

West Northamptonshire Council Housing Allocation Scheme

June 2023

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1.0 Introduction

- 1.1.1 The West Northants Housing Allocation Scheme describes how social rented housing is available through our Choice Based Lettings Scheme. It explains how the scheme operates, its processes and how people can apply for social rented housing, to West Northamptonshire Council (the “**Local Authority**”). Throughout this Scheme a reference to the ‘Local Authority’ means West Northants Council.
- 1.1.2 This scheme replaces the three separate Allocations schemes in place for the legacy Local Authorities of Daventry, Northampton and South Northants.
- 1.1.3 All Applicants who are on the Local Authority’s previous Schemes, will have to reapply to join this Scheme.
- 1.1.4 The Scheme sets out:
- a) who can apply and the eligibility and qualification criteria to join the Scheme
 - b) the extent of choice offered to Applicants when an allocation is being made
 - c) Applicants that are entitled to an additional or reasonable preference for an allocation
 - d) how priority between Applicants will be determined when an allocation is being made
 - e) the arrangements for allocating Council homes
 - f) the arrangements for allocating homes owned by the Local Authority that are managed on its behalf by Northamptonshire Partnership Homes (“**NPH**”).
 - g) the arrangements for allocating homes owned by registered providers of social housing (“**Registered Providers**”), who own and/or manage social rented housing in the Local Authority area.
- 1.1.5 The Local Authority will allocate social rented housing to:
- a) persons (“**Applicants**”) applying to become a social housing tenant, for both general needs and supported housing (including housing for older persons), let at affordable rent and social rent rates.
 - b) secure/assured tenants, with a housing need seeking to move to another dwelling house (“**Transfer Applicants**”), let under secure/assured tenancies.

1.2 Registered Providers

- 1.2.1 There are a number of Registered Providers (Housing Associations) across West Northamptonshire who own and manage social rented housing. A list of these Registered Providers (RPs) can be found at Appendix B. Those RPs participating in this Scheme can be found at Appendix C.

- 1.2.3 People who make an application to the Local Authority for an allocation of social rented housing, are also entitled to make separate additional applications for housing directly to any Registered Provider, where their own housing allocation rules and policies allow this.

1.3 Allocation of social rented housing

- 1.3.1 An “**allocation**” is defined as occurring when the Local Authority select an Applicant to be a secure or introductory tenant of social rented housing held by the Local Authority, or nominates a person to be an assured tenant (encompassing flexible and affordable tenancies) of social rented housing held by a Registered Provider, subject to certain exceptions.
- 1.3.2 The Local Authority will accept applications from its current tenants, for transfers (“**Transfer Applicants**”) to alternative social rented housing available in the Local Authority area. Such Applicants have the right to:
- a) Make applications.
 - b) Have their applications considered.
 - c) Be notified as to their rights to information and review.
 - d) Confidentiality of the fact of their application.
- 1.3.3 The Local Authority will initially treat Transfer Applicants in the same way as all other Applicants, except that there will be no inquiries made about eligibility. Transfer Applicants will be prioritised in the same way as new Applicants (e.g. by housing need and then date of applying to join the scheme).
- 1.3.4 Transfer Applicants will be made an offer that ensures they do not inadvertently lose accrued rights and will be an equivalent tenancy to that which they are transferring from. Arrears of rent outstanding on a previous tenancy can be transferred to the new one when both properties are held by the Local Authority, subject to agreement as to how those arrears will be cleared (compliance with the arrears agreement will be a term of the new occupancy agreement).

2.0 Aims of the scheme

- 2.1.1 The Scheme seeks to ensure that social rented housing across West Northants is allocated to people whose housing needs cannot be met by the general housing market, in a fair, transparent and effective way, having regard to any law, official guidance and good practice.
- 2.1.2 The aims of the West Northants Allocations scheme are to:
- a) have a clear and transparent scheme that provides a fair and consistent approach for assessing and allocating social rented housing
 - b) achieve an appropriate balance of choice against the shortfall of social housing, and ensuring we help that in greatest housing need
 - c) contribute to the development of mixed and sustainable communities
 - d) make best use of the Councils and Registered Provider social rented homes
- 2.1.3 The Scheme will be subject to periodic review, but no later than every two years.

3.0 Scheme outline

- 3.1.1 West Northants Allocations Scheme is a Choice Based Letting Scheme (CBL). This means that applicants have some choice about where they apply to live.
- 3.1.2 West Northants Council will maintain a housing register. Applications to the register are made online at [\(insert link once known\)](#) and assessed using the scheme to determine eligibility and qualification.
- 3.1.3 Allocations will be made with fairness and equity and have regard to the priorities of the scheme. Allocations will also take into account any specific criteria the Local Authority or Registered Providers may have and any restrictions in either a local lettings plan or other planning requirements. See Section 7.24 for information about local lettings plans.
- 3.1.4 There is a high demand for social rented housing across West Northants area and we will balance providing choice and housing need to ensure that housing is offered in a way that helps to best manage the housing stock.
- 3.1.5 The Local Authority will ensure anyone is able to access support to apply and to gain information about the scheme easily. This assistance is available:

Online: xxxxx

Phone: xxxxxxx

Email: xxxxxxx

In person at Council offices – [add addresses](#)

3.2 Equality and Diversity

- 3.2.1 West Northants Council is committed to ensure that the scheme will be accessible, responsive and sensitive to the diverse needs of applicants, and will be at the centre of our decision making and service delivery. The scheme will deliver a quality service without prejudice and discrimination to all its customers, by preventing and eliminating discrimination on the grounds of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex and Sexual Orientation.
- 3.2.2 The Local Authority will carry out appropriate checks on an Applicant's eligibility to be allocated social rented housing and will ensure these checks are not discriminatory on the basis of race, nationality, ethnic origin, or any other protected characteristic as defined by the Equality Act 2010. The Local Authority will monitor the impact of the policy to ensure that it promotes equality of opportunity to all applicants including minority groups.
- 3.2.3 The Local Authority will monitor the performance in screening housing applications for immigration status to ensure that members of ethnic minorities, who are eligible for an allocation of social rented housing, do not experience unreasonably long delays whilst their application is being considered.
- 3.2.4 The Local Authority will train its employees about housing allocation law and practice and the duties and responsibilities under the Equality Act 2010. The Local Authority shall ensure that language and interpretation support is available for Applicants who have difficulty reading, understanding or speaking English.

3.3 Information sharing, confidentiality and data protection

- 3.3.1 The information which an applicant provides relating to their housing application will be treated as confidential in accordance with guidelines on handling personal data. The Local Authority will operate this scheme in accordance with our obligations under the Data Protection Act 2018. Applicants will be advised of their right to make a complaint to the Office of the Information Commissioner if they believe the Local Authority has failed to fulfil its obligations and responsibilities as set out in the Data Protection Act 1998.
- 3.3.2 We will make all applicants aware and ask for their consent when they apply to the West Northants Allocation scheme that their personal information will be held and

shared with our housing providers and other relevant external agencies. This is for the purposes of assessing an application, considering an allocation of accommodation being made or to prevent fraud in accordance with the applicant declaration when making an application.

3.3.3 All personal information will be processed in accordance with the requirements of the Data Protection Act 2018. Applicants have the right to access personal information held about them under the Data Protection Act 1998. For further information please see the Local Authority's Data Protection Policy <https://www.westnorthants.gov.uk/your-council/data-protection-policy>

3.3.4 Applicants have the right to confidentiality. An application will not be divulged to any other party without an Applicant's consent, unless it gives rise to a safeguarding concern. Applicants will be asked to give consent to share relevant details of their application with relevant third-party organisations, such as public authorities, Registered Providers, voluntary organisations and others. Where consent is given, this only extends to those who can provide evidence that can help to determine an application and/or who need to know to process an allocation (e.g. employees of health, social care, criminal justice, social housing organisations, etc). For further information, please refer to the Local Authority's Information Sharing Protocol [insert hyper-link].

3.4 The role of Elected Councillors

3.4.1 Elected Councillors of the Local Authority are prohibited from making decisions about any individual allocation pertaining to any accommodation situated in their electoral ward area or any person who is resident in their electoral ward area.

3.4.2 Elected Councillors may seek to obtain general information about the allocation of housing, can represent their constituents and discuss their cases with administrators of the Allocation Scheme.

3.4.3 Elected Councillors should participate in making decisions about the overall content of this scheme.

3.4.4 Elected Councillors should consider whether the Local Authority's Code of Conduct requires them to declare an interest before participating in such deliberations. If in any doubt, the advice of the Local Authority's Monitoring Officer should be obtained.

3.5 Scope of the Scheme

- 3.5.1 There are a number of cases where provisions about allocations do not apply, these are set out in appendix D.

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4.0 Eligibility

- 4.1.1 To join the West Northants Housing Allocations Scheme an applicant must be both 'eligible' and a 'qualifying person'. When considering applications, the Local Authority will establish if an applicant is eligible for an allocation of accommodation and if they qualify for an allocation of a property. Only if these two criteria are met (subject to certain exceptions set out within this policy) can an applicant join the West Northants Housing Allocations Scheme.
- 4.1.2 Eligible applicants are defined by immigration legislation, this is set out in the Housing Act 1996 [Housing Act 1996 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1996/52).

4.2 Applicants who are eligible

- 4.2.1 The following classes of persons, subject to satisfying a habitual residency test, will be eligible to join this Scheme:
- A. British citizens (constituting the nations of England, Scotland and Wales).
 - B. Commonwealth citizens with a right of abode in the UK immediately before 01 January 1983 who have remained commonwealth citizens throughout (excluding non-British citizens from Pakistan and South Africa, but inclusive of citizens from Gambia and Zimbabwe).
 - C. Irish citizens (constituting the nations of Northern Ireland and Republic of Ireland)
 - D. EEA Nationals (other than those from Ireland) and their family members, who
 - a. have acquired limited leave to enter and remain in the UK
 - b. were frontier working before 31 December 2020, or
 - c. are lawfully residing in the UK by 31 December 2020, but still have to apply to, or acquire status under the EU Settlement Scheme before the deadline of 30 June 2021, and are covered by the "Grace Period statutory instrument"
 - E. Persons exempt from immigration control (e.g. diplomats and their family members based in the UK and some military personnel).
 - F. Persons granted refugee status by the UK Government.
 - G. Persons granted exceptional or limited leave to enter or remain in the UK with condition that they and any dependents have resource to public funds (e.g. humanitarian or compassionate circumstances).
 - H. Persons with current leave to enter or remain in the UK with no condition or limitation, and who are habitually resident in the UK, The Channel Islands, the Isle of Man or the Republic of Ireland (defined as the Common Travel Area) (a person whose maintenance and accommodation is being sponsored must be

resident in the Common Travel Area for five years since date of entry or date of sponsorship, unless the sponsor has died).

- I. Persons who have humanitarian protection granted under the Immigration Rules (e.g. a person whose asylum application has failed, but they face real risk of harm if they returned to their state of origin).
- J. Persons who moved to the UK as child seeking asylum and have been given limited leave to remain.
- K. Persons who have limited permission to enter or remain in the UK, from November 2018 onwards, due to Calais leave.
- L. Persons who have limited permission to enter or remain in the UK as the family member of a 'relevant persons of Northern Ireland.
- M. Persons who have leave to enter or remain in the UK under Appendix Hong Kong British National (Overseas) of the Immigration Rules, and your leave is not subject to a condition requiring you to maintain and accommodate yourself or any person dependent upon you.
- N. Persons who are a relevant Afghan citizen, such as one who has worked for the UK government in Afghanistan.
- O. Persons who have permission to enter or remain in the UK and left Afghanistan in connection with the collapse of the Afghan government took place on 15 August 2021 and are allowed to claim housing and welfare assistance from the state;
- P. Persons who are currently living in the UK and previously was living in Ukraine before 1 January 2022 and left as a result of the Russian invasion which took place on 24 February 2022 and have arrived in the UK under the Ukraine family scheme or the homes for Ukraine scheme and have been granted leave to remain.
- Q. Persons who are currently living in the UK and previously was living in Ukraine before 1 January 2022 and left as a result of the Russian invasion which took place on 24 February 2022 and have arrived in the UK under the Ukraine family scheme or the homes for Ukraine scheme and have been given limited leave to remain
- R. Persons who have been granted limited leave to remain due to being a victim of human trafficking or slavery
- S. Persons who were living in Sudan before 15 April 2023 and left as a result of conflict that commenced on 15 April 2023 and have been granted leave to remain and are allowed to claim housing and welfare assistance from the state and do not have a person that will sponsor your stay in the UK.

4.2.2 EEA Nationals means nationals of any of the EU member states, and nationals of Iceland, Norway, Liechtenstein and Switzerland. A list of countries in the EU and EEA can be found [here](#).

- 4.2.3 Eligibility provisions do not apply to Applicants who are already secure or fixed-term tenants (let at social rent or affordable rent) of Registered Providers seeking to transfer.
- 4.2.4 Even when an Applicant is eligible for an allocation of social rented housing, only those who are habitually resident in the United Kingdom, Ireland, the Isle of Mann or the Channel Islands, will be eligible for an allocation (except persons which exempt from the requirement to be habitually resident, as defined in law or statutory guidance). See Appendix C for details.
- 4.2.5 Applicants who are subject to immigration control or are an ineligible person from abroad will not be eligible for an allocation of social rented housing. See Appendix D for details
- 4.2.6 Where there is any uncertainty about an Applicant's immigration status, the Local Authority shall contact the Home Office. Before doing so, Applicants will be advised that such inquiries will be made in order to comply with data protection legislation. Confirmation of the immigration status of an Applicant from abroad will be obtained, where necessary, from the Home Office by emailing EvidenceandEnquiry@homeoffice.gsi.gov.uk
- 4.2.7 The Local Authority is not subject to the duty arising from the Immigration Act 2014, part 3, chapter 1, to carry-out a 'right to rent' check on each letting. The Local Authority will only perform checks on the eligibility of any Applicant, as per this section of this Scheme.
- 4.2.8 Please note that law on eligibility is complex and is subject to change, and the scheme will be guided by updates to the Allocation of Accommodation Guidance for Local Authorities.

4.3 Habitual residence

- 4.3.1 In order to pass the habitual residence test, the Local Authority will need to be satisfied that a person is actually a resident in the United Kingdom and has both an appreciable period of residence and a settled purpose of establishing residence.
- 4.3.2 Even when an Applicant is eligible for an allocation of social rented housing, only those who are habitually resident in the Common Travel Area will be eligible for an allocation (except persons who are exempt from the requirement to be habitually resident, as defined in law or statutory guidance).

4.3.3 The Local Authority will generally make inquiries into habitual residence where an Applicant has come to live in the United Kingdom during the previous two years, the following tests will be carried out to confirm if an Applicant is habitually resident:

- a) the degree of permanence in the person's residence in the United Kingdom of Great Britain & Northern Ireland, Republic of Ireland, Isle of Man or the Channel Islands
- b) the association between a person and their place of residence
- c) why a person has come to live in the United Kingdom
- d) whether a person is joining family or friends in the United Kingdom
- e) whether a person has accumulated a continuous period of residence prior to making their application
- f) the length of residence in another country
- g) visits abroad for holidays or to visit relatives and other temporary periods of absence will be disregarded
- h) a person's future intentions, employment prospects and centre of interest
- i) exemptions from the habitual residence test include European Economic Area nationals and their family members who are workers or self-employed, or have certain permanent rights of residence, or have been removed from another country to the United Kingdom

4.4 Applicants who are not eligible

4.4.1 Applicants who are subject to immigration control or are ineligible persons from abroad will not be eligible for an allocation of social rented housing. The following classes of person will not be eligible to join the Scheme:

- a) persons not habitually resident in the Common Travel Area
- b) European Economic Area nationals whose only right to reside in the United Kingdom is:
 - i. derived from their status as a jobseeker (or their status as a family member of a jobseeker)
 - ii. an initial right of residence for 3 months
 - iii. derivative right of residence because the person is the primary carer of a British citizen
 - iv. right to reside as a result of the person's deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom (including European Economic Area nationals exercising European Union Treaty rights, who were previously settled in the United Kingdom prior to deportation)

- c) Persons whose only right to reside in the United Kingdom is an initial right for no more than 3 months, including those who would become an unreasonable burden on the social assistance system of the United Kingdom
- d) Persons who are excluded by section 115 of the Immigration and Asylum Act 1999 to entitlement to universal credit under Part 1 of the Welfare Reform Act 2012 or to housing benefit

4.4.2 Where there is any uncertainty about an Applicant's immigration status, the Local Authority shall contact the Home Office. Before doing so, Applicants will be advised that such inquiries will be made in order to comply with data protection legislation. Confirmation of the immigration status of an Applicant from abroad will be obtained, where necessary, from the Home Office by emailing EvidenceandEnquiry@homeoffice.gsi.gov.uk

4.4.3 The Local Authority is not subject to the duty arising from the Immigration Act 2014, part 3, chapter 1, to carry-out a 'right to rent' check on each letting. The Local Authority will only perform checks on the eligibility of any Applicant, as per this section of this Scheme.

