



# Housing Allocation Scheme

TBC 2025

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## 1. Introduction and Overview

### 1.1 Introduction

Cherwell District Council (CDC) transferred its housing stock, which is now owned by Sanctuary Housing Group, through a Large Scale Voluntary Transfer (LSVT). Therefore, it is important to note that with the exception of a small number of units this Housing Allocation Scheme relates primarily to housing owned by Registered Providers (RPs) of social housing.

In Cherwell, the demand for social housing is greater than the number of homes available. This Housing Allocation Scheme describes how CDC prioritises housing applicants and ensures that those in greatest housing need, including as described by the legal definition of Reasonable Preference in the Housing Act 1996 (as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017) (the Act), are given appropriate priority to access available social housing. Whilst CDC will nominate applicants to housing that is owned by RPs, in accordance with this Housing Allocation Scheme, RPs will also have due regard to their own lettings policies when letting their properties.

This Housing Allocation Scheme applies to:

- new applicants
- current applicants
- existing tenants of a RP who want to transfer either with their current landlord or to another RP

This Housing Allocation Scheme sets out in detail who is eligible and who will qualify to join the housing register as well as 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 from CDC.

The vast majority of the housing that CDC allocates under this Housing Allocation Scheme is through a Choice Based Lettings (CBL) 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.

### 1.2 Aims and objectives

The key objectives of this Housing Allocation Scheme are to:

- provide housing applicants in Cherwell with a fair and transparent system by which they are prioritised for affordable 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 CDC's resources and those of its partner RPs

CDC designed this Housing Allocation Scheme to meet all legal requirements and to support and contribute towards the objectives of its Housing Strategy. CDC's Housing Strategy, and the ways in which it provides advice and assistance to home seekers on a whole range of housing options, including access to the private rented sector and low cost homeownership, can be found on CDC's website at [www.cherwell.gov.uk](http://www.cherwell.gov.uk).

### 1.3 The legal context

Part VI of the Act requires local authorities to make all allocations and nominations in accordance with a Housing Allocation Scheme. A summary of the Housing Allocation Scheme must be published and made available free of charge to any person who asks for a copy. A summary of this Housing Allocation Scheme is available at CDC's offices and on CDC's website. This document is the full version of the Housing Allocation Scheme and is available for inspection at CDC's main office.

The Act requires local authorities to give Reasonable Preference in their Housing Allocation Scheme to people with specific needs. 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 their Housing Allocation Scheme what its position is on offering applicants a choice of housing or offering them the opportunity to express preference about the housing to be allocated to them.

This Housing Allocation Scheme complies with the requirements of the Act and takes into account the various codes of guidance issued by the Ministry for Housing, Communities and Local Government including:

- Providing social housing for local people (December 2013)
- Right to Move and social housing allocations (March 2015)
- Improving access to social housing for victims of domestic abuse (January 2022)
- Improving access to social housing for members of the Armed Forces (June 2020)
- Allocation of Accommodation: guidance for local housing authorities in England (October 2023)

The Housing Allocation Scheme is drafted to ensure that it is compatible with CDC's equality duties, under the Equality Act 2010, 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 9 protected characteristics are age, race (including ethnic or national origins, colour or nationality), disability, sex, pregnancy and maternity, sexual orientation, religion or belief, marriage and civil partnership, and gender reassignment.

Further, this Housing Allocation Scheme has taken into account all other relevant legislation and case law, CDC's Homelessness Strategy and Tenancy Strategy and CDC's duties under the Care Act 2014.

In summary this Housing Allocation Scheme has considered:

- CDC's statutory obligations and discretion as to who is eligible for housing allocation
- CDC's statutory obligation to provide Reasonable Preference to certain categories of applicants set out by law
- CDC's statutory obligations and discretions to grant 'additional preference' and/or to determine priority between applicants with Reasonable Preference
- the general and specific statutory discretions CDC can exercise when allocating housing in support of its Housing Strategy
- the local flexibility offered through the Localism Act (2011)

This Housing Allocation Scheme, or the manner in which CDC allocates housing under this Housing Allocation Scheme, may be amended and updated from time to time to take account of any new or updated procedures, guidance, regulations and legislation. CDC will always act in accordance with the most up to date guidance, regulations and legislation which are relevant to this Housing Allocation Scheme and will endeavour to reflect those changes in formal written updates as soon as possible.

#### **1.4 Advice and assistance**

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

This full version of the Housing Allocation Scheme outlines:

- the procedures for applying to the Housing Allocation Scheme and for bidding for available homes
- how applicants are prioritised under this Housing Allocation Scheme
- how successful applicants will be selected by CDC
- rules on how homes will be advertised including bidding cycles and restrictive labelling
- review procedures

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

- what band is applied to their application under this Housing Allocation Scheme
- what size properties they are eligible for
- what information and documentation they need to provide for CDC to verify their circumstances and when this information will need to be provided
- the reasons for a disqualification and the period of time the applicant will be disqualified for.

In partnership with RPs, CDC endeavours for all property advertisements to provide relevant property information so that applicants can make informed choices. The CBL scheme promotes informed choices and expects to guide applicants to bid only for properties they would like to secure. Advertisements are expected to include as a minimum:

- location
- property type, size and floor level
- nature of tenancy on offer
- type of heating
- whether the property has a garden
- whether parking is available
- the amount of rent and any other charges that are payable
- at least one photo of the property
- the Energy Performance Certificate rating
- The landlord (RP)

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

- 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

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- a face to face or telephone appointment to explain the content of this document and information about where independent advice can be obtained about this Housing Allocation Scheme

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

- advice on RPs allocations outside of this Housing Allocation Scheme
- advice on renting in the private sector
- advice on available low-cost home ownership options
- advice on welfare benefits, employment, education and training
- Enhanced Housing Options Service – self-help tool via the website at [www.cherwell-homechoice.org.uk](http://www.cherwell-homechoice.org.uk)

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## **2. Allocations and how to apply**

### **2.1 How to make an application**

To apply to join the housing register applicants must complete a housing register application form. This can be completed online at [www.Cherwell-HomeChoice.org.uk](http://www.Cherwell-HomeChoice.org.uk).

Assisted completion of an application form over the phone is available for those who do not have internet access or those who require additional help to complete the online form.

CDC aims to assess applications and notify applicants of the outcome of their housing register application within 15 working days of the application being submitted. If further information or documentation is required, CDC aims to notify applicants of the outcome within 15 working days of all required information or documentation being submitted.

If the required supporting information or documentation is not provided by the applicants, the application cannot be made active. If the information is not received within 15 working days of the application being submitted the application will be closed.

More information about how to apply for social housing in Cherwell is available on CDC's website.

An applicant who requires assistance should call CDC's Customer Service Team on 01295 227004 or email [housingregister@cherwell-dc.gov.uk](mailto:housingregister@cherwell-dc.gov.uk).

### **2.2 Bidding for available properties**

Once applicants are accepted onto the housing register they can start bidding for properties. CDC advertises all properties through its nomination agreements with partner RPs through its Choice Based Letting (CBL) scheme. The eligibility of applicant's bids received will be checked against the labelling used in the advertisement. Any ineligible bids will be skipped. Where multiple bids are received for the same property, the allocation of that property will be based on the Band applied to the application and waiting time. See section 7.3 for more information on how applications are prioritised.

### **2.3 What are 'Allocations' under this scheme?**

An 'allocation' of accommodation under this Housing Allocation Scheme is the nomination by CDC of a person to be an Assured or an Assured Shorthold tenant of a RP's housing accommodation. Often the tenancy offered by the RP will be a 'Starter Tenant' meaning that the RP will grant an Assured Shorthold Tenancy for a set 'probationary' period (usually 12 months). Provided that the tenant successfully completes the 'probationary' period the RP will grant an Assured Tenancy.

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

The following are not 'allocations' under this scheme:

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

### **3. Choice and constraints**

#### **3.1 Policy on expressing choice of rehousing area**

The choice of housing that CDC can offer is limited by the housing available and the responsibilities it has to some groups in housing need, such as those found to be statutorily homeless.

Most applicants will be able to bid using Choice Based Lettings (CBL) to apply for properties they have been assessed as eligible for across Cherwell. There are some circumstances in which this will not apply which are outlined in section 9.1 (auto-bidding).

CDC requests that applicants state those areas where they believe they cannot live due to fear or actual violence, harassment or domestic abuse at the point they make an application to the housing register. When considering if offers of housing are reasonable, CDC must be satisfied that such actions would likely to be carried out in those areas. Consideration must also be given as to how an allocation in Cherwell would provide a place of safety for those at risk.

