

# **Cherwell District Council**

## **Approved Allocation Scheme (Committee approval Nov 12)**

**Final Draft Version**

DRAFT

## Contents Page

<b>Introduction and overview</b>	<b>4</b>
Introduction	4
Aims and objectives	5
The legal context	5
Advice and assistance	6
<b>Choice and constraints</b>	<b>7</b>
Policy on expressing choice of rehousing area	7
Priority homeless applicants	8
<b>Eligibility criteria, qualification and applications</b>	<b>8</b>
Who can join the Housing Register?	8
Young persons under 18 years	8
Councillors, board members, employees and their close relatives	8
Who can and cannot be included on a housing application	9
Who cannot be accepted onto the Housing Register	9
Refusal of offers from the Housing Register	10
No local / district connection to Cherwell	10
Homeowners/ sufficient financial resources	11
<b>How do I make an application?</b>	<b>11</b>
<b>The banding scheme</b>	<b>12</b>
The bands that make up the scheme	12
The structure of the banding scheme	12
Social and Welfare	14
Medical assessment and adapted homes	14
Size of properties different households will be eligible for	14
Prohibition or demolition orders / Unsatisfactory housing	15
Overcrowding	15
Extra Room for non resident carers	16
Children / access to children	16
Fostering / Move-on	16
Move on from supported accommodation	17
<b>Allocations</b>	<b>17</b>
Applying for social housing	17
What are allocations under this scheme	17
Exempt Allocations	17
<b>Choice Based Lettings scheme</b>	<b>18</b>
Statement of choice	18
Overview	18
<b>What is restrictive labelling</b>	<b>21</b>
<b>Local Lettings Plans</b>	<b>21</b>
<b>Refusal of offers</b>	<b>22</b>
<b>How we allocate to Statutory Homeless households</b>	<b>22</b>

<b>Time limited priorities bidding</b>	<b>23</b>
<b>Auto bidding</b>	<b>24</b>
<b>Rural lettings schemes</b>	<b>24</b>
Rural exception sites	24
<b>Review procedure</b>	<b>25</b>
Homeless Applicants – review of suitability / discharge of duty	26
<b>What discretion is built into the scheme</b>	<b>26</b>
<b>Equality and diversity</b>	<b>26</b>
<b>Administrative process</b>	<b>27</b>
<b>How serious offenders are dealt with</b>	<b>27</b>
<b>How sheltered and extra care housing is dealt with</b>	<b>27</b>
<b>Shared ownership / low cost home ownership</b>	<b>27</b>
<b>Build!@project</b>	<b>27</b>
<b>Mutual exchange</b>	<b>27</b>
<b>Appendices</b>	
Appendix 1 - List of partner Registered Providers and how to contact them	<b>29</b>
Appendix 2 – Councillors, board member, employees and their close relatives	<b>30</b>
Appendix 3 – Sufficient financial resources	<b>31</b>
Appendix 4 – Description of bands	<b>32</b>
Appendix 5 – Health and disability matrix	<b>38</b>
Appendix 6 – Social, welfare and hardship matrix	<b>40</b>
Appendix 7 – How medical assessment and adapted homes are dealt with	<b>41</b>
Appendix 8 – What discretion is built into the scheme?	<b>42</b>
Appendix 9 – Administrative processes	<b>43</b>
Appendix 10 – How serious offenders are dealt with	<b>45</b>
Appendix 11 – How sheltered and extra care housing are dealt with	<b>46</b>
Appendix 12 – What is the Build project?	<b>49</b>
Appendix 13 – Complaints procedure	<b>50</b>
Appendix 14 – Definition of Terms	<b>51</b>

# Introduction and Overview

## Introduction

Cherwell District Council transferred its housing stock, which is now owned by Sanctuary Housing Group, through a Large Scale Voluntary Transfer (LSVT). Over 95% of all social housing in Cherwell is owned by partner Registered Providers (RPs). Therefore it is important to note that with the exception of a small number of units this Allocation Scheme relates primarily to housing owned by partner RPs. Please see Appendix 1 for a list of Cherwell's partner Registered Providers and how to contact them.

There is no statutory requirement to maintain a Housing Register. However the Council and its partners in the District believe there are significant benefits for the people of the District in maintaining a Housing Register that provides a single point of entry to all applicants. Subject to fulfilling the eligibility requirements anyone aged 16 or over is able to apply to Cherwell District Council for accommodation as long as they are eligible and qualify.

In Cherwell the demand for social housing is greater than the number of homes available. This Allocation Scheme describes how the Council prioritises housing applicants to ensure that those in greatest housing need, as described by the legal definition of Reasonable Preference in the Housing Act 1996, are given a head start to access available social housing, compared with those who have no housing need. Partner Registered Providers will also have allocation schemes and will assess applicants according to their own stated priorities.

This Allocation Scheme applies to:

- new applicants
- current applicants
- existing tenants of a Registered Provider in housing need who want to transfer either with their current landlord or to another Registered Provider

Cherwell District Council's Allocation Scheme sets out in detail who is and who is not eligible or qualified under the scheme and how this assessment is made. It also sets out how applicants can apply for and access housing and what service standards an applicant can expect.

The vast majority of the housing that we allocate under this Allocation Scheme is through a Choice Based Lettings system ([www.cherwell-homechoice.org.uk](http://www.cherwell-homechoice.org.uk)) which allows applicants to view available properties and express interest by making bids.

## **Aims and objectives**

The key objectives of this Allocation Scheme are to:

- provide housing applicants in Cherwell with a fair and transparent system by which they are prioritised for social housing
- help applicants most in housing need
- promote the development of sustainable mixed communities and neighbourhoods of choice
- encourage residents to access employment, education and training
- make efficient use of our resources and those of our partner Registered Providers

This Scheme is part of Cherwell's Housing Strategy 2012-17, which has six strategic priorities:

- Increase the supply and access to housing
- Develop financially inclusive, sustainable communities
- House our most vulnerable residents
- Ensure homes are safe, warm and well managed
- Prevent homelessness
- Maximise resources and be an investment ready district

We have designed the Allocation Scheme to meet all legal requirements and to support and contribute towards the objectives of Cherwell's Housing Strategy by promoting financially inclusive and sustainable Communities. The Housing Strategy can be found on the Council's website [www.cherwell.gov.uk](http://www.cherwell.gov.uk).

By 'affordable housing' we mean social rented, affordable rented and intermediate housing, provided to specified eligible households whose needs are not met in the market. It should meet the needs of eligible households, including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices. The Council's Housing Strategy and the ways in which we advise and assist home seekers on a whole range of housing options, including access to the private rented sector and low cost homeownership opportunities can be found on Cherwell District Council's website [www.cherwell.gov.uk](http://www.cherwell.gov.uk).

## **The legal context**

Cherwell District Council's Allocation Scheme sits within a tight and complex legal framework of Part VI of the Housing Act 1996 (as amended). This section describes this legal framework.

The 1996 Housing Act (as amended by the 2002 Homelessness Act) requires local authorities to make all allocations and nominations in accordance with an Allocation Scheme. A summary of the Allocation Scheme must be published and made available free of charge to any person who asks for a copy. A summary of the Scheme and general principles is available through Cherwell District Council offices, partner Registered Providers' offices and on the Council's website. This document is the full version of the Scheme and is available for inspection at Cherwell District Council office Bodicote House.

The Housing Act 1996 (as amended) requires local authorities to give Reasonable Preference in their Allocation Scheme to people with high levels of assessed housing need. This includes homeless people, those who need to move on welfare or medical grounds, people living in unsatisfactory housing and those who would face hardship unless they moved to a particular locality within the local authority's area.

The Act also requires local authorities to state within the Scheme what its position is on offering applicants a choice of housing accommodation, or offering them the opportunity to express preference about the housing accommodation to be allocated to them.

This Allocation Scheme complies with the requirements of the Housing Act 1996 (as amended) and takes into account the code of guidance issued by Central Government's Communities and Local Government Department:

- *Allocation of Accommodation: guidance for local housing authorities in England* (June 2012)

The scheme is drafted and framed to ensure that it is compatible with the Council's equality duties including the duty to eliminate unlawful discrimination and to promote good relations between persons who share a relevant protected characteristic and those who do not. The protected characteristics are age, race, disability, sex, pregnancy and maternity, sexual orientation, religion or belief and gender reassignment.

This Scheme has considered:

- the Council's statutory obligations and discretion as to who is eligible for housing allocation
- the Council's statutory obligation to provide Reasonable Preference to certain categories of applicants set down by law i.e. those who must be given a 'head start' under the Council's Allocation Scheme
- the Council's statutory discretion to grant 'additional preference' and/or to determine priority between applicants with Reasonable Preference
- the general and specific statutory discretions the Council can exercise when allocating housing in support of its Housing Strategy
- the local flexibility offered through the Localism Act (2011)

## **Advice and assistance**

The Council acknowledges that this Allocation Scheme requires the active participation of housing applicants and to reflect this, the Council aims to provide advice and assistance to ensure that no person is disadvantaged by the way the Scheme operates.

General information about the scheme will be made available as follows:

- information about the procedures for applying to the scheme and for applying for advertised vacancies
- information about how applicants are prioritised under this scheme
- how successful applicants will be selected
- rules on how properties will be advertised including bidding cycles and restrictive labelling
- information about review procedures
- information about the Registered Providers that have vacancies advertised through Choice Based Lettings as nominations

Applicants will also be provided with information regarding their own application which will include:

- what band they are awarded under this scheme
- what size properties they are entitled to bid for
- what information they need to supply in regard to verification and references and when this information will need to be provided

- if they are disqualified what they need to do to rectify this

Properties are advertised through the Choice Based Lettings scheme. In partnership with Registered Partners we endeavour for all advertisements to be as comprehensive as possible. The Choice Based Lettings Scheme promotes informed choices and expects to guide applicants to bid only for properties they can realistically expect to secure. Advertisements will include as many of the following as possible:

- location
- property type, size and floor level
- nature of tenancy on offer
- what type of heating it has and whether it has a heating charge payable that is not covered by housing benefit
- whether such things as a garden or parking are available with the property
- the amount of rent and any other charges that are payable
- photos of the property and links to guides about the local area

Applicants who have any difficulty reading or understanding this Allocation Scheme will be offered the following services:

- an interpretation service if their first language is not English
- signing if speech or hearing is impaired
- provision of documents in large print if an applicant is visually impaired
- an interview to explain the content of this document and information about where independent advice can be obtained about the Council's scheme

As there are likely to be many more applicants than properties available, the Council will also provide information about other housing options. This will include:

- advice on Registered Providers
- advice and help on renting in the private sector, if there are few social homes available in the areas where they wish to live
- advice on available low cost home ownership options
- advice on how welfare benefits, employment, education and training may improve their housing options
- Enhanced Housing Options Service – self-help tool via the website [www.cherwell.gov.uk](http://www.cherwell.gov.uk)

## **Choice and constraints**

### **Policy on Expressing Choice of Rehousing Area**

The amount of choice that the Council is able to offer may be limited by the acute housing pressures it faces and responsibilities it has to some groups in housing need such as those found to be statutorily homeless. The Council believes that any applicant considered to be eligible under this Scheme should be able to express a preference over the type of property and the area in which they would like to live. However, applicants should be aware that the Council's ability to satisfy their expressed preference may be severely limited.