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5.0 Qualification

5.1.1 In addition to eligibility criteria, Applicants are subject to the West Northants qualification criteria.

5.1.2 The following groups of persons are non-qualifying and will not be allowed to join the Scheme, or will be removed from the Scheme, as applicable.

Non-qualifying criteria	Section
Persons under 18 years of age	5.1.3
Persons incapable of holding a tenancy	5.2.1
Persons that do not meet the West Northants Local Connection criteria	5.3.1
Persons found guilty of unacceptable or unreasonable behaviour	5.4.1
Persons who have housing related debt	5.5.1
Persons who have breached tenancy conditions	5.6.1
Persons who are homeowners in the United Kingdom or abroad	5.7.1
Persons who have an income and savings above the financial resource limit	5.8.1
Persons who do not have a recognised housing need	5.9.1

5.1.3 **Persons under 18 years of age**

An Applicant incapable of holding a tenancy agreement, which extends to:

- A. Persons defined as a child in English and Welsh law (anyone aged 0 - 17 inclusive).
An exemption will apply to an Applicant who is a child aged 16 or 17, (who may or may not also feature another person(s) aged 16 or 17 as a usual household member(s)), where a tenancy can be granted to a third party (e.g. an adult relative or friend or corporate parent, etc), 'a trustee', and held on trust for the child until they reach the age of 18 years. An exemption will also apply if there is a person aged 18 years or over who is willing to enter into a joint tenancy agreement with a child.
- B. Persons defined as a child in need as a result of a statutory assessment carried out in accordance with Children Act 1989, section 17. When making decisions about the qualification of a child aged 16/17 or an adult (a person aged 18 years and over) who is leaving the care of the Local Authority, full regard will be made to joint protocol agreed (16/17 year old protocol and the Care Leavers protocol) between Northamptonshire Children's Trust and Housing Services for rehousing care leavers. Former care leavers aged 18 years or older fall outside the scope of

this section and determination as to whether they qualify will be based on any or all relevant factors in the entirety of chapter 5.

5.2.1 **Persons incapable of holding a tenancy**

5.2.2 Persons lacking mental capacity as defined in the Mental Capacity Act 2005 who are unable to hold a tenancy agreement, meet the obligations of holding a tenancy or make informed decision relating to an offer of accommodation will not usually be awarded a tenancy without a nominated person with lasting power of attorney (finance), enduring power of attorney or authorisation from the Court of Protection prepared to sign a tenancy agreement on the applicant's behalf and the Local Authority is satisfied that the necessary support to sustain a tenancy is in place.

5.3.1 **Local Connection criteria**

5.3.2 An Applicant who does not have a minimum of two years continuous connection to the West Northants area immediately prior to the date of application and will need to satisfy any of the following factors (exemptions apply to Applicants who are survivors of domestic abuse and Armed Forces personnel):

- A. **Residence** - a connection is established by being normally resident within the Local Authority area, by their own choice for a minimum period of two years. Being normally resident includes permanent housing but also includes anyone who has nowhere to live, occupying interim accommodation provided under the Local Authority's homelessness duties, community care duties, or other duties.

Persons who have been detained in the Local Authority (e.g. in prison or hospital) will not be able to establish a local connection as this does not constitute a choice of being resident in the area. Nor will former asylum seekers who were previously accommodated under Immigration and Asylum Act 1999, section 98 (temporary support) or section 4 (hard cases support), or former asylum seekers previously accommodated under the Asylum Seekers (interim Provisions) Regulations. Exemptions to residence conditions will apply to:

- i. Homeless households and care leavers owed a duty by the Local Authority placed outside the local authority area
- ii. Transfer Applicants under-occupying and living within the West Northants area and wish to downsize to a smaller home

B. Employment – a connection established by employment of no less than two years duration (including an apprenticeship) will be limited to the usual place of work.

Applicants who are self-employed, or their profession requires them from time to time to work outside the area, will need to demonstrate that their employment has mainly been based in West Northamptonshire.

Applicants on leave due to maternity leave or sickness who remain employed will qualify for this criterion if there is no reason to believe their employment is due to cease.

Any work that is short-term (e.g. a fixed-term contract), marginal (e.g. less than 16 hours per week and earnings allow for claiming Universal Credit or entitlement to Working Tax Credits), ancillary (e.g. occasional (even regularly) work that is undertaken in the Local Authority area, but the main place of work is outside the Local Authority area) or voluntary (e.g. where no payment is received, or payment is made only for expenses) will not be taken into account.

An exemption will apply for Applicants who need to move to take-up an offer of work. When deciding whether to apply an exemption, the Local Authority will consider evidence (the following list is not exhaustive and the Local Authority will consider any other appropriate factors and local circumstances):

- a) the distance and/or time taken to travel between work and home.
- b) the availability and affordability of transport, taking into account the 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 a move could not take place.
- 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, such as taking a better job, a promotion, or an apprenticeship.
- g) in circumstances where a job is being offered, and there is a need to move to take it up, and their intention to take up an offer of employment.
- h) verification of employment, or an offer of employment, and acceptance of it from the employer, such as:
 - i. a contract of employment,
 - ii. wages/salary slips or bank statements in cases of zero hours contracts,

- iii. proof of receipt of tax and benefit information,
- iv. a formal offer letter.

- C. **Family associations** – a connection established by family relationships will be limited to immediate family members (defined as spouses/partners, parents, step parents or other legal guardians, children or step children (aged 18 and over), siblings and step siblings or grandparents where there are sufficiently close links in the form of frequent contact) and their residence being within the Local Authority for a minimum period of two years. An Applicant who can prove they have a continuing caring responsibility for someone who is resident in the Local Authority area, and that this care could not be provided unless they were resident in the region, will be exempt from local connection requirements.
- D. **Other special reason** – Applicants who need to be near special medical or support services which are only available in the Local Authority area will be exempt from local connection requirements.
- E. **Care leavers** – An Applicant aged 18-21 years (or up to 25 years old if they are pursuing a programme of education agreed in their pathway plan), who are owed a duty under Children Act 1989, section 23C, by the Local Authority will be deemed to have a local connection to the Local Authority area.

5.3.3 Local Connection exceptions

5.3.4 The local connection criteria will not apply to the following applicants:

- a) An Applicant where the Local Authority has accepted a full statutory homelessness duty under S 193(2), S195(2), or (189B) of Part 7, Housing Act 1996
- b) An Applicant who are victims of domestic abuse or threats of domestic abuse, or escaping domestic abuse or harm, will be exempt from local connection requirements, as will those who have sought a place of safety in a refuge or other form of temporary accommodation in the Local Authority area.
- c) An Applicant who are members of the Armed Forces community:
 - i. An Applicant who are currently serving in the Regular Armed Forces or were serving in the Regular Armed Forces at any time in the five preceding years of their application, and their spouses.
 - ii. An Applicant who are a bereaved spouse or civil partner, of a person who was serving in the Regular Armed Forces, where the bereaved spouse or civil

partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner and the death was wholly or partially attributable to their service.

- iii. An Applicant who are serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partially attributable to their Service.
- iv. An Applicant who are divorced or separated spouses or civil partners of Service personnel, who are required to move out of accommodation provided by the Ministry of Defence.
- v. An Applicant who are adult children of service personnel who are no longer able to remain in the family home due to the impact of their family moving from base-to-base.

5.3.5 An Applicant who meets any of these exceptions will need to provide supporting evidence.

5.4.1 **Unacceptable or unreasonable behaviour**

5.4.2 An Applicant or a member of their household, who have been guilty of past unacceptable behaviour serious enough to make them unsuitable to be a social housing tenant or would be serious enough that a county court judge could make an outright order for the Local Authority to obtain possession, had the Applicant been a tenant at the time the unacceptable behaviour was carried out.

5.4.3 The meaning of unacceptable behaviour for the purpose of this Scheme will encompass a past action or activity (including an omission, failure to act, passivity or inactivity) on the part of the Applicant or a present member of their household. An Applicant will be considered unsuitable to be a tenant if there has been no improvement in their behaviour since the date when the unsuitable behaviour occurred, to the date when a decision is made about their application and/or when an allocation of social rented housing is due to be made. The Local Authority will not take account of any behaviour relating to a spent conviction under the Rehabilitation of Offenders Act 1974, section 4(1). Unacceptable behaviour is defined as:

- a) having an unspent conviction of a serious offence, committed in the locality of their property, against a person with a right to reside or occupy accommodation.
- b) having an unspent conviction of a serious offence, committed elsewhere against the Local Authority or a Registered Provider or agents acting on their behalf, which directly or indirectly was related or affected carrying out housing management functions

- c) perpetrators of domestic abuse who are subject to a non-molestation order, an injunction order, an occupation order or a restraining order, which is in force at the date an application is being determined.
- d) having an unspent conviction at the date an application is being determined for a serious offence as defined by the Serious Crime Act 2007, Part 1, Schedule 1, committed in the locality of a property against another person or the Local Authority or a Registered Provider.
- e) breaching a provision of an injunction under section 1, conviction under section 30, or an order made under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014, which occurred in the locality of a specified property or elsewhere which caused nuisance, annoyance, harassment, alarm or distress to a person in the locality or the Local Authority or a Registered Provider, or resulted in access to property that has been prohibited under section 76 of the Anti-social Behaviour, Crime and Policing Act 2014, for a continuous period of more than 48 hours.
- f) having an unspent conviction for an offence under section 80(4) or 82(8) Environmental Protection Act 1990, concerning noise from a property which was a statutory nuisance as per section 79(1), Part 3 of the Environmental Protection Act 1990.
- g) having an unspent conviction for an offence under the Fraud Act 2006, Forgery and Counterfeiting Act 1981 or Social Housing Fraud Act 2013, involving withholding, falsifying or misrepresenting any information to access to be allocated social rented housing or sub-letting of social housing by current tenants.
- h) within the past previous 5 years (having committed any other behaviour that would give grounds for possession under Housing Act 1985, section 84, Schedule 2, Part 1, Grounds 1-7 and section 84A. This includes an Applicant being responsible for:
 - i. Causing nuisance or annoyance to other people; living, visiting or carrying out lawful activities in the locality of their home, and/or employees of the Local Authority, or people employed by other organisations, to carry out housing management functions, for the Local Authority.
 - ii. Causing an offence or another adult residing with them causing an offence, for which they were convicted which took place during and at the scene of a riot in the UK.
 - iii. Causing violence or threats of violence towards another person or their family members, who were living at the same property as the Applicant, which resulted in them leaving and being unlikely to be allowed to return to the property.
 - iv. Allowing acts of damage or neglect of their property or common parts of a building in which their property is situated or failing to take reasonable

steps to stop any person residing with them to cause acts of damage or neglect to the property.

- v. Allowing internal structures and amenities (doors/ walls etc) and furniture provided by a landlord for use as part of their tenancy, or for use in common parts, to deteriorate due to ill-treatment, and in a circumstance where a lodger has caused the ill-treatment, not taking reasonable steps to evict that lodger.
- vi. Being granted a tenancy as a result of deliberately making a false statement, made by themselves or another person at their prompting.

5.5.1 **Housing related Debt**

- 5.5.2 An Applicant or a member of their household who has outstanding liabilities (such as rent or service charge arrears, or recharges) attributable to a tenancy which are more than 1/12th of the annual amount payable (or which was payable) by an Applicant to a landlord in respect of a tenancy.
- 5.5.3 When determining a realistic repayment agreement, there will be an emphasis on an Applicant's willingness to address the debt and to come to an agreement to do so, along with evidence of regular affordable payments (of at least 3 monthly or 12 weekly consecutive payments). Any agreement will be based on the affordability of an Applicant, rather than the level of debt. Efforts will be made to take into consideration why the arrears have arisen. The urgency of an Applicant's housing need will also be of paramount importance.
- 5.5.4 Housing related debts included in Debt Relief Order will remain outstanding until 12 months from the date of issue, at which point the debts are formally written off by creditors and the debtor is discharged. Households owed a statutory homeless duty will be exempt from the 12-month criteria.
- 5.5.5 For the purpose of this Scheme, outstanding rent arrears or debts which fall within the following categories will be disregarded:
 - a) any outstanding liability (such as rent arrears) attributable to a tenancy of which the Applicant (or a member of their household) is not, and was not when the liability accrued, the tenant.
 - b) any rent or other liability which is outstanding, but where the amount outstanding is less than 1/12th of the annual amount payable (or which was payable) to a landlord in respect of a tenancy, or the Applicant has both (i) agreed payments with a landlord for paying the outstanding liability, and (ii)

made payments in line with that arrangement for at least three months and is continuing to make such payments.

- c) any outstanding liability of an Applicant or anyone who will live with them, which does not relate to the tenancy of a property.
- d) any outstanding liability that has been declared unenforceable or statute barred (e.g. any debts that can no longer be recovered through court action). For rent arrears this will be after six years. (Debts which are subject to court action before the unenforceable period begin will not become statute barred).

5.6.1 Breaches of tenancies

An Applicant or a member of their household who have been found to have breached any of the following tenancy conditions, within the past six years, regardless of tenure:

- a) purposely failing to report repairs.
- b) failing to allow contractors to enter the property to carry out maintenance.
- c) running a business from the property without permission from the landlord.
- d) Subletting part or the whole of the property without permission
- e) having an unspent conviction for using or allowing their property to be used for illegal or immoral purposes.
- f) Or any other scenario that would give grounds for possession under Housing Act 1985, section 84, Schedule 2, Part 1, Grounds 1-7 and section 84A.

5.7.1 Property ownership

5.7.2 An Applicant or a member of their household who are homeowners and have a legal right to occupy their own home (either freehold, leasehold, under mortgage or shared ownership) will not qualify subject to the exceptions below (disregards apply to An Applicant who have survived domestic abuse).

5.7.3 Where an Applicant has sold a property within the last five years, and the funds received from that sale would have allowed them to meet their housing needs, but they have disposed of these funds, the Local Authority reserves the right to disqualify them from the Scheme.

5.7.4 If an Applicant has transferred the ownership of their homes to family members, within the last five years, and the proceeds of a sale could have allowed the Applicant to meet their housing need, the Local Authority reserves the right to disqualify them from the Scheme. The following exceptions will apply:

- a) property has been valued as having negative equity (or limited equity in respect of disabled adaptation to be made).
- b) where the property has not been let, but the owner cannot secure entry to the property, for example due to it not being safe to enter the property due to severe structural faults, or there are squatters living in the property.
- c) where it is probable that occupying the property will lead to abuse from someone living in the property.
- d) where it is probable that occupying the property will lead to abuse from someone whether in that property or elsewhere.
- e) where the Local Authority has issued a Prohibition Order under the Housing Act 2004 due to continued occupation of the property may endanger the health of the occupants and there are no reasonable steps that can be taken by an Applicant to prevent that danger (e.g. where it is not possible to adapt a property due to the physical arrangements of a dwelling, or the cost of adaptations is prohibitive, or an Applicant is in negative equity).
- f) the Applicant or a member of their household does not have the financial resources in respect of the value or sale of the property as set out in 5.8.1 below.
- g) an applicant of state pension age and over who cannot stay in their own home and need, based on medical/welfare to move into sheltered, supported or assisted living accommodation where the nature of their current accommodation does not meet their needs and they do not have sufficient resources to meet their housing need elsewhere.

5.8.1 **Income and Savings**

- 5.8.2 An Applicant or a member of their household with financial resources consistent with the United Kingdom Government's upper limit for savings, this is currently set out as £16k within the common rules of the Department of Work and Pensions Benefit and Pension Rates (disregards apply to Armed Forces personnel). This upper savings limit will change in line with the DWP Benefit and Pension rates.
- 5.8.3 An Applicant / joint applicant who has a high income, defined in this context as at least £60,000 gross household income in the most recent tax year ending prior to them making application to join the scheme and/or being made an offer of accommodation (disregards apply to applicants who have survived domestic abuse). Household income includes any income received by the Main/Joint applicant.
- 5.8.4 An Applicant whose qualification would solely derive from a household member who is subject to immigration control, due to them not being entitled to freely enter or

remain in the United Kingdom, or not being entitled to public funds, will not qualify to join the Scheme.

