Housing Allocations Policy

FINAL: November 2026

Version Control

Revision History

Version	Date	Author	Changes
5.1	16 September 2020	HCL Board	Adopted by the Home Choice Lincs Board
6	March 2026	Campbell Tickell	Full Policy Re-write
6.1	24 June 2026	HCL Steering Group	Minor changes
6.2	19 November 2026	HCL Team	Minor changes

Approvals

Name	Title	Approved
HCL Board	Allocations Policy 2026	16 October 2026

Document Review Plans

This document is subject to a scheduled annual review. Updates shall be made in accordance with business requirements and changes and will be with the agreement of the HCL Board.

Distribution

The document will be available on the HCL website.

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1 Introduction

1.1 The Housing Allocations Policy

1.1.1 Every Council is required to have a Housing Allocations Policy in accordance with the requirements of The Housing Act 1996 (Part VI) as amended. The Housing Allocations Policy determines priorities and defines the procedures to be followed in allocating social housing. This is the Northern Lincolnshire Sub-Regional Partnership (HCL) Housing Allocations Policy.

1.1.2 This policy has been developed by the Northern Lincolnshire Choice Based Lettings 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 Northern Lincolnshire Sub-Regional Choice Based Lettings Scheme is known for operational purposes as Home Choice Lincs (HCL). More information on choice-based lettings is covered in detail in section 5.2; we advertise properties for applicants to bid for, enabling them to exercise their right to choice.

The partners listed below have agreed to allocate and let vacant properties in accordance with this policy. Their contact details are listed in Appendix 1.

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

1.1.3 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.

1.1.4 The vision for the service is to:

- Enable people to access a range of affordable housing that meets their needs.
- Provide an efficient, single access route for applicants in Northern Lincolnshire. The two waiting lists are accessed through one registration process.

1.1.5 A summary of the policy scheme is available to all applicants on the HCL website: www.homechoicelincs.org.uk.

1.2 The Legal Framework

1.2.1 Legislation relating to the allocations policy is set out in the following:

- The Housing Act 1996, Part 6 as amended by Localism Act 2011 (England)
- The Housing Act 1996, Part 7 as amended by the Homelessness Reduction Act 2017
- Allocation of Housing (Procedure) Regulations 1997, SI 1997/483
- Allocation of Housing (England) Regulations 2002, SI 2002/3264
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294 and all subsequent amendments
- 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)'
- Homeless Reduction Act 2017 and all subsequent amendments to 2020
- Equality Act 2010
- Data Protection Act 2018 and contained within the General Data Protection Regulation 2018 (GDPR)
- Care Act 2014
- Human Rights Act 1998
- Domestic Abuse Act 2021
- Children and Social Work Act 2017
- The Regulatory Framework for Social Housing 2019
- Armed Forces Act 2021 The Allocation of Housing (Qualification Criteria for Victims of Domestic Abuse and Care Leavers) (England) Regulations 2025.

1.2.2 When framing the allocations policy further guidance has been sought from:

- Homelessness Code of Guidance for Local Authorities
- Housing and Health Strategies
- Homelessness and Rough Sleepers Strategies
- The Northern Lincolnshire Tenancy Strategy

1.2.3 The Housing Act 1996 (as amended) requires all local authorities to give **'reasonable preference'** to certain groups of people who are in most housing need. These groups are set out as follows;

i. All homeless people as defined in Part VII of the Housing Act 1996, including people who are intentionally homeless, and those who are in priority need.

ii. People who are owed a duty by any Council under section 190(2), 193(2), 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such Council under section 192(3).

iii. People occupying unsanitary, statutory overcrowded or otherwise unsatisfactory housing.

iv. People who need to move on medical or welfare grounds (including grounds relating to a disability).
v. People who need to move to a particular locality within the district to avoid hardship to themselves or others.

1.2.4 The policy is also required to have regard to the following considerations:

a. The policy must be framed to give reasonable preference to applicants who fall within the categories set out in s.166a of the Housing Act 1996 over those who do not.
b. Whilst there is no requirement to give equal weight to each of the reasonable preference categories, local authorities should demonstrate why applicants are given a particular priority.
c. There is no requirement for local authorities to frame their policy to afford greater priority to applicants who fall within more than one reasonable preference category (cumulative preference) over those who have reasonable preference on a single non-urgent basis.

1.2.5 Additional preference can be given to other groups of people who have a reasonable preference, if they have urgent housing needs. The Allocations Code of Guidance provides the following examples to whom local authorities should consider giving additional preference within their allocations policy because they have an urgent need to move:

- Those who need to move urgently because of a life-threatening illness or sudden disability.
- Families in severe overcrowding which poses a serious health hazard.
- Those who are homeless and require urgent re-housing as a result of violence or threats of violence (including intimidated witnesses) as well as those escaping serious anti-social behaviour or domestic abuse.

1.2.6 The Social Housing Regulatory Act requires local authorities to allocate accommodation in the fairest way possible, ensuring accessibility to suitable homes for people with disabilities, and balanced award of priority. The allocation of properties should be transparent and made more so by the publication of letting results.

1.2.7 We are working continuously to:

- Improve joint working with registered providers to ensure that social housing is allocated efficiently.
- Remove barriers to accessing social housing for homeless households.
- Ensure that vulnerable households are able to navigate our allocations systems.

1.3 Definition of an 'allocation' of accommodation

1.3.1 What is an Allocation?

The Housing Act 1996 as amended provides that local authorities allocate housing accommodation when they:

- Select a person to be an introductory or secure tenant of housing accommodation held by the partnership.
- Select a person to be a fixed term tenant of housing accommodation held by the partnership.
- Nominate a person to be an introductory or secure tenant of housing accommodation held by another Council.
- Nominate a person to be a starter tenant (also known as probationary) or assured tenant of housing accommodation held by a Registered Provider.

1.3.2 What is NOT an Allocation?

Secure, introductory or demoted tenancies arising in the following circumstances are not covered by the allocation's provisions of the Act and therefore fall outside of the scope of this document. These include:

i. Succession to a tenancy on the death of a previous tenant
ii. Assignment of a tenancy by way of a mutual exchange
iii. Assignment of a tenancy to a person who would be qualified to succeed to the tenancy on the death of a current tenant
iv. Transfer of the tenancy pursuant to a court order under family law or the Civil Partnership Act 2004
v. Where a person becomes a secure tenant on ceasing to be an introductory tenant.

1.3.3 Transfers

Social housing tenants who do not have an identified housing need in accordance with the Allocations Policy must pursue mutual exchanges and will not ordinarily be entitled to join the housing register.

Tenants with identified housing needs and who would usually be considered to be owed a 'reasonable preference' (such as medical priority) or would be considered to have a housing need under the terms of the policy (for example overcrowding or under-occupancy) are eligible to join the housing register and can also pursue mutual exchanges.

For transfer applicants, we expect clear tenancy accounts before the tenant is allowed to move. They will also be required to have a property inspection to ensure there have been no breaches of the tenancy.

1.4 Information sharing, confidentiality and data protection

1.4.1 The partners will continue to build upon the existing information sharing protocols that are in place within their Council 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.

1.4.2 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 but not limited to; fraud investigation, serious anti-social behaviour, prevention of crime and safeguarding.

1.4.3 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.

1.4.4 For further details on how we treat your personal information, please see our privacy notice which is located on the website.

1.5 Equality and fairness

1.5.1 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. Staff will be trained in valuing and promoting equality and diversity in the delivery of the lettings service.

1.5.2 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 procedures.

- Providing practical assistance to those who may have difficulty in registering, bidding and 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 to understand how this is broken down by different communities.
- Promote the service to under-represented groups.

1.5.3 This policy has been developed following consultation.

1.6 Circumstances beyond the Council's Control

We will not be liable for any delay in performing our obligations under this policy if the delay is caused by a circumstance beyond the Council's control, provided that reasonable action and notification to customers is taken. Examples include strikes, lock outs, acts of God, cyber-attack, the act or omission of any governmental or other competent authority, war or national emergency.

1.7 Changes to the Housing Allocations Policy

1.7.1 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.

1.7.2 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.

1.7.3 Where there are changes that are required urgently for legal reasons that are minor in nature, or changes in government policy and / or legislation, these changes will be approved by a recommendation from the Policy and Operational Committee to the HCL Board.

1.7.4 Any major change required to the policy will be subject to a full public consultation and HCL Board approval.

1.7.5 All changes to this policy will be noted on the version control page of this document.

1.7.6 The policy will be reviewed every 5 years in accordance with industry standards, or sooner if there are changes in legislation or regulation.

1.8 Statement on Choice

Once accepted onto the Housing Register, we assess priority according to band, which is based on housing need and effective band date. Choice based lettings (CBL) allows eligible applicants to select properties that they are interested in. This policy follows an open and transparent process, helping applicants make informed choices about where they want to live and the type of property they would prefer. The partnership may restrict choice where we need to make a direct offer outside of band and time waited order. We may do this to meet the challenges that local authorities face in relation to homelessness, or where a property is subject to a Local Lettings Plan (LLP).

2 Options for housing in Northern Lincolnshire

2.1 Common Housing Register

The Common Housing Register (referred to as 'the housing register' throughout this document) is a key part of the scheme. The register is a one policy, one registration process, with applicants then sitting on the waiting list for their own Council. 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 for any landlord that has property in their Council. Section 3 sets out who is eligible to join the register.

2.2 Mutual Exchange

If you are the tenant of a Council or a registered provider, a mutual exchange, or swapping properties with other tenants, gives you the best chance of moving. You can exchange your property with any other social housing landlord's tenant, anywhere in the country, subject to landlord approval.

If you are looking to move for work or to be near to family and friends, national schemes will allow you to see homes across of the whole of the UK. You may exchange with other social housing tenants if everybody involved in the exchange process agrees.

Normally an exchange will be agreed by the landlord, provided:

a. Both properties are the right size for the incoming household's needs.
b. Neither party has breached their tenancy or is subject to legal action.