The majority of applicants will be able to bid using Choice Based Lettings (CBL) to apply for properties they have been assessed as eligible for across the district. There are some circumstances for which this might not always apply. For example auto bidding will be applied to homeless applicants owed a statutory duty by this authority from the date duty is accepted (see page 24) and or where additional priority awards are time-limited. These

exceptions are dealt with in more detail in the sections that deal with homelessness applications (see page 22) and time-limited priorities (see page 23)

The Council requests that the applicant states those areas where they believe they cannot live due to fear of violence, harassment or domestic abuse. The Council must be satisfied such factors exist and that it is necessary to allocate accordingly. This is to assist the Council in making more informed decisions. It will also help support workers who may be assisting an applicant to bid to know where not to express an interest in properties.

### **Priority Homeless Applicants**

All statutory homeless households accepted as defined in Part VII of the Housing Act 1996 and owed a statutory duty by Cherwell District Council 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) will be placed on automatic bidding at the point duty is accepted.

## **Eligibility criteria, qualification and applications**

### **Who can join the Housing Register?**

Anyone can apply to join the Housing Register.

To be able to join the Housing Register the council will consider:

- whether someone is eligible to apply for housing?
- do they qualify under the scheme rules?

### **Young person under 18 years**

Applicants aged 16 or 17 years old are assessed for supported accommodation where one or more of the following apply:

- accepted as homeless and in priority need under the Housing Act 1996, as amended by the Homelessness Act 2002
- over the age of 16 where a referral for assistance has been made by Social Services authorities under Section 27 of the Children Act 1989
- a young person who is deemed a relevant or eligible child under the Children (Leaving Care) Act 2000 as amended.
- 

In each case, we will undertake a joint assessment with Social Services of the applicant's housing, care and support needs to ensure that adequate support is available.

### **Councillors, board members, employees and their close relatives**

This Scheme is designed to ensure that Cherwell District Council (and any relevant organisation) is transparent and equitable when letting homes to staff, Councillors or board members and their relatives.

The Part VI Allocation Scheme is open to any eligible applicant and there are stringent checks in place that all applicants must follow.

Staff, board members, Council members and their relatives are treated as any other applicant and must be seen to not be gaining any advantage or any preferential treatment in the course of their application, nor shall they be disadvantaged. See Appendix 2



## Who can and cannot be included on a housing application

The persons who can be included on a housing application must be members of the applicant's immediate family who normally live with the applicant. Any other person will only be included on an application if the Council is satisfied that it is reasonable for that person to live with the applicant. This will exclude lodgers or anyone subletting from the applicant. Anyone over 16 years included on an application as part of a household will also be included in the full assessment of the application including income, capital and assets.

For the purposes of this policy a child is defined as someone who is either under the age of 16 or who is still dependant on the applicant e.g. due to continuing education.

## Who cannot be accepted onto the Housing Register

The Council can only allocate social housing accommodation to people who are eligible and qualify under this Allocation Scheme. The instances where we will refuse an application to join the Housing Register are:

### Those not eligible

The following persons are not eligible:

- People who are "*subject to immigration control*" (unless they fall within a class prescribed by regulations made by the Secretary of State (section 160ZA(2))
- People who are not subject to immigration control, but are nevertheless prescribed by regulation as being "*persons from abroad*" (this may include British citizens who are not habitually resident in the UK)
- Any other person as prescribed by the Secretary of State

### Those who are disqualified

#### Unacceptable behaviour

- Applicants (or a member of their household) who have been guilty of "unacceptable behaviour" and at the time of their application for housing they are still considered unsuitable to be a tenant by reason of that behaviour

Unacceptable behaviour is defined as behaviour which would, if an applicant or member of their household was a secure tenant, entitle a landlord to possession under any of the Grounds 1 to 7, Schedule 2 of the Housing Act 1985. Unacceptable behaviour can include:

- owing rent arrears of 8 weeks or more and/or failing to comply with a current or past tenancy agreement with a Council, Registered Provider or private landlord to such an extent that a Court would have granted a possession order had they been a secure tenant
- conviction for using premises for illegal or immoral purpose
- causing nuisance and annoyance to neighbours or visitors
- convicted of criminal offences in or near the home and still posing a threat to neighbours or the community
- being violent towards a partner or members of the family or anyone in neighbourhood

- obtaining a tenancy by deception, for example by giving untrue information
- paying money to illegally obtain a tenancy

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

- has the applicant or a member of the applicant's household been guilty of unacceptable behaviour?
- was the unacceptable behaviour serious enough to have entitled the landlord to have obtained an order for possession, had they been a secure tenant.
- at the time of the application, is the applicant still unsuitable to be a tenant by reason of that behaviour, or the behaviour of a member of his household?

Unacceptable behaviour will result in disqualification from the register determined by the council. An applicant can re-apply to the Housing Register at any time for their situation to be reviewed. To be admitted to the register they will need to provide proof any conviction is spent and evidence of a change of circumstances.

Applicants disqualified due to rent arrears can be reviewed at the request of the applicant once they can provide proof any arrears are reduced to less than 8 weeks.

Applicants can request a review of any disqualification decision made. See page 25 for review procedure.

All residents are able to access advice and assistance from the Housing Needs Team on other housing options, such as renting in the private sector or shared ownership.

### **Refusal of offers from the Housing Register**

Applications will be disqualified for 6 months in cases where the following suitable offers have been refused:

- all Statutorily Homeless households who have refused 1 (one) suitable offer of accommodation and to whom duty has been discharged under Part VII of the Housing Act 1996
- Time limited priority applicants within Bands 1 and 2 who have refused one suitable offer of accommodation
- applicants who are not restricted in their bidding but have refused 3 consecutive suitable offers of accommodation

### **No local / district connection to Cherwell**

In order to help meet increasing local housing needs the Council has chosen to restrict access to the Housing Register to people with a local/district connection to Cherwell and/or who are accepted as Statutorily Homeless by Cherwell District Council.

Applicants will need to meet at least one of the following criteria to be defined as having a local / district connection:

- have lived in the district for a period of at least 6 out of the last 12 months continuously prior to acceptance onto the Housing Register
- previously lived in the district for 3 out of the past 5 years
- contract of employment to work within the district
- immediate family members, who have lived in the district for at least 5 years, where there has been frequent contact, commitment and dependency immediately prior to the date of application

- have a special reason for needing to live in the area

The only exceptions to this are members of the Armed Forces and Reserve Forces as set out in the *Allocation of Accommodation: guidance for local housing authorities in England* (June 2012)

Close relatives are defined as parents, children, siblings, grandparents or grandchildren including step relatives, where there is evidence of frequent contact, commitment or dependency.

Applicants who do not have a local / district connection will not qualify for access to the Housing Register.

A district connection is **not** established where the applicant is:

- in prison within the district
- resident in a bail hostel or other such accommodation
- detained in the district under the Mental Health Act
- receiving specialist hospital treatment
- in occupation of a mobile home, caravan or motor caravan which is not placed on a residential site
- in occupation of a holiday letting this includes a permanent building, hotel or bed and breakfast accommodation for the purposes of a holiday
- those placed in temporary or private sector accommodation by other Housing Authorities

This list is not exhaustive

### **Homeowners/ sufficient financial resources**

In recognition of the level of housing need in the district and the shortage of available properties, applicants who already own their own home (either freehold, leasehold, under mortgage or shared ownership) will not qualify for access to the Housing Register.

Applicants with a **household** income, capital or assets of £60,000 or over will be disqualified from joining the Housing Register. Such people will be offered advice on alternative housing options.

Older persons aged 55 plus, who wish to be considered for sheltered and extra care housing **only**, may qualify for the housing register.

Any lump sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active service will be disregarded in such an affordability calculation.

### **How do I make an application?**

Once accepted as eligible and qualified to join the Housing Register, your housing needs are assessed and you are placed in one of 3 bands. The bands are numbered 1-3 or reserve list. Applicants in Band 1 are assessed as having the most urgent need.

To apply to join the Housing Register applicants must complete a housing application form. Applicants can request an application form using any of the following methods:

- by telephone
- personal visit to the office

- by post
- by email
- by downloading a form from our website

Assisted completion of an application form is available for the housebound and those who request help.

Providing all relevant information is supplied when the application form is received, we aim to notify applicants of their banding within 20 working days from the date received in the office.

**If we receive an incomplete application form or supporting information is not provided, the application will be suspended. We will contact you to request the information. If the information is not received within 28 days the application will be closed.**

We will send out our information booklet 'Applying for a Home in Cherwell' along with each new application form. This is also available from our website [www.cherwell.gov.uk](http://www.cherwell.gov.uk)

If you need any assistance please call the Council's Customer Service Team.

Each application will be assessed on its own merits and a decision regarding eligibility / disqualification will be made accordingly. Anyone subsequently made ineligible or disqualified from the Scheme will be provided with a full written explanation for the decision and will have a right of review of the decision. See page 25 which deals with the right to reviews of decisions.

## **The Banding Scheme**

Cherwell District Council is required by law to determine the relative priority that housing applicants are awarded. This is particularly important when, as is the case in this District, the demand for social housing is greater than the availability of homes.

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). The statutory Reasonable Preference categories cover:

- All statutory homeless households as defined in Part VII of the Housing Act 1996
- People who are owed a duty by Cherwell District Council 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)
- People occupying unsanitary, statutory overcrowded or otherwise unsatisfactory housing
- People who need to move on medical or welfare grounds (including ground relating to a disability)
- People who need to move to a particular locality within the district to avoid hardship to themselves or others

## **The Bands that make up the Scheme**

### **The Structure of the Banding Scheme**

Cherwell District Council operates a needs based banding scheme as described below. The bands are arranged to reflect housing need with the highest band indicating the

greatest need for housing. The scheme consists of three bands and a reserve list as summarised below:

Band 1 – **Urgent** need to move due to Reasonable Preference

Band 2 – **Significant** need to move due to Reasonable Preference

Band 3 – **Moderate** need to move due to Reasonable Preference

Reserve List – Qualified without recognised housing need within this Policy.

Please note that more detailed descriptions of the bands can be found in Appendix 4  
A table showing the size of property households can apply for can be found on page 14.