- 5.8.5 Property ownership conditions, plus thresholds for Income and savings will not be applied to Applicants who are victims of domestic abuse or threats of domestic abuse or escaping domestic abuse or harm.
- 5.8.6 Any compensation for an injury or disability sustained on active service with the Armed Forces or Reserve Forces will be disregarded when calculating financial resources. Any mesne profit debts accrued by occupants of service families accommodation will be disregarded, subject to them providing a copy of their notice to vacate or Certificate of cessation of Entitlement to Service Families Accommodation (the Local Authority may contact the Ministry of Defence Loss of Entitlement team by emailing DIORDAccn-LOETeam@mod.gov.uk with any queries about the status of such Applicants).
- 5.9.1 **No housing need**
- 5.9.2 An Applicant who have no assessed housing needs will not qualify on this Scheme. However, any person can access advice and assistance on other housing options from the Council's Housing Solutions Team. If an applicant does not fall into any of the priority bands they will be regarded as having no housing need / being adequately housed.
- 5.9.3 The following exception will apply:
- 5.9.4 Where an Applicant has no housing need but establishes a local connection within a local lettings policy in relation to a rural exception site (including entry level exception sites) (as determined in relevant legal agreements). The local connection as determined in the relevant agreements, will be specific to the village where the development is located, or a neighbouring village, and will be permitted to join the housing register but will only qualify to bid on properties where the rural exception development is to which they satisfy a local connection. Local connection to such sites will be verified at the point of application and at the point of nomination.
- 5.9.5 Preference will be given to applicants who meets the local connection criteria to the rural exception site development, who also falls within a reasonable preference category. If there are no exception site applicants who also fall within a reasonable preference category, then preference will be given to other exception site applicants in Band 4 in accordance with their effective date.

6.0. Registration

6.1 Information and Advice

6.1.1 Information and advice will be made available in writing via the website of the Local Authority and in-print where an Applicant is unable to access the website.

6.1.2 Information and advice will also be provided orally via the telephone or videotelephone, or, when an Applicant is unable to communicate via this media, in-person either at an office of the Local Authority or at their home or other appropriate location when they are unable attend an office of the Local Authority.

6.1.3 The Local Authority will consider requests for information in translated and alternative formats (e.g. Braille, large print, audio etc) and provide materials as relevant. The special needs of specific groups of prospective Applicants (e.g. those housebound, prisoners, gypsies and travellers, etc), will be taken account of when making any arrangement to access and provide information and advice.

6.1.4 The Local Authority will provide any person, regardless of whether or not they intend to make an application to this Scheme, information about:

- i. The social housing in its area and other housing options.
- ii. Rights to make an application for an allocation of social rented housing.
- iii. The rules associated with initial consideration of an Applicant's application to join this Scheme, plus the treatment of any nomination for social rented housing made by the Local Authority to a Registered Provider.
- iv. Potential stock availability.
- v. Eligibility, qualification and prioritisation criterion for joining the Scheme and being offered an allocation of social rented housing by the Local Authority and being offered a nomination of social rented housing.

6.1.5 The Local Authority will provide Applicants with the following general information accompanied by a free summary of this Scheme:

- i. How their application is likely to be treated.
- ii. Whether or not they have been accepted as being eligible for an allocation or any reasons for being determined as ineligible
- iii. Whether or not they qualify to join the Scheme and, where not, the reasons for being disqualified.
- iv. The type of property they are likely to be allocated and the number of bedrooms they might be entitled to have.

- v. The method that will be used in assessing their needs.
- vi. The number of other Applicants with equal or greater priority.
- vii. An assessment of the likely time that they will have to wait to receive an offer by reference to average waiting time or the number of allocations of similar properties, based on data available for the most recent 12-month period.
- viii. Any facts about the Applicant's case which have been or will be taken account of when making decisions.
- ix. The right to request a review of any decision that they are not eligible and/or do not qualify to join the Scheme, or concerning an allocation or nomination of social rented housing.
- x. Any review decision, along with the grounds for that decision in a written acknowledgement.
- xi. The right to seek a judicial review on any point of law where this Scheme (or the administration of it) is irrational, illegal, or fails to follow public law procedural requirements.

6.2 Assistance for vulnerable applicants

6.2.1 The Local Authority will freely help Applicants who are likely to have difficulty in making an application (e.g. due to mental or physical impairment, or because of any other special characteristic) to join the Scheme. This assistance will include (this list is not intended to be exhaustive):

- i. Completing any form that might exist.
- ii. Explaining what evidence might be required for the Local Authority to determine any eligibility and qualification criterion that might be in force and help collect this evidence for assessment.
- iii. Explaining what evidence might be required to determine the degree of priority for when allocations are made and help collect this evidence for assessment.
- iv. Explain what evidence might be required to help determine the type of property that should be allocated and help collect this evidence for assessment.
- v. Express a preference of the location of the social rented housing they might be allocated.

6.2.2 The Local Authority is subject to the Equality Act 2010 which has been duly considered when formulating this Scheme. A separate *Equality Impact Assessment* has been completed and copies can be requested from the Local Authority or downloaded from its website. The *Equality Impact Assessment* has identified any potential impact on people with a protected characteristic, showing these as positive, negative or neutral,

plus includes actions to mitigate any such negative impacts. To ensure compliance with public sector equality duties, the following arrangements will be made by the Local Authority and/or Registered Providers for each individual Applicant with a relevant protected characteristic, such as persons who have a disability:

- i. Assistance to make an application, including exercising any choice they might be entitled to.
- ii. Via a specific question at the application stage, to identify the housing needs.
- iii. Provide information on a property's accessible features.
- iv. At the stage of offer or nomination, to allow extra time, (of a duration relevant to the circumstances of any given case) to determine whether or not to accept an offer.

6.2.3 The Local Authority will maintain a list of suitable homes for disabled people with access needs, to avoid potentially disadvantaging Applicants who might require a home with such features.

6.2.4 The Local Authority will advise Applicants that equalities information will be collected, to enable a better understanding of peoples' housing needs and to ensure that no one is discriminated against as a result of the way this Scheme has been framed, or during the administration of it. Applicants will be informed as to how such data will be used, handled and stored.

7.0 Assessment of an Application

7.1 Assessment of need

7.1.1 Only Applicants who have been assessed as eligible and who qualify will have their housing need assessed.

7.2 Housing need

7.2.1 Reasonable preference

7.2.2 The Council is required by law to determine the relative priority that housing applicants are awarded. This is particularly important as the demand for social housing is greater than the availability of homes.

7.2.3 The law, as it applies to local housing authorities, requires that reasonable preference for housing must be given to those in the categories set out in the Housing Act 1996 (as amended). Applicants with reasonable preference must be given a reasonable head-start in terms of accessing housing over those who do not have reasonable preference. Reasonable preference does not mean that applicants will have an absolute priority over all other Applicants.

7.2.4 The statutory reasonable preference categories in section 166A (3) to I of the Housing Act 1996 (as amended) are:

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

7.3.1 Medical needs

7.3.2 Applicants or members of the applicant's household who have applied due to medical or welfare need, will be assessed on information provided by recognised medical professionals, for example your GP, a consultant or occupational therapist, with direct knowledge of the Applicants or a member of their households health and the impact on their housing needs.

7.3.3 The Local Authority will only consider this information if it is demonstrated that:

- i. The medical condition is being caused by or made worse by the applicant's housing condition **and**
- ii. the applicant's current property cannot be improved or adapted to meet the needs of the applicant at a reasonable cost **and**
- iii. rehousing is likely to significantly improve the Applicants conditions.

7.3.4 The Local Authority will not consider an application on medical grounds for the following:

- i. health problems that are not affected by your housing or where health problems cannot be improved by moving accommodation
- ii. medical issues which relate to housing defects which can be resolved by action taken by you, or your landlord
- iii. you are homeless and the temporary accommodation provided by the Local Authority is affecting your medical/welfare needs. This is because the local Authority would review the suitability of the accommodation if it is impacting on your health and welfare.
- iv. the medical issue relates to someone who is not part of your household.

7.4.1 Welfare needs

7.4.2 If you are applying for housing due to welfare related issues we will assess your application based on information provided by professionals for example Police; Social Services; support agencies; or a medical Consultant.

7.4.3 We will only consider this information if it is demonstrated that:

- i. there is a need which has not been covered elsewhere in this policy
- ii. this need could cause significant hardship if it were not met
- iii. your welfare need will only be met by a move into a Council or housing association property

7.4.4 Medical and welfare prioritisation

7.4.5 Medical /welfare banding decisions will be made following an assessment and if you are found to have a medical / welfare need you will be awarded one of three bands:

1. Band A – Urgent medical/ welfare needs
2. Band B – High medical / welfare needs
3. Band C – Medium medical / welfare needs

7.4.6 **Band A:** Urgent Medical need - Condition is expected to be life threatening and/or terminal and re-housing is required to address the detrimental effect caused by the current accommodation, either due to the location of the present accommodation and / or due to the physical conditions of that accommodation.

7.4.6 The applicant would be awarded Band A – Urgent / welfare medical needs if the accommodation is no longer suitable to the applicant or a member of their household, where one or more of the following circumstances apply:

- i. are housebound and unable to access or exit your home due to your medical and housing conditions
- ii. require the permanent use of substantial medical equipment at home, such as kidney dialysis equipment, or mobile or ceiling track hoists, but your property, or landlord, prevents you from having this
- iii. are a full-time wheelchair user requiring wheelchair adapted housing and your current home is not wheelchair adapted or suitable for adaptation,
- iv. have moderate to severe dementia and your property is becoming unsafe for you,
- v. have had severe strokes or traumatic brain injuries resulting in a loss of function on one, or both, sides of the body,
- vi. have advanced Motor Neurone Disease or Multiple Sclerosis.
- vii. live in a home which is now unsafe for you due to a change in your medical condition or mobility e.g. you have become severely sight impaired and are now at significant risk of injury due to falls.
- viii. have developed epilepsy, are subject to regular seizures which cannot be controlled by medication and you live in a property with stairs, or which can only be accessed by stairs.
- ix. are serving or have served in the Armed Forces and are suffering from a serious physical injury, serious mental or physical illness or disability which is attributable (wholly or partly) to that service

7.4.7 **Band B:** High medical / welfare need

7.4.8 The applicant or a member of their household would be awarded Band B – High medical /welfare needs if the accommodation is no longer suitable to the applicant or a member of their household, if one or more of the following circumstances apply:

- i. have significant back or knee problems and have difficulty carrying children or shopping upstairs,
- ii. are severely vulnerable due to frailty or advanced age and need to move to sheltered, supported or extra-care accommodation
- iii. have a severe and enduring mental illness which they are no longer able to manage and where a move would substantially improve your wellbeing,
- iv. have bilateral arthritis of the hips and knees and use mobility equipment, and are struggling to enter or leave the home.
- v. have a chronic or progressive medical condition (example: MS)
- vi. have had moderate strokes with recovery of some function,
- vii. have chronic obstructive pulmonary disease or emphysema and are unable to get around in the home.
- viii. have Schizophrenia or Bipolar Affective Disorder, which they are no longer able to manage because of the current living conditions
- ix. have an Autistic Spectrum disorder with behavioural problems, global developmental delay or moderate to severe learning disabilities and the current home is becoming unsafe or causes an impact on other family members. If it is agreed to award an extra bedroom for the applicant, or a member of your household, they will not receive an overcrowding band but will be able to bid for properties with one bedroom more than their needs as defined under the bedroom standard.
- x. are transitioning and there is medical and psychiatric evidence to support the need for their own room whilst undergoing transition, particularly in the case where gender re-assignment surgery is taking place. If it is agreed to an award an extra bedroom, the Applicant will not receive an overcrowding band but will be able to bid for properties with one bedroom more than their needs as defined under bedroom standard.
- xi. have cardiomyopathy or congestive cardiac failure or lung disease and can no longer manage the stairs in their home.
- xii. requires ground floor accommodation (or a stairlift) AND requires alternative bathing facilities to that in current accommodation on medical and / or social care grounds where it is not possible to adapt the current property
- xiii. are serving or have served in the Armed and are suffering from a physical injury, mental or physical illness or disability which is attributable (wholly or partly) to that service

- xiv. need to give or receive essential care and support that is substantial and ongoing and cannot be provided from or in their current accommodation. Applicants may either be in receipt of Carers Allowance or have a carer who is in receipt of Carers Allowance or have had an assessment by social services or similar support agency, so it can be established that care and/or support is substantial / essential
- xv. has a learning disability and needs to move into mainstream accommodation. This decision will be based on an assessment made by the Learning Disabilities Team.
- xvi. have undergone lengthy rehabilitation in residential surroundings and are ready to attempt independent living in the community;
- xvii. need to move on from drug or alcohol recovery program. The applicant is ready to move-on from a recovery program, and has been accepted as ready for independent living by a relevant support provider where it is not possible or appropriate to return to their former home
- xviii. moving on from short-term supported housing and hostels, including specialist accommodation for those with mental health issues. The applicant is ready to move-on from an approved supported accommodation provider or care in West Northamptonshire. The applicant must have been accepted as ready for independent living by a relevant support provider.

7.4.9 **Band C** – Medium medical / welfare needs

7.4.10 The applicant or a member of their household would be awarded Band C – medium medical /welfare needs if the accommodation is no longer suitable to the applicant or a member of their household, if one or more of the following circumstances apply:

- i. is otherwise adequately housed but the applicant, or a member of their household, has a medically diagnosed condition which means that they need access to their own secure, outside space for example those with autism; ADHD; a learning disability, or has an assistance dog.
- ii. is living in a property which is having a detrimental impact on their health / welfare and there are no remedies available to improve the conditions:
 - a. Need improved heating on medical or social care grounds
 - b. Living in a building with poor sound-proofing and day to day living noises from their neighbours is impacting on their wellbeing.
- iii. A family association who is not applying to move with the Applicant, but they have a medical need which restricts the use of their accommodation and requires the applicant to find alternative accommodation
- iv. time related medical issues, for example pregnancy, or a broken leg.

- v. is becoming socially isolated due to own or public transport no longer being readily available , for example due to limited mobility and bus routes changing and unable to access services required

7.5 How to Apply

- 7.5.1 If a person wants to join the West Northants Housing Allocation Scheme, they will need to complete an online application form through our choice-based lettings scheme. Whenever necessary, the Local Authority will also arrange for applications to be completed by other means such as when an Applicant is having difficulty completing the prescribed online form, this includes where a person with a protected characteristic, needs or requests an alternative method.
- 7.5.2 Applicants will be provided with a user account to securely log into via the Scheme website. The Local Authority will primarily communicate with Applicants via their user account:, to provide them with information and advice, give assistance, issue warnings about fraud, seek further evidence or clarify matters relating to evidence already submitted, make notifications as whether someone is eligible and qualifies to join the Scheme, notify that a renewal application is required, make an offer of an allocation, confirm whether an Applicant wishes to accept an offer of an allocation and other matters relating to their application. Whenever necessary, the Local Authority will also communicate with Applicants via other means, such as email, telephone/video telephone, letter/leaflet or in-person, etc, such as when they are having difficulty using their Scheme user account. This, includes where a person with a protected characteristic, needs or requests an alternative method of communication.
- 7.5.3 All applications must be made using the prescribed online Housing Assessment form published by the Local Authority.
- 7.5.4 Copies of the application form can be accessed from the Scheme website [\[insert hyper-link\]](#). Applications can only be made by a sole individual, all other persons who might presently live with the Applicant can feature as usual household members. Multiple applications are not allowed. An Applicant may have only one active application with the Local Authority (but is entitled to have active applications with other local authorities and/or Registered Providers).

7.6.1 Supporting documentation

- 7.6.2 Consideration of an application will be based on the information provided on the application form, plus any evidence supplied by an Applicant (e.g. proofs of identify,

etc), or information gained from public bodies (e.g. prisons, young offender institutes, secure training centres, secure colleges, youth offending teams, probation services, DWP/Jobcentre Plus, social services authorities (adult social services and child social care), NHS Trusts and NHS Foundation Trusts, Ministry of Defence, general medical practitioners, schools, police, etc), Registered Providers, voluntary organisations, land registry and credit agencies and any other persons or organisation that might be able to provide or verify evidence relevant to a person's application.

- 7.6.3 In addition to the application, the following documents (where available) must be submitted as evidence to verify the information provided by the main Applicant:
- a) Passport, to help determine eligibility to rent social housing in England.
 - b) A utility or Council Tax bill or other relevant documentation from the past three months, to help determine eligibility to rent social housing in England.
 - c) Birth certificate, to help determine qualification to join the Scheme.
 - d) Details of any relevant unspent convictions (see section 4.13), to help determine qualification to join the Scheme.
 - e) All financial records from the past three months relating to income and savings, to help determine qualification to join the Scheme.
 - f) All legal records relating to property ownership to help determine qualification to join the Scheme.
 - g) Any other information that helps to determine eligibility and/or qualification to join the Scheme.

7.7.1 Cancelling a housing application

- 7.7.2 A housing applicant's housing application will be cancelled in the following circumstances:
- a) at the Applicant's request
 - b) When the Applicant either becomes ineligible for housing or ceases to qualify for inclusion onto the Scheme
 - c) When the Applicant has been housed through the Scheme or in relation to those who are owed a homelessness duty, they have accepted an offer of suitable accommodation, which has resulted in the duty has been discharged
 - d) When the Applicant accepts an Assured Shorthold Tenancy
 - e) When the Applicant fails to maintain their housing application, or they move home and fail to provide the Local Authority with the relevant contact details and update their application to reflect their new housing situation
 - f) When the Applicant fails to respond to a request for further information within the specified time
 - g) When the Applicant fails to respond to the annual review

7.8.1 Renewal of Applications

7.8.2 Applicants will be required to renew their application annually, from the anniversary of being accepted to join the Scheme. Failure to renew an application will result in an application being closed and membership of the Scheme being discontinued. Applicants will have 21 days from receipt of this information to comply with the renewal request. Failure to comply will result in an Applicant being removed from the Scheme.