#### **3.2 Statutory Homeless Applicants**

All statutory homeless households owed the homeless relief duty as defined in Section 189B of the Act will be placed on automatic bidding at the point a relief duty is accepted.

To discharge a statutory homeless duty the local authority will make 1 final offer of housing. To be deemed a final offer the accommodation must be reasonable and suitable for the needs of the household. This may be social housing, private rented or supported accommodation. An application to the Housing Register will be suspended until the suitability and reasonableness of the final offer is confirmed. Refusal of a reasonable and suitable final offer will result in the housing register application being closed and the applicant being disqualified from re-joining the housing register for a period of 6 months.

Whilst we consider each applicant's personal circumstances; given the good transport links and access to employment, education, health and support services throughout our district it is likely an offer anywhere within Cherwell will be considered suitable as a final offer.

As above, applicants must state if there are areas where they believe they cannot live due to fear or actual violence, harassment or domestic abuse at the point they make an application to the housing register. When considering if offers of housing are reasonable and suitable, CDC must be satisfied that such actions would likely to be carried out. Consideration must also be given as to how an allocation in Cherwell would provide a place of safety for those at risk.

#### **3.3 Move-on from Supported Accommodation**

CDC has protocols in place with providers of supported accommodation to assist clients who are ready to move-on to independent living. A Band 2 will be applied to the applications of households who are approved for move-on from supported accommodation which acknowledges that such accommodation is a scarce resource and should be made available as soon as possible for the next household who requires support.



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Auto-bidding will be applied to applications of those approved for Move-on .

The council will make 1 final offer of housing to facilitate an approved move-on. To be deemed a final offer the accommodation must be reasonable and suitable for the needs of the household. This may be social housing, private rented or further supported accommodation. An application to the Housing Register will be suspended until the suitability and reasonableness of the final offer is confirmed. Refusal of a reasonable and suitable final offer of housing will result in the housing register application being closed and the applicant being disqualified from re-joining the housing register for a period of 6 months.

Whilst we will consider each applicant's personal circumstances; given the good transport links and access to employment, education, health and support services throughout our district it is likely an offer anywhere within Cherwell will be considered suitable as a final offer.

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## **4. Eligibility and qualification criteria**

This section provides detail on how CDC determines whether any applicant is eligible and qualifies to join the housing register.

### **4.1 Who can apply to the Housing Register**

Anyone can apply to join the housing register. On receipt of an application to join the housing register, CDC will consider:

- whether the applicant/s are eligible for an allocation of social housing
- whether the applicant/s meet the qualification criteria (outlined in section X)

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

In order to qualify to join the housing register, any applicant or joint applicant aged 16 or 17 years old must meet one or more of the following conditions as being:

- accepted as homeless under Part VII of the Housing Act 1996
- 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, CDC will undertake a joint assessment with Social Services of the applicant's housing, care and support needs to ensure that adequate support is available.

In order to secure accommodation any person under 18 years of age must provide details of a suitable guarantor who will sign the applicant's tenancy agreement. Applicants under the age of 18 who are eligible can only be considered for supported accommodation provided by CDC's RP partners unless accepted as statutory homeless or in exceptional circumstances.

### **4.3 Care leavers**

Any person over the age of 18 who is a care leaver, having been looked after by Oxfordshire Children's Services under Section 20 of the Care Act 2014, and has been accommodated anywhere within the county of Oxfordshire, or outside the district, will be treated as if they have a local connection to Cherwell District and therefore qualify to apply for housing accommodation under this Housing Allocation Scheme. Care leavers who have been placed in the district by another local authority for a considerable period will also be given consideration.

### **4.4 Councillors, employees and their close relatives**

This Housing Allocation Scheme is designed to ensure that CDC (and any relevant organisation) is transparent and equitable when letting homes to staff, its Councillors or any of their relatives. This Housing Allocation Scheme is open to any eligible applicant who meets the qualification criteria. Council staff, Councillors and their relatives are treated as any other applicant and will not gain any advantage or any preferential treatment in the course of their application, nor shall they be disadvantaged. For further information see Appendix 2.

### **4.5 Members of the Armed Forces**

Certain members of the Armed Forces community are exempt from any residency requirements, which prevents local authorities from applying a local connection test to disqualify such applicants from their housing registers and this is reflected in our local connection criteria. We retain discretion to deal with individual cases where there are exceptional circumstances and are aware that such circumstances may arise in relation to the wider Armed Forces community. We recognise that the requirement for Service personnel to move from base-to-base can impact on other family members, including for example adult children who also may no longer be able to remain in the family home.

Local authorities are required to frame their Housing Allocation Scheme to give additional preference to certain members of the Armed Forces community, where they fall within one or more of the reasonable preference categories and have urgent housing needs. These are:

- a) Former members of the Regular Armed Forces
- b) Serving members of the Regular Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- c) Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- d) 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 Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.

To give this additional preference, CDC will seek to allocate a suitable home through a direct match for members of the Armed Forces community as outlined above in cases where a Band 1 (urgent housing need) has been applied to their application.

#### **4.6 Who can and cannot be included on a housing register 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 CDC 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 applicant and any joint applicant's income, savings, capital and assets.

For the purposes of this Housing Allocation Scheme 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.

#### **4.7 Who cannot be accepted onto the Housing Register**

CDC will refuse an application to join the housing register in the following circumstances:

#### **4.8 Those who are not eligible**

##### **Persons from abroad**

A person may not be allocated accommodation under Part VI of the Act 1996 if he or she is a person from abroad who is ineligible for an allocation under s.160ZA.

There are two categories for the purposes of s.160ZA:

- i. a person subject to immigration control - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)), and
- ii. a person from abroad other than a person subject to immigration control - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

The regulations setting out which classes of persons from abroad are eligible or ineligible for an allocation are the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (SI 2006 No.1294) ('the Eligibility Regulations').

Persons who can produce evidence of an in-time appeal of their leave to remain will be treated as though they continue to have leave to remain.

## **4.9 Those who are disqualified**

### **4.9.1 Unacceptable behaviour**

CDC will disqualify an applicant from the housing register if the applicant, or any member of their household, has behaved in an unacceptable way as described in this Housing Allocation Scheme and at the time of their application to the housing register, they are still considered by CDC to be unsuitable to be a tenant by reason of that behaviour.

CDC considers that unacceptable behaviour includes the following circumstances:

#### **Fraud or deception**

Applicants will not qualify to join the housing register in cases where they have:

- Obtained a tenancy by deception, including by making false, misleading or omissive statement(s).
- Payed money or money's worth to obtain a social tenancy including by exchanging properties with another social tenant.
- Made false, misleading or omissive statement(s) in connection with a housing register application, homelessness application or benefit claim or award.

#### **Convictions, anti-social behaviour and breaches of tenancy**

Applicants will not qualify to join the housing register in cases where they have:

- Been evicted from private or social rented housing for any form of anti-social behaviour or illegal subletting, or where there has been formal action taken by the landlord in relation to the applicant, the applicant's household or his/her visitors for causing a nuisance, annoyance or otherwise anti-social behaviour to others including, but not limited to neighbours, visitors, the landlord or a person employed in connection with the exercise of the landlord's management functions.
- Used their property for an immoral or illegal purpose.
- Been convicted of a criminal offence that makes the tenant unsuitable to be a tenant, including in relation to domestic violence.
- Been subject to an injunction or order in relation to their anti-social behaviour inside or outside of the home.
- Assaulted, threatened or abused the landlord, a person employed in connection with the exercise of the landlord's management functions, CDC or one of the CDC's partner agencies including, but not limited to, providers of housing and housing related support services.
- Been responsible for the deterioration of a property, its fixtures, fittings or furniture provided for use under the tenancy and the deterioration was due to neglectful or deliberate acts by applicant, the applicant's household or his/her visitors.

#### **Rent arrears and other housing related debts**

Applicants will not be disqualified from the housing register for having housing related debt including but not limited to rent arrears, service charges, chargeable repairs (including Cherwell Bond Scheme or temporary accommodation debt) or associated court costs and fees.

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However, applicants must ensure that a repayment plan is in place to reduce any housing related debt as this must be cleared or substantially reduced before an offer of accommodation can be made by a provider of social housing.

Applicants will not be nominated to an RP for a potential offer of accommodation unless outstanding housing related debt is cleared in full or the applicant can evidence that substantial efforts have been made to address their housing related debt.