You will need to contact your own landlord regarding this.

2.3 Low-Cost Home Ownership

If you are interested in owning your own home, then there are schemes which are backed by the government which may be able to assist. More information can be found at: www.gov.uk/affordable-home-ownership-schemes. Your Council or your landlord will be able to provide you with the details of the schemes that run locally.

Shared ownership is a great opportunity for those who want to get a foot on the property ladder but can't afford to buy a home outright on the open market. The scheme gives you the chance to buy a share in a brand-new leasehold property (either a house or an apartment) on a part buy/part rent basis. You buy a share of

between 25% and 75% of a home from a registered provider. You then pay a subsidised monthly rent to the registered provider for the remaining share.

If you are interested in registering for shared ownership properties, information on what this entails and how to apply can be found at:
Shared ownership homes: buying, improving and selling: How shared ownership works - GOV.UK (www.gov.uk). Your Council or your landlord will be able to provide you with the details of the schemes that run locally.

2.4 Private Renting

We are unable to help everyone who registers for social housing as demand far exceeds the supply. Considering moving to private rented accommodation allows you to decide where you move to, what type of property you move to, and when you move.

There are many internet sites that provide details of available properties including:

Right Move	www.rightmove.co.uk
Zoopla	www.zoopla.co.uk
Gumtree	www.gumtree.com
Spare Room	www.spareroom.co.uk
Loot	www.loot.com
Home	www.home.co.uk
DSS move	www.dssmove.co.uk
On the Market	www.onthemarket.com

Additionally, you may be able to find private rented accommodation through a letting agent which may save a lot of time. It is worth remembering that letting agents may require you to have the finances available to be able to secure the property. Whilst the fees they can charge are restricted under the Tenant Fees Act 2019, they may still require money for a deposit and/or rent in advance. You may also be required to have a rent guarantor, and to be able to provide references.

You will find letting agents listed in the local papers, Yellow Pages, or Thompson Local or at: www.zoopla.co.uk/find-agents/letting-agents. If you have difficulties in securing private rented accommodation, the Housing Options Team for your Council may be able to assist you.

2.5 Adaptations to your home

If you would prefer not to move home but are looking to do so because you or a member of your household are disabled or have a chronic illness that affects your housing requirements, you may like to consider having your current home adapted to meet your needs.

There may be financial assistance that can be provided to help you do this, depending on your circumstances, in the form of a disabled facilities grant. Further information on disabled facilities grants can be found on your Council's website. If you are a social housing tenant, please contact your landlord. If you are a homeowner or private tenant, please contact the Housing or Homeless Prevention Team for your Council.

2.6 Help and Advice

Your Council can offer specialist housing advice to help you keep your current home, source alternative accommodation or provide advice on alternative housing options.

Assistance may be provided by, but not limited to:

- Mediation services
- Referrals to supported accommodation
- Advice on joining the Housing Register and applying for social rented accommodation
- Advice to those threatened with homelessness
- Assistance to obtain private rented accommodation
- Specialised housing options for victims of domestic abuse

2.7 Registered Providers

Landlords will be required to advertise a minimum of 70% of their empty properties through HCL. This will be monitored by local authorities to ensure compliance with the nomination agreements in the area.

Some registered providers are not part of the partnership. Councils have nomination rights to their stock. This means that we advertise properties from time to time that belong to these landlords. You can place a bid on these and the landlord will contact you if you have been successful.

The lettings criteria for each registered provider may differ. Please make sure you read and understand who is able to bid on each nomination property before you make your bid. The property advert will list information on the landlord of the property and also the lettings criteria specific to that landlord. Whilst registered providers will retain their own lettings criteria, they must give due regard to this Housing Allocations Policy when making decisions.

The lettings policies for partner landlords are located on the HCL website. For other registered providers, applicants may wish to contact them directly to establish their lettings policies.

2.8 New Developments

2.8.1 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.

2.8.2 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.

2.9 Our commitment to sustainable communities

2.9.1 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.

2.9.2 Where local lettings policies are to be applied these will be published as part of this policy and on individual property adverts.

2.9.3 It is important that we have the ability to operate this 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, for example, 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 to support this. 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.

3 Eligibility and Qualification

3.1 Eligibility

3.1.1 The statutory eligibility criteria for social housing is set out in section 160ZA (1-5) of the Housing Act 1996, as amended by the Localism Act 2011. An applicant may be ineligible for an allocation of accommodation under section 160ZA (2) or (4). Authorities are advised to consider applicants' eligibility at the time of the initial application, and again when considering making an allocation to them, particularly where a substantial amount of time has elapsed since the original application was made.

3.1.2 The following persons are not eligible to join the register:

- People who are "subject to immigration control" (unless they fall within a class prescribed by regulations made by the Secretary of State section 160ZA (2)).
- People who do not have recourse to public funds

3.1.3 If a person who has been admitted to the register ceases to be eligible under the above criteria, they will be removed from the register with immediate effect.

3.1.4 The EEA eligibility rules apply from the 1 January 2021. EEA persons and their families should seek advice on their eligibility at: Housing Rights Information for Migrants and Housing Advisors (England and Wales) (housing-rights.info)

3.2 Right to Move

3.2.1 The Right to Move qualification regulations 2015 states that Local Connection criteria must **not** be applied to existing social tenants who seek to move from another Council district in England and who have a need to move for work related reasons to avoid hardship.

3.2.2 To qualify the applicant must be a social housing tenant living in England.

3.2.3 Applicants wishing to join the Housing Register due to work related reasons to avoid hardship are able to do so provided that they can evidence these requirements.

3.2.4 Applications accepted under 'Right to Move' will be awarded Band D priority.

3.2.5 We must be satisfied that the tenant needs, rather than wishes, to move for work related reasons and that if they were unable to do so this would result in hardship. In determining whether the tenant needs to move we will consider the following:

a. The distance and/or time taken to travel between work and home.

b. The availability and affordability of transport, taking into account the tenant's level of earnings.
c. The nature of the work and whether similar opportunities are available closer to home.
d. Other personal factors, such as medical conditions and childcare, which would be affected if the tenant could not move.
e. The length of the work contract.
f. Whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects.

3.2.6 The qualification regulations only apply if work is not short-term or marginal in nature, nor ancillary to work in another district. Voluntary work is also excluded.

3.3 Applicants under 18 years old

3.3.1 Applicants under the age of 18 will not automatically be able to join the Housing Register. Where a statutory homelessness duty is owed, or where a care leaver is ready to be considered for permanent housing, they may be placed with a supported housing provider (but not always.). This provider will liaise with the Personal Advisor and HCL Team once they are 18 and ready to move. Individuals who are, or will become, Care Leavers will be able to submit an application from the age of 16 but will not be able to bid until they are 18, and it has been confirmed by their Personal Advisor and, if applicable, supported housing provider that they are ready to move.

3.3.2 All efforts, including family mediation or referrals to supported accommodation, will be made to prevent homelessness and assist young people to achieve an appropriate housing solution to meet their need.

3.3.3 Where an applicant under 18 is unable to join the Housing Register but is threatened with homelessness, full advice and assistance will be offered to the young person for them to return home where it is safe for them to do so, or for alternative accommodation to be sourced for them.

3.3.4 In exceptional circumstances a 16/17 year old may be accepted onto the register. As a 16/17 year old cannot hold a tenancy in law, there will be a requirement for them to have an approved person to act as their trustee in relation any tenancy agreement. This would normally be a family member or other suitable third party.

3.4 Armed Forces

3.4.1 The Armed Forces Act 2021 places a statutory duty on local authorities to give preference to former members of the armed forces and their families for the purpose of allocating housing. This supersedes all previous armed forces covenants and regulations.

3.4.2 Qualification under the statutory duty applies as follows:

a. The individual is serving in the regular forces or has served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act. We do not apply the 5-year rule in NELC or NLC.
b. Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where they served in the regular forces.
c. The individual is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability.
d. The individual is a divorced or separated spouse or civil partner of service personnel and needs to move out of accommodation provided by the Ministry of Defence.
e. The local connection criteria will not be applicable.

3.5 Serious Offenders

3.5.1 Applications made by applicants who are subject to MAPPA (Multi-agency Public Protection Arrangements) will be subject to a robust and appropriate assessment of their eligibility. They will be considered where an applicant needs accommodation that can be suitably monitored and managed due to the risk they may pose to others or any risk to the applicant themselves.

3.5.2 An allocation will only be made following a multi-agency risk assessment and once suitable accommodation has been identified and approved by a vulnerability panel. This will consider MAPPA guidance for high-risk offenders.

3.5.3 Applications following a referral of MAPPA will only be entitled to a direct let in order to manage any risk involved. The property will be carefully selected to meet the recommendations for serious offenders. They will be placed in Band A under the public protection category and will be subject to a direct match. The final decision in relation to a property lies with the landlord.

3.6 National Witness Mobility Scheme (NWMS)

3.6.1 The partnership supports the National Witness Mobility Scheme (NWMS) and may consider, at its discretion, referrals made to house witnesses. In order to assist the national police force to tackle serious crime and to support witnesses in the legal process, the partnership will work with colleagues in the NWMS. The scheme enables witnesses to relocate outside their area to a place of safety.

3.6.2 On receipt of a referral, the partnership will take into account the level of risk the applicant is facing, and the demand and supply issues at the time in the region. Any acceptance of a referral will be determined by the Allocations Panel. For terms of reference see Appendix 2.

3.6.3 In order to protect the identity of the witness, the applicants will only be required to complete a housing application form on acceptance of the referral. It will be necessary for the applicants to meet the eligibility criteria for entry onto the register in accordance with Section 3.1 of this policy, and the proof of identity requirements must be complied with. The local connection criteria will not be applicable.

3.6.4 The applicant will receive a single direct offer of a suitable property. The applicant will not be permitted to place any restrictions on the type of property they will consider.