7.9.1 Application processing standards

7.9.2 The Local Authority will aim to process applications within 33 working days, after an Applicant has submitted a completed application and all supporting documents.

7.9.3 Any application which gives the Local Authority a reason to believe a person may be homeless or threatened with homelessness will trigger inquiries as to what duty of assistance, if any, is owed under Housing Act 1996, Part 7 (as amended). Any information provided by an Applicant in support of their application to join the Scheme, or to determine the degree of priority they might be entitled when social rented housing is being allocated via this Scheme, or what might constitute a reasonable offer under the Scheme, will be used, along with any other relevant evidence to determine what homelessness duty, if any, is owed by the Local Authority. Such inquiries and any subsequent assistance a person might be entitled to are outside the scope of this Scheme. The Local Authority has separate arrangements to administer public law homelessness duties. Contact details for which are as follows

- A. [insert name of service]
- B. [insert address]
- C. [insert phone number]
- D. [insert email address]
- E. (insert website link)

7.10 Who can be included on an application

7.10.1 The applicant should include on their housing application other persons who normally reside with them or who would reasonably be expected to reside with them as a member of their household. All household members who will be living in the new tenancy must be included on the application in order that qualification checks can be conducted. Applicants and household members can only be included in one West Northamptonshire housing application.

7.10.2 The following can be included on an application if they normally live with the applicant(s) or could reasonably be expected to do so:

- a) Partner or spouse,
- b) Children dependent on the applicant / joint applicant
- c) Adult children
- d) Other adults who are dependent on the applicant / joint applicant

7.10.3 Other people will only be considered if there are demonstrable extenuating circumstances that require them to live with applicants; for example, to provide or receive ongoing and substantial care which can be evidenced.

7.10.4 In all circumstances, the Local Authority may decide whether a person is normally resident as a member of the applicant's family and whether they will be considered for rehousing as a member of the applicant's household. The Local Authority will consider each applicant's individual circumstances when deciding whether to allow persons to be included on the application.

7.11.0 Dependent children

7.11.1 A dependent child is defined as being aged 0-15 years, or 16-18 years and attending or enrolled in full-time approved non-advanced education or training. The Local Authority will usually expect that an applicant receives Child Benefit in respect of dependent children.

7.12.2 In determining whether a dependent child can be considered as part of the household where there is shared parental responsibility, the Local Authority will consider whether there is a sufficient degree of permanence or regularity to constitute normal residence as a member of the family. The Local Authority may also consider the demand for and supply of accommodation, as well as any under occupation which may result where a child spends part of a week with one parent and part of a week with another.

7.12.3 Factors that that Local Authority will consider include:

- a) who has the main parental responsibility of the child / children?
- b) what is the child's main and principal home?
- c) what address is registered with GP/School/Nursery?
- d) who predominantly cares for the child?

7.13.0 Adult Children, other non-dependents

- 7.13.1 Non-dependent children are defined as any children of the applicant or joint applicant who do not meet the definition of a dependent child. A non-dependent child is usually aged 18 years or over or aged 16/17 and who is not attending or enrolled in any full-time approved non-advanced education or training.
- 7.13.2 Where the household includes people aged 18 years or over that are capable of living independently, the Local Authority will assess the needs of the whole household and may refuse to allow them to be included on an application, for example if it is unable to meet the need through existing social housing in West Northants.
- 7.13.3 The Local Authority may require such non-dependent members of the household (including adult children, or extended family members) to apply for housing separately.
- 7.13.4 The Local Authority will allow adult children living with their parents who are serving in the armed forces or resident at university to be included on an application. In these circumstances their parental home will be considered as their principal home.
- 7.13.5 Where it is determined that an adult child, or other non-dependent is not capable of living independently, for example because of a disability or severe learning difficulties, family accommodation may be awarded if it benefits the wellbeing of the household.

7.14.0 Split and non-traditional households

- 7.14.1 Applications are welcomed from persons who live at two separate addresses, or applications from non-traditional households e.g. friends, but who wish to live together at one single address, one person will have to feature as the Applicant (although an Applicant together with one or more other persons might be able enter into a joint tenancy with the Local Authority or a Registered Provider, subject to such an organisation's acquiescence), with the other person(s) featuring as a usual household member. Anyone who might usually reside with an Applicant, or who might reasonably be expected to reside with an Applicant, can feature as part of the application.
- 7.14.2 A usual household member is a person who primarily (for at least 50% of a month) or exclusively lives with an Applicant. People who usually live with the Applicant, but are temporarily absent due to circumstances beyond their control (e.g. they are in prison, care of a local authority, hospital, armed forces, etc), are also considered a usual household member.

7.14.3 If applicants are applying to include family members who are not living in the United Kingdom, the application may be registered but applicants cannot be nominated together until the family has been reunited in the United Kingdom.

7.15 Children in care

7.15.1 Children in compulsory or voluntary care can be included on an application subject to written confirmation from social services that the children are to live on a permanent basis with the applicant(s). Households currently undertaking fostering may be able to include foster children as part of their application. Written confirmation from social services of the fostering arrangement will be required and considered to inform the decision.

7.16 Provision / receipt of care

7.16.1 Applicants or applicant household members, who require a full-time residential carer which is evidenced by social services or a primary health care professional, may include the carer on their application. People who provide substantial long-term care to another person which requires that person to live with an applicant in order to receive the care, may include that person on their application.

7.16.2 Care needs which cannot be provided by visiting carers must be verified by social services. The care needs must be substantial, i.e. a need for personal care with basic daily activities (dressing, feeding, bathing, toileting), or an inability to live independently certified by a medical professional. It would also be expected that the Applicant or member of their household would be in receipt of Carer's Allowance and Disability Living Allowance with the highest care component.

7.17 Verification

7.17.1 Upon receiving an application, the Local Authority will:

- a) Confirm accuracy of all information provided by an Applicant. Where information is inaccurate or missing, the Local Authority will contact the Applicant notifying them of this and requesting that they provide further relevant information. Where information requires verifying by a third party (e.g. housing, health, social care or other professional), the Local Authority will contact the relevant party and seek their opinion about the Applicant's circumstances at the date of their application and how this affects their housing needs.
- b) Confirm whether an Applicant is eligible for an allocation of social rented housing.
- c) Confirm whether an Applicant satisfies the qualification criteria for this scheme:

- i. If the Applicant has applied on the grounds of being homeless or owed a homelessness duty, ascertain whether or not the Applicant has already made an application for homelessness assistance.
 - ii. If yes, subject to the Applicant's acquiescence, access the Local Authority's homelessness database for information relevant to the Applicant's application for an allocation of social rented housing.
 - iii. If no, subject to the Applicant's acquiescence, arrange for the Applicant to make an application for homelessness assistance and share any information from the Applicant's application for an allocation of social rented housing that might be relevant to their application for homelessness assistance.
- d) Confirm an Applicant's priority for an allocation.
 - e) The date the priority is awarded from (the effective date in Band)
 - f) Confirm the best interests of any children that might need to be taken account of.
 - g) Confirm whether an Applicant's circumstances warrant any discretion needing to be exercised.
 - h) Confirm what would constitute a reasonable offer of accommodation, also explaining
 - a. Affordability will be determined in accordance with the criteria set out in Appendix E.
 - b. Bedroom entitlement will be determined in accordance with the criteria set out in Appendix F
 - i) Advise them of their right to request a review of any of the above matters.

7.17.2 If an Applicant is found to have more than one housing need, the Applicant will be awarded the Band which gives the highest priority.

7.18.1 **Effective date**

7.18.2 The 'effective date' is used to prioritise between applicants within the same band. The effective date of an application will be the date that the Local Authority receives the last piece of supporting information to enable the completion of the housing assessment and accepted onto the housing register.

7.19.1 **Missing Information and incomplete applications**

7.19.1 If an Applicant does not provide all the information needed to process and assess an application, within 28 calendar days of asking for it, the Local Authority will cancel the application.

- 7.19.2 If the Applicant is unable to provide all of the information within this timescale the Applicant must contact the Housing Allocations Team to request a time extension.
- 7.19.3 The above steps will be repeated whenever the Applicant notifies the Local Authority of a change of circumstances and also at the point the Local Authority will make an offer or a nomination of social rented housing to an Applicant.

7.20.1 Application decisions

- 7.20.2 Decisions on applications will be notified in writing, regardless of whether they are adverse or successful. Additional arrangements will be made for Applicants who might have difficulty understanding the implications of the decision to be informed orally (e.g. via a telephone call or in person).
- 7.20.3 Where the notification confirms a successful decision, Applicants will also be told when realistically they might be offered a letting of social rented housing.
- 7.20.4 Unsuccessful Applicants, who have been declared not eligible for an allocation of social rented housing or disqualified from joining the Scheme, can make a new application when they believe there has been a change of circumstances.
- 7.20.5 Where the notification confirms a decision that an Applicant is ineligible for an allocation of social rented housing or disqualified from joining the Scheme, the Applicant will be given reasons for the decision based on the relevant facts of the case. They will be informed that they can make a further application whenever they believe there has been a material change to their circumstances. They will also be informed of their right to a review.
- 7.20.6 Decisions about applications made by employees of the Local Authority, will be made as per the rules set out in this Scheme. However, all such decisions will be verified via a series of random checks by a designated senior officer with responsibility for administering housing allocation functions for the Local Authority. Applicants will be asked at the point of making an application, whether they (or anyone who lives with them or might reasonably be expected to live with them) are an employee of the Local Authority. Where a person affirms on their application that they (or a usual household member) are an employee of the Local Authority, they will be notified of the process to deal with any conflicts of interest which will involve a senior officer processing the application and ensuring that it is dealt with impartially without any reference to the relevant employee. The same principle will be applied to relatives of persons who are employed by the Local Authority.

7.21.1 Change in circumstances

7.21.2 Applicants whose circumstances change (i.e. change of address / household changes once they've been accepted onto the Scheme must notify the Local Authority of such changes.

7.21.3 An Applicant will need to complete an on-line change of circumstances form. Following a change of circumstances, the Applicant will not be able to bid until the application has been reassessed.

7.21.4 Where there is a change to an Applicant's or a member of their household medical / welfare need, the Applicant will need to complete the online medical questionnaire and provide supporting documentation from a GP or medical professional.

7.21.5 Eligibility and qualification for the Scheme will be reconsidered when there is a change in circumstances, and this may change the band your application has been placed in.

7.22.1 Band changes as a result of a change of circumstance

7.22.2 If as a result of a change in circumstances an Applicant gains a higher banding preference for re-housing (e.g. they move from Band B up to Band A), their effective date will be amended to reflect the date of the change.

7.22.3 If as a result of a change in circumstances an Applicant is assessed as having the same banding preference (e.g. they remain in Band B), their effective date will remain in force.

7.22.4 If as a result of a change in circumstances an Applicant is assessed as having less banding preference (e.g. the move from Band B down to Band C), their effective date will remain in force.

7.22.5 If as a result of a change in circumstances an Applicant becomes ineligible or disqualified, then they shall cease to be a member of the Scheme.

Change in circumstances	Effective date
Gains a greater priority and be placed in a higher band	The date at which the higher band applies will be used
Be assessed as being in the same band	The original effective date will be used
Less priority due to their circumstances and be placed in a lower band	The original effective dates will be used
Become ineligible or may no longer qualify	The application will be removed from the Scheme

7.23.1 Deliberately worsening circumstances

7.23.2 If an applicant or a member of their household has done something that has deliberately made their housing circumstances worse, the Local Authority may reduce the level of priority with the application demoted to Band D for a period of 12 months from the date of the decision.

- a) Abandoned or terminated previous accommodation without securing alternative accommodation first
- b) Sold a property or given notice on a tenancy with securing alternative accommodation first
- c) Been found to have deliberately disposed of assets or capital that would have enabled them to secure suitable accommodation

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8.0 Prioritisation of applications

8.1.1 Once an housing application has been assessed it will be categorised in one of four bands according to the relevant housing need that exists.

8.1.2 Applicants will be prioritised for an allocation of social rented housing according to the following criteria:

- Bands, in the order of A to D. Band A has the highest priority and Band D the lowest.
- Where two or more Applicants might have the same priority in the same Band, then the effective date (see section 7.18.1) will be used to prioritise between applicants.

8.1.3 In determining in which band to place an Applicant, the following priorities will apply:

- a) Applicants whom the Local Authority have chosen to award an additional preference, in addition to the requirement to be afforded a reasonable preference for an allocation, will be placed in Bands A or B.
- b) Applicants whom statute stipulates must be afforded a reasonable preference, will be placed in B.

8.2. Band A

8.2.1 Band A will consist of any Applicant in the following circumstances:

1. An Applicant under-occupying a social rented home within West Northamptonshire by one or more bedrooms
2. Sudden loss of existing home as a result of a disaster
3. Need to move as home within West Northamptonshire area is subject to a compulsory purchase order or requires major works
4. An Applicant releasing an adapted West Northamptonshire Council home or Registered Provider property within the West Northants area, where the adaptations are no longer required.
5. An Applicant assessed as an urgent medical need whose condition is life threatening and / or terminal and their accommodation is a major contributory factor and re-housing is required due to detrimental effects caused by the current accommodation.
6. Planned discharge from hospital is imminent and there is no accommodation available which is reasonable to occupy

7. Victims of domestic abuse, who are homeless or owed any homelessness duty and/or have been identified as high-risk victims of domestic abuse at MARAC
8. Victims of racial harassment amounting to violence or threats of violence
9. Victims of hate crime amounting to violence or threat of violence
10. Witnesses of crime, or victims of crime, who would be at high risk of intimidation amount to violence or threats of violence

8.2.2 Band A - Criteria and additional details

1. An Applicant who is under-occupying social rented housing by one or more bedrooms, as per the criteria set out in paragraph 9.7 (Bedroom Standard). The Applicant will need to be a social rented tenant of the Local Authority or a tenant of a Registered Provider living within West Northants and are under-occupying by one or more bedrooms, and the Local Authority would be able to nominate to the resulting vacancy. The Applicant would need to be willing to move to suitable smaller accommodation. Applicants awarded this band will only be considered for properties that offer fewer bedrooms than their current accommodation.
2. Sudden loss of existing home as a result of a disaster, such as those who are required to leave their home due to fire safety concerns identified by the Fire & Rescue Service.
3. Where the Applicant needs to move because their home in WNC area is subject to a Compulsory Purchase Order or requires major works, their application date will be the date the CPO was made.
4. An Applicant releasing an adapted social or affordable rented property in West Northants Council where the adaptations are no longer required by either the Applicant or a member of the household, and the Applicant is willing to move to non-adapted accommodation. The adapted property to be released will be fully wheelchair accessible and offers level access. This band will not apply where the adaptation does not offer a realistic solution to others.
5. An Applicant is assessed as having an urgent medical need and the condition is expected to be terminal or life threatening and re-housing is required due to detrimental effects caused by present accommodation, either due to the location of the present accommodation and/or due to the physical conditions of that accommodation. A health or social care professional with direct knowledge of the Applicant's condition will be contacted by the Local Authority for an opinion of the Applicant's health and the impact on their housing needs, when evidence submitted by an Applicant requires clarification on either a point of accuracy or of the prevailing

circumstances of their condition. The Local Authority will consider whether an Applicant's needs could be met by providing aids and adaptations to the current home, to enable them to remain in their present accommodation. Please refer to Section 7.3.1 for further details.

6. The Applicant or a member of the household cannot be discharged from hospital or a rehabilitation centre because they have no accommodation, or their current accommodation has been deemed hazardous to their health and the situation cannot be rectified to enable them to continue to live there, and they have been accepted by the Local Authority as being able to sustain their own independent accommodation.
7. Victims of domestic abuse, including those who have been provided temporary protection in a refuge or other form of temporary accommodation, who are homeless or owed any homelessness duty and/or have been identified as high-risk victims of domestic abuse at a local MARAC. Domestic abuse defined as any incident or pattern of incidence of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender. The abuse can encompass, but is not limited to, psychological, physical, sexual, financial and emotional abuse.
8. Victims of racial harassment amounting to violence or threats of violence and are at significant harassment and the risk of harm
9. Victims of hate crime amounting to violence or threats of violence and are at significant threat and risk of harm due to their age disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.
10. Witnesses of crime, or victims of crime, who would be at high risk of intimidation amounting to violence or significant harassment and risk of harm if they remained in their current homes.