Substantial efforts would typically include a sustained repayment pattern over a period of at least 12 months and with any housing related debts outstanding being no more than the equivalent of 8 weeks' rent.

CDC will be sympathetic toward former service personnel or former partners of service personnel who have accrued mesne profit debt. Occupants of Service Families Accommodation who remain in residence following the expiry of a notice to vacate and have become irregular occupants can be charged mesne profit charges for trespass. This may occur after service personnel leave the Armed Forces, or estranged partners remain in occupation after a relationship breakdown. CDC understands that housing costs support for mesne profit charges is not available within Universal Credit, nor is Housing Benefit available to those living in a Crown Property. As a result, occupants may accrue mesne profit debt. Occupants may provide a copy of their notice to vacate or Certificate of cessation of Entitlement to Service Families Accommodation as evidence that they are no longer able to occupy their home.

### 4.9.2 Duration of disqualification

Other than in exceptional circumstances, the maximum period of disqualification will be 5 years from the date of the last incident of, or conviction for, unacceptable behaviour as defined by this Housing Allocation Scheme. The minimum period of disqualification will be 12 months.

CDC will use the following matrix as a guide for officers to determine the appropriate period of disqualification for unacceptable behaviour:

|             | Low culpability | Medium culpability | High culpability |
|-------------|-----------------|--------------------|------------------|
| Low harm    | 12 months       | 24 months          | 36 months        |
| Medium harm | 24 months       | 36 months          | 48 months        |
| High harm   | 36 months       | 48 months          | 60 months        |

The following examples may be used by officers to determine the levels of culpability and harm in applying the above matrix, however, the list is not exhaustive and other matters can be taken into account at the officers' discretion. Any reference to an applicant also includes the joint applicant and any member of his or her household:

#### **Example of factors indicating higher culpability:**

- Applicant has a previous history or pattern of unacceptable behaviour or convictions
- Failure to respond to warnings in relation to unacceptable behaviour
- Applicant knowingly and purposefully provided false, misleading or ommissive information
- Abuse of power or position of trust
- Gratuitous violence or wilful damage or vandalism caused

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- Use of weapons, or involvement in gangs

### **Examples of factors indicating lower culpability:**

- First or only one incident of unacceptable behaviour
- Applicant has carelessly but inadvertently provided inaccurate information
- Actions were as a result of a negative environment or circumstances and evidence demonstrates that this has now positively changed.

### **Examples of factors indicating a higher degree of harm:**

- Multiple or vulnerable people were directly affected or targeted including minority groups or those with protected characteristics.
- A person has been physically, psychological or emotionally harmed or threatened by the applicant or his/her actions
- Sustained behaviour or incident
- The offence or incident was directed at public sector workers or workers acting in connection with the landlord's management functions.
- High value of damage to property

### **Examples of factors indicating lower degree of harm**

- No act of violence or lasting psychological harm on another person
- A high degree of provocation was directed at the applicant
- Mental illness or disability affected the decisions made
- The direct role taken in carrying out the action/s was minimal
- Full cooperation and remorse following the incidents
- Accidental or low value of damage to property

If further unacceptable behaviour occurs during the period where the applicants are disqualified, further periods of disqualification from the housing register may be applied in relation to that behaviour.

After the relevant period of disqualification from the housing register has elapsed, the applicants must re-apply to the housing register for an up to date assessment of their eligibility, qualification and housing circumstances to be completed.

If the applicant has a change in their circumstances during a period of disqualification from the housing register, they may submit a new application for this to be assessed and considered. Any further application will be assessed in accordance with this Housing Allocation Scheme.

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

Applicants without a local connection to Cherwell will not qualify to join CDC's housing register. In order to be considered to have a local connection to Cherwell applicants will need to either:

1. have resided in Cherwell for a period of at least 6 out of the last 12 months continuously prior to an application to join the housing register
2. have previously resided in Cherwell for 3 out of the past 5 years
3. have a contract of employment to work within Cherwell for a minimum of 16 hours per week excluding short-term, marginal, temporary and voluntary work. Employees on 'zero hour' contracts must demonstrate a consistent previous record of, or clear expectation to work for a minimum of 16 hours per week.

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4. have a contract of employment as a Category 1, 2, 3 or 4 key worker (as defined by section 7.4 of this scheme) to work in Oxfordshire for a minimum of 16 hours per week excluding short-term, marginal, temporary and voluntary work. Employees on 'zero hour' contracts must demonstrate a consistent previous record of, or clear expectation to work for a minimum of 16 hours per week.
5. have immediate family members, who currently live in Cherwell and have lived in Cherwell for at least the last 5 years, where there has been frequent contact and there is a clear commitment to, and / or dependency on, those family members immediately prior to the date of application.
6. be a household with a Right to Move
7. be leaving the care of Oxfordshire Children's Services;
8. be a household who CDC has a duty or agreement to secure accommodation for through a national Government resettlement scheme
9. be living in a refuge or other form of safe temporary accommodation in the district having escaped domestic abuse in another local authority area.
10. be part of an agreed reciprocal arrangement with another local authority. Or
11. have a special reason for needing to live in the area

Exceptions to the above local connection requirements are:

- Those who are currently serving in the Regular Armed Forces or who were serving in the Regular Forces at any time in the 5 years preceding their application to join the housing register.
- 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 Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.
- Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- Divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence following a breakdown in their relationship with their Service spouse or partner.
- Existing social housing tenants, who need to move into CDC's district, either from another local authority area in England, or from one location to another within Cherwell, for work related reasons to avoid hardship (Right to Move Applicants).

Immediate family members are defined by CDC as parents, children, siblings, grandparents or grandchildren (in each case including step relatives and fostered or adopted children), where there is evidence of frequent contact, commitment to, and/or dependency on, those family members.

In order to establish a local connection to Cherwell through a period of residence as above this must be a settled address of the applicant's own choice. As such a period of residence will not contribute towards establishing a local connection for the purpose of this Housing Allocation Scheme when the applicants reside in Cherwell because they are:

- in prison
- resident in a bail hostel or other such accommodation
- detained under the Mental Health Act
- receiving hospital treatment
- in occupation of a mobile home, caravan or motor caravan which is not placed on a registered residential site



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- in occupation of a holiday letting, this includes a permanent building, hotel or bed and breakfast accommodation for the purposes of a holiday
- placed in temporary or private sector accommodation by another housing authority
- placed in supported accommodation by another local authority
- a rough sleeper who moved to Cherwell from another district and who retained a local connection to another authority at the time of moving.

Applicants should note that the above list is illustrative only and not exhaustive. CDC retains discretion to determine whether any individual applicant can establish a local/district connection or not based on each applicant's individual circumstances.

Some homes in Cherwell will be built with the purpose of meeting the unmet housing needs of Oxford. As such CDC will seek to allocate these homes on the first letting to those who have a local connection to Oxford. For this purpose, the local connection criteria outlined in this section is applicable to those with Oxford connections as well as Cherwell connections and where the word Cherwell is detailed in this section this can be read to also include Oxford. Applicants with a connection to Oxford will receive additional preference for the first letting of those homes built to meet Oxford's unmet housing needs. Those with a local connection above which is not connected to Oxford will receive additional preference over those who do not for all other homes.

### **4.9.4 Homeowners**

Regardless of the level of equity held, applicants or members of their household who already own their own home (including freehold, leasehold, under a mortgage, shared ownership or having marital rights to any of these) will not, subject to the exceptions below, qualify to join the housing register.

- Owner occupiers aged 55 and over who cannot stay in their own home as it does not meet their medical or mobility needs, require sheltered or extra-care housing and do not have sufficient financial resources to meet their housing needs in the private sector or elsewhere and could not resolve this by selling their owned home. These applicants will qualify for sheltered or extra care accommodation only.
- Owner occupiers who can demonstrate that their specific circumstances mean that they need to apply for social housing as detailed in a medical and/or social/welfare need assessment which stipulates the nature of the accommodation that is required which can be provided by social housing but cannot be obtained by the applicant in the private sector and this could not be resolved by the applicant selling his/her owned home.
- Owner occupiers who are experiencing financial hardship and are unable to financially sustain their accommodation and have been assessed by the Housing Options or Housing Allocations Team who have confirmed this to be the case based on the evidence supplied.

CDC will also take into consideration any previous disposal of assets which will include disposals for nil (for example, transfer of ownership) or below market rate value. Previous homeowners who have transferred or disposed of their home, as above, will not qualify to join the housing register.

## Appendix 1

Applicants will be asked to provide evidence of their income, savings and assets if an affordability assessment is required. If applicants fail to provide sufficient evidence, then their application cannot be assessed and will not progress further.