3.7 Refugees and Asylum Seekers

We will comply with any government directives in relation to resettlement schemes for refugees or asylum seekers. We will review these annually to ensure that we are compliant.

3.8 Qualification Rules

Applicants may only join the Housing Register if they are eligible and they qualify.

3.8.1 Qualifying Person

Only an applicant with a local connection is considered a qualifying person. Local connection is defined below. Exemptions, termed ‘disqualification rules’ are covered in section 3.9.

3.8.2 Local Connection

The applicant or a permanent member of their household will need to evidence that they meet at least one of the following criteria in order to be defined as having a local connection to either of the boroughs associated with the partnership.

a. Residence

- The applicant must have been a resident in the borough for at least 5 continuous years preceding the date of application and for the duration of their application.
- This means an applicant must have lived in the borough they currently reside in for a minimum of 5 years immediately prior to making their application and they will be rehoused in the same borough.
- For the purposes of residency, we will only usually consider settled (secure) forms of accommodation. This is usually medium to long term accommodation, and generally where there is a legal right to occupy the accommodation. For example, owning the accommodation, renting the accommodation or where they have resided with family with the intention of it being a long-term arrangement.

b. Employment

- Have permanent employment or be self-employed within either borough for a continuous period of at least 12 months immediately preceding the date of application and for the duration of the application (although any employment need not necessarily be/have been with the same employer).
- This employment must be for more than 16 hours per week, and not temporary or casual.
- It is deemed unreasonable to expect them to commute from their current address.

c. Close family with additional health/welfare needs

- Local connection can be established through family where there has been frequent contact and dependency **and**
- The applicant has a close relative who has been living in either Council continuously for the last 5 years **and**
- Where the relative has health or care needs which require the support of the applicant, or where a family member needs to move to the borough to be closer to family who live there from whom they require care or support.
- Applicants will need to provide medical evidence to support this criterion along with evidence to show an established relationship.
- Close relative for this purpose is defined as parents, children, siblings, grandparents or grandchildren including step relatives.

d. An applicant will retain their local connection where they have left the borough due to:

- Being in hospital or other medical institution.
- Being incarcerated.
- Having to move out of the area for care.
- Being accommodated in supported accommodation outside the district.
- Being placed in temporary accommodation outside of the region by the Council.
- Attending university in another area.

3.8.3 Local Connection Exemptions

The only exemptions are as follows:

i. The applicants are relevant persons for the purpose of the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012.

ii. The Allocation of Housing (Qualification Criteria for Victims of Domestic Abuse and Care Leavers) (England) Regulations 2025.

iii. The applicant is homeless, and the Council has accepted a full duty to them under the Housing Act 1996 (as amended) S193(2). Care leavers under 25, victims of domestic abuse and veterans of the Regular Armed Forces are exempt from local connection. With respect to veterans this is regardless of when they served. This is separate from the 'local connection test' for statutory homelessness support, which already contains some allowances for care leavers and victims of domestic abuse.

iv. Applicants who are homeless and who are owed a duty requiring the Council to help them secure accommodation under S189B of the Homeless Reduction Act 2017, but only for as long as that duty is owed to the applicant.

v. Applicants who are threatened with homelessness and who are owed a duty requiring the Council to take reasonable steps to help applicants ensure that their accommodation does not cease to be available for their occupation under S195 of the Homelessness Reduction Act 2017 but only for as long as that duty is owed to the applicant.

vi. The applicant does not have a local connection to any other Council.

vii. The applicant has been unable to establish normal residency due to rough sleeping.

viii. Where the applicants are travellers or gypsies, and this has prevented local connection through the normal residency criteria.

ix. There are significant and special circumstances with overriding reasons requiring the move to the region for reasons of safety; when an applicant is fleeing domestic abuse from another area, is in witness protection or whereby not moving to the region would be detrimental to their wellbeing or cause significant hardship. This would be assessed on a case-by-case basis and would require approval from the Housing Allocations Panel.

x. Applicants moving under the Right to Move scheme.

xi. Local connection through special reasons may also be granted where the applicant has been staying temporarily with friends or family (known as 'sofa surfers,' and where there are supplementary links to the area such as recent previous residency, where they have only been residing with them temporarily due to the threat of homelessness or if they need to be in the borough for a medical or welfare need.

3.9 Disqualification Rules

3.9.1 Disqualified Persons

There are some circumstances where people are disqualified from joining the housing register as the Council will only allocate social housing to those people that it has defined as "qualifying persons" under Section 160ZA(6)(a) of the Act.

i. Where applicants are disqualified from the housing register, they will still be able to access advice and assistance on the housing options outlined in section 2 of this document.

ii. Where an applicant has been disqualified or accepted onto the Housing Register but is subsequently disqualified; usually because of unacceptable behaviour or because it has come our attention that they should have been disqualified when they made the application, they will be notified in writing. The applicant has a right to ask for a review within 21 days of the decision. See Section 6. The application will be cancelled if no right of review is received.

iii. An applicant can reapply at any time, and request their situation be reviewed, if they feel they now qualify and provided we did not remove them from the Housing Register for refusing their single offer of accommodation.

3.9.2 Disqualification Criteria

An applicant will **not** qualify if they have at least one of the following:

a. Unacceptable behaviour or former tenant debt

Where an applicant or a permanent member of their household has been guilty of 'unacceptable behaviour' in their conduct of a current or previous tenancy, they will be disqualified. An exception may be made where someone is homeless, and the council has accepted a duty.

Unacceptable behaviour can include, but is not limited to:

- Owing rent or other housing-related debt from a current or former tenancy with a registered housing provider, or a private landlord of 8 weeks or equivalent of their rent or more. For current tenants of partner landlords the accounts must be clear.
- Using premises for illegal or immoral purpose.
- Perpetrates anti-social behaviour.
- Convictions for criminal offences in or near to the applicant's home where the applicant still poses a threat to neighbours or the community.
- Abusive behaviour towards a Council employee, partner or contractor.
- Convictions for housing or welfare benefits-related fraud.
- Being violent towards a partner or members of the family or anyone in the neighbourhood, and been convicted of an offence in relation to this or where it has met the threshold for an injunction or court order, for example a non-molestation order.
- Obtaining a tenancy by deception, for example by giving false information.
- The applicant is subject to a civil injunction due to unreasonable behaviour.

In determining whether an applicant is disqualified due to unacceptable behaviour, the Council will consider the following:

i. Has the applicant or a member of the applicant's household been guilty of unacceptable behaviour?
ii. Was the unacceptable behaviour serious enough to have entitled a landlord to obtain an order for possession, whether or not such an order was sought?
iii. At the time of the application, is the applicant still unsuitable to be a tenant by reason of that behaviour, or the behaviour of a member of his/her household?

Unacceptable behaviour will result in an initial disqualification period of 12 months, which may be extended unless the applicant has rectified their behaviour. To be admitted to the register the disqualification must have

been rectified, for example if an applicant pays off or significantly reduces their current or former tenancy arrears. If an applicant's behaviour has been such that they have received a criminal conviction, they may be disqualified until the conviction is spent. For convictions which may never be spent, the Council would consider admitting them onto the housing register once they have served an imposed sentence and the licence conditions. They will not be disqualified if the conviction is spent.

b. Households in Rent Arrears

- Household in rent or mortgage arrears will not normally be considered for an allocation except in exceptional circumstances such as severe or urgent medical cases or where the council needs to discharge a homeless duty. We will consider the reason for the arrears to ensure that those who are only in these circumstances through the actions of others are not unfairly penalised.

- Applicants owed a homelessness relief duty living in temporary accommodation will be offered permanent accommodation but will be expected to make an agreement to clear any rent arrears. They will be offered an introductory tenancy. They will be expected to adhere to the repayment agreement even after they have moved into their new home, until the arrears are cleared.

- If they are a tenant and wish to downsize because of the spare bedroom subsidy in their benefit claim, and they are in rent arrears and these are getting worse, they will be considered for a smaller property provided they sign an agreement to clear the arrears.

- If you are a tenant in arrears and we need to move you, the arrears will be disregarded for the purpose of joining the Housing Register on the provision that a repayment plan is made at the point of making an application.

c. <u>Property Ownership</u>

The Code of Guidance recommends that local authorities should avoid allocating social housing to people who already own their home. We will therefore only allocate social housing to a person who owns their own home in exceptional circumstances. Instead they will be provided advice and guidance on other housing options.

Applicants will not qualify to join or remain on the Housing Register if they own a property either in the UK or abroad (either freehold, leasehold, under mortgage or shared ownership), unless they can demonstrate that:

- They are in housing need and/or it is unreasonable for them to continue to occupy the accommodation **and**

- They cannot liquidate or sell the property, which would enable them to purchase or rent an alternative property suitable to meet their needs.

Examples may include:

i. They are homeless or likely to become homeless within 3 months of their request due to the repossession of their current home and any equity received would not be enough to secure alternative accommodation.
ii. A joint owner who has left the property or is leaving the property in order to escape domestic abuse, and the perpetrator of the abuse is the other joint owner and the property cannot be sold.
iii. There has been a breakdown in a relationship between joint owners, and one has requested housing, the property has been sold, and they have insufficient resources to secure alternative accommodation.
iv. A homeowner who has been accepted as statutory homeless.
v. Where a closure order has been served by the Council because the home is hazardous or unsafe.

All alternative housing options must also have been exhausted before a homeowner can join the housing register. Where adaptations are needed, funding them using other means will be considered.

Applicants who own property they rent out will be expected to take all necessary legal steps to regain possession. This will apply to properties that are owned outright or still mortgaged, and to properties where an applicant's family may currently be residing. Where a homeowner has been unsuccessful in regaining possession, they may be allowed to join the Housing Register subject to approval by the Housing Allocations Panel.