8.3 Band B

- 8.3.1 Band B will consist of Applicants entitled to a reasonable preference for an allocation of social housing accommodation. These Applicants are defined for the purpose of this Policy as persons who are:

1. Homeless applicants owed a S189B initial duty, who are homeless and owed the S188 interim duty to accommodate having reason to believe a priority need
2. Homeless applicants owed a S193 duty
3. Homeless applicants owed a S189B relief duty, but are not owed the S188 interim accommodation duty
4. Homeless applicants threatened with homelessness and owed the S195 prevention duty
5. An Applicant who is overcrowded and requires two or more additional bedrooms
6. An Applicant occupying insanitary housing or living in unsatisfactory housing conditions
7. An Applicant where the Local Authority has a Corporate Parenting Responsibility where a young person (care leaver) who have had a duty of care accepted under the Children's Act by the Local Authority and is ready for independent living
8. An Applicant approved by the Local Authority as foster carers or to adopt, who need to move to a larger home in order to look after a child under the care of the Local Authority's children services
9. Applicants who are members of the Armed and Reserve forces
10. An Applicant who are bereaved spouses and civil partners of members of the Armed forces leaving Service Family Accommodation
11. An Applicant assessed as a High medical need or High welfare need due to detrimental effects caused by the present accommodation.
12. An Applicant that is subject to MAPPA (levels 2 and 3)
13. An Applicant that needs to move on hardship grounds

8.3.2 Band B - Criteria and additional details

1. Homeless, specifically owed the section 189B relief duty owed to all eligible persons who are homeless and owed the section 188 interim duty to accommodate due to having an apparent priority need.
2. Owed a duty under Housing Act 1996, Part 7, specifically, those who are:
 - i. Not intentionally homeless and have a priority need for accommodation, owed the section 193 main duty.
3. Homeless, as defined by Housing Act 1996, Part 7, section 175, regardless of whether they have made an application for homelessness assistance, including

those who are owed the section 189B relief duty owed to all eligible persons who are homeless, but are not owed the section 188 interim accommodation duty.

4. The Applicant is threatened with homelessness and owed a S195 Homeless Prevention duty
5. Severely overcrowded due to lacking two or more bedrooms. For the purposes of determining overcrowding, an assessment will be made against the minimum room size for licensed Houses in Multiple Occupants (for licences issued after 01st October 2018) or the UK Government's Bedroom Standard for any other type of dwelling, which allows a separate bedroom each for:
 - i. A married or cohabiting couple,
 - ii. Adult aged 21 years or more,
 - iii. Pair of adolescents aged 10-20 years of the same sex,
 - iv. Pair of children aged under 10 years regardless of sex
 - v. An adolescent aged 10-20 years paired with a child aged under 10 years of the same sex,
 - vi. An unpaired adolescent aged 10-20 years,
 - vii. An unpaired child aged under 10 years.
6. Occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions. The Environmental Protection Act 1990, Part 3 (in relation to premises which pose a statutory nuisance to the occupant), Housing Act 1985, Part 10 (relating to overcrowding) and the Housing Act 2004, relating to Category 1 Hazards will be taken account of by the Local Authority when determining an Applicant's housing conditions. The following list is intended to be illustrative and in no way prescribed or definitive:
 - i. Lacking a bathroom or kitchen, as verified by an Environmental Health Officer or equivalent.
 - ii. Lacking an inside WC, verified by an Environmental Health Officer or equivalent.
 - iii. Lacking cold or hot water supplies, electricity, gas, or adequate heating, as verified by an Environmental Health Officer or equivalent.
 - iv. Property in disrepair, this will only apply to significant hazards (Part 1 of the Housing Act 2004), where those hazard(s) cannot reasonably be removed or reduced to a satisfactory level and within a reasonable timescale, as verified by an Environmental Health Officer or equivalent.

7. An Applicant where the Local Authority has a Corporate Parenting Responsibility where a young person (care leaver) who have had a duty of care accepted under the Children's Act by the Local Authority and is ready for independent living.
8. Persons approved by the Local Authority as foster carers or to adopt, who need to move to a larger home in order to look after a child under the care of the Local Authority's children services, including those who require a larger property in order to secure a Special Guardianship order or Child Arrangement Order with respect to a looked after child or for a child that is deemed at high risk of becoming looked after otherwise.
9. Members of the Armed and Reserve Forces, such as:
 - i. Former members of the Regular Armed Forces.
 - ii. Serving members of the Regular Armed forces 6 months prior to discharge.
 - iii. Serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability (including a mental ill health condition) which is wholly or partially attributable to their service.
 - iv. Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability which is wholly or partially attributable to their service.
10. Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner, which was wholly or partially attributable to their service.
11. An Applicant who has been assessed as having a High medical and/or welfare need to move (including grounds relating to a disability), due to detrimental effects caused by present accommodation, either due to the location of the present accommodation and/or due to the physical conditions of that accommodation. A health or social care professional with direct knowledge of the Applicant's condition will be contacted by the Local Authority for an opinion of the Applicant's health and the impact on their housing needs, when evidence submitted by an Applicant requires clarification either on a point of accuracy or of the prevailing circumstances of their condition. The Local Authority will consider whether an Applicant's needs could be met by providing aids and adaptations to the current home, to enable them to remain in their present accommodation. Once accommodation is allocated to a person with medical or welfare needs, their support and care needs will be assessed jointly by social services, Children services, housing support providers, NHS Trusts, and other relevant agencies. **Please see section 7.5.7 for more information.**

12. An Applicant subject to MAPPA (level 2 and 3)
13. Hardship grounds – Needing to move to a particular locality in the district of the authority, where failure to meet this need would cause hardship (to themselves or others). The following list is intended to be illustrative and in no way prescribed or definitive:
 - i. Escaping anti-social behaviour such as harassment, alarm, distress, as result of nuisance or annoyance in relation to the occupation of their premises, or as a result of housing-related nuisance or annoyance, from a person.(having been evidenced by HASBAG, Police, community safety partnership, or other professionals)?
 - ii. Suffering from financial hardship and having difficulty in meeting their housing costs, which has been assessed and verified from either the Local Authority’s housing debt and advice team, or a recognised external organisation that carries out affordability assessments.

8.4 BAND C

8.4.1 Band C will consist of Applicants who are eligible and qualify to be allocated social rented housing via this Scheme (includes applicants who have welfare needs and this is made worse by their current accommodation, applicants sharing facilities) and social rented housing is an affordable housing option for them.

1. An Applicant who are intentionally homeless and have a priority need for accommodation owed the S190 duty
2. An Applicant overcrowded due to lacking one bedroom
3. An Applicant is a separated family due to no suitable accommodation
4. An Applicant has at least one dependent child and is living in accommodation where the facilities are shared with others
5. An Applicant assessed as a medium welfare need due to detrimental effects caused by the present accommodation
6. Take-up a particular permanent employment, education or training opportunity and in respect of Transfer Applicants, be closer to work

8.4.2 Band C – Criteria and additional details

1. Owed a duty under Housing Act 1996, Part 7, specifically those who are:

- i. Intentionally homeless and have a priority need for accommodation, owed the section 190 duty.
2. Overcrowded due to lacking one bedroom. For the purposes of determining overcrowding, an assessment will be made against the minimum room size for licensed HMOs (for licences issued after 01st October 2018) or the UK Government's Bedroom Standard for any other type of dwelling, which allows a separate bedroom each for:
 - i. A married or cohabiting couple,
 - ii. Adult aged 21 years or more,
 - iii. Pair of adolescents aged 10-20 years of the same sex,
 - iv. Pair of children aged under 10 years regardless of sex ,
 - v. An adolescent aged 10-20 years paired with a child aged under 10 years of the same sex ,
 - vi. An unpaired adolescent aged 10-20 years,
 - vii. An unpaired child aged under 10 years.
 3. An Applicant and their household who cannot live together as a family due to no suitable accommodation (Section 7.9.0)
 4. An Applicant has at least one dependent child or a pregnant women (once the pregnancy has reached 24 weeks) with a confirmed due date, sharing accommodation with their family or another household and is otherwise adequately housed.
 5. An Applicant assessed as a medium welfare need due to detrimental effects caused by the present accommodation. Please see Section 7.5.9 for further information.
 6. Take-up a particular employment, education or training opportunity and in respect of Transfer Applicants, be closer to work

8.5 BAND D

1. 1. An Applicant has refused the maximum number of suitable offers and will be demoted to a reduced priority for a period of 12 months
2. An Applicant has no housing need but establishes a local connection to a S106 or village exception site, whether the connection is to the specific village where the development is located, or within the cascading villages (as set out in the relevant legal agreements).
3. An Applicant has deliberately worsened their circumstances to gain more priority through this Scheme

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|--|
| <ol style="list-style-type: none">4. Any other applicant who is eligible and qualifies and not covered by any of the above |
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8.5.1 Band D – criteria and additional details

1. An Applicant who has exhausted their right to refuse an allocation of social rented housing and will remain in Band D for a period of 12 months from the date of final refusal.
2. An Applicant has no housing need but establishes a local connection to a S106 or village exception site, whether the connection is to the specific village where the development is located, or within the cascading villages (as set out in the relevant nomination agreement / local lettings plan). Local Connection to such sites will be verified at the point of application and at the point of nomination.
3. An Applicant has deliberately worsened their circumstances to gain more priority through this Scheme (see Section 17.7.1 for more information).
4. Any other applicant who is eligible and qualifies and not covered by any of the above.

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9.0 Making an allocation

9.1.1 Properties and advertising

9.1.2 Social rented housing properties that are due to become vacant, will be advertised through a choice based letting system and applicants will be able to place bids for properties which have been assessed as meeting their needs.

9.1.3 Adverts for properties will be created and properties will be advertised on a weekly cycle in the form of an advert, details of available properties are advertised on the website at [xxxxxx \(insert link\)](#).

9.1.4 The Local Authority, and Registered Providers will create adverts and will provide the following information whenever any dwelling is made available by the Local Authority or Registered Providers:

- a) type (e.g. house, flat, bungalow, etc), size (e.g. number of bedrooms, bathrooms, etc) and location (e.g. by electoral ward).
- b) who the landlord is
- c) how much the weekly rent is and the cost of any service or support charges
- d) if the property is a social or affordable rent
- e) type and length of tenancy
- f) floor level and whether there is a lift
- g) whether it is already accessible for people with disabilities or could be adapted to be so.
- h) whether there is access to a shared or private garden.
- i) the year the property was built, if available.
- j) whether pets are allowed
- k) an indication of the cost of running it e.g., the likely Council Tax valuation, typical charges paid for utilities, If the property is subject to a local lettings plan or a sensitive let
- l) if the property is restricted by a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 and where offers of tenancies may only be made to applicants with a strong local connection to an exception site
- m) closing date of advert

9.1.5 Properties will be advertised displaying any specific criteria or restrictions on who can bid, for example if there is a restriction on age group or family size, suitable only for persons with supported or specialist needs.

9.1.6 The labelling of properties is an important part of housing allocation process, as it enables the Local Authority to set parameters on which types of households can

apply for vacancies and whether any particular types of households will be given preference over other when being considered for specific vacancies.

- 9.1.7 Labelling should generally be as inclusive as possible, to maximise choice, whilst allowing preference to be given to certain household types to make the best use of stock, meet local priorities and giving as much choice as possible to help create sustainable communities.

9.2.1 Bidding for a property

- 9.2.2 Applicants are required to bid for a property if they want to be considered for it and may bid for a maximum of up to three properties per week. This does not guarantee that they will be offered any property they might make a bid for.
- 9.2.3 It is important that applicants are able to access the Local Authority's Choice Based Lettings Scheme and that relevant support is provided where appropriate. Applicants are encouraged to self-identify if they require support in the bidding process, where assistance would enhance successful bids and they would otherwise not be able to participate fully in the scheme. The Local Authority will also identify and support any Applicants who may have a difficulty in expressing a preference. The Local Authority will use its own judgement on initial contact with an Applicant, based on whether they need assistance to complete an application.
- 9.2.4 Applicants are expected to place bids regularly. Applicants who are not making bids will be contacted to determine if this is due to them having difficulties. Particular attention will be paid to ensuring those who are homeless, have a disability or are from an ethnic minority group, are provided with any support they might need to make bids. If bids are not placed with a six-month period and suitable properties have been advertised during this time, the Applicants will be contacted to assess the reason. Applicants who fail to respond may be removed from the Scheme.
- 9.2.5 Applicants accepted as homeless, including those applicants living in temporary accommodation and the Local Authority has a statutory duty to them under homelessness legislation, need to secure housing urgently. It is therefore expected that Applicants to be actively bidding on advertised vacancies.

9.2.6 Homeless applicants are therefore expected to check the adverts each week and apply each week for vacancies which are suitable for their household in terms of size and type. If an Applicant has not utilized all of their available bids at the end of a bidding cycle and the Housing Solutions Team consider that an advertised property is suitable, they may place a bid on behalf of the applicant or reduce prioritisation by lowering the applicant's band.

9.3.1 Autobid

9.3.2 In some cases, the systems software that the Local Authority uses, will place bids on an applicant's behalf. The system places bids on suitable properties which provide the best possible chance of nomination.

9.3.3 Direct offers

9.3.4 In some circumstances, the Local Authority will not advertise available properties, instead a direct offer of accommodation may be made to an applicant. Any direct offer will constitute a formal and suitable offer, and if refused will be subject to the same rules for the number of offers as set out in section 9.9.1. Decisions regarding direct offers will be agreed by a Senior Housing Officer within the Housing Team.

9.3.5 Illustrative examples of direct offers are as follows, this list is not exhaustive:

- a) hard to let properties where no suitable bids have been received
- b) where the local authority makes a direct offer by way of discharging a housing duty;
- c) where a direct offer is made to an applicant for an adapted property following an assessment by Social Care and Occupational Therapy
- d) where an allocation is required to ensure protection of the public for example following a decision made by a Multi-Agency Public Protection Arrangements Meeting (MAPPA)
- e) where an applicant has been referred as subject to the Witness Protection & Anonymity Orders
- f) where the local authority considers it necessary to suspend choice-based lettings for a period of time, for example due to a public health emergency or another similarly significant event. Such decisions will be taken by the Senior Housing Management Team
- g) any other circumstance that enables the Council to make best use of housing stock and /or respond to emerging local housing needs

9.4.1 Shortlisting of applications

9.4.2 Once the bidding cycle for the advertisement is closed, all bids will be shortlisted according to the banding criteria and any qualifying letting criteria or property criteria specified on the property advert.

9.4.3 An offer of accommodation will be considered reasonable if the property being offered will meet the housing needs of an Applicant, having had regard to the following matters at the date when the offer is made:

- a) Whether the Applicant and their household would be overcrowded or under-occupying. As a general rule, allocations will be made so that a property is fully occupied. If this is not possible, under-occupation will be considered, subject to an affordability assessment
- b) Affordability of the property when compared to the Applicants' income and expenditure, see Appendix B for the methodology that will be followed to determine whether a property is affordable
- c) Location of the property in regard to essential journeys the Applicant needs to make
- d) Public sector equality duty in Equality Act 2010, section 149
- e) When there is a child or children in the Applicant's household, the duty to safeguard and promote the welfare of children in the Children Act 2002, section 11
- f) In respect of school-age children, the duty in the Human Rights Act 1989, that no person should be denied the right to an education (Notwithstanding this, an offer of accommodation might necessitate a child having to move school).
- g) Space and arrangement of the property (e.g. whether the Applicant and usual household members could access the property and suitably move around inside and use all of its features, in particular taking account of any medical and/or physical needs).
- h) The general condition of the property (e.g. that it is in a reasonable state of repair, there are suitable fire safety and carbon monoxide precautions and a current gas safety record, the property is free from damp and mould growth, there is reasonable hygiene, sanitation and water supply, etc).
- i) The specific health needs of the Applicant or their usual household members
- j) The proximity and accessibility of family support
- k) The proximity and accessibility of medical facilities and other support services which are currently used by or provided to the Applicant or the usual family members that are essential to that persons' wellbeing
- l) The proximity of alleged perpetrators or victims of domestic abuse, or other types of abuse or harassment

9.4.4 Instances when an Applicant who requires adaptations who is offered a property, that is subsequently deemed to be unable to be adapted, or where existing adaptation are not appropriate for an Applicant's needs, will not be deemed as a refusal.

9.4.5 The Local Authority will publish feedback on the outcomes of allocations made. Requests for this information to be provided in alternative formats will be considered on an individual basis.

9.4.6 If an Applicant is shortlisted for two properties on the same day, they will be asked to choose which property they wish to be offered/nominated to. Once the Applicant has made this decision, the other property will be offered to the next applicant on the shortlist.

9.5.1 Bypassing an Applicant for an offer

9.5.1 In some situations a property will not be offered to the highest ranked applicant who has expressed a preference for it. Shortlisted Applicants may be bypassed for a number of reasons.

9.5.2 The list below provides a general guide to the possible reasons for bypassing an applicant, however this is not exhaustive, and each case will be assessed individually.