If an assessment has to be made, for example on medical grounds, consideration will be 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 could obtain a mortgage
- the supply and affordability of private rented or other forms of 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 Cherwell

Homeowners who qualify to join the housing register because of exceptional circumstances must make best endeavours to ensure that the owned property is sold within 12 months of accepting an offer of social housing.

### **4.9.5 Sufficient financial resources**

Applicants with financial assets (including capital, savings, stocks, bonds, shares and unit trusts but not including disability related welfare benefits) that when combined with their gross annual household income exceeds £60,000 will not qualify to join the housing register. For applicants who require 3-bedroom homes or larger the cap on financial assets and gross annual household income is £80,000.

This calculation will take into account the gross annual household income and financial assets of the main applicant, joint applicant and their spouse, civil partner and/or partner where they are to reside in the accommodation together as well as any other adult household members who are not in full-time education. A combination of income and financial assets in excess of £60,000, or £80,000 for households who require 3-bedrooms or larger is sufficient to enable applicants to secure accommodation in the private sector.

This assessment does not apply to existing social housing tenants in Cherwell who are seeking to down-size.

Special consideration and exception may be given to applicants who require larger or more specialist accommodation in cases where it can be evidenced that the typical accommodation required cannot be obtained in the private sector based on the level of income and financial assets they have.

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 for the purpose of this assessment.

Where appropriate CDC will take into account any previous disposals of financial assets which will include disposals for nil (for example, transfer of ownership) or below market rate value.

## Appendix 1

Applicants will be asked to provide evidence of their income and financial assets and if this is not provided an application cannot be assessed and will not progress further.

The £80,000 financial assets and gross household income cap as detailed above for applicants who require 3-bedrooms or more is in line with the gross household income cap for grant funded affordable home ownership as set out in Home England's Capital Funding Guide (as at 29 February 2024). As such the £80,000 cap in this Housing Allocation Scheme may be increased or decreased to remain in line with any updates to this guidance.

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

Applications will be disqualified from the housing register for six months in cases where an offer of accommodation which the council considers to be suitable has been refused in the following circumstances:

- All households accepted by CDC under the Homeless Relief Duty or Main Duty who have refused one suitable offer of accommodation and to whom the homelessness duty has been discharged by CDC under Part VII of the Act 1996.
- Applicants awarded a Move-on Priority from supported accommodation who have refused one suitable offer of accommodation.
- All other applicants who have refused three suitable offers of accommodation

In these cases, applicants will be advised of their right to request a review of the suitability of the accommodation offered.

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

At the time an application is made, an applicant must declare if they or anyone who will be residing with them has a conviction of a criminal offence or anti-social behaviour order. These will be taken into consideration when assessing if an applicant qualifies to join the housing register.

CDC will take advice and guidance from other agencies, including the police and probation services, to assess the risk to the community of any applicant who has been convicted of an offence and who may present a risk to potential neighbours and/or communities.

CDC's housing department must cooperate with the Multi-Agency Public Protection Arrangements (MAPPA) in Oxfordshire. 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 of any decision made by CDC regardless of whether they are subject to MAPPA. For more information on reviews see section 11.

## 5. The Banding Scheme

CDC determines the relative priority that is applied to each application to the housing register. CDC is required to give Reasonable Preference in this Housing Allocation Scheme to certain categories of applicant. These Reasonable Preference categories cover:

- People who are homeless as defined by Part VII of the Act
- People who are owed a duty by CDC under section 190(2), 193(2) or 195(2) of the Act.
- People occupying insanitary, overcrowded or otherwise unsatisfactory housing
- People who need to move on medical or welfare grounds (including grounds relating to a disability) (for further information see Appendix 4 and 5)
- People who need to move to a particular locality within Cherwell to avoid hardship to themselves or others

### 5.1 The Structure of the Banding Scheme

The banding scheme consists of four bands as summarised in this section.

- Band 1 – **Urgent** need to move
- Band 2 – **Significant** need to move
- Band 3 – **Moderate** need to move
- Band 4 – **Low** need to move

### **5.1.1 Band 1 Categories – Urgent need to move**

#### **Hospital discharge**

Those who are in hospital or a drug or alcohol rehabilitation centre and cannot be discharged because they need a secure base to continue their recovery and are homeless. Or, have a home but cannot be discharged because it is unsuitable for their recovery or 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. Therefore the applicant cannot be discharged until suitable housing is secured.

#### **Urgent Health or disability**

See health and disability table Appendix 4.

#### **Urgent Social, Welfare and Hardship**

See social, welfare and hardship table Appendix 5.

#### **High Risk Domestic abuse**

High risk victims of domestic abuse, subject to a Multi-Agency Risk Assessment Conference (MARAC) when this is part of an agreed safety plan with CDC.

#### **Urgently overcrowded lacking 2 or more bedrooms**

The household is lacking 2 or more bedrooms in order to have a separate bedroom for each:

Married or cohabiting couple

Adult aged 16 years or older

Pair of children aged 0-15 years of the same gender

Pair of children aged under 10 years regardless of gender

#### **Under-occupation of social tenancies in Cherwell**

RP tenants who under-occupy social housing and who wish to move to a property with fewer bedrooms than their current home, in cases where the larger property will be re-allocated to Cherwell residents who are eligible to join CDC's housing register.

#### **Ex Armed Forces personnel who have sustained serious injury, medical condition or disability during service**

Existing or former member of the armed forces or reserve forces who needs to move to suitably adapted accommodation because of a serious injury, illness, medical condition or disability which he or she, or a member of their household, has sustained which is wholly or partly attributed to their service. This category only applies where the applicant's current accommodation does not have the adaptations or facilities required in relation to the medical condition and cannot reasonably be adapted to meet the required needs.

#### **Private sector properties subject to Prohibition Order, Demolition Order or Overcrowded Notice**

Prohibition or Demolition Order served, preventing the applicant (who is a legitimate tenant or owner of the dwelling and would otherwise have rights to occupy) from occupying the whole dwelling or let room. Or Overcrowding Notice served, requiring the applicant(s) to cease occupation of their sleeping accommodation.

### **Safeguarding Children / Vulnerable Adults**

Serious threat to the well-being of a child or vulnerable 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 or vulnerable adult 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 Options or Allocations Manager.

### **Elderly social housing tenants in Cherwell who wish to move to sheltered accommodation**

Elderly applicants who will be releasing general needs social housing.

### **Release of adapted social housing**

Where a tenant does not require the adaptations in their current social housing property and will therefore be releasing an adapted property by moving and there is a suitable applicant on the housing register for the adapted property which will be released through a move. Band 1 may be applied if the applicant still requires adaptations provided the adaptations required are different from those in their current home.

### **Approved move-on from Care**

Band 1 will be applied in accordance with protocols between CDC's Housing service and Oxfordshire County Council's Children's service department. The applicant must be a former relevant child as defined by the Children's Leaving Care Act 2002 and be a young person at risk.

### **Approved adopter or foster carer lacking adequate bedrooms**

Approved or current long-term foster carer or adopter lacking one or more bedrooms in order to commence or continue with the arrangement. Long-term fostering is a fostering arrangement for a period of 3 years or more. Adopters or long-term foster carers must provide supporting documentation from social care that confirms they have been approved to adopt/foster and alternative accommodation is required or that they will be approved to adopt/foster once satisfactory accommodation is obtained. Short-term foster arrangements and 'kinship' arrangements will be considered on a case-by-case basis if a letter of support is provided by the Service Manager of Fostering Services outlining an urgent need for alternative accommodation.

### **Statutory Homeless Households**

All accepted statutory homeless households as defined by Part VII of the Act who are owed a Relief or Main Housing Duty under section 189b or 193(2).

## **5.1.2 Band 2 Categories – Significant need to move**

### **Homeless households found not to be in priority need**

A verified homeless applicant that has approached CDC for assistance under homelessness relief duties or the relief duty has expired and CDC is satisfied that the applicant is homeless, not in priority need and not homeless intentionally (section 192 of the Act).

### **People at risk of homelessness**

Those owed a Prevention Duty under section 192 of the Act, as at risk of homelessness within 56 days as determined by the council's Housing Options Team. This will be reviewed as part of on-going case work at least every 28 days.

### **Significant Health or Disability**

See health and disability matrix Appendix 4.

### **Significant Social, Welfare and Hardship**

See social, welfare and hardship matrix Appendix 5.