Where applicants are able to register, before any offer of accommodation is made, proof will be required that the property has been sold, or proof of the fact that a sale has been agreed. Only in exceptional circumstances and where there are significant material overriding reasons would a property be allocated where the applicant still retains ownership of a property, and this would require approval from the Housing Allocations Panel.

d. Financial Resources

The partnership is permitted to take into account the applicants' financial resources and whether this is sufficient to source their own accommodation. If the household's income is **£44,959** gross per year or over, they will not qualify to join the register.

A household income will take into account the income of the applicant, the joint applicant and/or partner. All sources of income will be taken into consideration with the exception of disability benefits or payments made in relation to an injury.

The income threshold will be reviewed annually in line with any government directives, local economic factors and legislation.

e. Savings, Assets and Capital

Applicants with capital/savings/assets/investments in excess of £16,000 will not qualify to join the Housing Register as they will be regarded as having sufficient resource to source alternative suitable accommodation. This amount is in line with the DWP criteria for eligibility for Housing Benefit.

Where these savings are derived from a payment due to injury or disability for members of the armed forces who have recently been discharged, unless there is an award towards meeting their housing costs, they will not be included in this calculation.

On a case-by-case basis we may allow applicants who exceed this threshold but require specialist accommodation which cannot be readily sourced within the private rented sector or purchased on the open market to qualify.

The savings threshold will be reviewed annually in line with any government directives, local economic factors and legislation.

f. People with no housing need

Applicants will not qualify for or be allowed to remain on the housing register if we are satisfied that they are suitably and adequately housed, that is, they have no recognised housing need under the Housing Allocations Policy or fall into a reasonable preference category. Should their circumstances change in the future, they may apply again.

The demand for social housing in the area exceeds supply and therefore must be awarded to those who are in the most housing need. We want to manage demand and manage applicants' expectations accordingly.

g. Refused their single offer of accommodation

Where applicants have refused their single offer of accommodation, and the offer was deemed suitable and the refusal reason deemed unreasonable, they will be removed from the Housing Register and will not be permitted to reapply for 12 months. The 12 months will commence on the date of the refusal. The landlord of the empty property and the HCL

team will make the decision. The only exception to this will be where applicants have had a significant change in their circumstances and the offer was later deemed unsuitable. Applicants have a statutory right of review this decision.

3.10 Reasonable preference where the qualification rules are NOT met

3.10.1 The Housing Allocations Policy must give reasonable preference to applicants who fall into the categories set out in Sections 1.2.3 and 1.2.5. We can automatically reject an applicant who does not qualify under local connection criteria but who may still fall into a reasonable preference group for housing need.

3.10.2 If applicants fall into a reasonable preference category they will only usually be disqualified in exceptional circumstances such as where the applicant has committed serious anti-social behaviour or has high rent arrears.

3.11 Exceptional or mitigating circumstances

Rarely, there may be exceptional circumstances where the Housing Allocations Panel may override the policy, subject to a sound business case.

Examples are listed below:

- On a hard to let (Kwik Key) property where there are no natural eligible applicants the bidding criteria may be relaxed.
- The home is adapted but applicants needing this adaptation would not ordinarily be eligible for that property type.
- Relaxing the bedroom allocation rules to enable a household to consider a smaller property because there is a short supply of the large property they need. This will be subject to considerations as to the sustainability of that home, and the legislation on overcrowding.

3.12 Negotiated tenancy surrender

3.12.1 In order for a landlord to make the best use of resources available, we will consider awarding an applicant Band B in exchange for the surrender of their tenancy in order to:

- limit eviction costs
- reduce the period of time properties are left vacant
- prevent rent arrears accruing
- providing support to a tenant who needs a different housing provision.

3.12.2 This is subject to the surrender of the tenancy being done in a planned way and subject to the following provision;

- The applicant is a tenant of one of the partner landlords and has been taken into custody or has to go into a mental health or other special facility for an extended period **and**
- If they committed an offence, it did not constitute a breach of their tenancy agreement **and**
- They have or are likely to be sent to prison or a mental health/special facility for more than 13 weeks **and**
- They have conducted their tenancy in a reasonable way **and**
- Their **rent** is up to date **or**
- A tenant acknowledges they are not managing and asks for help.

3.12.3 Where a tenancy is failing, because the housing needs of the individual are complex and not suited to their accommodation, and all other avenues have been exhausted by their landlord, and where the tenant asks for help, we may consider a negotiated tenancy surrender. This will only be considered where there is statutory agency involvement to support the surrender and any onward move, including the sustainment of their new tenancy. This will be at the panel's discretion and the decision will be final.

3.12.4 Tenancy surrender would be subject to completion of a comprehensive report being completed by the landlord and authorised by the Housing Allocations Panel.

3.12.5 An applicant, who has been granted negotiated surrender priority, may be able to bid for properties within 28 days of the award. However, if an applicant is not in a position to sign tenancy agreements and move into the property once it is ready, the offer of accommodation may be withdrawn and the band award deferred.

3.12.6 An applicant would only be awarded this priority where they would not be disqualified from the housing register due to any other circumstances.

4 Application and Assessment

4.1 How to register

4.1.1 An application to join the housing register must be made using the online application portal at: https://www.homechoicelincs.org.uk/HouseholdRegistrationForm.

Evidence must be uploaded via the portal. A list of what you need is on the HCL website and must be provided at the point of registration. If you have any questions, or need help with your application, you can get this at any publicly accessible landlords' offices, libraries, hubs, council contact centres, community groups and support organisations including the HCL team.

4.1.2 We will only accept applications from an applicant who:

- Is eligible to apply for social housing.
- Meets our qualification rules.
- Has a housing need within the reasonable or additional preference as stated in this policy.
- Has been approved under an exceptional circumstance (rare).

4.1.3 Once an application has been checked against the eligibility and qualification criteria, the application will be assessed to determine the priority.

4.1.4 Multiple or duplicate applications for the same household are not allowed. If the applicant has already registered, they must decide which application they wish to retain.

4.2 Who can be included on the application

4.2.1 We accept joint and sole applications. Joint applicants will be accepted provided both applicants are eligible, aged 18 or over and intend to occupy the property together as their only or main home. If the joint applicants do not currently reside together, and are unable to in their current homes, the application will be assessed and placed in a priority band using the details of the household member with the greatest housing need.

4.2.2 Additional persons who can be included on a housing application must be members of the applicant's immediate family who normally live with the applicant. Any other person will only be included on an application if we are satisfied that it is reasonable for that person to live with the applicant, for example, emerging families. This will **exclude** lodgers or anyone subletting from the applicant.

4.2.3 Children of applicants are only allowed on the application of the parent/guardian who has residency of the child(ren) and to whom Child Benefit is paid. We will ask for proof of both these documents. We define a child as someone who is either under the age of 18 or who is still dependant on the applicant e.g. due to continuing education. Where a Child Benefit award letter can no longer be provided, we will accept a bank statement showing receipt of benefit, as long as there is also proof of relationship for example, a child's birth certificate to show the parentage of the child.

4.3 Councillors, board members, employees and their relatives

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 members and board members must not attempt to apply any undue influence in the handling of an application from friends or relatives. In these circumstances approval must be given prior to an offer of accommodation within the procedures of the relevant partner landlord.

4.4 Fraud, misrepresentation or withholding information

4.4.1 It is a criminal offence for anyone applying for housing from a Council to knowingly or recklessly give false information or knowingly withhold information, which they have reasonably been required to give (Section 171 of the Housing Act 1996).

4.4.2 Anyone found guilty of such an offence may be fined and could lose the tenancy if they have been rehoused as a result of providing false information or deliberately withholding information.

4.4.3 Applicants who are found to have made fraudulent claims, will be disqualified from joining the Housing Register and may not reapply for 12 months from the date of their disqualification.

4.5 Deliberately worsening circumstances

4.5.1 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. 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. 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.

4.5.2 Examples of this could include, but are not limited to:

- Applicants who give up a home that they own, rent, or have rights to, but choose to leave or dispose of it without good reason in the 5-year period immediately preceding the making of their application. This includes 'gifting' a home to friends and/or relatives, both within and outside the UK, where they could have reasonably been expected to reside, or to sell it.

- Applicants who have given up a social housing tenancy in the five year period immediately preceding the date of their application and this was not due to violence / threats of violence / harassment / anti-social behaviour / domestic abuse / hate crime, or any other similar danger to life and welfare.

- Applicants who deliberately overcrowd accommodation other than where it is necessary to prevent homelessness.

- Applicants who deliberately move to a home which was clearly unaffordable at the point they move into it.

- Applicants who deliberately move into accommodation which will be overcrowded, other than to prevent their homelessness and prevent the homelessness of their family.

- Applicants who leave suitable accommodation without making suitable provision, unless there was good reason to leave.

- Applicants who deliberately deprive themselves of capital, equity or income following the sale of a property belonging to them, whether jointly or in their sole name, in order to qualify or gain priority for housing. Deliberate deprivation includes gifting money to relatives and friends and payments to third parties.

4.6 Verification and Checks

4.6.1 Applications are subject to verification checks:

- At the point of registration
- Notification of a change of circumstance
- When a banding review is conducted
- When an offer of accommodation is made
- At the signing of a tenancy.

4.6.2 Applications must be accompanied by any supporting information and evidence as well as relevant proof of identification. We will cancel applications where the

documentation has not been provided. Applicants will usually be contacted and given the opportunity to provide the information first, before it is cancelled.

4.6.3 We will verify the addresses for all applicants for the 5 years prior to making the application. This applies equally to private or social landlords.

4.6.4 Where applicants are privately renting, we will ask for a landlord reference to confirm the conduct of the tenancy and the reason they have been asked to leave. We will require proof of notices served by the landlord. This will be mandatory at the time an applicant is offered a property. Where an applicant is unable to provide this, the offer may be withdrawn.

4.7 Bedroom entitlement

We use the **room standard** to determine the number of bedrooms applicants are entitled to.

Each of the following will be entitled to one bedroom:

- 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 be considered where there is a proven medical need or disability.
- 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.
- Live in carers and young carers will be entitled to their own bedroom.