### **Band 1 – Urgent** need to move due to Reasonable Preference

Please note that applicants within this Band will have their priority time limited for 3 months subject to review.

- Hospital discharge
- Health or disability\*
- Social, Welfare or Hardship\*\*
- Abuse, Violence or Harassment
- Serious overcrowding
- Under-occupation of social tenancies in Cherwell District
- Injured Ex-Armed Forces
- Private Sector properties subject to Prohibition or Demolition Orders making property unsuitable for occupation
- Safeguarding children / vulnerable adults
- Elderly social housing tenants in Cherwell District who are willing to move to sheltered accommodation / extra care
- Release of adapted property in Cherwell District
- Approved Move on from Supported Accommodation
- Approved Move on from care

### **Band 2 – Significant** need to move due to Reasonable Preference

Please note that applicants within this Band will have their priority time limited for 3 months subject to review.

- Statutory homeless households
- Health & disability\*
- Social, Welfare or Hardship\*\*
- Overcrowded according to bedroom standard
- Armed Forces with discharge date
- People at risk of homelessness and defined in priority need under the Housing Act 1996 (as amended)
- Unsatisfactory housing

### **Band 3 – Moderate** Need to move due to Reasonable Preference

- Tied accommodation
- Agricultural workers
- Non priority homeless / intentionally homeless

### **Reserve List – Qualified without recognised housing need**

Qualified without any recognised housing need within this Allocations Policy

Health & disability\* - see matrix for Health and Disability – Appendix 5  
 Social, Welfare or Hardship\*\* - see matrix for Social, Welfare or Hardship – Appendix 6

## Social and Welfare

Applicants with a need to move on social and welfare grounds will be required to provide supporting information and be assessed in line with the social and welfare matrix. See Appendix 6

## Medical assessment and adapted homes

Applicants who have a medical need will be asked to complete a Medical Form, which will be assessed by the Council. See Appendix 7

## Size of properties different households qualify to apply for

The *Allocation of Accommodation: guidance for local housing authorities in England* (June 2012) states that a bedroom shall be allocated to the following family members:

Adult couple
Any other single adult aged 21 or more
Pair of adolescents aged 10-20 of the same sex
Pair of children aged under 10 regardless of sex

## Definition of Household types

Single person under 55	One person household with no resident children A woman who is less than 25 weeks pregnant
Couple	Married, Cohabiting, Civil Partnership & same sex couples without resident children or with a woman who is less than 25 weeks pregnant
Family	Single parent or couple (as defined above) with minimum of one dependent child, who lives with parent(s) as the main or principle home. A woman who is 25 weeks or more pregnant
Insecure Households	Separate households sharing accommodation with no formal rights to occupy
Older Persons	One person household and couples over 55 years
Other	Any other household group including friends, siblings and families with non-dependent children

The table below gives an indication of the bedroom entitlement for adults and children:

<b>Household size</b>	<b>Number of bedrooms allowed</b>
Single person under 35	Studio or 1 bedroom flat (if meet eligibility criteria)
Single person over 35	Studio or 1 bedroom flat
Adult Couple	1 bedroom
2 applicants not couple	2 bedrooms
Household with 1 child	2 bedrooms
Household with 2 children	2/3 bedrooms
Household with 3 children	3 bedrooms
Household with 4 children	3 bedrooms
Household with 5 children	3/4 bedrooms

*See Table on page 14 to determine bedroom entitlement*

Please note: people in receipt of benefits to pay their rent will only receive payment for property up to a maximum of 4 bedrooms.

Pregnant applicants - subject to proof of pregnancy at 25 weeks an application will be assessed to determine their minimum/maximum bedroom need. We will treat the expected child as the same sex as a sibling until born

### **Prohibition or demolition order**

Band 1 is awarded if a statutory notice such as a prohibition or demolition order has been served which prohibits the property to remain occupied pending resolution.

### **Unsatisfactory housing**

Band 2 is awarded where applicants existing housing is assessed against the Housing Health and Safety Rating System (HHSRS). In the most urgent cases an inspection is needed, the assessment is carried out by an Environmental Health Officer or other qualified officer.

A Category 1 Hazard is a defect where the consequences could include serious harm to applicants. For example, accommodation lacking; bathroom facilities, cooking facilities, electricity or a water supply.

Band 2 will not be awarded, if it is possible for repairs or other remedial action to be carried out within a reasonable timescale. Where a landlord has been served with an improvement notice but remedial work has not been carried out, we may decide to award priority at our discretion.

### **Overcrowding**

Those overcrowded by two or more bedrooms will be granted Reasonable Preference and will be placed in Band 1. Those overcrowded by one bedroom will be granted Reasonable

Preference and will be placed in Band 2.

### **Extra room allowed for non-resident carers**

Applicants with a disability or a long term health condition who have a non-resident carer may be entitled to an extra bedroom

To qualify for an extra bedroom they will need to show:

- they reasonably require overnight care and that this care is provided
- one or more persons regularly stay overnight to provide care
- there is a need for an extra bedroom that is used by a carer or carers for overnight stays as part of caring for the claimant or partner

A 'person who needs overnight care' is defined as someone who is:

- receiving Disability Living Allowance middle or higher rate care or Attendance Allowance

If they don't receive Disability Living Allowance or Attendance Allowance they must provide the Council with sufficient evidence to show that overnight care is required eg letter of confirmation from a medical practitioner

Cherwell District Council will measure overcrowding levels as directed by *Allocation of Accommodation: guidance for local housing authorities in England* (June 2012).

'Reasonable Preference' for property types is calculated according to housing benefit and bedroom tax rules

### **Children / access to children**

For the purposes of this policy a child is defined as someone who is either under the age of 16 or who is still dependant on the applicant e.g. due to continuing education.

Where parents who do not live together, have shared care of their children the children will be treated as living with the parent who provides their main home and upon whom they are deemed to be dependant.

### **Fostering**

Families undertaking long term fostering may be able to include foster children as part of their application to ensure that they are eligible for the appropriate sized property. Long term fostering is fostering for a period in excess of three years (not necessarily involving the same child or children). It is essential that written confirmation of the fostering arrangement is obtained from Social Services. Consideration will be given to this in assessing the application. Short term fostering is discounted.

**NB:** Although applicants can choose to apply for property larger than their needs so they can foster, the Welfare Reform Act states that foster children / carers can not be taken into account for payment for extra bedrooms when considering size of property applicants are eligible for, unless the foster children or carer are actually in residence at the property.



## **Move on from supported accommodation**

Applicants will need to apply to join Cherwell's Housing Register at the time that they are ready to leave their current accommodation. Their application must be supported by their social worker or support worker who will confirm:

- they are ready to move
- they possess the knowledge and skills to maintain a tenancy successfully
- any support arrangements that will remain in place following departure from supported accommodation

All applicants will need to meet Cherwell local connection requirements. If supporting information is not supplied the application may be disqualified.

## **Allocations**

### **Applying for social housing**

Once applicants are accepted onto the Housing Register they can start applying for properties. The Council advertises all properties available through its nomination agreements with partner Registered Providers through its Choice Based Letting Scheme. The eligibility of bids received will be checked against the labelling used in the advertisement. Any ineligible bids will be discarded. Where properties are advertised the allocation of a property will be based on the priority of bids received, with Band 1 applicants having the highest priority.

### **What are 'Allocations' under this Scheme?**

An 'allocation' of accommodation under this Scheme is the nomination of a person to be an Assured or an Assured Shorthold tenant of housing accommodation held by a Registered Provider (via the Council's Nomination Rights Agreement with the Registered Provider). Often the nomination will be that of a 'Starter Tenant' of the Registered Provider whereby the Registered Provider will grant an Assured Shorthold Tenancy for a set 'probationary' period (usually 12 months) and provided the tenant successfully completes the 'probationary' period the Registered Provider will grant an Assured Tenancy.

### **Exempt Allocations – Accommodation provided for lettings that is not covered by this Scheme**

The following are not 'allocations' under this Scheme:

- an introductory / starter tenancy becoming a secure / assured tenancy
- provision of non secure temporary accommodation in discharge of any homelessness duty or power

### **Joint tenancies**

This Allocation Scheme supports adult applicants wishing to sign as joint tenants should they choose to do so as long as both parties are eligible and qualify.

# Choice Based Lettings Scheme

## Statement on choice

Cherwell District Council is fully committed to the principle of enabling applicants to play a more active role in choosing accommodation in the social housing sector. We will seek to maximise customer choice whilst ensuring that those in the greatest housing need remain a priority for re-housing.

The Allocation Scheme:

- allows a broad range of applicants to be considered for accommodation
- gives applicants an unlimited choice of areas within the District
- allows applicants to consider a broad range of properties
- applies auto bidding and time limited priority to certain applications See page 23 and page 24
- 

In summary an applicant accepted onto the Housing Register can apply for any property they are eligible to apply for, in any area where properties are advertised.

## Overview

- empty properties are advertised weekly (6 working days)
- applicants apply for properties that meet their housing need
- applicants apply for up to three properties in any advertising cycle
- when the advertising cycle is complete shortlists are created from those who have applied and sorted into priority order as defined in the Allocation Scheme
- the applicant (normally the one at the top of the list) is selected and nominated to the landlord for a provisional offer to be made
- the landlord accepts or rejects the nomination
- the landlord offers the property to the successful applicant
- the applicant accepts or rejects the offer
- the results of shortlisting are published on our website and in the property newsletter

If the landlord rejects the nomination or the applicant rejects the offer, the property will either:

- be offered to the next suitable applicant on the shortlist or,
- be advertised in the next lettings cycle

## How can I bid?

- using the website
- by phone

## Automatic applications for properties

We will provide a service to apply (bid) automatically for properties at the applicant's request. This is particularly useful for elderly or vulnerable applicants who have no-one to act on their behalf.

Auto bidding will be applied to homeless applicants owed a statutory duty by this Authority from the date duty is accepted.

## Priority order

Once the advertising period has closed the computer will automatically create a shortlist of applicants for each property into priority order. The successful applicant for each property will normally be the one who is eligible for the size and type of property being offered and who is in the highest band. Where there is more than one applicant in that band, priority will be by registration date.