- a) If an applicant bids for a property and their household details do not match the household criteria set out in the advert;
- b) If an applicant bids for a property that does not meet their specified medical / welfare needs;
- c) If the property is adapted and the applicant does not need those specific adaptations
- d) If the property is not adapted and the applicants needs specific adaptations, based on their medical / welfare assessment;
- e) If the reason for the move is domestic abuse, racial abuse, hate crimes etc and the move is not considered to be far enough from the area to resolve the issues;
- f) If the property advertised is through a Local Lettings Plan and the Applicant's household details do not match the household criteria set out in the advert.

9.6.1 Pre nomination / offer Verification

9.6.2 Before an offer or nomination is made the Local Authority will contact the Applicant to check that their circumstances have not changed, and that the Applicant would still be entitled to be considered for the property. Applicants will be expected to provide up to date original documentation.

9.6.3 If the Local Authority assess that the Applicants circumstances have changed and this would mean that the applicant's band should be reduced, or the Applicant's effective date in band be changed, then the Applicants will not be offered the property. If the Applicant has moved and has not provided an update on their circumstances, then the property will not be offered.

9.6.4 If it is not possible to complete the verification, or the Applicant does not provide the required information the bid will be overlooked, and the property will be offered to the next applicant on the shortlist.

9.7 Bedroom standard

9.7.1 One bedroom will be allocated to each of the following, (this includes students and members of the armed forces or reserve forces if they're away and intend to return home):

- A. A married couple, cohabiting couple or single parent
- B. Adult aged 21 years or more
- C. Pair of adolescents aged 10-20 years of the same sex
- D. Pair of children aged under 10 years regardless of sex
- E. An adolescent aged 10-20 years paired with a child aged under 10 years of the same sex
- F. An unpaired adolescent aged under 21 years
- G. An unpaired child aged under 10 years
- H. A household member who cannot share due to a disability or medical condition, or due to fostering arrangements being facilitated by the Local Authority.
- I. An overnight carer for any usual household member, if the carer isn't a usual household member.
- J. Approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement.
- K. A new approved adopter or foster carer for up to 52 weeks of approval if no child has been placed with the Applicant's household during that time.
- L. Households with an expected mother are treated as though the child has been born once the pregnancy has reached 24 weeks. Confirmation of the pregnancy and expected date of delivery such as the Pregnancy Maternity Certificate (MATB1) or GP/Midwife letter is required.

9.7.2 This standard is then compared with the number of bedrooms available for the sole use of the household. Appendix F provides further details on how the Local Authority will determine an Applicants entitlement to bedrooms.

9.7.3 Due to the shortage of larger properties, Applicants who are eligible for four-bedroom properties may also be considered for larger three-bedroom properties, for example, a three-bedroom property with two separate living rooms where one room can be considered to be used as a bedroom. Unless the property has a though kitchen/lounge or kitchen/diner and only one other separate living room. In considering the use of room which could be used as a bedroom, regard will be given to whether the room has a fixed heating appliance with exposed flame which would make it unsuitable for use as a bedroom.

9.8.1 An offer/nomination of accommodation

9.8.2 Following an offer or nomination by the Local Authority to an Applicant, the Local Authority will notify the landlord of the property, of the Applicant meeting the criteria and provide their application for consideration.

9.8.3 The Registered Provider may ask for additional documentation and reserve the right to carry out pre-tenancy checks.

9.8.4 Applicants will be given a reasonable period to properly consider whether to accept a property. This will typically be 24 hours following a viewing, however, the personal circumstances of each Applicant, including those who are vulnerable Applicants, unfamiliar with the property being offered, in hospital, require a support worker to be present at the viewing, are working, or have childcare commitments will be given longer to consider the property offered. Any longer timescale will be based on the specific circumstances of an Applicant. The actual letting will be handled by Northamptonshire Partnership Homes or a Registered Provider, who will complete the letting following the offer and acceptance of a tenancy agreement by the Applicant.

9.8.5 Applicants will be provided with an opportunity to view the property prior to accepting or rejecting the dwelling being offered. Applicants can expect properties to be fit for occupation at the date of the letting, or that any repairing obligations imposed on a registered provider, will be met within a reasonable time of commencement of the tenancy.

9.8.6 Applicants will not be offered an allocation that at the date an allocation or nomination is made, would result in them under-occupying the dwelling (as per the definition used by the Department of Work and Pensions to determine claims for help with housing costs), being overcrowded (as per the United Kingdom Government's Bedroom Standard) or being unable to afford housing costs (including rental charge and any service charges), reasonable living expenses equal to universal credit standard

allowances, relevant expenditure to nurture and keep safe any child that lives in the household, and any priority debts.

- 9.8.7 As a general rule, allocations will be made so that a property is fully occupied. If this is not possible, under-occupation will be considered subject to an affordability assessment.
- 9.8.8 Applicants who receive support from a carer who does not live with them and who is required to stay overnight, and meets the requirements as set out in Section 7.11, will have their need for a spare room taken account of whenever possible.
- 9.8.9 Properties on the ground floor, with an accessible bathroom will be offered to Applicants who have a medical need for such a dwelling over an Applicant who has no need for such accommodation.
- 9.8.10 Any particular needs of older Applicants will be taken account of. A health or social care professional with direct knowledge of the Applicant's condition will be contacted by the Local Authority for an opinion of the Applicant's health and the impact on their housing needs when evidence, submitted by an Applicant, requires clarification either on a point of accuracy or of the prevailing circumstances of their condition. The needs of Applicants who have been approved by the Local Authority to adopt or foster and require a larger property will be taken account of. The extent and circumstances of an Applicant's household will be taken account of, as to whether they would be eligible or qualify in their own right or not.
- 9.8.11 Applicants will not be made an offer of a property in an electoral ward in which they have previously been the perpetrator or victim of anti-social behaviour, hate crime, violence or domestic abuse, or where the perpetrator or victim now currently lives.
- 9.8.12 Applicants will be informed when an offer is made whether the property will be furnished or unfurnished.

9.9.1 Number of offers

- 9.9.2 To ensure applicants only bid for properties in which they are genuinely interested, and in order to be fair as possible to all Applicants, the number of offers an applicant can refuse is limited.
- 9.9.3 All Applicants are entitled to **two** refusals of a reasonable offer of accommodation, except for the following exceptions:

- i. Homeless applicants to whom the authority has accepted a S193 main duty to accommodate will only receive only refusal of a reasonable offer of accommodation. After the first refusal, the 2nd nomination/offer will be through a direct match
 - ii. Homeless applicants to whom the authority has accepted a S188 duty to accommodate will only receive only refusal of a reasonable offer of accommodation. After the first refusal, the 2nd nomination/offer will be through a direct match
 - iii. Applicants who are subject to MAPPA are entitled to one reasonable offer to accommodation, this will be through a direct matching.
- 9.9.4 Once an Applicant has exhausted the applicable refusal threshold, if the Applicant refuses a final suitable offer, they will be given reduced preference for a period of 12 months.
- 9.9.5 When an offer is refused, an assessment will be made as to whether this was a suitable offer. The Local Authority will consider the circumstances of each refusal on a case-by-case basis and confirm with an Applicant they are refusing an offer prior to imposing a sanction.

9.10.1 Register Provider / Landlord refusal

- 9.10.2 In some circumstances Registered Providers / Landlords may refuse to offer a tenancy to a nominated Applicant in accordance with their own policies. They carry out their own verification processes and they may refuse to accept an Applicant as a tenant if they do not meet the guidelines set out in their own policies. The Registered Provider/Landlord may also prevent an offer going ahead where the property is not considered suitable for the Applicant or a member of their household. This may include issues of public safety, risk or sustainability of the tenancy.
- 9.10.3 If a Registered Provider/Landlord rejects an Applicant, they will inform the Applicant in writing how they reached the decision and if the Applicant wishes this to be reviewed, the Applicant or their representative must make a written request directly to the Landlord concerned within 21 days of the decision. If the Local Authority does not agree with the decision of the Registered Provider/Landlord, we will negotiate with them, however if the negotiation is unsuccessful, then the Local Authority will have to move to the next Applicant on the shortlist.

9.11.1 Local Lettings

9.11.2 The Local Authority will use local lettings schemes to achieve a wide variety of housing management and policy objectives subject to agreement with the Local Authority. The following list is intended to be illustrative and in no way prescribed or definitive. The Council is under no obligation to instigate a local lettings scheme for any of the examples listed below:

- a) Allocating accommodation in rural villages and giving priority to Applicants with a connection to a particular parish
- b) Creating more mixed and/or sustainable communities.
- c) Dealing with a concentration of deprivation.
- d) Ensuring properties that are particularly suited to being made accessible (e.g. ground floor flats) are prioritised for those with access needs.
- e) Relocating essential workers such as teachers, nurses and police officers within a reasonable travelling distance from their work.
- f) Supporting people in work/volunteering or who are seeking work or seeking volunteering opportunities.
- g) Dealing sensitively with lettings in rural areas to sustain communities by giving priority to those with a local connection of more than two years.
- h) Where a child to adult ratio could be lowered on an estate where there is high child density or, conversely, young single people could integrate into an estate where there is high ratio of older persons.
- i) Where there are reasons to positively discriminate due to age, for example accommodation is only suitable for Applicants under the age of 35 years, or over the age of state pension entitlement.

9.11.3 Upon identification of particular types, clusters or locations of housing for particular types of Applicants, a local lettings scheme will be used to deal with letting those homes. Local letting schemes will have clear evidence of need for the approach being taken. Any local lettings scheme will not dominate the Scheme and will overall give a reasonable preference to those in Band A and Band B over Applicants in Band C or Band D. To adopt a local lettings scheme, evidence will be submitted for approval by the Housing Solutions Service Manager prior to any local letting scheme being put into force. Any local lettings scheme adopted will set out the following:

- a) A clear definition of the objective(s) to be achieved, backed up by evidence.
- b) A method which is likely to achieve the objective(s).
- c) An equality impact assessment.
- d) How the scheme will be monitored and who will be involved.
- e) Mechanisms of reporting and reviewing the scheme.

- f) How the views of local communities have shaped the scheme (e.g. with people who are on the electoral register as being resident in an electoral ward(s), where a local letting scheme is being proposed. Their view will not be treated as an overriding factor in decision making).
- g) The circumstances in which the local lettings scheme will be reviewed or will come to an end.

9.11.4 Local lettings schemes will be adopted to set aside:

- a) A portion of properties for letting of new build properties for the first time, to be determined in accordance with the Local Authority's Local Plan.
- b) A portion of properties, to be determined annually (from date of adopting this Scheme) by the Local Authority, for former members of the Armed Forces based on the number of applications made by and allocations made to former members of the Armed Forces during the preceding 12 months.
- c) A portion of properties, to be determined annually (from date of adopting this Scheme) by the Local Authority, for households in types of employment where skills are in short supply.
- d) A portion of properties, to be determined annually (from date of adopting this Scheme) by the Local Authority, for prospective and approved foster carers and adopters (endorsed by the Local Authority), so it can satisfy its duty under Children Act 1989, section 22G to ensure there is sufficient accommodation available to the needs of looked after children, based on intelligence provided by the Local Authority's Children Services.
- e) A portion of properties, to be determined annually (from date of adopting this Scheme) by the Local Authority, a minimum of which is one percent (1%) of all properties allocated, to Transfer Applicants who need to move for work related reasons, based on the number of applications made by and allocations made to Transfer Applicants who need to move for work related reasons, during the preceding 12 months.

9.11.5 A local lettings scheme will be adopted for specific types of accommodation which provide with linked support services for:

- a) Older persons applying for accommodation at an Extra Care Scheme or sheltered housing. A joint assessment of the Applicant's housing, care and support needs will be undertaken by the Local Authority's housing and adult social care departments, subject to consent from the Applicant.
- b) Single parents aged 16/17 years, who are not living with their parents. A joint assessment of the Applicant's housing, care and support needs will be undertaken by the Local Authority's housing and children services departments, subject to consent from the Applicant.

- c) Rough sleepers and people at risk of rough sleeping. An assessment of housing and support needs will be undertaken by the Local Authority housing department, adult social care department, or an organization commissioned by the Local Authority to provide support to people sleeping rough or at risk of rough sleeping.
- d) Sex offenders. A joint assessment will be undertaken by the local Police Service, National Probation Service, the Local Authority's adult social care department, health professionals and other bodies to manage risk to the community.

9.11.6 A local letting scheme will be adopted for displaced agricultural workers, where they have been displaced due to a need to accommodate another agricultural worker and the farmer cannot provide suitable alternative accommodation for the displaced worker and needs to be rehoused in the interest of efficient agriculture.

9.12.1 Discretion

9.12.2 Discretion about qualification, choice, prioritisation (banding) or being allocated social rented housing will be exercised by the Local Authority only in limited individual cases where there are exceptional circumstances as defined below:

- a) Providing protection to people who need to move away from another area, to escape violence, harm, or intimidation.
- b) Enabling those who need support to rehabilitate and integrate back into the community.

9.12.3 Discretion about qualification, choice, prioritisation (banding) or being allocated social rented housing will be exercised by the Local Authority only in limited individual cases, where an applicant (or a member of their household or someone who might usually be expected to live with them) needs to move due to:

- A. Multi-Agency Risk Assessment Conference (MARAC).
- B. Multi-Agency Public Protection Arrangements (MAPPA).
- C. Action being taken as a result of adult or child safeguarding concerns.

9.12.4 When assessing whether discretion should be applied, the Local Authority will consider:

- A. All the circumstances of the Applicant, including whether they would usually qualify to join the Scheme, the degree of choice they would be entitled to, the degree of prioritisation they would be entitled to and the type of social housing they might be allocated, if no discretion was applied.
- B. What the exceptional circumstances are. They should be unusual or remarkable circumstances which indicate that the Applicant's housing needs are more urgent than other Applicants.

- C. What will be the consequences if no discretion is exercised. This will include considering how serious the potential consequences are and how likely each potential consequence is.

9.12.5 When deciding, the Local Authority will have regard to:

- A. The fact that decisions to exercise discretion will be kept to minimum.
- B. The need for consistency with previous decisions regarding exercising discretion.
- C. What would be a fair outcome to ensure that there is no discrimination.
- D. The likelihood and severity of the potential consequences of discretion not being exercised.

9.12.6 A decision as to whether or not to exercise discretion will be made at the point of receipt of application and again at the point of offer.

9.12.7 This Scheme and the administration of it, will be the principal way to allocate housing for the purpose of the Local Authority entering into secure or fixed-term tenancies (let at social rent or affordable rent and can include a probationary period) with Applicants, or making a nomination for a Registered Provider to enter into an assured shorthold or an assured tenancy with Applicants.

9.12.8 Decisions concerning Applicants who are granted a fixed-term tenancy and whether to grant a further fixed-term are outside the scope of the Scheme. Applicants whose fixed term expires and a further tenancy is not granted will be entitled to make an application to join this Scheme. Decisions about whether they are eligible or qualify to join this Scheme will be made consistent with all other Applicants. Information about the types of tenancies the council offers and how it can be found in the following documents:

1. West Northamptonshire Tenancy Strategy [insert hyper-link]
2. West Northamptonshire Tenancy Policy [insert hyper-link]

10.0 An Applicants Right to a Review

10.1 Applicants will be informed of their right to request a review of any of the decisions shown below within 21 calendar days of receiving a decision about their housing application:

- i. That an Applicant is not eligible for an allocation, due to being subject to immigration control or being an ineligible person from abroad.
- ii. That an Applicant is not within a class of persons qualifying to join the Scheme.
- iii. The degree of preference an Applicant has been afforded under the Scheme, including any changes made to the degree of preference they are entitled to.
- iv. The facts of an Applicant's case which are likely to be, or have been, taken account of when deciding whether to make an allocation or a nomination to a Registered Provider, including their medical condition or other welfare needs.
- v. The type of social rented housing for which an Applicant will be considered under the Scheme.
- vi. The extent of an Applicant's household.
- vii. Whether an allocation or a nomination constitutes a final offer with the terms of this Scheme.

10.2 Applicants must request a review in writing and can provide supporting evidence at that time. Reviews will be accepted:

By email: xxxxx

In writing to: xxxxxxx

10.3 The review will be a re-consideration of all the relevant facts and the legal requirements at the date the review is carried out. Upon receipt of a review request from an Applicant, the Local Authority will complete the review within eight weeks (56 days). This timeframe can be extended by mutual agreement between the Local Authority and the Applicant. The review will be carried out by the Allocations Manager, who will not have previously been involved in making the original decision. An Applicant will not usually be entitled to an oral hearing. However, when the Local Authority deem an oral hearing helpful to determine the facts of the case, an Applicant will be entitled to have an advocate present.

10.4 If the Local Authority concludes that there was a deficiency or irregularity in the original decision, or in the manner in which it was made, but is minded to decide against the interests of the Applicant anyway, the Local Authority shall notify the Applicant of their intentions and the reasons for them. The Applicant and/or their advocate may then, within a reasonable period of time, make oral and/or written representations to the Local Authority.