4.7.1 Over Occupation

The shortage of large family sized accommodation is particularly acute and waiting times are therefore substantially longer than for smaller sized accommodation.

4.7.2 **Under Occupation**

In some cases the bedroom entitlement stated in this policy does not apply, either for reasons of fairness to the applicant or for reasons of effective stock management. Applications categorised as management transfers or decants will be considered for the same size accommodation as they currently occupy.

4.7.3 **Pregnancy**

Anyone who is pregnant on an application will be asked to provide a MATB1 form or other proof of pregnancy, then they will be reassessed for a property that is suitable for their household and the unborn child when they are 20 weeks pregnant.

4.7.4 **Carers and young carers**

Applicants claiming bedrooms for a carer who needs to live in, will need to provide evidence from Adult Social Care or Children's Services to show that overnight care is necessary. A young carer will be entitled to a separate bedroom from any siblings.

4.7.5 **People with medical conditions who cannot share**

Applicants with a medical condition and needing their own bedroom for them or for medical equipment will need to provide evidence sufficient to satisfy us of the need for separate bedrooms. Awarding an additional bedroom will be assessed on a case-by-case basis and will involve considering not only the nature and severity of the condition, but also the nature and frequency of care required during the night, and the extent and regularity of the disturbance to the sleep of the other person who would normally be required to share the bedroom. We follow the same guidelines used by the DWP to determine if Housing Benefit can be paid for an extra room; seeking evidence that overnight care is needed and that it has been arranged, and also proof that the household member is in receipt of either the middle or higher rate care part of DLA, Attendance Allowance, or the daily living part of PIP.

4.7.6 **Fostering**

Approved foster carers and adopters who need to move to a larger home in order to accommodate a looked after child, or a child who was previously looked after by a Council, can apply to the council to bid for homes that provide an additional bed space. This provision also includes shared lives providers (adult fostering), special guardians, holders of a residence order, and family and friends' carers who are not foster carers but kinship carers who plan to take on the care of a child. Approval for a 'size over-ride' will be considered by the Housing Allocations Panel.

4.8 How priority is determined

4.8.1 The Housing Register is made up of four bands. These bands are used to rank the level of housing need an applicant has based on their circumstances and the information provided.

- **Band A** contains emergency housing need cases. In most cases they will be rehoused quickly.
- **Band B** contains urgent housing need cases.
- **Band C** contains moderate housing need cases and the majority of the applicants.
- **Band D** contains low housing need cases.

4.8.2 We do not operate an accumulative need scheme. If you have more than one housing need, we will award the band for the highest one. E.g. homeless households who are owed a main duty will normally sit in Band C, but if they also have a severe medical condition, they will sit in Band B.

4.8.3 Applications with no priority will not qualify and will not be placed on the Housing Register. You will be entitled to advice and information on other housing options available to you. See Section 2.

4.8.4 **Banding Summary**

The table below is a summary of the priority bands on the Housing Register. The detail is captured in the sections below the table.

Band	Priority Description
Band A - Emergency	Imminent move for social housing tenants who need to be moved by their landlord for significant works to their property (within 3 months)
	Witness protection and public protection
	Safeguarding
	Emergencies and management transfers (social housing tenants)
	Delayed discharge from hospital or equivalent medical facility
	Social housing tenants who are under occupying (4 bed property or larger)
	Releasing a significantly adapted property
Band B – Urgent Priority	Urgent move for social housing tenants who need to be moved by their landlord for significant works to their property.
	Urgent medical
	Fostering, kinship and approved to adopt
	Urgent welfare
	Severe overcrowding (statutory and 2B+)
	Armed forces with urgent housing need
	Care leavers (18 and ready to move) (inactive until then)
	Move on from supported housing (ready to move) (inactive until then)
	Social housing tenants who are under occupying (3B and smaller)
	s195 Prevention duty or threatened with homelessness
Band C – Moderate Priority	s193 (2) Main homeless duty
	s189B Relief homelessness duty
	Overcrowding (1B)
	Medical

Band D – Low priority	Intentionally Homeless
	Non-Priority Homeless
	Right to Move

4.8.5 **Determination of an effective band date**

In order to determine the effective band date, we use the following:

- At registration of your application, your effective band date will be the date we verify your application after you have provided all supporting evidence.
- If there is a change of circumstances and your priority goes up a band, we will use the date the change was verified.
- If there is a change of circumstances and your priority goes down a band, your effective band date will not change, i.e.it is protected.
- If you are homeless, the effective band date will be the date your homeless duty was accepted by either North Lincs or North East Lincs Council.

4.9 Housing Need

4.9.1 **Band A Priority Categories**

i. **Imminent landlord move (decants)**
Social housing tenants in this situation are living in a property that is due to be demolished or their home requires urgent works which cannot be done with the tenant in situ, and there is a defined period of 3 months, within which they need to move.

ii. **Witness protection and public protection**
Where an applicant has been referred as part of the witness protection scheme, this priority will be awarded. Where an allocation is required to ensure protection of the public, for example, following a panel decision made by Multi-Agency Public Protection Arrangements (MAPPA) or to fulfil agreements made with offender management services.

iii. **Safeguarding**
An applicant with a child in need (as defined in the Children Act 1989), where a formal referral has been made by Children Services for a change of location in order to safeguard the welfare of the child.

iv. **Emergency and management transfers**
Awarded to applicants who either need to move as an emergency for social welfare or medical reasons or where there is a pressing need to offer alternative accommodation to a social tenant to effectively manage housing stock, remedy an injustice or due to important financial or legal reasons.

These cases will be presented to the Housing Allocations Panel for approval. See Appendix 2.

Examples of the types of cases where this priority may be awarded are listed below, but the list is not exhaustive:

- Exceptional circumstances where the police request an applicant to be moved due to risk to the applicant or a member of their household or to avoid prejudice to a criminal investigation.
- Serious risk to the health or safety of the applicant or a member of their family due to domestic or other violence. This includes those who have been awarded a homeless duty for this reason.
- Where an applicant or a member of their household suffers from a serious medical problem which is adversely affected by their current housing situation to such a degree that their health is at a high risk of being severely affected.
- Severe disrepair which cannot be resolved within a reasonable timescale, and which puts one or more household members at serious risk to their health.
- An occupant is not entitled to succeed, but where they have applied for a discretionary succession where we may offer them a tenancy in the same or a different property.
- An occupant is entitled to succeed, but the property is underoccupied or reserved for older people or those needing adaptations. In these circumstances we can offer alternative accommodation and if they refuse to move, the landlord can take steps to repossess their home.

v. **Delayed discharge**
Will be awarded where an applicant or a member of their household cannot be discharged from hospital or equivalent medical facility within a reasonable timescale due to the lack of any suitable accommodation being available.

vi. **Social housing tenants who are under-occupying a 4 bed property or larger**
Social housing tenants who are prepared to move to a property with fewer bedrooms than their current property which must be a four bed or larger, will be awarded this priority.

vii. **Release of a significantly adapted property**
This priority will be awarded to social housing tenants of landlords that use the scheme who are living in a significantly adapted home that they no longer require and want to move to a home with no or fewer adaptations.

4.9.2 Band B Priority Categories

i. **Urgent Landlord Move (Decants)**
Social housing tenants in this situation are living in a property that is due to be demolished or their home requires urgent works which cannot be done with the tenant in situ, and there is a defined period of 12 months, within which they need to move.

If a decant programme will affect the whole or significant part of an estate, a local lettings plan may be adopted. This will include the details about being rehoused off the estate and the right to return once the development is complete.

ii. **Urgent medical**
Urgent medical priority will be awarded where an applicant or a member of their household is assessed as suffering from a severe medical condition, mental health illness or disability which is being seriously impacted by their current housing situation and that would be improved by moving to appropriate accommodation.

The assessment of medical priority is as follows:

- Priority on medical grounds may be considered where an applicant or a member of their household suffers with medical conditions, mental health or disabilities which are adversely affected by their current housing situation and/ or their current accommodation does not meet essential needs that arise from their condition.

- Applicants will not be awarded this priority just because of the seriousness of the medical condition or disability; if the current housing situation is not having an adverse impact on their health or their current accommodation is suitable for their needs. The level of priority awarded will depend on the extent to which their health or disability is adversely affected by their current housing situation.

- Applicants that wish to be assessed for priority on medical grounds, should complete the online medical assessment questions and provide any supporting evidence from a medical professional such as hospital consultants and practitioners. We reserve the right to request further information. We may seek the advice from our own independent medical professionals and occupational therapists in order to determine an assessment. However, the final decision will be taken by the HCL Team.

- Where you have been assessed for a specific property type such as an adapted property, your application will be reviewed if you bid for a property that does not meet the requirements identified by the medical assessment.

- Medical priority may be awarded to homeless applications where the council has accepted a duty. This may affect any temporary accommodation they can be placed in. If their medical priority is higher than their homeless priority, the medical priority will take precedence.

- Where an applicant or a member of the applicant's household's health is being affected by disrepair in their current home, priority on medical grounds will not usually be awarded provided the disrepair can be resolved within 6 months. The banding may be reviewed, where there is no resolution within this time.

vi. **Fostering, Kinship and Applying to Adopt**

- Adoptive parents or prospective adoptive parents and kinship carers 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 or adults as part of a long-term arrangement and who need a larger home.

vii. **Urgent Welfare**

This includes but is not limited to:

- 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.

iii. **Severe Overcrowding**

This priority will be awarded where an applicant's household is overcrowded by two or more rooms or where there is statutory overcrowding. Households that are statutorily overcrowded will be awarded this priority only after any measures that can reasonably be expected to reduce the overcrowding, such as terminating licence agreements of any non-dependent household members, have been undertaken.

Definition of overcrowding

Under the legislation and regulations, and for the purposes of defining overcrowding, two standards can be applied; the space standard and the room standard. We use the room standard which states that the room standard is contravened when the number of persons sleeping in a dwelling and the number of rooms available as sleeping accommodation is such that two persons of opposite sexes who are not living together as partners must sleep in the same room. Children under the age of ten are excluded

from this definition. A room is available as sleeping accommodation if it is of a type normally used in the locality either as a bedroom or as a living room. How we allocate properties is set out in Section 4.9.