However, we reserve the right not to offer the property to the person highest on the shortlist, if the property offers a better match with the needs of another high priority applicant. Shortlists will be created with the following priority order:

- **Applicant type** - but only if an applicant type preference is specified in the advert
- **Parish or village connection** – but only if a parish or village connection preference is specified in the advert
- **Level Access Accommodation** – but only if mobility preference is specified in the advert
- **Adapted Accommodation** – will always be used where a property is specifically adapted for the disabled with preference being given to those applicants who require the adaptations within the property.
- **Keyworker** – but only if keyworker preference is specified in the advert.
- **Band** – will always be used. The band order is: 1, 2,3 and Reserve list
- **District Connection** – will always be used
- **Size of household** -but only if a preference to larger families is specified in the advert
- **Date in Band** - to compare applicants within the same band
- **Employment, education and training** – but only as specified in the advert or local lettings plan

**Keyworkers** for the purpose of this Policy are defined as:

Being employed full or part time on a permanent contract (i.e. not agency staff) within the district as one of the following:

- ambulance staff who is also a paramedic
- a fully qualified nurse working in one of the District's NHS hospitals
- a fire fighter or police officer stationed in the District
- a teacher working in one of the district's Local Education Authority (LEA) maintained schools
- Probation or Prison officers stationed within the district

Key workers may apply before moving into the district subject to providing proof of employment offered and accepted with the start date.

## Date order

Two dates are used to sort out the order of priority when deciding who to nominate for a property. These are:

- the Registration date – the date the application is received by the Council
- the Effective date - the date the application is assessed for Band 1, 2 or 3. (This will be the same as your Registration date if your application goes straight into Bands 1, 2 or 3)

This will ensure that those with the greatest need will have it met in the order in which it arose.

Where two applicants with the same effective date in the same band apply for the same property the applicant with the earliest registration date will be given priority for an offer of accommodation

If applicants move down from Band 1 to band 2 or band 3 they will retain their effective date from band 1

Applicants placed in the Reserve List will be ordered by their date of registration which will also be their effective date.

If applicants move down to Reserve List they will return to their registration date as their new effective date.

If applicants move up from Reserve List they will have a new effective date in the band they move into.

### **Direct match**

It may be necessary to nominate a particular applicant to a particular property. For example a purpose built property designed for a disabled applicant. In such circumstances the property will be placed on the website and in property newsletters with an explanation about direct matches.

### **Accepted homeless households will be placed on auto bidding at the point homeless duty is accepted**

Applicants given time limited priority in Bands 1 or 2 may also be placed on auto bidding and given a direct match. See page 23 on time limited priority bidding

### **Nominations**

Subject to the rules set out in the Allocation Scheme we would normally nominate the applicant at the top of the shortlist, providing they meet the criteria specified in the advert and still qualify to be on Cherwell's Housing Register. If an applicant is successful for more than one property they will be contacted and asked to express a preference for the property they would like to be offered. Successful applicant's details will be forwarded to the Registered Provider. The Registered Provider makes the final decision on whether to accept the applicant.

### **Quota arrangements**

Cherwell District Council groups applications in 3 categories:

- General Needs
- Transfers
- Statutorily Homeless

### **General register applicant**

Applicants who have been accepted onto our Housing Register as being eligible and qualified to apply for social housing.

### **Transfer applicant**

A transfer applicant is a secure tenant or an assured tenant of one of our partner Registered Providers who lives in our district and whose application has been accepted onto our Housing Register as being in housing need.

### **Statutorily Homeless applicant**

Applicants found to be homeless, in a priority need group and where a duty to offer housing has been accepted under sections 193 or 195 of Part 7 of the Housing Act 1996.

Sometimes it will be necessary to give preference to particular types of applicant to meet local targets. Examples of quotas include:

- transfer applicants
- homeless applicants
- applicants in particular bands
- applicants in employment, education or training

As a guide we use the following quotas to ensure we nominate properties fairly between different types of applicants.

General needs	40% of which 1% to Keyworkers
Transfers	30%
Statutorily Homeless	30%

Cherwell District Council is keen to encourage applicants to seek employment, education or training. We will adopt a quota of 30% of total vacancies received each year to be allocated to applicants in employment, education or training.

**Property adverts will clearly identify when priority is being given in this way.**

Quota arrangements will be published annually on the website

### **What is restrictive labelling and how is it applied under this scheme?**

This means that greater preference will be given to those who fulfil the criteria of the specified restrictive label

Cherwell District Council reserves the right to apply restrictive labelling to adverts in order to identify particular types of applicants, giving them preference to meet local targets.

Examples are:

- transfer applicants
- homeless applicants
- nature of tenure being offered
- Local Lettings Plan is in place
- disabled adapted properties
- employment, education and training
- sheltered
- extra care

### **Local Lettings Plans**

The Council may from time to time agree a local lettings plan for specific areas or developments to reflect local circumstances. Any local letting plan will have regard to housing management considerations such as the social mix of tenants, density, age range and community stability.

Where a property is advertised in accordance with a Local Lettings Plan (LLP), the letting will be made to the applicant with the highest band and who meets the eligibility criteria of the LLP and also meets the entitlement rules around size eligibility.

### **Publication of results**

The results of shortlisting are published on the website and in the latest edition of the property newsletter. The information provided can be used to help applicants decide which properties to apply for, by giving them a better idea how popular a particular property or area is and how long they would normally have to wait.

Applicants who have expressed an interest in the particular vacancy but are unsuccessful may request more personalised feedback on why they were unsuccessful.

**The results show information about the shortlisting but no personal details. It cannot be assumed the person at the top of any list was the successful applicant.**

### **Refusal of offers**

In circumstances where an applicant has successfully bid but refused 3 suitable offers of accommodation their application will be closed and they will be disqualified from reapplying to join the register for 6 months. The exception to this rule is for statutory homeless households and refusal of their offer will result in the discharge of the Council's homelessness duty for which they will have a right of review under sections 202 and 204 of the Housing Act 1996 (as amended).

### **How we allocate to Statutory Homeless households under the scheme**

This applies to Households for which the Council has accepted a statutory homeless duty under sections 193(2) or 195(2) of Part VII Housing Act 1996 (as amended). The Local Authority has a legal duty to secure accommodation for households who are homeless or at risk of becoming homeless (unless certain exceptions apply). The District Council and its partners will do all they can to prevent homelessness.

If this is not possible an assessment will be carried out by the Council's Housing Needs Team and if appropriate the statutory homeless household will be rehoused in accordance with the Allocation Scheme as it applies to homeless people.

Applicants found to be homeless, in a priority need group and where a duty to offer housing has been accepted under sections 193 or 195 of Part VII of the Housing Act 1996 will be awarded band 2.

If an applicant is assessed under Part VII of the Housing Act as intentionally homeless then the applicant will be placed in band 3 or if they satisfy the criteria for 'unacceptable behaviour' then the applicant will be deemed disqualified. (see page 9)

Applicants deemed homeless but non priority will be placed in Band 3.

It is recognised that social rented housing is not the only tenure available to accommodate statutorily homeless households and where appropriate they will be supported to secure a private tenancy. If an applicant already has an application for housing with the Council with a Reasonable Preference award, the original Reasonable Preference award date will stand even if a subsequent positive homeless decision is made about the applicant, although no extra priority will be awarded.

## **Choice and homelessness**

Households for which the Council has accepted a statutory homeless duty under sections 193(2) or 195(2) of Part VII Housing Act 1996 (as amended) automatic bidding through the Cherwell Housing Register computer system will take place for up to 3 suitable offers per cycle (6 days). Properties that the Cherwell computer system bids on may be outside of the areas of choice that an applicant wishes to live in. Cherwell computer system will bid for the properties where the applicant will stand the best chance of being made an offer. There may be areas that are excluded by agreement that are unsuitable for an applicant and an offer will not be made in these areas. Such areas will be named on the household's housing application. Every effort will be made to place applicants where they would prefer to live but our main duty is to move them from inappropriate and costly temporary accommodation.

## **Time-limited priorities bidding**

Applicants who are awarded priority for an urgent or significant need will be awarded this priority on a time-limited basis. This acknowledges the urgency of the situation, both for the applicant and for the Council. The initial time limit for Bands 1 and 2 will be three months from date of award until review.

Statutorily homeless applicants are dealt with separately. See how we allocate to Homeless households – page 22

A priority can be reviewed and cancelled at any time if the applicant's circumstances change.

All priorities will be monitored closely throughout their initial period. During this time we will expect applicants with a priority to bid for any suitable advertised properties. This means that applicants will sometimes need to compromise on their ideal choice of housing in order to achieve the urgent move they need. It will not always be possible to meet all their aspirations within the time available. The Council will offer support with making bids, including making bids on the applicant's behalf if they need this or if they are not making bids or are bidding unrealistically.

If the initial time-limit is reached and the applicant has not been rehoused the Council will review the priority and may cancel it. In conducting the review the Council will take into consideration the following factors:

- Have there been any properties advertised that would have met the person's need?
- If so, we will consider the reasons why they chose not to bid or investigate why they were unsuccessful.
- Do they have a specific need for property that has not been available in the time period and no other property will resolve their housing need, e.g. they have a disability and they need a ground floor property in a specific area so they can get family support?
- Have they received appropriate support and help in accessing the Choice Based Letting scheme?
- Do the person's circumstances remain the same or has the need for priority gone?

Having considered the above factors, the Council may upon review:

- extend the priority for a further period of 3 months
- place on auto bidding

The Council will effect a final offer by making a bid on behalf of the applicant and if successful offering the property to them. If the applicant refuses this offer their priority will be re-assessed and reviewed. Time-limited applicants who have already refused 1 (one) suitable offer will have their priority re-assessed and reviewed.

## **Auto bidding**

Applicants are free to bid for their maximum number of suitable properties during a bidding cycle. If they fail to bid, Cherwell's computer system will bid for the properties where the applicant will stand the best chance of being made a nomination. When an application is placed on automatic bidding Cherwell's Housing Register computer system will place up to 3 bids per cycle (6 days) on suitable properties. Properties that the computer system bids on may be outside of the areas of choice that an applicant wishes to live in. There may be areas that are excluded by agreement that are unsuitable for an applicant and a nomination will not be made in these areas. Such areas will be named on the household's housing application.

Auto bidding will be applied to statutorily homeless households of this Authority from the date the homelessness duty is accepted.

## **Rural lettings schemes**

The Council is keen to take account of factors which would contribute to sustaining rural communities whilst ensuring that we continue to give due weight to the reasonable preference categories required by legislation.

To enable this, the Council will set a target for the proportion of lettings in villages to be let to applicants with a local connection to the village where the letting occurs.

On the initial letting of properties on new social housing developments in rural areas which are not rural exception sites, a target of 50% of all lettings will be given first priority to applicants who have a connection with the village under the terms of the Section 106 agreement and/or a nominations agreement and have been accepted onto Cherwell's Housing Register. If there are no eligible applicants with a connection to the village the property will be offered to applicants from surrounding villages named in the nominations agreement for the scheme, followed by those in general housing need with a district connection.

On the re-letting of existing social housing properties in a village at least one in three will be to applicants who have a village connection under the terms of the Section 106 agreement and/or a nominations agreement and accepted onto Cherwell's Housing Register. If there are no eligible applicants from the village the property will be offered to applicants from surrounding villages named in the nominations agreement for the scheme, followed by those in general housing need with a district connection.