### **Domestic abuse**

Victims or survivors of domestic abuse who are at significant risk of experiencing further domestic abuse in their current home and it is therefore unreasonable for them to continue to occupy the accommodation. Applicants who do not wish to make a homeless application or move to temporary or refuge accommodation will be referred for safety planning. A move to another area of Cherwell must be agreed with CDC in accordance with a safety plan to acceptably reduce the level of risk.

### **Significant overcrowding**

The household is lacking 1 bedroom in order to have a separate bedroom for each:

Married or cohabiting couple

Adult aged 18 years or older

Pair of children aged 0-17 years of the same gender

Pair of children aged under 10 years regardless of gender

### **Armed Forces with discharge date**

Those who are due to be discharged or have already been discharged from the regular armed forces who will cease to be entitled to MoD accommodation following their discharge OR

Those who were serving in the regular armed forces at any time in the 5 years preceding their application for an allocation of social housing and have been unable to secure suitable settled accommodation OR

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.

A Band 2 under this category can be applied 12 months prior to the official discharge date – documentary evidence will be required.

### **Unsatisfactory Housing**

A suitably qualified officer of CDC (typically an Environmental Health Officer (EHO) or Environmental Health Technical Officer (EHTO)) has either:

## Appendix 1

- Assessed the property using the Housing Health and Safety Rating System (HHSRS) and identified one or more Category 1 or Category 2 hazards and has confirmed that the occupant(s) cannot be reasonably expected to remain in the property whilst the required works are carried out or the works cannot be carried out within a reasonable timescale. Or
- Identified breaches of Management Regulations in a House of Multiple Occupation (HMO) and has confirmed that the occupant(s) cannot be reasonably expected to remain in the property whilst the required works are carried out or the works cannot be carried out within a reasonable timescale.

### **Households with a Right to Move**

An existing social housing tenant who needs to move to Cherwell to avoid hardship and a move to Cherwell would resolve the hardship because the tenant works or has been offered work in Cherwell and has a genuine intention and expectation to take up the work. Work of a short-term, marginal, ancillary or voluntary nature is excluded for this purpose but apprenticeships are included.

### **Approved Move-On from Supported Housing**

An applicant who is considered ready to move to independent accommodation on the recommendation of the allocated support worker and in agreement with CDC's Housing Options Team. Information will need to be provided by the support worker to demonstrate that the applicant has acquired the necessary skills to live independently and have this approved by the Housing Options Team. Ongoing support needs must also be assessed and, where appropriate, a support plan must be in place. Auto-bidding will be applied to applications approved for Move-on



### **5.1.3 Band 3 Categories– Moderate need to move**

#### **Moderate overcrowding**

The applicant's household is overcrowded as per the bedroom standard in Appendix 3 and lacking 1 bedroom, because one of a pair of children of the same gender have reached the age of 16 years, but both children are still under 18 years.

#### **Tied Accommodation**

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. This category will only apply where there is clear documentary evidence that the employer is terminating the employment and the use of the accommodation within 12 months.

#### **Agricultural workers**

CDC will apply Band 3 to displaced agricultural workers in accordance with 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, CDC will need to be satisfied that:

- 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
- the displaced worker needs re-housing in the interests of efficient agriculture
- the farm is sold and the property will no longer be available

#### **Intentionally homeless**

Applicants who qualify to be on the Housing Register but have been deemed to have made themselves intentionally homeless as defined by the Act. If an applicant is still on the housing register 12 months after the decision that they are intentionally homeless, their application will be reviewed and re-assessed with the appropriate Band then applied to reflect their current housing circumstances.

#### **Moderate Health or Disability**

See health and disability matrix Appendix 4.

#### **Moderate Social, Welfare and Hardship**

See social, welfare and hardship matrix Appendix 5.

**5.1.4 Band 4 Summary – Low need to move**

Applicants who are eligible and qualify to join the housing register but do not meet the criteria for any further priority to be applied under the terms of this Housing Allocation Scheme.

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## **6. Types and sizes of properties that applicants will be considered for**

When deciding the size and type of property that applicants will be eligible for, CDC will normally allocate accommodation in accordance with bedroom standard outlined in Appendix 3. There are, however, circumstances in which CDC may deviate from this and these circumstances are detailed in this section.

### **6.1 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 table in Appendix 5. Applicants who are considered to have a need to move based on requirements for specific adaptations, property sizes or types due to assessed social or welfare issues will only be considered for properties that will meet those requirements and therefore resolve the need to move.

### **6.2 Medical assessment and adapted homes**

Applicants who have a medical need will be asked to complete an online medical form, which will be assessed by CDC. For further details see Appendix 4. Applicants who are considered to have a need to move based on requirements for specific adaptations, property sizes or types due to assessed medical reasons will only be considered for properties that will meet those requirements and therefore resolve the need to move.

### **6.3 Pregnant applicants**

CDC will take an expected child into account in determining the minimum/maximum bedroom need of an applicant, subject to evidence of the pregnancy at 25 weeks. A decision on a housing register application based on the sex of a child (such as a decision involving band or bed need) will not be made until the child is born and the sex of the child is therefore confirmed.

### **6.4 Extra room allowed for non-resident, overnight carers**

Applicants with a disability or a long-term health condition who have a non-resident, overnight carer may be allocated 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, and
- supporting evidence that shows the need for an overnight carer, this could be in the form of a support plan that has been formulated by adult social care that evidence that overnight care is required, and
- 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 applicant or the applicant's partner, and
- that they receive Personal Independence Payments or Attendance Allowance which highlight the need for care tasks during the night or show why they do not apply/ have chosen not to claim.

If an applicant does not receive Personal Independence Payments or Attendance Allowance they must provide CDC with sufficient evidence, as requested on a case by case basis, to show that overnight care is required.

**Note:** Although applicants can choose to apply for a property larger than their needs so they can accommodate carers, carers may not always be taken into account for housing benefit or universal credit payments for extra bedrooms unless the carer is actually in residence at the property.

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

For the purpose of this Housing Allocation Scheme, a child is defined as someone who is under the age of 18 . See Section 3.2 for information regarding applications from 16-17 year olds.

Where parents do not live together the children will be treated as living with the parent who provides their main or principal home. This is for CDC to determine. CDC will not allocate a bedroom in more than one home for each child/children unless there are exceptional circumstances. In cases where parents have shared care arrangements in place, these will be considered on a case-by-case basis taking into account any formal arrangement, court order and/or social service involvement. The recipient of child benefit and/or universal credit child element, or other child related welfare benefits will be a relevant consideration when CDC determines the main or principal home of each child for the purpose of housing allocation.

## **6.6 Fostering and adoption**

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 will normally be discounted but will be considered on a case-by-case basis.

Families who are in the process of adopting a child may be able to include adopted children as part of their application to ensure that they are eligible for the appropriate sized property. In order to have an adopted child included in the household, applicants will be required to have applied to an appropriate adoption agency and be able to provide proof and supporting documentation that the applicant has been approved as a prospective adopter or is in the final stages of obtaining approval.

**Note:** Although applicants can choose to apply for property larger than their needs so they can foster, foster children may not always be taken into account for housing benefit or universal credit payments for extra bedrooms unless the foster child is actually in residence at the property.

## 7. Choice Based Lettings (CBL) Scheme

### 7.1 Statement on choice

Applicants to the housing register are able to play an active role in choosing which available properties they want to be considered for by being in control of placing 'bids' through the CBL website [cherwell-homechoice.org.uk](http://cherwell-homechoice.org.uk).

The Housing Allocation Scheme:

- allows a range of applicants to be considered for accommodation
- gives applicants a choice of locations within Cherwell
- allows applicants to consider a range of property types
- applies auto bidding (see section 9.1 for further details) and time limited priority to certain applicants for further details see section 9.

### 7.2 Overview

CDC's CBL scheme process is as follows:

- a. available properties are advertised weekly (over a six day period)
- b. applicants apply for properties that meet their housing needs
- c. applicants can apply for up to three properties in any advertising cycle
- d. when the advertising cycle is complete shortlists are created from those who have applied and sorted into priority order (as defined in the Housing Allocation Scheme – see section 7.3 and 7.5)
- e. the applicant (normally the one at the top of the list) is selected to be nominated by CDC to the landlord for a provisional offer to be made
- f. the landlord accepts or rejects the nomination
- g. the landlord offers the property to the successful applicant
- h. the applicant accepts or rejects the offer
- i. the results of shortlisting are published on CDC's website

If the landlord rejects the nomination or the applicant rejects the offer,

- a. the property will either be offered to the next eligible applicant on the shortlist in which case the process outlined above will be followed until either:
  1. the landlord accepts a nomination and an eligible applicant accepts an offer in which case a tenancy will be entered into; or
  2. there are no further eligible applicants on the shortlist; then
- b. the property will be advertised in the next lettings cycle. Landlords are only required to advertise a property on 2 cycles and if the property remains not let after 2 cycles can let the property through other means.