Child of a tenant

This enables the Council to rehouse young adults of 18 or above within a household with the aim of removing or significantly reducing the overcrowding housing award from the main household where the overcrowding is severe, the property needed is large and limited in number. This is an option available to the applicant and the request may be made by the applicant or a young adult in their household.

The young adult's application is awarded the same priority as the main household and the two applications are linked. Only studios or one bedroom properties will be allocated to the child. Once the child accepts an offer, it triggers us to reassess the main household and the overcrowding award will either be reduced or ideally removed.

Overcrowding exemptions

- An applicant will not be considered to have an overcrowding preference when bidding for a property with the same size or smaller than the one they currently occupy.
- Overcrowding is not applied to a homeless household in temporary accommodation.

Voluntary overcrowding:

In cases where we are satisfied that the applicant has only become overcrowded as a result of their own voluntary actions which have worsened their housing situation, we will treat them under reduced preference. See Section 4.5.

viii. **Armed forces with urgent housing need**

'Armed forces' applicants will be awarded Band B if they or a member of their household has a serious medical condition or disability which is being badly affected by their current housing situation and that would be improved by moving to appropriate accommodation or if they are homeless or threatened with homelessness. Armed forces applicants will also be able to be considered for any other priority band reason if that would afford them the same or greater priority.

ix. **Care Leavers**

This priority will be awarded to applicants who are or were previously looked after by Children's Services. Care leavers can be registered from the age of 16 and up to the age of 25. However, they will remain inactive to bid

and will not receive an offer of accommodation until they are 18 and deemed ready to live independently by their personal advisor, and if relevant their current housing provider. This is to minimise the risk of tenancy failure. A handover of support should take place between the relevant Council and landlord.

Care leavers who are currently in care or semi-independent accommodation which is not located in the borough will be exempt from local connection eligibility rules. Once care leavers are no longer being supported by Children's Services, they can retain care leaver preference until they are 25 years old.

x. **Move on from supported housing**
Applicants residing in supported housing schemes who are ready to move on to independent housing will be awarded this priority. They will remain inactive to bid and will not receive offers of accommodation until evidence has been provided from their supported housing landlord, support provider or professional, that they are ready to move on.

v. **Under occupation (3B or less)**
Social housing tenants who are prepared to move to a property with fewer bedrooms than their current property which must be a three bed or smaller, will be awarded this priority.

iv. **s193 Homeless Prevention Duty or Threatened with Homelessness**
Prevention duty: Households who are owed a prevention duty by the Council under the homeless legislation and we are satisfied that all other reasonable options have been explored and where priority is required in order to prevent homelessness within a specific timescale.
This award will also go to applicants who are threatened with homelessness and are not owed a prevention duty. These are likely to be applicants who have come to the end of a fixed term tenancy or where a private landlord serves a Section 8 or 21 notice to repossess the home.

4.9.3 Band C Priority Categories

i. **Homeless Households owed a duty.**
The homeless duties that sit in this award are specifically:
- ***Main Homeless Duty (s193(2));*** households who are unintentionally homeless and in priority need (within the meaning of Part VII of the 1996 Act). Preference will be given to pre-localism cases over other households where the council owes a main duty.
- ***Relief homelessness duty (s189B);*** households who are owed a relief duty and placed in temporary accommodation under the homeless legislation, where there is a likelihood that the council will owe a main duty.

ii. **Overcrowding (1B)**
This priority will be awarded where an applicant's household is overcrowded by one bedroom. The definition of overcrowding is set out in Section 4.9.2 (iv).

iii. **Medical**
This priority will be awarded where an applicant suffers with a moderate medical condition which is being adversely affected by their current housing situation to a more than minor degree. For details of how applications are assessed for priority on medical grounds please see the description in Section 4.9.2 (iii).

4.9.4 **Band D Priority Categories**

i. **Homeless Households.**
The homeless duties that sit in this award are specifically:
- ***Intentionally Homeless;*** households who are intentionally homeless (within the meaning of Part VII of the 1996 Act).
- ***Non-Priority Homeless;*** households who are homeless but not in priority need (within the meaning of Part VII of the 1996 Act).

ii. **Right to Move**
This is awarded to applicants accepted under the national Right to Move Scheme. See Section 3.2.

4.10 Pitches for Gypsies and Travellers

The allocation of any pitches on a Gypsy and Traveller site will be in accordance with the priority given to all applications to the Housing Register. However, additional priority for pitches will be given to close family members of existing licensees, who already live on site, to relieve overcrowding and to maintain family connections on the site. There are no sites in the region at this time.

4.11 Notification of an assessment

On registration, applicants will be written to and given:

- The **date** they were registered
- The **priority band** they have been awarded
- Guidance on how to **bid** for a home
- **Bedroom** entitlement
- Who to make contact with for advice and information
- What to do if they have a **change in circumstance**
- How to request a **review** of decisions
- Advice on the **verification and checks** that will take place.

Further information is available on the HCL website

Applicants must check the accuracy of this information, as it will be used to inform what they can bid for and decide their priority for receiving an offer of housing.

4.12 Change of circumstance

4.12.1 Once registered it is the applicant's responsibility to inform the HCL Team of any change in their circumstances that affects their application.

Examples could include but are not limited to:

- A change of address or contact details, for themselves or any other person on the application.
- Any changes to the household or individuals in it.
- Any change in income and/or savings of the applicant.
- If the applicant becomes a property owner.
- Any medical/welfare or mobility needs which will affect the type of accommodation required by the applicant
- Any changes to the immigration status of the applicant.

4.12.2 Following a change in circumstance the application will be reassessed and this may result in a change in priority band or bedroom/property eligibility. The applicant will be informed in writing of the outcome of their reassessment.

4.12.3 Failure to notify the HCL Team of a change in circumstances may result in removal from the Housing Register or the withholding of an offer of accommodation whilst the application is investigated and/or reassessed.

4.13 Removal from the Housing Register

4.13.1 Where an applicant has become ineligible in law or no longer qualifies to remain on the Housing Register we may remove their application and they may not reapply for 12 months. We will confirm our decision in writing, giving clear grounds for taking the action and how to request a review of the decision.

4.13.2 The reasons for removal may be:

- No longer meet national eligibility rules.
- Falls under one or more of the disqualification rules.
- Providing false or misleading information.
- Failure to attend a viewing.
- Refusal of a suitable offer.
- Failing to respond when a banding review is undertaken.
- Applicant requests removal.

5 Allocations and Lettings

5.1 Direct Lets

5.1.1 Not all properties that become available will be advertised and offered through choice-based lettings (CBL). There may be circumstances where there is a need to make a direct offer of housing outside of CBL and, in exceptional circumstances, outside of the band and date order criteria set out in this policy. Specifically, this would be where there are urgent operational or financial reasons to depart from advertising and letting a property.

Examples include but are not limited to:

i. Where an applicant is homeless and in temporary accommodation and owed a section 189B (2) Relief duty or 193(2) Main duty under the Housing Act 1996 and the council wishes to make a direct offer to move applicants out of temporary accommodation to manage any budgetary or legal impact on that council.

ii. Situations where urgent rehousing is required due to an applicant's existing property being uninhabitable, or where there are serious health and safety or personal protection issues that need to be addressed, or to discharge a statutory homelessness duty.

iii. Where the housing need is urgent, when, given the applicant's circumstances, it would **not** be reasonable to wait for a successful bid through the CBL system to deliver an offer.

iv. Where the Council has a duty to rehouse under section 39 of the Land Compensation Act 1973.

v. Where an applicant is not being realistic in the areas they are bidding for and, as a result, may be occupying a temporary accommodation unit that is needed for a newly presenting homeless applicant.

vi. Where a vacant adapted property becomes available and that property could be allocated to an applicant whose disability needs best match that property regardless of the date they were registered.

vii. Where the decision is that it is inappropriate for the applicant to participate in CBL. For example, a vulnerable applicant nominated by Adult Social Care or Children's Services where the outcome of an assessment is that a direct let is the best letting solution for that applicant.

viii. Other examples, including individual circumstances of some applicants subject to Multi Agency Public Protection Arrangements (MAPPA), or it is assessed they present a risk to themselves or others.

ix. Age designated housing cases where some older applicants are less confident in using the CBL system to increase the take up of sheltered schemes.

5.1.2 A direct let is simply an offer made direct to an applicant without the property being advertised and will only be made in accordance with the criteria set out above. Allocations of this nature will be kept to a minimum to maintain a fair and transparent Housing Allocations Policy, with the majority of applications being made to applicants that fall within the reasonable preference categories as set out in s167(2) of the Housing Act 1996 as amended by the Homelessness Act 2002.

5.2 Choice Based Lettings

The majority of properties are let via choice-based lettings. The onus is on the applicant to actively bid for suitable properties.

5.2.1 Advertising a property

i. 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 they have been awarded.

ii. The landlord will advertise the majority of their vacant properties, including properties that have been designed or adapted to meet the needs of disabled or older people.

iii. Partner landlords will be responsible for placing their adverts for their vacancies. Adverts will be clearly labelled to show the property features, local neighbourhood information and the types of applicant 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 landlord. The HCL team will advertise properties for non-partner registered providers.

iv. 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.

5.2.2 **Withdrawing a property**

In exceptional circumstances we may have to withdraw a property that has been incorrectly advertised. We may also withdraw a property in order to make an urgent direct offer for a priority household at any point provided it has not yet been offered.