Should there be no local connection parameters detailed within a S106 or Nominations Agreement then the default assessment of local connection will be that as expressed within this Allocations Scheme detailed below.

## **Rural exception sites**

These are developments which are outside the village boundary, which would not normally be given planning permission. The Council can grant planning permission as an exception only where there is a need for affordable housing, for local people who cannot afford market priced housing. It must remain affordable in perpetuity.



When affordable housing is built on rural exception sites, or planning obligations are attached to other affordable housing developments, there may be restrictions on the occupancy of these homes. These restrictions are intended to ensure that applicants with a village connection and in housing need as defined in the Allocation Scheme have first priority for nomination to any social rented properties.

This means that they must not only meet the eligibility / qualification criteria for joining the Housing Register but also the requirements negotiated with the original S106 agreement or nominations agreement for each individual site.

Should there be no local connection parameters detailed within the S106 or Nominations Agreement then the default assessment of local connection will be that expressed within the Allocations Scheme as detailed below.

## **Village or parish connection/Rural Lettings & Rural Exception Sites**

Qualifying village or parish connections are that the applicant or joint applicant must:

- have lived in the village for the last 5 years
- be employed in the village for a minimum of fifteen hours per week and the employment is not of a short-term nature
- have 10 years previous residence in the village if not currently residing there
- be over 55 or with a disability requiring support on health grounds from close relatives currently living in the village
- have close relatives living in the village for a period of at least the last five years. (Close relatives are defined as parents, children, siblings, grandparents or grandchildren including step relatives, where there is evidence of frequent contact, commitment or dependency).

Where applicants have a strong connection with a particular village, we will ask them to detail this on their application. This will enable them to be actively considered for any housing development, which takes place in areas where they hold such a connection. If an applicant is successful, they will have to provide proof of their connection before they can be approved for the nomination.

We check village connections as specified in the section 106 agreement determined when planning permission is granted for a rural exception development to take place prior to making nominations to our partner Registered Providers.

## **Review Procedure**

A request for review must be made in writing within 21 days of the applicant being notified of our decision. The Council will determine the review within 56 days of the request or such longer period as may be agreed with the applicant.

The review must be considered on the basis of policy, law and known fact at the date of review. When conducting the review, we will consider any representations, written or otherwise, made by the applicant or on the applicant's behalf and carry out the review on the basis of the known facts at the date of the review.

If further information is required, the review period within which the decision should be made may be extended by agreement with the applicant. Reviews will be carried out by a senior member of staff at Cherwell District Council or delegated to an appropriate organisation or officer who was not involved in the original decision.

If the applicant is still dissatisfied, a report is prepared for consideration by the Head of Regeneration and Housing.

In the event of an applicant still remaining aggrieved, the next step to be considered is a complaint via the Council's Corporate Complaints Procedure or to Local Government Ombudsman. Where it is decided to confirm the original decision on any issue against the interests of the applicant, we must also give our reasons

(Note: The Council's Allocation Scheme does not remove preference for 'unacceptable behaviour' but instead renders such applicants as disqualified to be from the Housing Register. As such the right to information pursuant to section 167(4A)(b) and related right to request a review under section 167(4A)(d) Housing Act 1996 (as amended) are not applicable in this Scheme and no applicant is prejudiced in relation to those statutory rights not being included herein.)

### **Homeless Applicants - Review of Suitability / Discharge of duty**

Whether or not a Homeless applicant accepts an offer of accommodation made under the scheme, they have the right to request a review of the suitability of the accommodation they have been offered, under section 202 and section 204 of the Housing Act 1996 (as amended). Homeless applicants are therefore encouraged to accept the offer that has been made to them, even if they intend to request a review of its suitability. If the applicant has been accepted as being owed a statutory duty by the Council, this duty, subject to a right of review, will have ceased if the property is refused. In such circumstances the Council will discharge its duty to the applicant (who will have a right of review as stated above) and they will have to leave any temporary accommodation provided and make alternative accommodation arrangements.

### **What discretion is built into the scheme?**

From time to time a situation may arise that is not predicted by this Allocation Scheme but the needs or circumstances are exceptional and significant. See Appendix 8

### **Equality and Diversity**

Cherwell District Council operates an equality policy in housing and will abide by the requirements of the Equalities Act 2010.

This aims to ensure that no one is treated unfairly on the grounds of gender, race, colour, ethnic or national origin, religion, disability, marital status, sexual orientation or age.

We will treat everyone equally when considering them for housing. If an applicant feels they have not been treated fairly or feels they have been discriminated against, they should contact the Head of Regeneration and Housing, stating the grounds for their complaint.

### **Misleading or Fraudulent Information**

Where there is suspicion or an allegation that a person has either provided false information or has withheld information, the application will be suspended during the investigation until an outcome is reached.

If the outcome of any investigation is that they did not provide false information or there was no withholding of information or such was not found to be withheld knowingly, then the application suspension will be lifted and reinstated to its previous position within the Scheme meaning that the relevant applicant should not suffer prejudice.

If the Council discovers an applicant directly, or through a person acting on his or her behalf, has given false information or deliberately withheld required information we will consider legal action. A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale (£5,000). The Council will disqualify the applicant from the Housing Register.

Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by Section 146 of the 1996 Act) enables a landlord to seek possession of a tenancy which it has granted as a result of a false statement by the tenant or a person acting at the tenant's instigation.

## **Administrative process (see Appendix 9)**

Which includes a full explanation and details of:

- Annual review of applications
- Confidentiality
- Information sharing
- Data protection

## **How serious offenders are dealt with under this scheme**

At the time of registration, an applicant is asked if they or anyone who will be residing with them has a conviction of a criminal offence or anti-social behaviour order. See Appendix 10

## **How sheltered and extra care housing is dealt with under the scheme**

As a general rule, only applicants with a proven support need are considered for sheltered accommodation. They will also need to meet any additional eligibility criteria specified by the landlord. See Appendix 11

## **Shared ownership / low cost home ownership**

Allocation of shared ownership properties available in Cherwell is dealt with by the zone agent Radian

*Radian Tel: 0845 604 11 22  
Radian, Collins House, Bishopstoke Road, Eastleigh, Hants, SO50 6AD  
<http://www.helptobuysouth.co.uk>*

NB: It is no longer a requirement to be on the Housing Register to be considered for shared ownership, you can apply directly to Radian.

## **Build!®Project**

Build!® is a registered trademark for the development of self build opportunities in Cherwell. This project is to develop self build opportunities across the district and is still under development. A separate assessment will need to be undertaken to access properties developed through the Build project. Any social rented tenancies developed through Build!® project will be advertised and allocated through Choice Based Lettings. See Appendix 12

## **Mutual exchange**

### Homeswapper

We have agreed in principle to encourage our partner Registered Providers to participate in Homeswapper, a national mutual exchange website. Most do so already and where a Register Provider does participate there is no cost to their tenants. It has the advantage of having substantial coverage across our region and elsewhere.

Anyone finding a tenant to swap with must gain the approval of their landlord to proceed to do so

## List of Partner Registered Providers and how to contact them

HA	Add1	Add2	Add3	Postcode	Phone
A2Dominion Housing Group Ltd	The Point	37 North Wharf Road	London	W2 1BD	020 8840 6262
Ability Housing Association	The Coach House	Gresham Road	Staines	TW18 2AE	01784 490910
Advance Housing	2 Witan Way	Witney	Oxfordshire	OX28 6FH	01993 772885
Anchor Housing Association	2 <sup>nd</sup> Floor	25 Bedford Street	London	WC2E 9ES	020 7759 9100
BPHA	Pilgrims House	Horne Lane	Bedford	MK40 1NY	0330 100 0272
Bromford Housing	1 Exchange Court	Brabourne Avenue	Wolverhampton	WV10 6AU	0330 1234 034
Catalyst Housing	Ealing Gateway	26-30 Uxbridge Road	Ealing, London	W5 2AU	020 8832 3334
Dorchester	23 Berkeley Square	London		W1J 6HE	020 7665 6624
English Rural Housing Association	Hall House, 9 Graphite Square	Vauxhall Walk	London	SE11 5EE	020 7820 7930
Greensquare Group	244 Barns Road	Oxford		OX4 3RW	01865 773000
Hanover Housing	Hanover House	1 Bridge Road	Staines	TW18 4TB	01784 446000
Housing 21	The Triangle	Baring Road	Beaconsfield	HP9 2NA	03701 924000
Lambeth Living	Hambrook House	Porden Road	London	SW2 1RP	020 7926 3497
L&Q Housing	Osborn House	Osborn Terrace	London	SE3 9DR	0844 406 9000
Methodist Housing Association	Epworth House	Stuart Street	Derby	DE1 2EQ	01332 296200
Paradigm Housing	1 Glory Park Avenue	Wooburn Green	Bucks	HP10 0DF	01494 830846
Sanctuary Housing	Bodicote House	White Post Road	Bodicote, Banbury	OX15 4AA	0800 131 3348
SOHA	Royal Scot 99 Station	Didcot		OX11 7NN	01235 515900
Sovereign Housing	Woodlands	90 Bartholomew Street	Newbury	RG14 5EE	01635 572220
Stonewater	Jephson House	Narrowboat Way	Brierley Hill	DY5 1UF	
Thames Valley Housing	Premier House	52 London Road	Twickenham	TW1 3RP	020 8607 0898
<i>Waterloo Housing Group</i>	1700 Solihull Parkway	Birmingham Business Park	Solihull	B37 7YD	0800 435 016

### **Councillors, board members, employees and their close relatives**

This Scheme is designed to ensure that Cherwell District Council (and any relevant organisation) is transparent and equitable when letting homes to staff Councillors or Board Members and their relatives.

The Part VI Allocation Scheme is open to any eligible applicant and there are stringent checks in place that all applicants must follow.

Staff, Board Members, Council Members and their relatives are treated as any other applicant and must be seen to not be gaining any advantage or any preferential treatment in the course of their application, nor shall they be disadvantaged.

Therefore, the following procedure must be undertaken to ensure that any letting can be subject to a high level of scrutiny:

- The staff member who is applying for housing must have no direct input into any decisions regarding their rehousing. This includes not inputting the original application onto the Housing Management system or adding any priority at any time onto the application
- Staff members must also not have any involvement in the inputting of the application or awarding of priority for any relative
- Applications should be clearly marked on the housing management system that the application is that of a staff member, Board Member, Council Members or relative
- When such an applicant has bid for a property and is showing at the top of a queue, the details of the offer must be scrutinised and signed off by the Cherwell District Council Housing Needs Manager

If an offer of a property is to be made to an officer at Head of Service level or above then the offer must be countersigned by the Head of Regeneration and Housing

### Sufficient financial resources

Applicants who have financial income, capital or assets which are large enough to provide access to other forms of tenure to meet their housing need will not qualify to join the Housing Register but will be offered advice on alternative housing options.