- 10.5 Notification of all review decisions, including reasons for decisions made, will be made in writing.
- 10.6 Applicants will be informed of their right to pursue a judicial review. This includes a refusal to take an application to join the Scheme. If Applicants are dissatisfied with how their application and any subsequent complaint has been handled by the Local Authority, they will be informed of their right to make a claim of maladministration to the Local Government & Social Care Ombudsman or the Housing Ombudsman.

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11.0 Information about this Scheme

- 11.1 The Local Authority will provide a copy of this Scheme to any person who requests one, irrespective of whether they intend to make an application or not. A summary version of this Scheme is also available. Electronic copies will be provided, copies in alternative formats will be considered on an individual basis. A copy of this Scheme is available on the Local Authority's website [\[insert hyperlink\]](#)
- 11.2 Copies of this Scheme can be requested by:
- a) In person [insert office address to which customer can visit in person].
 - b) In writing [insert postal address if different from above].
 - c) On the phone [insert telephone number].
 - d) By email [insert email address]
 - e) Online [insert website hyperlink, which contains all of the above].
- 11.3 Prior to adopting this Scheme, the Local Authority carried out consultation on how it intended to prioritise allocations. Applicants who were members of the Scheme in force at that time and other people, such as advocates for people who have protected characteristics, as the Local Authority deemed appropriate were consulted before finalising this Scheme. Any major changes to this Scheme that will affect the relative priority of a large number of Applicants who were members of the previous Scheme, have been communicated in writing.
- 11.4 When formulating this Scheme, a variety of consultation methods, such as focus groups and online surveys, were used to solicit opinions from interested and relevant parties. The Local Authority took account of the needs of specific groups, such as persons with a disability, or learning and support needs. The Local Authority has published a report on the consultation of this Scheme, on the outcomes of the consultation and changes that have been made to the Scheme.
- 11.5 This Scheme will be reviewed by the Local Authority at least every two years (and more often if required, for example due to legislative or regulatory changes) in conjunction with Applicants and other appropriate persons or organisations.
- 11.6 Should any further amendments be made to this Scheme, the Local Authority will take such steps as it considers reasonable, within a reasonable period of time, to bring to the attention of those likely to be affected by:
- a) any subsequent alteration to this Scheme that would affect the relative priority of a large number of Applicants; and
 - b) any significant alteration to any associated procedures for administering this Scheme.

- 11.7 Minor changes will be agreed by Senior officers in consultation with the Portfolio Holder for Housing and Communities. This will assist in ensuring that the Scheme continues to meet legislative and best practice requirement and changes that may involve clarification on wording etc.
- 11.8 If any changes relate to a major change of policy which significantly impacts on any single group, the Council will comply with the procedures as set out in part VI of the Housing Act 1996 and the Scheme should be referred to Cabinet for approval and the possibility of consultation.
- 11.9 **Co-operation with Registered Providers**
- 11.10 Arrangements for nominating Applicants for homes owned by Registered Providers, set down in an agreement [\[insert hyper-link\]](#) prescribe the portion of lettings that Registered Providers will make available to the Local Authority. The agreement also has a criterion for how Registered Providers can accept or reject a nomination and describes how any disagreements between the Local Authority and Registered Providers about nominations will be resolved .
- 11.11. A system has been adopted to monitor the effectiveness of the nominations agreements, to allow the Local Authority to be satisfied that it is fulfilling its legal obligations to allocate social rented housing. An annual report on nominations agreements will be presented to elected councillors of the Local Authority and will be shared with Registered Providers who have entered into a nomination agreement with the Local Authority.
- 11.12 The Local Authority and Registered Providers have agreed an information sharing protocol that accords with the General Data Protection Regulation and Data Protection Act 2018. The Local Authority will require written consent from an Applicant to share their information with a Registered Provider.
- 11.13 Applicants will be informed of their rights to make a complaint to a Registered Provider about a decision to reject a nomination. The methods by which complaints can be made are set out in the housing allocation rules and policies published by each Registered Provider. Applicants that have a dispute about the housing allocation rules and policies of Registered Providers, and how these affect any nomination made, will be informed of their right to make a complaint directly to the organisation and if still dissatisfied after their complaint has been investigated, to the Housing Ombudsman. Applicants will also be informed of their right to seek judicial review on any point of law of a Registered Provider's decision to reject a nomination. Additionally, Applicants

who consider that there has been unlawful discrimination or infringement of human rights will be informed by the Local Authority of their right to seek assistance from the Equality and Human Rights Commission.

11.14 Fraud

11.15 Every Applicant will be provided with advice about offences in relation to applications, prior to making an application. Applicants will be disqualified, and might be prosecuted, if they deliberately withhold information, provide misleading information, or do not notify the Local Authority of any change in circumstances (e.g. change in income, change in household formation). A warning will include the following facts: a person guilty of such an offence could be liable to pay a fine (with no maximum) and may also face prosecution for fraud which can result in imprisonment.

11.16 Other matters

11.17 A copy of this Scheme has been sent to the Regulator of Social Housing and the Local Government & Social Care Ombudsman.

11.18 The Local Authority is permitted to contract out the administration of specific public law housing allocation functions to a third party. Any such arrangements that might be in force are outside the scope of this Scheme. Where such arrangements have been established, any reference made in this Scheme to the Local Authority automatically extends to any third party appointed to undertake such administration.

Appendix A: Legislative framework

- A.1 This Scheme has been formulated with regard to the law and regulatory requirements, including:
- a) Housing Act 1985
 - b) Housing Act 1996
 - c) Homelessness Act 2002
 - d) Housing and Regeneration Act 2008
 - e) Localism Act 2011
 - f) Armed Forces Act 2006
 - g) Asylum and Immigration Act 1996
 - h) Immigration and Asylum Act 1999
 - i) Children Act 2004
 - j) Equality Act 2010
 - k) Data Protection Act 2018
 - l) European Union (Withdrawal Agreement) Act 2020
 - m) Statutory guidance:
 - i. Allocation of accommodation: guidance for local authorities, December 2020, updated January 2023
 - ii. Providing social housing for local people, December 2013
 - iii. Right to Move and social housing allocations, March 2015
 - iv. Improving access to social housing for victims of domestic abuse, November 2018, updated January 2022
 - v. Improving access to social housing for members of the Armed Forces, June 2020
 - n) The regulatory standards for registered providers of social housing in England:
 - i. Tenancy Standard, published April 2012
- A.2. Case law from the English and Welsh Courts has also been taken into consideration.
- A.3. An equality duty is imposed on the Local Authority by the Equality Act 2010, section 149 (the “Public Sector Equality Duty”). Regard has been had to this public-sector equality duty and to the equality objectives that it sets out when formulating this Scheme and it will inform decision-making on individual cases so far as the law requires. Allocations of social rented housing will be monitored to determine whether equal opportunities obligations are being met, to identify any negative impact on people with protected characteristics. A plan will be adopted to mitigate any negative impacts.
- A.4. This Scheme intends to always ensure that non-discriminatory decisions will be made about the allocation of social rented housing. Regard has been had to advice on

allocating housing to disabled people published by the Equality and Human Rights Commission, along with other associated research and guides that are available.

- A.5. When formulating this Scheme, an equality impact assessment was undertaken to avoid discrimination and to demonstrate compliance with the public-sector equality duty. Particular attention has been paid to the housing needs of refugees, Gypsies and Travellers, people with disabilities, older people, people with mental health problems, and people who identify as lesbian, gay, bisexual or transgender. Any substantial variation to this Scheme will also be subject to an equality impact assessment. For further information, please see *the Scheme's Equality Impact Assessment* [\[insert hyper-link\]](#).
- A.6. This Scheme has been formulated to ensure compliance with the Human Rights Act 1998, the Equality Act 2010 and the European Convention on Human Rights Article 14 and regard has been had to the advice and guidance published by the Equality and Human Rights Commission for social housing providers on housing discrimination. The administration of the Procedure will be undertaken in a non-discriminatory manner so not to treat any person directly or indirectly less favourably than others because of a protected characteristic, with particular attention being paid to people with a disability.
- A.7. When drawing up this Scheme, the Local Authority has taken account of the objectives of its Homelessness and Rough Sleeping Strategy and Tenancy Strategy.
- A.8. The Local Authority will provide regular, accurate and generalised information on how the Scheme is managed, to actively dispel any misconceptions arising about the allocation of social rented housing and immigration, including data on nationality and immigration status, to strengthen public confidence in the Scheme.
- A.9. Applicants will be informed of their right to seek assistance from the Equality and Human Rights Commission, if they believe the Local Authority has breached the Human Rights Act 1998, by contravening their human rights or unlawfully discriminating against them.
- A.10. When formulating this Scheme, the Local Authority has considered and taken full account of the need to safeguard and promote the welfare of children, in accordance with the Children Act 2004, section 11.
- A.11. This Scheme and the administration of it will accord with the objectives and actions set out in the Local Authority's joint working protocol agreed between its Housing Services and Children Services.

- A.12 When making decisions about individual applications for an allocation of social rented housing, the best interests of any children involved will be treated as a primary (but not overriding) consideration. Active involvement from the Local Authority's Children Services department will be sought when making decisions about housing allocations where there is involvement with an Applicant or a usual member of their household with the Local Authority's Children Services. If there is some uncertainty about whether an Applicant should qualify specifically due to matters relating to services' duties, the Children Services team will be consulted.

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Appendix B – Registered Providers which own stock in the Local Authority area

B.1. The Local Authority has copies of the rules and policies for allocating social rented housing for the following Registered Providers, which all own and/or manage stock in the Local Authority area. Applicants can request a copy of such rules and policies from the Local Authority or directly from any of the Registered Providers listed below.

- 1 Accent Housing Limited
- 2 Advance Housing and Support Limited
- 3 Anchor Hanover Group
- 4 bpha Limited
- 5 Bromford Housing Association Limited
- 6 Catalyst Housing Limited
- 7 Clarion Housing Association Limited
- 8 Derwent Housing Association Limited
- 9 Dimensions (UK) Limited
- 10 EMH Housing and Regeneration Limited
- 11 Fairhive Homes Limited
- 12 Futures Homescape Limited
- 13 Futures Homeway Limited
- 14 Grand Union Housing Group Limited
- 15 Greatwell Homes Limited
- 16 GreenSquareAccord Limited
- 17 Heylo Housing Registered Provider Limited
- 18 Housing 21
- 19 Hyde Housing Association Limited
- 20 Inclusion Housing Community Interest Company
- 21 Langley House Trust
- 22 Legal & General Affordable Homes Limited
- 23 London & Quadrant Housing Trust
- 24 Longhurst Group Limited
- 25 Metropolitan Housing Trust Limited
- 26 Midland Heart Limited
- 27 Muir Group Housing Association Limited
- 28 Northamptonshire Rural Housing Association Limited
- 29 Nottingham Community Housing Association Limited
- 30 Optivo
- 31 Orbit Group Limited
- 32 Orbit Housing Association Limited
- 33 Paragon Asra Housing Limited

- 34 Places for People Homes Limited
- 35 Places for People Living+ Limited
- 36 Platform Housing Limited
- 37 Reside Housing Association Limited
- 38 Sage Housing Limited
- 39 Sage Rented Limited
- 40 Sanctuary Housing Association
- 41 Stonewater (2) Limited
- 42 Stonewater Limited
- 43 The Abbeyfield Society
- 44 The Guinness Partnership Limited
- 45 The Riverside Group Limited
- 46 Trinity Housing Association Limited
- 47 Westmoreland Supported Housing Limited

- B2. Information on the number of properties owned and managed by each Registered Provider shown above and how to contact them, can be found on the Local Authority's website [\[insert hyper-link\]](#).

Appendix C: Participating Registered Providers

- C.1 *The following Registered Providers have chosen to enter into a common housing allocation scheme, whereby they will share with the Local Authority a common database of applicants and/or a common housing allocation policy.*
- A. *Registered Providers that hold a common database of applicants with the Local Authority*
 - i. *[to be confirmed]*
 - B. *Registered Providers that hold a common housing allocation policy with the Local Authority*
 - i. *[to be confirmed]*
 - C. *Registered Providers that hold a common database of applicants and a common housing allocation policy with the Local Authority*
 - i. *[to be confirmed]*
- C.2 *Other Registered Providers that own and manage stock in the West Northamptonshire area, have chosen to not join the Local Authority in a common housing allocation scheme. They publish their own rules and policies about how they will allocate social rented housing. Copies of such documents are available directly from the relevant Registered Providers. The Local Authority holds copies of housing allocation rules and policies, for Registered Providers that own or manage stock in the Local Authority area (See Appendix A for a list of Registered Providers who own or manage stock in the Local Authority area).*

Appendix D - Cases where provisions about allocations do not apply

D.1 *There will not have been an allocation in any of the following cases. The Local Authority and/or Registered Providers shall have their own rules and policies for these matters, which should be referenced for further details:*

- a) *The granting of a tenancy that is not of the type specified in the legal definition of allocation, such as one without security of tenure (e.g. a 'family intervention tenancy', temporary accommodation provided to homeless households that are owed a duty of assistance, etc).*
- b) *Granting a tenancy to a person who is currently and lawfully occupying a property held on a family intervention tenancy.*
- c) *The vesting (by succession) of a periodic secure or introductory tenancy on the death of the current tenant.*
- d) *The devolution of a fixed term secure tenancy on the death of a tenant.*
- e) *The assignment of a secure tenancy as part of a mutual exchange.*
- f) *The assignment of a secure or introductory tenancy to a person who would have been qualified to succeed to the tenancy on a tenant's death.*
- g) *The vesting or disposal of a secure or introductory tenancy pursuant to a court order made under the following provisions of family law statutes:*
 - a. *section 24 of the Matrimonial Causes Act 1973 (property adjustment orders in connection with matrimonial proceedings);*
 - b. *section 71 of the Matrimonial and Family Proceedings Act 1984 (property adjustment orders after overseas divorce);*
 - c. *paragraph 1 of schedule 1 of the Children Act 1989 (orders for financial relief against parents); and*
 - d. *schedule 7, Part 2 of the Family Law Act 1996 (orders for moving a tenancy from an existing tenant to a new tenant).*
- h) *The vesting or disposal of a secure or introductory tenancy pursuant to an order made under Part 2 of schedule 5, or paragraph 9(2) or (3) of schedule 7, to the Civil Partnership Act 2004 (property adjustment orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership).*
- i) *A transfer initiated by a private registered provider of social housing of a secure or introductory tenancy (i.e. not initiated by an application for a transfer by the tenant).*
- j) *A tenancy being granted as part of a surrender and re-grant where two social housing tenants wish to exchange their homes and one tenant holds a flexible tenancy or an assured shorthold tenancy.*
- k) *Where a tenant has been displaced from previous accommodation and has been provided with suitable alternative accommodation under the Land Compensation Act 1973.*

- l) The granting of a secure tenancy to a former owner-occupier or statutory tenant of a defective dwelling house acquired by the Local Authority.*
- m) The granting of a secure tenancy to a person who is already a secure tenant or an assured tenant of a private registered provider of social housing unless the person applies for a transfer and is entitled to a statutory reasonable preference.*

D.2 The letting of a property and actual entry by an Applicant into a tenancy agreement for a particular property is beyond the scope of this Scheme. The Local Authority's Tenancy Policy determines how decisions are made about type of tenancy an Applicant might be given [\[insert hyper-link\]](#). Each Registered Provider also has their own tenancy policy, copies of which can be requested from individual organisations.