5.2.3 **The bidding cycle**

i. 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 HCL website.

ii. 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, hubs, council contact centres, community groups and support organisations.

iii. Advice and support will be provided to applicants who need it, to ensure they are able to bid for properties.

iv. Applicants can bid for up to 3 properties per week. They will be able to see their position on the list at the time they place their bid, but as other applicants place bids, this position may change.

v. Where someone is vulnerable or needs additional help placing bids to ensure the property is suitable for their needs, they may ask for assistance from the HCL Team, the Council or one of the partner landlords. This is because we recognise that it is important to manage the process to get the best result for an applicant when bidding for a suitable property, especially when assisting homeless households. We can also set the system to bid on the applicant's behalf where this is easier, this is called autobidding.

vi. When an applicant has placed a bid, they will be able to withdraw it, whilst the bidding cycle is open. They will not be able to withdraw a bid after the bidding cycle has closed. Any such bid will be treated formally in accordance with the guidance set out within this policy.

5.2.4 **Advertising similar properties in the same week**

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.

5.2.5 **Failure to bid**

We expect applicants on the Housing Register to bid for properties suitable for their household. If they fail to bid in any 12 month period, and there were suitable properties available during this time, they will be disqualified and not permitted to reapply for 12 months from the date of the disqualification. We will contact the applicant first to assess whether they need further information or support. The applicant may contact the HCL Team or any of the other HCL partners at any time if they need assistance.

5.3 Shortlisting and selection

5.3.1 **Closing date**

When the bidding cycle closes a shortlist is prepared. Applicants are ranked by band, effective band date and registration date. If there has been a change of circumstances since the bid was placed, the property may not be suitable and the applicant will be bypassed.

5.3.2 **Bypassing a bid**

Your bid may be bypassed if:

- Your circumstances do not match the criteria outlined in the property advert.
- You have already been successfully shortlisted for another property.
- There are public protection concerns.
- You, or a member of your household, are involved in anti-social behaviour.
- It is identified that you require an adapted home, and we are notified by the landlord that the property cannot be sufficiently adapted.
- You have tenancy arrears and are not keeping to an agreed payment plan. Applicants owing less than 8 weeks rent may be allowed to bid provided they have a clear account at the point of offer.

5.3.3 **Successful bidders**

You can only be shortlisted for one property. If you come top for more than one property you will be offered the choice of which property shortlist to remain on -

all subsequent bids will be bypassed, whilst that first choice bid is resolved. If successful you will be allowed to view the property.

5.3.4 **Unsuccessful bidders**
You will not be contacted if your bid is unsuccessful. You will be able to bid during the next bidding cycle as normal.

5.4 Viewing

5.4.1 Each landlord follows their own viewing, offer and sign-up process. Some will invite you to view the property first, whilst others may arrange a home visit or request that you attend a meeting at their offices prior to allowing you to view a property. You will be contacted (by 2 or more methods) either by phone, system message, email or in writing, at least 48 hours before the viewing date. You will be advised of what information you will need to take with you to any meetings or viewings. You must ensure your contact details are up to date at all times.

5.4.2 Applicants failing to attend viewings or applicants failing to respond to any form of communication from Home Choice Lincs or the landlord will be treated as a refusal. Anyone who is subsequently removed from the Housing Register will have the right to request a review of the decision.

5.5 Offer of accommodation

5.5.1 **Suitability**
An offer is made in writing (often sent by email) containing all the details of the property. If you view before an offer is made an offer letter will be sent after the viewing. It will be subject to clear tenancy accounts or where the applicant is reducing the debt in line with a repayment arrangement.

An offer of accommodation must be deemed suitable and should state the following:

- Household type and size
- Rent and service charges
- Property type, size and condition
- Adaptations where relevant
- Affordability checks
- The right to request a review if the applicant does not agree it is suitable.

It may be accompanied by information on the local area, together with a summary of the Housing Allocations Policy.

5.5.2 **Limited offers**
We operate a one-offer policy for all categories of need including homeless household. In exceptional circumstances, a further offer may be considered by

the Housing Allocations Panel, usually where the applicant is under occupying and the property is needed.

5.5.3 **Rent in advance**

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.

5.5.4 **Time allowed for accepting an offer**

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.

5.5.5 **Lettings Policies**

Neither Council has properties. Social housing is provided by the Registered Providers in both boroughs. Whilst they allocate their properties to applicants on the Housing Register, they will have their own rules about the management of their properties captured in a Lettings Policy. You should read the advert carefully before placing a bid and ask about the landlord's lettings policy when you view a property.

5.6 Affordability

5.6.1 All successful bids will be screened for affordability. See Appendix 3.

5.6.2 Where an applicant has a low income, they will be referred to the debt advice service for further advice on income maximisation.

5.6.3 All applicants must be able to show that they are working and have sufficient income to pay their rent, or that they are in receipt of appropriate benefits in order to afford the total amount payable for their property i.e. rent and additional costs such as service charges.

5.6.4 We have a duty to protect public funds. Therefore, where an applicant is unable to demonstrate that they will be able to afford any offer of accommodation made to them, we retain the right to withdraw the offer.

5.7 Refusals

5.7.1 The following are considered refusals:

- You fail to respond to an offer of accommodation.
- You fail to attend a viewing.
- You fail to attend an interview with the landlord.
- You fail to provide the information requested by the landlord.
- You are offered a property, and you decline it.

5.7.2 The consequences of refusing an offer of accommodation will depend on the circumstances in which the offer is made.

a. It is important for a homeless household to understand that the refusal of a suitable offer of accommodation is highly likely to result in discharge of the homeless duty, the potential loss of any temporary accommodation, and a change to their entry under this policy.

b. For all other applicants, if the offer was deemed suitable and the refusal deemed unreasonable, they will be removed from the Housing Register. A letter will be sent to the applicant confirming this decision.

5.8 Tenancy determination

Each social landlord has their own tenancy management policy. It is the applicant's responsibility to familiarise themselves with the tenancy management policy of the landlord they have been nominated to.

- Most landlords will grant a probationary tenancy to an applicant who has never held a social tenancy before. This will convert to a lifetime tenancy after 12 months.
- For some properties, a landlord will grant a fixed term tenancy between 2 and 5 years. The advert will state clearly if a property is subject to a fixed term tenancy.
- Where an applicant has held a social tenancy before and conducted that tenancy successfully, they will usually be granted a lifetime tenancy.

5.9 Tenancy sustainment

We want people to be able to live happily in their homes and recognise that some people need more support to do this. As a partnership we promote the following:

- Signposting the applicant to the right team when they approach us for rehousing.
- Considering the support needs, both immediate and long – term, when allocating a home.
- Assessing the applicants housing priority correctly.
- If the tenancy is failing, we will work with the tenant to prevent them from becoming homeless.

- Maximising the household's income to promote affordability.

5.10 Sensitive lets

Sensitive lets are rare and must be approved by the Housing Allocations Panel. Their decision is final.

There are two main reasons:

i. Where a household requires careful placement for their safety or the safety of others, we may need to consider where we place in order to minimise any risks.

ii. Where a property has a management history which requires the careful selection of the next tenant to ensure harmony in the area where it is located. In these cases, we may target the advert and select only the most suitable applicants.

5.11 Kwik Key

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.

5.12 Reciprocal arrangements

On rare occasions we may approach a landlord or Council outside of the region, if we have an applicant that we are unable to assist. On agreement they would be nominated to the landlord/Council. At times we may be approached by a landlord or Council outside of the region in similar circumstances. These are called reciprocals, as the landlord who has housed an applicant under these arrangements will be owed a property in return. These will be direct lets. Reciprocals must be approved by the HCL Housing Allocations Panel.

5.13 Allocation of specialist accommodation

5.13.1 **Age designated accommodation**

i. Age designated units are self-contained properties for applicants aged 55 or over, although a few schemes are restricted to applicants older than this. For a list of age designated properties in the region, see the HCL website.

ii. If you do not meet the age requirement, acceptance into an age designated property is at the discretion of the 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.

iii. Applicants for age designated accommodation must be able to live independently with only low level support needs but will have access to assistance such as an on-site warden and alarm to call for emergency assistance.

iv. Where an applicant is applying with a spouse or partner at least one of them must meet the age threshold.

v. Applicants for age designated accommodation will be assessed against the same priority band criteria as general needs applicants and shortlisted for accommodation in the same way.

5.13.2 **Extra Care and Supported Living**

Properties which provide extra care facilities or support services are not usually advertised as part of the HCL scheme. Vacant properties are directly matched to qualifying applicants via an Extra Care Panel. Applicants should contact their local authority social services or housing team for more information.

5.13.3 **Accessible properties for people with disabilities**

Accessible properties are homes that have been designed for or significantly adapted to meet the needs of people with physical or sensory disabilities.

i. 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.

ii. 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.

iii. In selecting an applicant for an accessible property from the shortlist 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 or the landlord wishes to make best use of stock.

5.13.4 **Other schemes**

Other schemes may be provided for certain client groups such as those with learning difficulties or mental health problems. In these cases, vacant properties may be directly matched to qualifying applicants who meet the eligibility criteria, following a detailed assessment into their housing and care needs by adult services or their care or support providers.

5.14 Lettings Plans

5.14.1 **Annual Lettings Plan**

The partnership retains the right to develop an annual lettings plan based on an estimate of the number and type of properties that are anticipated to be available for letting. This plan could include specific opportunities for bidding, which may include limiting bidding for homes in higher demand to those in higher bands. We are currently proposing to let 50% of available accommodation to homeless households in any given 12 month period. This and any other targets will be reviewed annually. Annual lettings plans will be published on the HCL website.

5.14.2 **Local lettings plan**

Section 167(2E) of the 1996 Housing Act enables local authorities to allocate particular accommodation to people of a particular description, whether or not they have a priority need. Specific allocations may be considered when made to a particular estate or community. They are used to achieve a wide variety of housing management and other housing policy objectives and are usually developed where there is a wish to alter the balance of the community or ensure a balanced community. For a list of the current local lettings plans, see Appendix 5.

5.14.3 **Rural letting scheme**

In areas which are officially defined as either villages or a rural parish, a rural lettings scheme may apply, usually in line with planning obligations.