The Council considers £60,000 total income, capital or assets to be sufficient financial resource to buy a home or pay market rent in our District. The price of suitable housing will vary according to the household's needs and location within the district.

#### **Applicants with assets above this level will not be eligible to join the Housing Register**

The Council will also take into account any previous disposals of assets; income, capital or savings when calculating the financial resources available which will include disposals for nil (for example, transfer of ownership) or below market rate value.

Applicants will be asked to provide evidence of their income, savings and assets in order to verify the affordability assessment. If applicants fail to provide sufficient evidence then their application cannot be assessed and will not progress further.

Where applicants are assessed as not having sufficient financial resources, their application will be assessed according to the banding scheme.

If an assessment has to be made, for example on medical grounds, consideration is given to the following:

- whether the applicant can sell their current home
- the expected equity after the proposed sale of the property
- the applicant's current financial circumstances and commitments
- whether the applicant is eligible for a mortgage
- the supply of private rented accommodation suitable for the applicant's specific needs
- whether the applicant's housing need can be met in the private sector, taking into consideration the cost of housing in the District

If applicants demonstrate a need for alternative accommodation and they have 'insufficient resources' to secure that alternative accommodation they are placed in the band appropriate to their housing need. If information is not supplied about resources applicants will not be assessed and will not progress further.

A need for alternative accommodation might include:

- medical conditions
- disability
- frailty
- serious disrepair
- possession action
- acute financial hardship

Anyone subsequently ineligible or disqualified from the Scheme will be provided with a full written explanation for the decision and will have a right of review of the decision. Please see page 25 which deals with the right to reviews of decisions.

## Description of bands

<b>Band 1: Urgent Need to Move due to Reasonable Preference</b>	<b>Examples of Qualifying Circumstances / Summary of Criteria</b>
Hospital discharge	<p>Those who have somewhere to live on leaving hospital but it is unsuitable for their medical needs and cannot be made suitable through adaptations due to cost, structural difficulties or the property cannot be adapted within a reasonable amount of time. Where the impact is assessed as being urgent the applicant may be awarded Band 1.</p> <p>Those who have nowhere at all to live when they leave hospital may qualify for Band 1 if the need to move is urgent and all other reasonable housing options have been explored.</p>
Health or disability See health and disability matrix	An applicant's condition is life-limiting, life threatening or restricted day-by-day by Disability – see Health and Disability Matrix Band 1 (Appendix 5) and the accommodation directly affects their condition.
Social, Welfare and Hardship See social, welfare and hardship matrix	<ul style="list-style-type: none"> <li>▪ Threat to life</li> <li>▪ Emergency cases due to fire, flood or other disaster</li> <li>▪ Exceptional need not covered elsewhere in the scheme</li> <li>▪ Exceptional circumstances as directed by Head of Regeneration and Housing (Appendix 6)</li> </ul>
Abuse, Violence or Harassment	High risk victims of domestic abuse, subject a MARAC (Multi Agency Risk Assessment Conference) will be eligible for additional preference as part of an agreed safety plan and will be placed in Band 1.
Serious Overcrowding	Band 1 priority is awarded to those applicant households who occupy accommodation which is 2 or more bedrooms smaller than that for which the household is eligible. An award will not be recognised where applicants have moved themselves into an overcrowded situation.
Under-occupation of social tenancies in Cherwell District	Registered Provider tenants who under-occupy properties and who need or are willing to move to a dwelling with fewer bedrooms than they already occupy are placed in Band 1.



<p>Ex Armed Forces Personnel who have sustained serious injury, medical condition or disability during service Existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributed to their service</p>	<p>Any applicant who needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which he or she, or a member of their household, has sustained as a result of service in the UK Armed Forces. This award only applies where the applicant's current accommodation does not meet the requirements of the occupants in terms of adaptations.</p>
<p>Private Sector properties subject to prohibition or demolition order</p>	<p>Prohibition or demolition order granted preventing occupation of whole dwelling</p>
<p>Safeguarding Children / Vulnerable Adults</p>	<p>Serious threat to the well-being of a child / adult and their accommodation is a contributory factor to the risk. These are cases where a move is required to mitigate the risk to the child as confirmed by a Senior Manager in Children's Services / Adult Service or equivalent subject to a Child / Adult Protection Conference and agreed by the Housing Needs Manager.</p>
<p>Elderly social housing tenants in Cherwell District who are willing to move to sheltered accommodation</p>	<p>Elderly applicants who will be releasing general needs housing.</p>
<p>Release of adapted property</p>	<p>Where a tenant does not require the adaptations in their current home and will therefore be releasing an adapted property by moving and there is a suitable applicant queuing for the adapted property which will be released through a move. This award is valid if the applicant still requires adaptations provided the adaptations required are different from those in their current home.</p>
<p>Approved Move On from Supported Housing</p>	<p>An applicant is ready to move to independent settled housing on the recommendation of the support worker and can demonstrate that they have acquired the necessary skills to live independently which meets the Council's requirements. Ongoing support needs have been assessed and, where appropriate, a support plan is in place.</p>
<p>Approved Move on form Care</p>	<p>Applicants will be awarded this category on accordance with protocols between the Housing service and the County Council's Children's service department. Applicants must be former relevant child as defined by the Children's Leaving care Act 2002 and be a young person at risk</p>

<b>Band 2 Significant Need to Move – Reasonable Preference</b>	<b>Examples of Qualifying Circumstances / Summary of Criteria</b>
Statutory Homeless Households	All accepted statutory homeless people as defined in Part VII of the Housing Act 1996 and are owed a duty under section, 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 Cherwell District Council under section 192(3).
Health and Disability See health and disability matrix	See Health and Disability Matrix Band 2 (see Appendix 5) There is an identified significant effect on the health or well-being of an applicant or a member of their household as a consequence of their housing situation.
Social, Welfare and Hardship See social, welfare and hardship matrix	<ul style="list-style-type: none"> <li>▪ There is a significant need to move in order to receive / give essential care and support</li> <li>▪ The applicant or a member of their household has a physical or learning disability</li> <li>▪ Take up employment, education or training – documentary evidence required</li> <li>▪ Foster care</li> </ul> <p>To be eligible for this award documentary evidence will be required.</p>
Overcrowded	Applicants overcrowded by 1 bedroom calculated according to the bedroom standard (see tables on pages 14 & 15)
Armed Forces with Discharge date <ul style="list-style-type: none"> <li>• Those who are currently serving in the regular forces or who were serving in the regular forces at any time in the 5 years preceding their application for an allocation of social housing OR</li> <li>• bereaved spouses or civil partners of those serving in the regular forces where (i)the bereaved spouse or civil partner has recently ceased, or will cease to be entitled to reside in Ministry of Defence accommodation following the death of their spouse or civil partner, and (ii)the death was wholly or partly attributable to their service</li> </ul>	Armed Forces applicants are awarded Band 2, 12 months prior to their official discharge date – documentary evidence will be required.

People at risk of homelessness	Those deemed at risk of homelessness and in apparent priority need as evidenced by the Housing Needs Team. This will be reviewed as part of ongoing case work every 28 days.
Unsatisfactory Housing	Where the property is assessed against the Housing Health & Safety Rating System (HHSRS) and the defects cannot be remedied in a reasonable timescale. Assessment is carried out by an Environmental Health Officer or other qualified Officer

<b>Band 3: Moderate Need to Move due to Reasonable Preference</b>	<b>Examples of Qualifying Circumstances / Summary of Criteria</b>
Tied Accommodation	<p>Applicants living in tied accommodation relating to their employment, and who have received formal notice of termination of their employment and tenancy through no fault of their own.</p> <p>Band 3 will only be given where there is clear documentary evidence that the employer is terminating the employment and the use of the accommodation within 12 months.</p> <p>Examples of such applicants include:</p> <ul style="list-style-type: none"> <li>• school caretakers</li> <li>• wardens of sheltered schemes</li> </ul>
Agricultural workers	<p>We will grant Band 3 to displaced agricultural workers for accommodation according to the requirements of the Rent (Agriculture) Act 1976. In reaching a decision on whether an applicant is to be prioritised for housing on these grounds, the Council will need to be satisfied that:</p> <ul style="list-style-type: none"> <li>• the dwelling from which the agricultural worker is being displaced is needed to accommodate another agricultural worker and the farmer cannot provide suitable alternative accommodation for the displaced worker</li> <li>• the displaced worker needs re-housing in the interests of efficient agriculture</li> <li>• the farm is sold and the property will no longer be available</li> </ul> <p>The Council will take advice from the Agricultural Dwelling-House Advisory Committee (ADHAC) in all these respects.</p>
Non priority homeless / intentionally homeless - People who are not owed a duty by Cherwell District Council 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)	<p>People as defined in Part VII of the Housing Act 1996 who are found to be homeless but not in priority need or intentionally homeless</p> <p>People who are formally assessed by Cherwell District Council as of No Fixed Abode</p>
Health & disability - moderate	See matrix – Appendix 5
Social, Welfare or Hardship - moderate	See matrix – Appendix 6

<b>Reserve List: Qualified without recognised housing need within this policy</b>	<b>Examples of Qualifying Circumstances / Summary of Criteria</b>
Applicants who are eligible and qualify under the rules of the Scheme	Those who do not qualify for bands 1, 2, 3

**THIS IS NOT AN EXHAUSTIVE LIST**

## Health and disability matrix

All applicants need to complete a Cherwell District Council medical form.

This matrix sets out the guidelines for assessing the housing need of an applicant, or a member of their household, where there is reason to believe their health is being adversely affected by their current housing circumstances. In all cases the assessment will focus on the extent to which existing housing exacerbates the problems being experienced and the extent to which these problems could be alleviated by a move to alternative more suitable accommodation.

The assessment will be made based on the evidence gathered from the applicant, occupational therapists and other health and social care professionals. Account will also be taken of whether the resultant housing problem has already been dealt with elsewhere in the Allocation Scheme, for example where additional priority has already been awarded for overcrowding and this is the source of the medical issues.