Properties may be re-advertised if shortlists become out of date before a nominee has been accepted by the landlord. This is because the shortlist will need to be refreshed as multiple applicants within the shortlist will have had changes in their circumstances (such as a change to the Band applied to their application) and new applicants will have joined the housing register. This will only happen when shortlists are over 6 weeks old.

### 7.3 Priority order

Once the advertising period has closed the system will automatically create a shortlist of applicants for each property into priority order (as determined in accordance with this allocations scheme – see below in this section 7.3 for more information). 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 decided by the date the band was effective.

Shortlists can also be ordered with additional priority given to the following:

1. Specific applicant types (Transfers, Homeless, Approved Move-On)
2. Those with a parish or village connection
3. Medical needs for ground floor accommodation
4. Medical need for level access showers (Mobility 1) or Wheelchair accessible accommodation (Mobility 2)
5. Keyworkers
6. Right to Move applicants
7. District Connections to Cherwell or Oxford
8. Size of household
9. Those in employment, education or training

#### **7.4 Date order**

There are two dates used to determine the order of priority when deciding which applicant to nominate for a property. These are:

**the Registration date** – the date the application is received by CDC

**the Effective date** - the date that the information, or where necessary all supporting documentation is received by the council to enable CDC to determine the application and a band 1, 2, 3 or 4 is applied. (This will be the same as your registration date if your application goes straight into bands 1, 2, 3 or 4)

This will help ensure that if applicants with the same Band bid on the same property, the applicant with the longest waiting time will receive an offer of accommodation first.

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 both applicants also have the same registration date then a Senior Housing Officer will determine which applicant is given priority on a case-by-case basis.

#### **7.5 Moving between Bands**

If applicants move down from a higher Band (e.g. 1 or 2) to a lower Band (e.g. 2 or 3), the effective date that the earlier higher Band was applied will be retained as the effective date of the new, lower Band.

If applicants move from a lower Band to a higher Band then the effective date of the higher Band will be the date on which the higher Band is applied or, if sooner, the date on which the information was provided that resulted in a higher Band being applied.

Regardless of any previous changes in Band, the effective date of a Band 4 will be the

date on which the most recent application was submitted.

## **7.6 Direct match**

It may be necessary to nominate a particular applicant directly to a particular property to make best use of housing stock and to resolve cases involving significant or uncommon housing needs.

Direct matches will typically account for less than 5% of all lettings each year and must be authorised by a Senior Housing Officer or more senior officer. Indicative examples of when a direct match may be carried out include:

- A low demand property that has been advertised on one letting cycle and has not been successfully let but would resolve the housing need of an applicant who is homeless or at risk of homelessness.
- A property that is immediately ready to let and would meet the needs of an applicant who is homeless or at risk of homelessness and is able to move immediately.
- A disabled adapted property that would meet the specific, uncommon disabled housing needs of an applicant, such as a family with a disabled household member that requires a ground floor room with a level access shower.
- A property that has been adapted with disabled facilities to meet the needs of a specific applicant or his/her household.
- A 1 or 2-bedroom property that would meet the needs of an under-occupier of 3+ bedroom social housing within the district where the move would allow the larger property to be re-allocated through the housing register.
- A property that is let through the Housing First scheme, or similar schemes introduced from time-to-time, in order to accommodate applicants within specific cohorts such as specific refugees or those with a history of rough sleeping.

Note: Allocation of Extra-Care Housing is subject to separate allocations arrangements (see Appendix 6) and whilst direct matches of applicants are carried out these will not be advertised as having been let on the choice-based lettings website.

## **7.7 Nominations**

Subject to the exceptions set out in section 7.5 of the Housing Allocation Scheme CDC would normally nominate the applicant at the top of the shortlist, providing they meet the criteria specified in the advert, still qualify and are eligible to be on CDC's housing register.

If an applicant is next on the shortlist for more than one property they will be contacted and asked to express a preference for the property they would like to be considered for. Nominated applicant's details will be made available to the RP of the property. Applicants will be unable to place further bids once they have been nominated until an offer is rejected or accepted.

Applicants should note that the RP which owns the property that they are nominated to will consider their own policy and eligibility criteria when making the decision as to whether an offer of the accommodation can be made.

## **7.8 Quota arrangements**

CDC groups applications into the following three primary categories:

- a. General Needs
- b. Transfers
- c. Statutorily Homeless

CDC uses these categories to determine how to apply quotas for allocations of affordable housing.

The three categories can be broken down into:

### **Transfer applicant**

A transfer applicant is a secure tenant or an assured tenant of CDC or CDC's RP partners who lives in Cherwell and whose application has been accepted onto CDC's housing register.

### **Statutorily Homeless applicant**

This will include those who have been accepted for the Homeless Relief Duty, Main Housing Duty or those without a priority need once the 56 day Relief Duty has expired, if verified to be homeless and who did not become homeless intentionally.

### **General needs applicant**

General register applicants are all other applicants who have been accepted onto CDC's housing register.

When advertising available housing, preference can be given to different categories of applicant including, for example:

- a. transfer applicants
- b. homeless applicants
- c. applicants in particular Bands
- d. applicants in employment, education or training



As a guide, CDC uses the following quotas when advertising available housing:

|  |     |
|--|-----|
| General needs<br>(including 3% to key workers and 1% to social tenants needing to move for work) | 40% |
| Transfers  | 30% |
| Statutorily Homeless   | 30% |

CDC is keen to encourage applicants to seek employment, education or training and to achieve this, adopts a guide quota of 30% of all advertisements each year to give preference to applicants in employment, education or training.

Property adverts will clearly identify when preference is being allocated in this way.

### 7.9 Key workers

For the purpose of this Housing Allocation Scheme a key worker is defined as: An employee in a role that provides a vital local service that is essential to the wellbeing of society and for which there is a demonstrable shortage of local labour. This includes the following categories of key workers:

| Category No. | Type   | Examples of the roles that are likely to be considered key workers under this Housing Allocation Scheme (this is a non-exhaustive list. Examples are illustrative only and may change over time)   |
|--------------|--|--|
| Category 1   | <b>National Health Service</b>                       | All clinical staff.  |
| Category 2   | <b>Support workers in health roles</b>               | Care assistants, healthcare support workers, maternity support workers, nursing assistants, occupational therapy assistants, physiotherapy assistants, assistant practitioners, radiography assistants, speech and language therapy assistants, senior care assistants.    |
| Category 3   | <b>Adult social care roles</b>                       | Day care assistants, day care officers, domiciliary care workers, activities workers, home care workers, nursing assistants in nursing homes or hospices, personal assistants, reablement assistants, residential care workers, senior home care workers, support workers. |
| Category 4   | <b>Local authority and Government agency workers</b> | Including social workers, occupational therapists, educational psychologists, rehabilitation officers, planning officers, environmental health officers, Connexions personal advisors, clinical staff.   |
| Category 5   | <b>Fire and rescue staff</b>                         | Uniformed fire and rescue staff below principal level.   |
| Category 6   | <b>Teachers and nursery nurses</b>                   | Qualified teachers in any Local Education Authority school or sixth form college, or any state-funded Academy or Free School; qualified nursery nurses in any Oxfordshire County Council nursery or pre-school.  |

|            |                                      |  |
|------------|--------------------------------------|--|
| Category 7 | <b>Universities and colleges</b>     | Lecturers at further education colleges; lecturers, academic research staff and laboratory technicians at Oxford Brookes University or any college or faculty within the University of Oxford. |
| Category 8 | <b>Police and probation officers</b> | Police officers and community support officers; probation service officers and other operational staff who work directly with offenders; prison officers including operational support.        |
| Category 9 | <b>Ministry of Defence staff:</b>    | Servicemen and servicewomen in the Navy, Army or Air Force; clinical staff.  |

A person in a role that is not included on the above list may apply to be given key worker status under this Housing Allocation Scheme. Such applications must be made in writing and will be considered by the Housing Options and Allocations Manager or Senior Officer, taking into account the definition stated and evidence provided from the person's employer.

### 7.10 Additional priority or preference

In some cases, greater priority in shortlists will be given to applicants who meet certain criteria. This may be to make best use of housing stock (for example, larger homes, ground floor or adapted homes), meet these needs of specific groups (for example key workers or homeless households) or meet the needs of local communities (for example those in rural locations or areas experiencing anti-social behaviour).