For a list of the current rural lettings schemes, see Appendix 5.

5.14.4 **Section 106 Agreement**

Properties developed on sites that incorporate a section 106 planning agreement determining the allocation of housing on that site will be let in accordance with the terms of the agreement. Such agreements have been developed to ensure that secure mechanisms are in place to restrict the occupancy of the dwelling both on first occupation and in perpetuity to those who have a local community need for an affordable dwelling.

5.14.5 **Publishing Lettings Results**

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.

6 Decisions, Complaints and Reviews

6.1 Decisions

6.1.1 When we process an application, we will have to make a number of key decisions such as:

- The decision that confirms or denies your eligibility to join the housing register.
- The decision that confirms or denies whether you qualify.
- The decision that awards your housing need (band).
- The decision to reassess your application as reduced preference or treat it under exceptional or mitigating circumstances.
- The decision to reassess your priority following a change of circumstance.
- The decision to cancel or disqualify your application.
- The decision following a submission of a right of review by you.
- The decision that deems your refusal of a property as unreasonable or that you cannot afford a property.

6.1.2 When contacting you with a decision we will:

i. Make decisions with reference to the relevant legislation and our statutory duties.
ii. Consider all relevant evidence before making a decision.
iii. Not take irrelevant matters into consideration when making a decision.
iv. Make every effort to ensure our decisions are reasonable, exercising discretion if the situation warrants it.
v. All decisions will be made with due regard to this policy.
vi. State the reasons for our decision and a full record will be kept.

6.1.3 It is important to understand the following:

- ✓ If you provide evidence that you did not provide for your original assessment this is a **change in circumstance.**
- ✓ If you think we failed to deliver the service properly this is a **complaint**.
- ✓ If you disagree with a decision as listed in 6.1.1 you have a **statutory right of review.**
- ✓ If we review your banding this is a **banding review**.

6.2 Complaints

If an applicant is unhappy with the service they receive, it may be more appropriate to deal with the matter under the relevant partner's complaints procedure. Information and formal complaints forms are available direct from the partner landlord. If applicants are unsure who to complain to, they can make their complaint to Home Choice Lincs: www.homechoicelincs.org.uk and it will be

considered by the HCL team or redirected to the appropriate partner organisation.

6.3 Re-registration

6.3.1 All applicants will be asked to re-register at prescribed intervals to maintain their application. Applicants will need to contact the HCL Team within 28 days of the review letter, or their application may be cancelled. If their circumstances change, we will reassess the priority.

- Band A – reviewed every 3 months
- Band B - reviewed every 6 months
- Band C - reviewed every 12 months
- Band D - reviewed every 12 months

6.3.2 In order to undertake a re-registration, we will:

a. Set the correct review period when we make the initial assessment and then all subsequent reassessments.
b. Our system will flag the application on its review date.
c. This will be assigned to an officer to review.
d. We will write to the applicant or contact them by their preferred method to confirm if their circumstances remain the same.
e. The applicant has 28 days to respond.
f. If you fail to respond your application will be cancelled.
g. If your circumstances remain the same, a new review date will be scheduled.
h. If you inform us that your circumstances have changed, you will be asked to provide the necessary evidence, and your application will be reassessed.

6.3.3 Applicants who are statutorily homeless will be reviewed by the Council 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 reserves 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 reserves 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.

6.4 Statutory right of review

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

- Decisions to exclude them from the Housing Register.
- The level of priority awarded.
- Decisions to remove them from the Housing Register.
- Suitability of an offer of accommodation.

6.4.2 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.

6.4.3 A request for a review on a decision in relation to an application should be made to the HCL Team in writing within 21 days of the decision. Please state the reason for the request. An advocate may be appointed by the applicant, but they will need to provide written consent to allow us to share all communication with them.

6.4.4 Requests for reviews of decisions regarding shortlisting of bids for advertised properties or offers of accommodation should be made to the relevant landlord of the property concerned.

6.4.5 Decisions in relation to a Homelessness Application should be directed to the relevant Council.

6.4.6 Reviews will be acknowledged within 5 working day and carried out by an Officer who was not involved in the original decision. A response will be issued within 56 days of the request. The Officer will review the facts, consider the information submitted, apply legislation where relevant in determining the response which will be made in writing. A copy will be retained for record purposes for the duration of the application. All corrective action will be taken if the original decision is overruled and the review is upheld.

6.5 Judicial Reviews (Legal Action)

Where an individual or organisation feels the Housing Allocations Policy is unfairly prejudicial, or their case has been dealt with in a prejudicial manner, they may wish to take legal action. They should seek independent advice before doing so. Cases being presented for legal action cannot be heard under the statutory right of review.

Appendix 1: Contact Details for the Partners

Partner Local Authorities

North East Lincolnshire Council (Home Choice Lincs Team)
Municipal Offices,
Town Hall Square,
Grimsby,
North East Lincolnshire
DN31 1HU
Tel: 01472 326296 option 2 Email: info@homechoicelincs.org.uk
www.nelincs.gov.uk

North Lincolnshire Council
Church Square House
30-40 High Street
Scunthorpe
North Lincolnshire
DN15 6NL
Tel: 01724 297000 Email: housingadvice@northlincs.gov.uk
www.northlincs.gov.uk

Partner Landlords (Registered Providers)
These are head office contact details; there may be more local offices - contact their head office for more details

Lincolnshire Housing Partnership Ltd
Cartergate House
26 Chantry Lane
Grimsby
North East Lincolnshire
DN31 2LJ
Tel: 0345 604 1472 Email: lettings@lincolnshirehp.com
www.lincolnshirehp.com

Amplius
K2 Timbold Drive
Kents Hill
Milton Keynes
MK7 6BZ
Tel : 0300 123 1745 Email: help@amplius.co.uk

Ongo Homes
Ongo House

High Street
Scunthorpe
North Lincolnshire
DN15 6AT
Tel: 01724 279900 Email: lettingsenquiries@ongo.co.uk
www.ongo.co.uk

Appendix 2: Terms of Reference for the Housing Allocations Panel

A1. The role of the Housing Allocations Panel is to:

1. Approve a direct let for an applicant that does not meet the criteria list in Section 5.
2. Approve a sensitive let. Simple cases will be heard by 3 panel members via an online platform and the decision ratified at the next full panel meeting. Complex cases or cases where the decision will have a negative impact on the household will be heard by the full panel.
3. Consider and approve Local Lettings Policies that the partner landlords may wish to introduce.
4. Hear appeals where an applicant has exercised their right to a review, remains dissatisfied with the outcome and wishes to take it further.
5. Make key decisions in relation to an application, exceptional circumstances, NWMS and other matters in relation to qualification, disqualification and/or suspension.

A2. Panel members are HCL Senior Officers from across the partnership.

- A Panel will be made up of 3 or more members from different partners
- A chair will be elected for appeal panels.

A3, The Panel will process requests and appeals by ensuring the following:

a. A member may present a request from their own organisation, but they must excuse themselves from the decision if there is a clear conflict of interest.
b. A member cannot be part of the panel to hear an appeal if they were involved in the original decision.
c. Requests and appeals must be submitted to the panel on the HCL website at: www.homechoicelincs.org.uk
d. Submissions must be in the format of the proforma which can be downloaded from the website.
e. Panel members should have the papers for a request or appeal at least 5 working days prior to the meeting.
f. The Panel must give due consideration and fair treatment in relation to:
    - The decision to have their appeal heard orally or by written submission.
    - The customer to be allowed to be accompanied by one person to advocate on their behalf.
    - Time for all parties to have sight of the papers in relation to a request or appeal

- The time needed for an investigation where necessary.
- Request for adjournments from the applicant if it is deemed reasonable

A4. Business discussed by the panel is confidential to panel members only. Named parties may request a copy of the decision. These will only be released at the discretion of the panel and with personal data other than the named parties redacted or removed.

A5. Approval requires a majority vote and the meeting to be quorate.

A6. The chair will be responsible for conveying the decision of a panel.

A7. The panel decision is final.

Appendix 3: Affordability checks when allocating social housing

Being able to pay rent and service charges is key to a resident being able to sustain their tenancy. How much a resident can afford to pay for their housing costs will vary depending on the type of accommodation they live in and their financial circumstances. Carrying out affordability checks when allocating a home gives confidence to residents and social landlords that the tenant will be able to afford the home.

The law and affordability checks

The allocation of a social rented home is a matter of public law for the local authorities and social landlords. This extends to mutual exchanges and management transfers. Therefore, any decision about an allocation and whether someone can afford to pay the proposed charges can be challenged in court, if that decision was made irrationally, illegally or for failing to follow public law procedural requirements.

Therefore:

- Decisions must be made using accurate evidence and at the point of allocation.
- If the landlord concludes they cannot afford it, the applicant must be given the opportunity to provide additional evidence.
- If an applicant states they can afford it, they must be given the benefit of doubt.
- The applicant has a right of review or to make a complaint to the Ombudsman if the applicant is not offered the property, they must be given this information when the decision is made.

Applicants with tenancy arrears

The Housing Allocation Scheme clearly sets out qualification rules where a tenant is in tenancy arrears. Rent accounts are routinely checked at the point of an offer and an affordability check is undertaken, along with any other housing related debt. Current and former arrears will be examined; arrears repayments must be in place and adhered to. The tenant must be able to pay the new rent in addition to any repayment instalments.

Practicalities of carrying out an affordability check

In order to carry out the check, the following must be considered:

i. Income of the household including salaries, benefits and investments.
ii. Rent and other property charges.
iii. Reasonable living expenses.
iv. Priority debts.

They must be able to afford to support any dependent children or adults in the household. If the result of the check is that an applicant cannot afford social housing it is very unlikely that they will be able to afford private rented accommodation. Alternative sources of income to meet housing costs should be looked at including discretionary housing allowance or social care allowance.

Appendix 4: Local Lettings Plans and Rural Letting Schemes

Please provide all documents relating to local lettings plans and rural lettings schemes.