplus**

Overcrowding will be assessed based upon the number of people within the household and according to best use of the bedrooms and sleeping spaces available. This assessment does not include living room space. Where a bedroom is being used for another purpose e.g. study or toy room, its original function as a bedroom will be used in assessing the level of overcrowding. The following rules will be used to calculate the number of bedrooms needed (maximum 2 people per room):

- The main householder/s will be assessed as requiring their own bedroom, even if s/he is a single parent.
- Couples will generally be assessed as needing 1 bedroom. An additional bedroom will only be considered where there is a proven medical need in line with government guidelines (eg housing benefit criteria).
- Children aged 10 and over will be assessed as requiring a separate bedroom if they are sharing with the opposite sex regardless of that individual's age.
- Children aged 15 and under will be assessed on the basis that they will share a bedroom with another child of the same sex.
- Persons aged 16 and older will be assessed as requiring their own bedroom.
- Women who are at least 20 weeks pregnant and who have provided proof of their pregnancy will be eligible to apply for a property with enough bedrooms to accommodate their whole household including the unborn child.

## **Appendix 5**

### **Home Choice Lincs Review Procedure**

Applicants have a right to request a review if they are unhappy with any decision, including, but not limited to -

- decisions to exclude them from registering with the scheme,
- the level of priority awarded,
- decisions to suspend them from being able to bid for properties,
- shortlisting for advertised properties or offers made.

Applicants may feel that there has been a failure to take into account all relevant matters when making a decision or that a decision was unfair. This procedure enables applicants to request that a decision is looked at again.

In certain circumstances the matter about which the applicant is concerned may be dealt with either by a statutory appeal procedure or as a complaint.

### **Statutory Rights of Appeal or Review**

This review process is open to all those registered with Home Choice Lincs but in certain circumstances other appeal or review procedures can be used.

Some decisions are subject to procedures laid down by Parliament. These are called statutory procedures. They include the right of appeal to, or review by, the courts, a tribunal or within the relevant local council, for example:

- homelessness reviews
- suitability of an offer of housing to a homeless person

If a decision is subject to a statutory right of appeal or review, we will notify the applicant of their legal rights at the time of the decision and the procedures and timescales that apply.

If the decision is dependent on assessment under the law regarding homelessness the review will be carried out in the first instance by the housing advice or options team for the local authority that first received the homeless enquiry. That is to say if the applicant first approached North Lincolnshire Council that council will undertake the review whereas if the applicant first approached North East Lincolnshire Council they will carry out the review.

### **Matters that are about to go to Court or Tribunal**

The Home Choice Lincs appeal procedure will not deal with issues that are about to go to court or tribunal (or have already done so).

## **Complaints**

If an applicant is unhappy about the Home Choice Lincs scheme, or about the standard of service then it would be more appropriate to deal with the matter under the relevant partner organisation's complaints procedure. Information and formal complaints forms are available direct from the partner organisations.

If applicants are unsure who to complain to they can make their complaint to Home Choice Lincs ([www.homechoicelincs.org.uk](http://www.homechoicelincs.org.uk)) and it will be directed to the appropriate partner organisation.

## **Reviewing Body for particular matters**

Requests to review decisions to exclude an applicant from registering with the scheme should be made to North East Lincolnshire Council as the lead authority for the scheme. Information relevant to the review request may be obtained from North Lincolnshire Council or any of the partner landlords as necessary.

Requests to review decisions regarding banding and the level of priority awarded should also be made in the first instance to North East Lincolnshire Council.

NELC will check the applicant's application against the policy and will write to inform the applicant as to whether the decision was correct in accordance with the policy. If the applicant wishes to appeal further the below review procedure will need to be followed.

Requests for reviews of decisions regarding shortlisting of bids for advertised properties or offers made as a result of shortlisting should be made to the partner landlord of the property concerned.

## **Review procedure**

All requests for a decision to be reviewed must be made in writing and be signed by the applicant within 21 days of the date of the letter setting out the original decision. The request must include the reason or reasons why the applicant considers the original decision to have been incorrect, together with any additional information the applicant believes is relevant.

Applicants can appoint an advocate to help them with their appeal. Once appointed, the partner organisation will deal directly with the appointed advocate. Applicants should give their permission in writing for the advocate to act on their behalf and provide a copy of this permission to the partner dealing with the review.

The request for a review will be acknowledged in writing to the applicant and their advocate, if they have appointed one, within five working days. Applicants will be invited to submit written information to support their review if they have not already done so.

If the applicant provides new information that was not available at the time the original decision was made, the officer making the original assessment may take it into account and change their decision. The applicant will be advised of this and the outcome in writing. If the original decision is not changed, the case will be formally reviewed.

Reviews will be carried out by 2 officers not involved in making the original decision and who are senior to the original decision maker. Reviews will usually be completed within eight weeks

In conducting the review, the reviewing officer will take into consideration all relevant matters and information including the facts of the case, representations received, the law, regulations and guidance, and the contents of this policy.

Usually reviews will be conducted on the basis of written representations but any applicant or advocate will have the right to make oral representations to the reviewer.

The outcome of a review will be confirmed in writing to the applicant and their advocate, if they have appointed one. Full reasons will be given for all decisions. Decision letters will be sent to the applicant's last known address or, if that is not possible, retained at the office to which the applicant submitted their review request for 12 months.

If a review decision is not in an applicant's favour, there is no right to a further internal review. The only legal challenge to an adverse decision is by way of judicial review.

Applicants who are not satisfied with the outcome of a review can make a complaint to the relevant partner organisation using their formal complaint procedure.

After such a formal complaint procedure has been completed the applicant has the right of complaint to the Housing Ombudsman or the Local Government Ombudsman if it relates to a council duty. The Housing and Local Government Ombudsmen will not normally accept complaints that have not been through every stage of an organisation's complaints procedure.

**Appendix 6**

Reason for suspension	Length of suspension
Applicant reapplying within 12 months of being housed through the scheme	12 months from date of sign-up
Arrears current tenant	Suspended until accounts are all clear
Arrears former tenant	Suspended until arrears are reduced to below £250 and payment plan is in place to clear rest. If payment plan is not being adhered to suspend even if below £250
Unacceptable behaviour	Suspended until criteria in suspension letter is met (eg full disclosure of convictions, satisfactory tenancy reference, confirmation of no further breaches of tenancy, period of sustainability within the community). In the cases where applicants are subject to Multi Agency Public Protection arrangements (MAPPA) levels 2 and 3, the HCL Partnership will work within this process to assist wherever possible in addressing housing need.
Failure to attend viewings	Suspended for 6 months
UK nationals residing abroad	Suspended until residing in the UK and have passed the habitual residency test
EEA Nationals	Suspended until documentation received confirming meets criteria for social housing in accordance with current legislation
Non EEA Nationals	Suspended until documentation received confirming meets criteria for social housing in accordance with current legislation
Under investigation	Suspended temporarily until requested information is received at which point eligibility will be decided
Fraudulent applications	Suspension for 12 month period