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Appendix E – Determining an Applicants’ ability to afford an allocation of social rented housing

- E.1. An Applicant will be disqualified from joining the Scheme if they have outstanding rent arrears or other property related liabilities above a specified cap.
- E.2. Property related liabilities shall be limited to outstanding current or former rent arrears, service charge arrears and recharges for property related damage. Any liabilities that are statute barred, were not accrued by the Applicant, or were accrued as result of financial abuse shall be wholly disregarded.
- E.3. The following criterion will be used when determining whether to disqualify an Applicant with outstanding property related liabilities:
- An Applicant’s liabilities exceed more than 1/12th the annual repayment amount, and
 - they have failed to make three monthly or 12 weekly consecutive payments.
- E.4. Notwithstanding the above, any allocation is conditional on an Applicant being able to pay any charges (e.g. rent and/or services charges) levied for occupying a dwelling.
- E.5. Any amount an Applicant is charged for occupying a dwelling e.g. rental charges must be demonstrated to be affordable for them.
- E.6. What an Applicant can afford to pay will vary according to the type of dwelling and their personal circumstances.
- E.7. Following a property being allocated, the Local Authority will wish to consider affordability as part of their processes for allocating a property.
- E.8. When determining affordability, the Local Authority shall consider whether an Applicant can afford the housing costs of the property they have been allocated, without being deprived of basic essentials, such as food, clothing, heating, transport and other essentials specific to their circumstances.
- E.9. All income should be taken account of when determining an Applicants’ reasonable living expenses, other than rent, having regard to any children who might reside with them (local authorities have a duty to promote and safeguard the welfare of children under Children Act 1989, which is relevant in the matter of determining affordability). The following will be considered income for the purpose of an affordability assessment:
- a) Salary

- b) Compensation, including fees, commissions, fringe benefits, etc
- c) Gains derived from dealing in property
- d) Interest
- e) Rents
- f) Royalties
- g) Dividends
- h) Annuities
- i) Income from life insurance and endowment contracts
- j) Shares
- k) Income from a trust

- E.10. If an Applicant is unable to pay any or all of the housing costs, the Local Authority registered provider might arrange for another source of funding (e.g. Discretionary Housing Payment). In cases involving a child, this might be from the Local Authority's Children Services under Children Act 1989 section 17. After housing costs, a tenant should be left with sufficient income to pay all other reasonable costs.
- E.11. An Applicant shall have the right to request a review of an affordability assessment, this should extend to the right to a review of any charges levied for occupying a dwelling. Should an Applicant remain dissatisfied, they shall be informed of their right to make a complaint to the relevant ombudsman and/or pursue judicial review.
- E.12. The following formula shall be followed to determine whether charges for a dwelling are affordable
- E.13. Evidence for an Applicant:
- a) Total income from all sources, including earnings, fees, other payments, savings, welfare benefits they are in receipt of or would be entitled to claim
 - b) Total debts, including priority and non-priority debts
- E.14. Ignore any:
- a) tenancy related debts that are statute barred
 - b) not accrued by the tenant
 - c) accrued as a result of financial abuse
- E.15. Once the above factors have been ignored, take note the total amount of outstanding income.
- E.16. To determine whether a prospective tenant can afford the housing costs of the property that has been allocated to them
- a) Take note of their total income

- b) Deduct from the total income received, housing costs (including rental charge and any service charge)
- c) Deduct from the total income received, other reasonable living expenses, equal to Universal Credit standard allowances, for items such as,
 - i. food
 - ii. clothing
 - iii. heating
 - iv. transport
 - v. other essentials, specific to the circumstances of the prospective tenant (and any other person that lives with them, or might be reasonably expected to live with them)
- d) Deduct from the total income received, relevant expenditure to nurture and keep safe any child that lives in the household
- e) Deduct from the total income received any priority debts, such as,
 - i. court fines
 - ii. council tax
 - iii. TV licence
 - iv. child maintenance
 - v. gas and electricity bills
 - vi. Income Tax, National Insurance and VAT
 - vii. mortgage and any loans secured against a home owned by the Applicant (and any other person that lives with them, or might be reasonably expected to live with them)
 - viii. hire purchase agreements if what has been purchased is essential

E.17. From the remaining amount of income, a calculation can be made as to whether the prospective tenant can afford the housing costs of the property that has been allocated to them.

E.18. Where two or more people will hold a tenancy jointly, income and debts from all tenants should be taken account of.

Appendix F – Determining an Applicants’ entitlement to bedrooms, for assessing overcrowding, under-occupancy and for an allocation of accommodation

- F.1 For the purposes of determining overcrowding, an assessment will be made against the minimum room size for licensed HMOs (for licences issued after 1st October 2018) or the UK Government’s Bedroom Standard for any other type of dwelling, which allows a separate bedroom each for:
- A. A married couple, cohabiting couple or single parent
 - B. An Adult
 - C. Pair of adolescents aged 10-20 years of the same sex
 - D. Pair of children aged under 10 years regardless of sex
 - E. An adolescent aged 10-20 years paired with a child aged under 10 years or the same sex
 - F. An unpaired adolescent aged under 21 years
 - G. An unpaired child aged under 10 years
- F.2 Once an Applicant’s bedroom needs are known, the Local Authority will confirm whether an Applicant’s existing accommodation is overcrowded or under-occupied. The Local Authority will confirm the size and type of the existing accommodation and the usual members of the Applicant’s household. This might include the Local Authority (or an agent on its behalf) carrying out an inspection of an Applicant’s current accommodation, or seeking evidence from their current landlord or other relevant parties.
- F.3 Whilst determining whether an Applicant is overcrowded or under-occupied, the Local Authority will consider whether any other services could assist an Applicant in resolving their overcrowding or under-occupation and will advise the Applicant accordingly.
- F.4 The Local Authority will notify Applicants as to whether they are overcrowded or under-occupying. Applicants that are overcrowded or under-occupied by two or more bedrooms will be placed in Band A. Applicants that are overcrowded or under-occupied by one bedroom will be placed in Band B. Applicants that are not overcrowded or under-occupied will not qualify to join the Scheme, unless there are any other grounds relevant to their Application.
- F.5 Applicants who have contrived an overcrowding or under-occupation situation will not qualify to join the Scheme.

F.6 Applicants will each be entitled to one bedroom each (this includes students and members of the armed forces or reserve forces and any other person who is temporarily away and intend to return home):

- A. A married couple, cohabiting couple or single parent
- B. An Adult
- C. Pair of adolescents aged 10-20 years
- D. Pair of children aged under 10 years regardless of sex
- E. An adolescent aged 10-20 years paired with a child aged under 10 years or the same sex
- F. An unpaired adolescent aged under 21 years
- G. An unpaired child aged under 10 years
- H. A household member who cannot share due to a disability or medical condition, or due to fostering arrangements being facilitated by the Local Authority.
- I. An overnight carer for any usual household member, if the carer isn't a usual household member.
- J. Approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement.
- K. A new approved adopter or foster carer for up to 52 weeks of approval if no child has been placed with the Applicant's household during that time.

F.7 Properties will be allocated to the following household types:

- A. Bedsit
 - a. A married couple, cohabiting couple or single parent, or
 - b. An Adult
- B. One-bedroom properties
 - a. A married couple, cohabiting couple or single parent, or
 - b. An Adult
- C. Two-bedroom properties
 - a. A married couple, cohabiting couple or single parent, or
 - b. An adult, with any **one** of the following:
 - i. Pair of adolescents aged 10-20 years
 - ii. Pair of children aged under 10 years regardless of gender
 - iii. An adolescent aged 10-20 years paired with a child aged under 10 years or the same gender
 - iv. An unpaired adolescent aged under 21 years
 - v. An unpaired child aged under 10 years

- vi. A household member who cannot share due to a disability or medical condition, or due to fostering arrangements being facilitated by the Local Authority.
- vii. An overnight carer for any usual household member, if the carer isn't a usual household member.
- viii. Approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement.
- ix. A new approved adopter or foster carer for up to 52 weeks of approval if no child has been placed with the Applicant's household during that time.

D. Three-bedroom properties

- a. A married couple, cohabiting couple or single parent, or
- b. An adult, with any **two** of the following (multiples of the same bedroom entitlements or different bedroom entitlements are permitted):
 - i. Pair of adolescents aged 10-20 years
 - ii. Pair of children aged under 10 years regardless of gender
 - iii. An adolescent aged 10-20 years paired with a child aged under 10 years or the same gender
 - iv. An unpaired adolescent aged under 21 years
 - v. An unpaired child aged under 10 years
 - vi. A household member who cannot share due to a disability or medical condition, or due to fostering arrangements being facilitated by the Local Authority.
 - vii. An overnight carer for any usual household member, if the carer isn't a usual household member.
 - viii. Approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement.
 - ix. A new approved adopter or foster carer for up to 52 weeks of approval if no child has been placed with the Applicant's household during that time

E. Four-bedroom properties

- a. A married couple, cohabiting couple or single parent, or
- b. An adult, with any **three** of the following (multiples of the same bedroom entitlements or different bedroom entitlements are permitted):
 - i. Pair of adolescents aged 10-20 years
 - ii. Pair of children aged under 10 years regardless of gender
 - iii. An adolescent aged 10-20 years paired with a child aged under 10 years or the same gender
 - iv. An unpaired adolescent aged under 21 years
 - v. An unpaired child aged under 10 years

- vi. A household member who cannot share due to a disability or medical condition, or due to fostering arrangements being facilitated by the Local Authority.
- vii. An overnight carer for any usual household member, if the carer isn't a usual household member.
- viii. Approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement.
- ix. A new approved adopter or foster carer for up to 52 weeks of approval if no child has been placed with the Applicant's household during that time

F. Five-bedroom properties

- a. A married couple, cohabiting couple or single parent, or
- b. An adult, with any **four** of the following (multiples of the same bedroom entitlements or different bedroom entitlements are permitted):
 - i. Pair of adolescents aged 10-20 years
 - ii. Pair of children aged under 10 years regardless of gender
 - iii. An adolescent aged 10-20 years paired with a child aged under 10 years or the same gender
 - iv. An unpaired adolescent aged under 21 years
 - v. An unpaired child aged under 10 years
 - vi. A household member who cannot share due to a disability or medical condition, or due to fostering arrangements being facilitated by the Local Authority.
 - vii. An overnight carer for any usual household member, if the carer isn't a usual household member.
 - viii. Approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement.
 - ix. A new approved adopter or foster carer for up to 52 weeks of approval if no child has been placed with the Applicant's household during that time

F.8. Applicants who are statutorily overcrowded at the point of application and remain so at the point of an offer of accommodation being made, that include adults who would be eligible and qualify for an allocation of social rented housing in their own right, will be offered allocation of multiple properties, one for the Applicant and their usual household members and another(s) for any eligible and qualifying adult(s) that would otherwise have been a household member.

F.9. Applicants who receive support from a carer who does not live with them, and who is required to stay overnight, will be allocated a property with one additional bedroom

for use by an overnight carer. A health or social care professional with direct knowledge of the Applicant's condition will be contacted by the Local Authority for an opinion of the Applicant's health and the impact on their housing needs, when evidence submitted by an Applicant requires clarification on either a point of accuracy or of the prevailing circumstances of their condition.

- F.10 Accessible properties will always be offered to Applicants with a need for such accommodation (e.g. due to disability), over those with no such need, even when those with a need might have been waiting a shorter time than those without a need. A health or social care professional with direct knowledge of the Applicant's condition will be contacted by the Local Authority for an opinion of the Applicant's health and the impact on their housing needs, when evidence submitted by an Applicant requires either clarification on a point of accuracy or of the prevailing circumstances of their condition.
- F.11 Properties purposely built for elderly Applicants will always be offered to Applicants that are elderly, over those with no such need, even when those with a need might have waited a shorter time than those without a need. A health or social care professional, or other relevant professional, with direct knowledge of the Applicant's condition will be contacted by the Local Authority for an opinion of the Applicant's health and the impact on their housing needs, when evidence submitted by an Applicant requires either clarification on a point of accuracy or of the prevailing circumstances of their condition.
- F.12 Properties suitable for Applicants that have been approved by the Local Authority to adopt or foster, who require a larger property for an adoption or fostering placement to commence, will always be offered to such Applicants over those with no such need, even when those with a need might have been waiting a shorter time than those without a need. Active involvement from the Local Authority's Children Services will be sought when making decisions about housing allocations where there is involvement with an Applicant or a usual member of their household from the Local Authority's Children Services.

Appendix G – Annual report

G.1 An annual report will be published by the Local Authority about allocations made as a result of this Scheme. . The report will consider matters such as:

- a) Who was allocated social rented housing
 - i. characteristic (e.g. age, gender, household formation etc)
 - ii. eligibility and ineligibility
 - iii. qualification and disqualification
- b) What social rented housing was allocated
 - i. number of bedrooms
 - ii. property types
 - iii. tenure type (e.g. general need social rented, general needs affordable rent, supported housing social rent, supported housing affordable rent, etc)
 - iv. tenancy length (e.g. fixed-term or long-term)
- c) When was social rented housing allocated
 - i. waiting times by band
- d) Where was social rented housing allocated
 - i. by electoral ward
- e) With whom was social rented housing allocated
 - i. by registered provider
- f) Why was social rented housing allocated
 - i. reasonable preference category
 - ii. victims of domestic abuse
 - iii. armed forces veterans
 - iv. local connection
 - v. right to move criteria
- g) How was social rented housing allocated
 - i. choice-based lettings
 - ii. direct let
 - iii. final offer
 - iv. as a result of a review decision

Appendix H - Glossary of terms

Adaptations	Adjustments to a property to assist a disabled member of the household access the property or facilities
Affordable Rent	Rented housing let by registered providers of housing to households who are eligible. Affordable Rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80 per cent of the local private rented market rent.
Allocation Scheme	This is how housing is allocated in the WNC area. It prioritises applicants by using a banding system.
Applicant	A person who applies to register onto the WNC housing register.
Banding	We will categorise WNC applications into one of four bands which reflect the level of priority for housing. These bands are A, B, C, D. Applications in Band A have the highest level of priority and D the lowest.
Bid	The term used when an applicant expresses their interest in a property advertised.
Care Leaver	An adult who has spent time living in the care system, away from their family
Choice Based Letting	This scheme that allows applicants to express a choice about where they want to live from within their eligible properties.
Common Allocation Scheme	Registered Providers have chosen to enter into a common housing allocation scheme, whereby they will share with the Local Authority a common database of applicants and/or a common housing allocation policy
Compulsory Purchase Order	Legal function allowing local authorities to obtain land or property without the consent of the owner.
Direct Match	In exceptional circumstances, WNC may allocate a property to an applicant without it being advertised.
Eligibility	Eligibility determines who is eligible to, or is allowed to join the Keyways register under the provisions of the Housing Act 1996 and related legislation. A person who is not eligible will not be able to join the register or to bid for properties. Eligible applicants will then be advised what type of property (i.e. size) they are eligible to bid for.
Fixed Term Tenancy	Tenancies granted to new tenants that are for a fixed length of time. Tenancies will not normally be granted for less than five years, except for those who have not held a tenancy before, where a one year starter or introductory tenancy may be used.
Flexible Tenancy	flexible tenancy lasts for a fixed period of time (normally for an initial 10 years and subsequently 5 years upon review, unless there are

	special circumstances). When your flexible fixed term tenancy ends, the council does not have to give you another tenancy.
General Needs	Social housing is housing rented by a housing association at rents which are usually below those that are charged in the private rented sector. It is regarded to be 'general needs' housing when there is no additional support provided to tenants beyond a normal housing management and repairs service.
Habitual Residence	Whether the applicant's residence in the United Kingdom is of a settled nature. For example, it looks at the length and continuity of residence, work/work prospects or family ties.
Hard to Let	A property where one or more of the following symptoms are exhibited: a small or non-existent waiting list for the property; tenancy offers on a property frequently refused for reasons other than personal reasons; higher than normal rates of tenancy turnover for a property
Household	A group of people who live together and share money
Housing Register	A list of customers requesting social housing who are eligible for assistance in accordance with the Council's Allocation Scheme.
Housing Related Debt	Rent arrears are any housing-related debt owed to; social landlords or private landlords. Arrears includes non-payment of rent, court costs, water rates, chargeable repairs, and compensation owed to landlords where a tenancy has been ended and the tenant has failed to leave.
Independent Living	Living in a safe property, with your own self-contained apartment in a modern scheme in the heart of the community
Introductory Tenant	An introductory tenancy is a trial period before you become a secure tenant. Introductory tenants have fewer rights than secure tenants, and their tenancies can be ended more easily if they break their tenancy conditions.
Local Authority	West Northamptonshire Council
Local Lettings Scheme	Local Lettings Schemes can be agreed in exceptional circumstances for the allocation and letting of social housing within an agreed community / location or across a type of property. A Local Lettings Plan would only be agreed in consultation with the Council and partners and aims to bring benefits to the area e.g. to create more balanced sustainable communities.
Mutual Exchange	A mechanism to swap accommodation between two social housing tenants that relies on each tenant moving permanently into the other person's/tenant's property.
Nomination	The term used when a local housing authority provides, from its housing register, the name and details of an applicant to a landlord for an offer of housing.
NPH	Northamptonshire Partnership Homes – The Arms Length Management Organisation of WNC

Offer	Suitable accommodation is offered to the applicant
Prioritisation	The band in which the applicant is placed, based on their housing need.
Qualification	Criteria set out in which the applicant is able to join the scheme
Reduced Preference	The applicant is entitled to reasonable preference but are found to have sufficient resources to buy a property on the open market.
Refusal	An applicant refuses a suitable offer of accommodation
Registered Providers	A housing association or a not-for-profit company registered with Homes England to provide social or affordable housing.
Secure Tenant	As a secure tenant, you can normally live in the property for the rest of your life, as long as you do not break the conditions of the tenancy.
Social Rent	Rent that is paid typically to housing associations and/or the local authority
Social Rented Housing	Rented housing restricted by national rent controls owned by a local authority or registered provider such as Housing Associations.
Supported Housing	Accommodation is provided alongside support, supervision or care to help people live as independently as possible in the community
Tenancy	The temporary possession or occupancy of property that belongs to another person (landlord)
Temporary Accommodation	This is accommodation offered to applicants under homeless legislation. It is not provided on a long term basis.
The Scheme	The West Northamptonshire Allocation Policy
Transfer Applicants	Secure/assured tenants, with a housing need seeking to move to another dwelling/house let under secure/assured tenancies
Under-Occupying	A tenant is considered to be under-occupying their home when they have more bedrooms than they are eligible for.
WNC	West Northamptonshire Council