The following preference categories may be applied to property adverts which will result in those applicants within each category receiving additional priority in the shortlist for those properties:

- a) transfer applicants
- b) homeless applicants
- c) applicants approved for move-on from supported accommodation
- d) applicants with a medical need for ground floor accommodation
- e) larger households
- f) Applicants with a need for a level access shower or similar (Mobility 1)
- g) Applicants with a need for wheelchair accessible accommodation or similar (Mobility 2)
- h) applicants in employment, education and training
- i) social tenants with a Right to Move
- j) key workers
- k) applicants in need of sheltered accommodation
- l) applicants with a local connection to Cherwell
- m) applicants with a local connection to Oxford City
- n) applicants with a local connection to specific village locations
- o) Applicants within specified age ranges

### 7.11 Local Lettings and Sensitive Lettings Plans

CDC may from time to time agree a Local Lettings or Sensitive Lettings Plan for specific properties, areas or developments to reflect local circumstances. Any Local Letting Plan will have regard to housing management considerations such as the social mix of

## Appendix 1

tenants, density, age range, community stability and specific housing management issues being experienced in the local area.

Where a property is advertised in accordance with a Local Lettings or Sensitive Lettings Plan, the letting will be made to the applicant with the highest band (and oldest effective date where more than one application is within the same band) and who meets the eligibility criteria of the Local Lettings or Sensitive Lettings Plan.

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## **8. Applicants with an urgent or significant housing need**

Applicants who are considered to have an urgent or significant housing need will be monitored for a three-month period from the date Band 1 or 2 is applied to their application. During this time applicants are reasonably expected to place bids for suitable properties which are advertised.

After three months, if the applicant has not received an offer of accommodation CDC will review the application. In conducting the review CDC will take into consideration the following factors:

- a) Has the applicant placed any bids for advertised properties?
- b) Have there been any properties advertised that would have met the applicant's needs?  
If so, CDC will consider the reasons why they chose not to bid or investigate why they were unsuccessful.
- c) Does the applicant have a specific need for property that has not been available in the time period?
- d) Have they received appropriate support and help in accessing the Choice Based Letting scheme?
- e) Do the person's circumstances remain the same or has the need for alternative housing reduced?

Having considered the above factors, CDC may re-assess the Band applied to the application or extend the priority for a further three months. The Band applied to an application can be reviewed and changed at any time if the applicant's circumstances change.

### **8.1 Automatic bidding for homeless and move-on applicants**

When an application is placed on automatic bidding, the applicant is still able to place three bids on available properties of their choice. However, if there are suitable properties available and the applicant has not used their three bids, CDC's computer system will place up to three bids per letting cycle on properties the applicant is eligible for on the applicant's behalf. 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 to properties in those areas will not be made.

Auto bidding will be applied to all applicants who are accepted by CDC under the Homeless Relief Duty or Main Duty who from the date the homelessness duty is accepted and to those applicants who are approved for Move-on from supported accommodation.

Vulnerable applicants who do not have an advocate to bid on their behalf can also request that automatic bidding is applied to their application to ensure that bids are placed.

## **9 Rural housing**

### **9.1 Rural lettings schemes**

To help sustain rural communities, on the initial letting of properties on new affordable housing developments in rural areas which are not rural exception sites, a target of 50% of all lettings will be advertised with additional priority given to applicants who have a connection with the village in-line with the terms of the Section 106 agreement or Section 10.3 below and have been accepted onto CDC's housing register. If there are no eligible applicants with a connection to the village, priority may then be given to applicants from surrounding villages if this is stipulated in the Section 106 agreement for the housing development.

On the re-letting of existing affordable housing properties in rural areas a target of one in three properties will be advertised with additional priority given to applicants who have a village connection in line with the Section 106 agreement or Section 10.3 below and accepted onto CDC's housing register. If there are no eligible applicants with a connection to the village, priority may then be given to applicants from surrounding villages if this is stipulated in the Section 106 agreement for the housing development. If there are no eligible applicants in those surrounding villages, the property will be available to all other eligible applicants as normal.

Should there be no local connection parameters detailed within a S106 the default assessment of local connection will be that as expressed within this Housing Allocation Scheme detailed below in section 10.3.

### **9.2 Rural exception sites**

Rural exception sites are developments which are outside the village boundary, which would not normally be given planning permission but CDC has determined to grant planning permission as an exception because of a specific need for affordable housing, for local people who cannot afford market priced housing in that area. The housing is granted planning permission on the basis that 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 help ensure that applicants with a village connection and who are in housing need as defined in the Housing Allocation Scheme have first priority for nomination to any social or affordable rented properties.

This means that applicants must not only meet the eligibility / qualification criteria for joining the housing register but also the requirements detailed in the 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 in section 10.3 below.

### **9.3 Village or parish connection for rural lettings**

To establish a qualifying village or parish connections the applicant (or joint applicant) must meet at least one of the following criteria:

## Appendix 1

- have lived in the village for the last five years
- be employed in the village for a minimum of sixteen hours per week and the employment is not of a short-term nature
- have ten 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 (as defined at section 3.6.2.3) living in the village for a period of at least the last five years.

Where applicants have a strong connection with a village, CDC will ask them to detail this on their application. This will enable the connection to be verified and for the applicant to be given additional priority where applicable, for any social housing in areas where they hold such a connection. If an applicant is successful, they will be required to provide proof of their connection before they can be approved for the nomination.

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## **10. Refusal of offers, reviews and complaints**

### **10.1 Refusal of offers**

In circumstances where an applicant has successfully bid but has refused three suitable offers of accommodation their application will be closed and they will be disqualified from re-applying to join the housing register for 6 months from the date of the third refusal.

If an applicant successfully bids for a property but the RP is unable to contact the applicant using the telephone and email contact details recorded on the application within 2 working days of the first attempted contact, this will be considered as a refusal of an offer. The applicant who is uncontactable will be skipped and the next eligible applicant on the shortlist will be nominated.

The exception to this rule is for homeless household where CDC has accepted a Homeless Relief Duty or Main Duty or those approved for Move-on from supported accommodation, who are eligible for one offer of accommodation only and refusal of their offer will result in the discharge of the council's homelessness duty or removal on the Move-on priority. Homeless applicants will have a right of review under sections 202 and 204 of the Act. Those with a Move-on priority also have a right to have the decision reviewed.

### **10.2 Reviews procedure**

A request for review must be made in writing within 21 days of the applicant being notified of CDC's decision. CDC will determine the review within 8 weeks 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, CDC will consider any representations, written or otherwise, made by the applicant or on the applicant's behalf.

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 CDC or delegated to an appropriate organisation or officer who was not involved in the original decision.

If the applicant is still dissatisfied, a report can be prepared for consideration by the Strategic Housing Team Leader.

In the event of an applicant remaining aggrieved, the next step to be considered is a complaint via CDC's Corporate Complaints Procedure or to Local Government and Social Care Ombudsman.

Applicants may have a right to challenge CDC's decisions via the courts and should seek independent legal advice in the event that they are aggrieved with any decision made by CDC.

### **10.3 Review of suitability / discharge of duty for homeless applicants**

## Appendix 1

Whether or not a Homeless applicant accepts an offer of accommodation to discharge a homeless duty, 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 Act.

### **10.4 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.

### **10.5 Complaints**

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

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

- Complete the compliment/comment/complaint form available from the website
- Visit one of CDC's offices
- Write to Complaints, Customer Service Centre, Cherwell District Council
- e-mail [complaints@cherwell-dc.gov.uk](mailto:complaints@cherwell-dc.gov.uk)



## **11 Fraud and deliberately worsening circumstances**

### **11.1 Misleading or fraudulent Information**

Under Section 171 of the Act, it is a criminal offence for an applicant to knowingly or recklessly give false information or knowingly withhold information which a local authority has reasonably required her/him to provide. Where there is suspicion or an allegation that an applicant, or any person acting on behalf of an applicant, has either provided false information or has withheld information, the application will be suspended whilst an investigation into that application is conducted.

If the outcome of any investigation is that the applicant, or any person acting on behalf of an applicant, 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 Housing Allocation Scheme meaning that the applicant should not be disadvantaged as a result of the investigation.

If CDC discovers an applicant directly, or through a person acting on his or her behalf, has given false information or deliberately withheld required information CDC will consider legal action. If CDC takes legal action and an applicant is found to be guilty of an offence under this section, the applicant will be liable on summary conviction to a fine not exceeding level 5 on the standard scale (£5,000). CDC will disqualify the applicant from the housing register for a period of up to five years.