### Health and disability matrix

Band 1 - urgent	Band 2 - Significant	Band 3 - moderate
<ul style="list-style-type: none"> <li>▪ Where an applicant's condition is life-limiting and rehousing is required to provide a basis for the provision of suitable care</li> <li>▪ The applicant's condition is life threatening and the applicant's existing accommodation is a major contributory factor, for example, where an applicant has identified significant mental health problems which are exacerbated by their accommodation</li> <li>▪ Disabled people who have restricted or limited mobility and are limited by their accommodation and unable to carry out day to day activities or have difficulties accessing facilities inside and outside of their accommodation and require rehousing into accommodation suitable for their use</li> <li>▪ Hospital discharge with no suitable accommodation available</li> </ul>	<ul style="list-style-type: none"> <li>▪ There is an identified serious effect on the health or well-being of an applicant or a member of their household while they continue to live in their current accommodation but it does not cause serious barriers to day to day activity or their life is not at risk due to their current housing.</li> <li>▪ Mental illness or disorder</li> <li>▪ Chronic or progressive medical conditions eg MS, HIV/AIDS</li> <li>▪ Infirmity due to old age</li> <li>▪ Need for adapted housing and/or extra facilities, bedroom or bathroom</li> <li>▪ Need for improved heating</li> <li>▪ Need for ground floor accommodation</li> <li>▪ Need to move following hospitalisation or long term care or to access medical treatment</li> </ul>	<ul style="list-style-type: none"> <li>▪ there is risk of deterioration in the health of the applicant or a member of their household which will make it difficult for them to manage their existing home at some point in the future</li> </ul>

Band 1 - urgent	Band 2 - Significant	Band 3 - moderate
	<p>The Council will take into account information provided by one or more of the following:</p> <ul style="list-style-type: none"><li>• An applicant's GP or consultant</li><li>• Social Services</li><li>• Occupational Therapist</li><li>• Age Concern or any other voluntary sector organisation representing the applicant</li></ul>	

## Social, Welfare and Hardship assessment matrix

This matrix sets out the guidelines for assessing an applicant, or a member of their household's housing need, where there is reason to believe they have exceptional social, welfare and hardship circumstances, *not covered elsewhere in the Allocation Scheme*, where it would be considered appropriate to recognise additional priority for an applicant to move.

Band 1 - urgent	Band 2 - significant	Band 3 - moderate
<ul style="list-style-type: none"> <li>▪ Threat to life</li> <li>▪ Emergency cases due to fire, flood or other disaster</li> <li>▪ Exceptional need not covered elsewhere in the scheme</li> <li>▪ Exceptional circumstances as directed by Head of Regeneration and Housing</li> </ul>	<ul style="list-style-type: none"> <li>▪ There is an significant need to move in order to receive / give essential care and support</li> <li>▪ The applicant or a member of their household has a physical or learning disability which is significantly impacted by their current housing</li> <li>▪ Behavioural difficulties</li> <li>▪ Need for sheltered housing</li> <li>▪ Need to move to take up employment, education or training – documentary evidence required</li> <li>▪ There is an significant need to move to provide foster care</li> </ul> <p>To be eligible for this award you will need to provide documentary evidence</p>	<ul style="list-style-type: none"> <li>▪ The existing home moderately limits the care and support that can be provided to the applicant or someone in their household</li> <li>▪ The environment around the home has moderate detrimental effect on the quality of life of the household</li> <li>▪ Financial Hardship Current Accommodation is Financially unsustainable and cannot be resolved.</li> </ul>



### **How medical assessment and adapted homes are dealt with under the scheme**

#### **Adaptations**

Properties which are adapted or which are suitable for adaptation or which are otherwise potentially suitable for applicants with a disability, where other accommodation may create barriers for a disabled applicant or for other special reasons may be allocated directly to the most appropriate applicant and outside any strict order. Specially adapted properties may also be labelled so that only applicants who meet specific criteria may bid. This may, depending on the characteristics of the property, include cases where a ground floor flat is available and an applicant with very high priority requires such accommodation. Rather than select an applicant with general needs to the property the Council reserves the right to allocate to a high priority applicant in need of such accommodation.

#### **Medical Assessment**

Applicants who have a medical need will be asked to complete a Medical Form, which will be assessed by the Council. Applicants will only be offered additional preference if their current housing has a negative impact on the applicant's health or condition.

The criteria to be considered relate to the extent that the health of an applicant, or an immediate member of the applicant's household, will significantly improve by a move to alternative accommodation. The assessment is not based on the seriousness of an applicant's condition, but is solely based on the impact of their current housing on that condition and whether this would improve significantly through a move to alternative housing.

In circumstances where more than one member of the household suffers from a medical condition, the Council will take the needs of the entire household into account when making a decision.

Following assessment, the Council will decide whether or not to award priority on the basis of the information provided in the medical form and where appropriate, any additional information from the GP, hospital, or consultant.

### **What discretion is built into the scheme?**

#### **Management Discretion**

As far as it is possible, the Council will use the banding system and registration date (See page 12) within the band to prioritise applications for accommodation. At times this will also incorporate restrictive labelling of properties through Choice Based Lettings and Local Lettings Plans to ensure that the Council is meeting its statutory obligations and helping to achieve the outcomes of Cherwell District Council's Housing Strategy.

From time to time a situation may arise that is not predicted by this Allocation Scheme but the needs or circumstances are exceptional and significant.

Where a case is considered exceptional but the applicant does not meet any of the Reasonable Preference criteria or it is felt that a higher banding than the one awarded is more appropriate then the Housing Needs Manager / Head of Regeneration and Housing of the District Council reserves the right to override this scheme and allow an applicant to have a higher priority than they would be entitled to under the Scheme. These cases should be few in number and will be closely monitored and identified in reporting on the annual lettings plan to ensure that the duty to achieve Reasonable Preference overall is not compromised.

Such cases will qualify for Reasonable Preference and will be granted additional preference and placed at the top of Band 1, irrespective of waiting time and made a direct offer of accommodation if all other housing options have been explored.

The Head of Regeneration and Housing can also be used to block an allocation in circumstances not predicted by this scheme but where the Council is satisfied someone has unfairly taken advantage of the scheme to the detriment of those in housing need. Again, these cases will be monitored and are expected to be few in number.

### **Administrative Processes**

#### **Review of Applications**

##### **Annual review of applications**

In order to keep the Housing Register up to date all applications are subject to an annual review. The review is intended to ensure the applicant still wishes to be considered for accommodation and that the most up to date information about their housing circumstances is held.

Applicants who fail to respond to either the review or reminder letter within 28 days will have their application closed.

##### **Confidentiality - information sharing agreement**

Any information provided as part of the application process is treated in the strictest confidence and in accordance with current data protection legislation.

##### **Sharing confidential personal information**

Personal information obtained from or about an applicant registered on the Allocation Scheme, will only be used in ways that the applicant reasonably expects in order to process their application.

Privacy and confidentiality will be respected and information will normally be shared only with the applicant's implied or express consent to deliver the service they are seeking, to verify information in order to assess eligibility and priority and to answer enquiries from elected representatives and/or authorised agents acting on behalf of the applicant. This will include the sharing of information with members of the District Housing Register Partnership. (see Partner Registered Providers Appendix 1)

##### **Data protection and information sharing**

All information held is subject to the Data Protection Act 1998. The Council will seek the express consent of applicants joining the Allocation Scheme to share personal information about the applicant, and any member of their household.

##### **Information sharing without consent**

Information may be shared about the individual and their history irrespective of whether their consent has been obtained in exceptional circumstances which will include:

- In accordance with the provisions of the Crime and Disorder Act 1998 (section 115)
- Where there is a serious threat to the other party's staff or contractors
- Where information is relevant to the management or support duties of the proposed landlord or support organisation to ensure the health and safety of the applicant, a member of his or her household, or a member of staff

## **False statements or withheld information**

It is a criminal offence for applicants and/or anyone providing information to this Scheme to knowingly or recklessly make false statements or knowingly withhold reasonably requested information relevant to their application (s171 Housing Act 1996). This includes but is not limited to information requested on the housing registration form, in response to correspondence at the renewal of the application, or relating to any other review of the application. An offence is also committed if a third party provides false information whether or not on the instigation of the applicant. This would apply at any stage of the application process.

Applicants who withhold or supply false information will be disqualified for up to 5 years.

## **Monitoring and evaluation**

To ensure that the Allocation Scheme fully meets its aims and objectives it will be monitored and evaluated on a yearly basis. The Council reserves the right to make amendments to the Scheme to reflect changing circumstances within the District. Any major amendments will be consulted upon with all relevant stakeholders before implementation.

## **Housing Options**

We give all applicants information on other housing options that may be available to them, to assist the applicant in making a reasonable choice as to their best prospect of securing suitable accommodation. This includes information on:

- low cost home ownership
- private sector rented property
- mutual exchanges

**This list is not exhaustive.**

### **How serious offenders are dealt with under this scheme**

Cherwell District Council, along with other agencies will make an assessment of the risk to the community of any applicant who has been convicted of an offence and is considered to present a significant risk to potential neighbours and/or communities.

At the time of registration, an applicant is asked if they or anyone who will be residing with them has a conviction of a criminal offence or anti-social behaviour order.

The Criminal Justice Act 2003 (“CJA 2003”) provides for the establishment of Multi-Agency Public Protection Arrangements (“MAPPA”) in each of the 42 criminal justice areas in England and Wales. These are designed to protect the public, including previous victims of crime, from serious harm by sexual and violent offenders. They require the local criminal justice agencies and other bodies dealing with offenders to work together in partnership in dealing with these offenders.

The Responsible Authority is the primary agency for MAPPA. This is the police, prison and Probation Trust in each area, working together. The Responsible Authority has a duty to ensure that the risks posed by specified sexual and violent offenders are assessed and managed appropriately. Housing departments have a duty to co-operate with the Responsible Authority in this task.

Applicants subject to MAPPA arrangements can apply for properties in the normal way. If successful, the Responsible Authority will decide if the property is a suitable allocation for the individual.

Applicants have the right to request a review – see page 25

#### **Anti-social behaviour**

Some of these applicants with a history of anti-social behaviour will be assessed as disqualified for rehousing due to evidence of past unacceptable behaviour that would warrant an outright possession order through the courts. In such cases, these applicants will be treated as disqualified.

Dependant on the severity and/or nature of the anti-social behaviour and or criminal behaviour applicants may be disqualified for a number of years although reviewed on an annual basis. (see Disqualification rules on page 9)

### **How sheltered and extra care housing is dealt with under the scheme**

#### **Sheltered housing**

As a general rule, only applicants with a proven support need are considered for sheltered accommodation. They will also need to meet the eligibility criteria specified by the landlord. Applicants also need to be eligible for housing as per the published Allocation Scheme of Cherwell.

Therefore restrictive labelling (see page 21) will be applied to vacancies advertised through Choice Based Lettings. It is a condition of all tenancies in sheltered housing schemes that tenants agree to take the Care Line and Warden Service. Separate charges are made for these services on top of the rent.

#### **Extra Care Housing**

Cherwell District Council has nomination rights to some schemes in the district. Extra care housing is to provide older people with their own home and tenancy within a support and care environment ensuring that appropriate personal and housing support are available as required. A tenant may move into a scheme with no or low needs but can access further care as and when the needs arises as they get older or more frail. Extra Care Housing can remove the need for Residential Care for older people in many cases.

People who have assessed care needs will have them provided for by either a Personal Care Support Team who are based on site 24 hours a day and will be able to give care to tenants when this is required or a support team of their choice. The team will be able to adapt a person's care plan to suit their changing needs.

An Extra Care scheme should contain a balance of needs – it is not a residential care home. Any scheme needs to have a vibrant and active feel to it – and therefore the balance of care and support needs is key to a successful Extra Care environment. There is no exact formula to create this environment and the allocations panel will have to take a number of things into consideration when offering a property. These factors include individual circumstances, available care hours, existing needs and numbers of tenants with dementia in the Scheme etc.

All applicants will be registered and assessed for rehousing in line with Cherwell District Council's Allocation Scheme and be eligible to access Social Housing.

To be eligible for Extra Care schemes all potential tenants must:

- Be over 55 years of age or meet the eligibility criteria specified by the landlord
- Be eligible for housing as per the published Allocation Scheme of Cherwell District Council
- Be assessed by the Extra Care Scheme Manager for support that is provided Applicants must be deemed suitable for the Extra Care Scheme and that they do not have support needs that are unable to be met or would be detrimental to the scheme itself or other tenants

- Be prepared to agree to the Extra Care Scheme tenancy agreement
- Be made aware of the costs of moving into the Extra Care Scheme before a letting is carried out. This is especially in regard to care costs where these will be not covered by Housing Benefit.

Residents in the Scheme will be offered the opportunity to have their care provided by the contracted care provider.

It should be noted that for couples where one partner is below 55 years of age the couple may be granted a tenancy but it will be a sole tenancy only in the name of the person who is over 55 and therefore meets the criteria above. The younger partner would not be granted succession to the tenancy unless the partner meets the criteria detailed above, at the point at which an application for succession is made.

### **Extra Care Housing Allocations Panel**

The Extra Care Housing Allocations Panel will require an up to date social care assessment in an appropriate format outlining the prospective tenant's housing and social care needs and a medical/social history to enable the panel to arrive at an informed decision as regards whether their needs can be met within the scheme.

The Allocations Panel comprises of:

- A Scheme Manager
- The Rehousing Manager
- A representative of Adult Social Care

When considering a referral for an applicant with care needs the panel will take into account as a minimum:

- the housing and support need of the applicant
- care hours required and the balance of needs within the scheme
- which property size is most appropriate for the applicant, taking into account the size of property in which the applicant has expressed as a preference
- whether the applicant has a local connection to the area

An allocation will only be made via this Panel. The panel will meet whenever a vacancy arises.

A potential tenant must also undertake a pre-offer interview with the Scheme Manager and be shown the facilities at the scheme to ensure that all parties are comfortable with the responsibilities and expectations of a tenancy within an Extra Care Housing scheme. This also gives the prospective tenants an opportunity to find out more about the scheme and to make an informed decision about moving. On completion of a successful Scheme visit a tenancy is offered and paperwork completed by the Scheme Manager.

If this visit raises issues as to the suitability of a tenancy, every step will be taken to resolve the situation in discussion with all parties. A further assessment or Panel discussion may be requested or further housing related support may be necessary.

If identified issues cannot be resolved (or resolved within an agreed timescale with the provider), the tenancy will be offered to the next suitable person identified by the Panel or Rehousing Officer – again subject to a successful home or scheme visit.

The Extra Care Scheme Manager will inform all applicants refused an offer of a tenancy and will give reasons for the decision. An appeals process can be invoked where any party wishes to dispute the decision reached by the Allocation Panel.

## **Property type and size**

All applicants are eligible for a one or two bedroom property and are invited to express their preference. However, the final decision on the size of property allocated to the applicant will be made by the Panel, taking into account the applicant's preference and the government's new guidance on bedroom allowance.

## **Supported Accommodation**

### **Size and type of property for which applicants are eligible**

Supported housing will be available only for applicants who are eligible for that particular type of accommodation and the related support. For example, some supported housing is provided exclusively for people with learning difficulties, or for young people leaving care. Where accommodation is available only for applicants who satisfy such special criteria, this will be clearly labelled on advertisements placed on the Choice Based Lettings website.

Please refer to page 14 to see the size of property for which applicants are eligible for.

Where applicants require larger accommodation on health grounds, this will be considered on a case by case basis, taking into account the advice of a qualified medical advisor and the government's new guidance on bedroom allowance.

## **Including a Carer in the application**

A carer is someone who, with or without payment, provides help and support to a partner, relative, friend or neighbour, who would not manage without their help. This could be due to age, physical or mental health, addiction, or disability. In all cases the carer must have been identified by the applicant as the person who is primarily responsible for providing them with care and has the need to live with them or near them.

Even if an applicant is in receipt of Carer's Allowance it may not be necessary for the carer to reside with them. An application to include a carer in a housing application will be considered if the carer has been assessed by Social Care and Health as needing to provide overnight support and cannot reasonably be expected to share a bedroom. In these circumstances the applicant must provide supporting evidence from other agencies e.g. Adult Social Care or a health professional.

In some limited circumstances it may be possible to consider cases where the carer is not in receipt of Carer's Allowance. Under these circumstances it will still be necessary for the applicant to demonstrate that the person looked after is in receipt of one of the following benefits:

- Disability Living Allowance – paid at either the middle or higher rate for personal care.
- Attendance Allowance
- Constant Attendance Allowance
- Disablement Benefit



### What is the Build!® project?

Cherwell District Council has launched a self-build project, providing an alternative source of affordable housing. The principle is essentially that members of the public could be involved in building their own homes, as a community or independently to some degree or other, and would in return benefit from lower rents or purchase prices and perhaps a home design more in line with their needs. The initial project aims to provide 250 homes in the Cherwell District through a combination of self-build, part self-build and final finish, through new-build and renovation of long-term empty homes, by the end of the 2014/15 financial year.

### Do I need to have skills or experience?

Certain schemes such as 'self-build housing scheme' will need professional experience and skills which we hope to procure through fellow Build!® applicants, local contractors and local suppliers. However it is feasible that groups of people with a range of skills could decide to work together on a number of properties, benefiting from each other's handy-work and economies of scale in procuring additional services. Build!® will also seek to provide training to individuals who wish to take part in self-build projects but lack the basic skills to do so, giving them opportunities to learn and apply skills in tasks on Build!® homes.

### What are the build options?

- **Self-finish** - this will involve the participant completing some internal work such as fitting kitchens and bathrooms; decoration and finishes to internal walls, ceilings and floors; installing internal doors and architraves; completing external landscaping. This may include former empty properties and new-builds.
- **Watertight shell** - the building will be completed to the point where it is watertight but internal structures such as partition walls will need to be added, plumbing and wiring installed etc.
- **Serviced plot** - a plot of land with all services supplied up to its boundary, including electricity, gas, sewerage, roads and so on. Detailed planning permission will be in place for prospective buyers to build their home from scratch. This may involve them doing the work themselves, buying a 'kit home' or commissioning a builder to build the home on their behalf.

### What are the possible tenures?

Homes will be available to buy on:

- shared ownership
- shared equity
- to rent at 60 to 80 per cent of open market value (depending on the level of involvement)
- open market sale - those intending to buy their own home. Cherwell will also be able to signpost them to mortgages specifically tailored for self-build.

### Complaints

An applicant who is not satisfied with the service that they receive may register a complaint with the Council's Complaint procedure by telephone, e-mail or in person. All complaints will be acknowledged and investigated.

#### How to complain

If you have a complaint, please use one of the following methods to contact us:

- Complete the compliment/comment/complaint form available from the website
- Visit one of our offices in Bicester, Kidlington, Bodicote, Banbury
- Write to Complaints, Customer Service Centre, Cherwell District Council, Bodicote House, Bodicote, Banbury OX15 4AA
- e-mail [complaints@cherwell-dc.gov.uk](mailto:complaints@cherwell-dc.gov.uk)

Your complaint should include your details, information about what went wrong and what you want us to do about it.

## Definition of Terms

<b>Allocation</b>	<ul style="list-style-type: none"> <li>• The selection process by which a person becomes a secure or introductory tenant of housing accommodation held by a housing authority <i>or</i></li> <li>• The nomination process by which a person becomes an assured or assured shorthold tenant of housing accommodation held by a Registered Provider.</li> </ul>
<b>Children</b>	Are defined as dependents, in a household, under the age of 16 or who is still dependant on the applicant e.g. due to continuing education
<b>Choice Based Lettings</b>	The advert based system that we used so that applicants on our Housing Register can apply for properties. Applicants are assessed, properties are advertised and applicants apply for them
<b>Disabled adapted properties</b>	Disabled adapted properties are properties that have been specially built or adapted for people with disabilities
<b>Effective date</b>	Date used to prioritise applications in a band
<b>General needs properties</b>	General needs properties are suitable for applicants who do not have a need for sheltered accommodation or specially built or adapted properties. They include bedsitters and house, flats and maisonettes of any size
<b>General register applicant</b>	Applicants who have been accepted onto our Housing Register as being eligible to apply for social housing
<b>Homeless applicant</b>	Applicants found to be homeless, in a priority need group and where a duty to offer housing has been accepted under sections 193 or 195 of Part 7 of the Housing Act 1996
<b>Housing Register</b>	The Housing Register is the waiting list administered by Cherwell District Council on behalf of our partner Registered

	Providers.
<b>Joint Applicants</b>	<p>Joint applicants may be:</p> <ul style="list-style-type: none"> <li>• married couples</li> <li>• partners living together</li> <li>• others who wish to set up home together</li> </ul>
<b>Approved Move-on</b>	Applicants who have been assessed by a support worker as ready to move-on from supported accommodation where Cherwell have an agreed move-on protocol
<b>Nomination agreement</b>	A legal agreement between the Council and the registered provider which states how applicants will be nominated for vacancies by the Council, the number of vacancies that must be offered to the Council for nomination and any special priorities such as village or local connection
<b>Registration date</b>	The date the Housing application was received
<b>Registered Provider (RP)</b>	A Registered Provider; the official name for housing associations, housing co-operatives and housing companies that are registered with the Housing Corporation Association
<b>Secure tenancy</b>	Tenancies granted by local authorities whenever granted and tenancies granted by Registered Providers before 15 January 1989
<b>Sheltered housing</b>	Sheltered housing is housing with visiting or residential staff
<b>Social housing</b>	Affordable housing that you rent or part rent / buy from a council or Registered Provider
<b>Tied accommodation</b>	Accommodation provided for and subject to employment
<b>Transfer applicant</b>	A transfer applicant is a secure tenant or an assured tenant of one of our partner RPs who lives in our district and whose application has been accepted onto our Housing Register