In addition to the potential for legal action and disqualification from the housing register ground 5 in Schedule 2 of the Housing Act 1985 (as amended by Section 146 of the 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.

### **11.2 Deliberately worsening housing circumstances**

In cases where an applicant or members of their household acted in good faith by moving from more suitable housing circumstance to less suitable housing circumstances this will not affect the Band applied to the application.

In cases where a deliberate act or omission is identified that was carried out with the intention to receive greater priority for alternative housing, the change to less suitable circumstances will be disregarded by CDC. The Band applied to the application will instead be determined by the applicant's previous housing circumstances, before the deliberate act or omission was carried out.

## **12. Allocations outside of the Housing Allocation Scheme and non-general needs housing**

### **12.1 Sheltered and extra care housing**

Only applicants that meet the minimum age criteria can be considered by CDC for nomination to sheltered accommodation. Applicants will also need to meet any additional eligibility criteria specified by the landlord. For further details see Appendix 6.

### **12.2 Supported Accommodation**

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 CBL website (HomeChoice).

### **12.3 Oxford City Council's unmet housing needs**

Some social housing in the Cherwell has been built, or will be built in future, on specific sites to meet Oxford City's unmet housing needs. When these properties are allocated, priority will be given to housing applicants who have a local connection to Oxford. Cherwell housing register applicants who wish to also be prioritised for these properties must have a local connection to Oxford.

### **13. Confidentiality, data protection and information sharing**

Any information provided as part of the application process is handled sensitively and subject to appropriate confidentiality in accordance with the General Data Protection Regulations.

CDC shall comply with the requirements of the Data Protection Legislation and any equivalent or associated legislation in relation to the storing, processing and sharing of Personal Data in connection with this Housing Allocation Scheme and will not knowingly do anything or permit anything to be done which might lead to a breach of the Data Protection Legislation.

Applicants have the right to request a copy of any personal information held by CDC. This is known as a Subject Access Request.

#### **13.1 Sharing personal information**

Personal information obtained from or about an applicant that applies to the housing register will only be used in ways that the applicant reasonably expects to process their application. All applicants must read and agree to Cherwell District Council's Privacy Notice in order to submit an application to join the housing register.

Applicants are made aware at point of application to the housing register that by submitting a housing register application their data will be stored, processed and shared as expected in order for CDC to provide the services requested, to assess their eligibility, qualification and priority for housing in accordance with this Housing Allocation Scheme.

The details provided by the applicant in relation to each housing register application and documents provided, either directly or via other professionals, will primarily be used in the following ways:

- to assess the application for social housing and determine the level of housing need in accordance with this scheme
- shared with other statutory and voluntary agencies including other housing providers, health trusts, support providers, police, probation, social services and other local authorities as appropriate in order to assess the housing register application
- shared with Private RPs of social housing (e.g. Housing Associations) prior to an offer of social housing being made
- shared with private rental landlord(s), past or present as necessary to request tenancy references in relation to the applicant/s or members of his/her household.
- Shared with other CDC departments.
- For statistical recording and reporting including to government departments such as the Department for Levelling Up, Communities and Housing.

## **14. Monitoring and evaluation**

To help ensure that the Housing Allocation Scheme meets its aims and objectives it will be monitored and evaluated on an annual basis. Any major amendments to the allocations scheme in response to evaluation will only be made following consultation with all relevant stakeholders in accordance with s.168 (3) of the Act.

### **14.1 Publication of results**

The results of shortlisting are published on the choice-based lettings website (HomeChoice). 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. The results which are published will not contain any personal details relating to the applicant. The results of the shortlist which are published are not in any order and will not reveal which applicant was successful.

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

### **14.2 Equality and diversity**

CDC is committed to promoting and facilitating equality of access to social and affordable housing regardless of a person or household's age; disability; gender reassignment; marriage and civil partnership status; pregnancy and maternity; race including ethnic or national origins, colour or nationality; religion or belief; sex; and sexual orientation. CDC can provide performance data to help evidence how we meet these requirements. Where concerns arise on individual cases, the monitoring will include a review of the data or issue of concern, and an action plan agreed where necessary. Any concerns should be raised with Head of Housing Services, stating the grounds for their concern.

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

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

Where a case is considered exceptional or significant by the Strategic Housing Team Leader or Head of Housing Services and a higher or lower priority should therefore be justifiably applied rather than the band which the housing Housing Allocation Scheme would typically indicate should be applies, CDC retains discretion to apply a different level of priority.

The Strategic Housing Team Leader or Head of Housing Services may also withdraw adverts/properties from being advertised in justifiable circumstances not predicted by this Housing Allocation Scheme, including where a letting/advertisement cycle has already ended. Such cases are expected to be exceptional and therefore few in number.

**Appendix 1: Definition of Terms**

|                                    |   |
|------------------------------------|---|
| <b>Affordable housing</b>          | Housing that you rent or part rent / buy from a council or registered provider  |
| <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 18 or who are still dependant on the applicant e.g. due to continuing education   |
| <b>Choice Based Lettings</b>       | The advert-based system that CDC uses so that applicants on the 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 based on the date that CDC assess which band an applicant should be placed in  |
| <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 VII of the Act  |
| <b>Housing Register</b>            | The housing register is the waiting list administered by the council to identify applicants who it will nominate for housing from its partner RPs.  |
| <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 the council have an agreed move-on protocol  |
| <b>Nomination agreement</b>        | A legal agreement between CDC and the RP which states how applicants will be nominated for vacancies by CDC, the number of vacancies that must be offered to CDC for nomination and any special priorities such as village or local connection  |

Appendix 1

|                                 |   |
|---------------------------------|---|
| <b>Registration date</b>        | The date the applicant's Housing application was submitted  |
| <b>Registered Provider (RP)</b> | The official name for housing associations, housing co-operatives and housing companies that are registered with Homes England  |
| <b>Right to Move Applicant</b>  | Social housing tenants who have a reasonable preference because of a need to move to Cherwell to avoid hardship, and need to move because the tenant works in the district or they need to move to take up an offer of work |
| <b>Section 106 Agreement</b>    | An agreement between CDC and a property developer governing the development of residential housing within the district  |
| <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 RP  |
| <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 Cherwell and whose application has been accepted onto CDC's housing register  |

## **Appendix 2: Councillors, board members, employees and their close relatives**

Staff, board members, councillors and their relatives are treated as any other applicant and will not gain any advantage or any preferential treatment during the application process, nor shall they be disadvantaged.

The following procedure will be undertaken to ensure that any nomination will be subject to a high level of scrutiny:

- The staff member who is applying to the housing register must have no direct input into any decisions regarding their application. This includes not inputting or assessing any information in relation to their application onto the housing allocations system or changing or amending any details at any time.
- Staff members must also have no involvement in the inputting of the application or awarding of priority for any of their relatives
- Applications should be clearly marked on the housing allocation system that the application is that of a staff member, board member, councillor or any of their relatives
- When such an applicant has bid for a property and is next in line to be nominated to an available property, the details of the nomination must be scrutinised and signed off by CDC's Strategic Housing Team Leader or Housing Services Manager.

If an offer of a property is to be made to an officer at Assistant Director level or above then the offer must be agreed by the Assistant Director of Wellbeing.

## Appendix 3: Bedroom and Space Standard

### 1.0 Bedroom Standard

For the purpose of allocating accommodation in accordance with this Housing Allocation Scheme, the council will allocate a separate bedroom to each:

|   |
|---|
| Married or cohabiting couple                              |
| Any other single adult aged 16 years or older             |
| Pair of children aged 0-15 of the same gender             |
| Pair of children aged under 10 years regardless of gender |
| Overnight carer – see section 5.4                         |

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

| Household size            | Number of bedrooms to be allocated<br>(if any eligibility criteria is met) |
|---------------------------|--|
| Single person under 35    | Studio or 1 bedroom  |
| Single person over 35     | Studio or 1 bedroom  |
| Adult Couple              | 1 bedroom  |
| 2 applicants not couple   | 2 bedrooms   |
| Household with 1 child    | 2 bedrooms   |
| Household with 2 children | 2 or 3 bedrooms depending on age/sex of children                           |
| Household with 3 children | 3 bedrooms   |

A former adult couple formerly considered to require one bedroom will not be considered to require two bedrooms, or therefore be considered overcrowded if the relationship has ended and two separate bedrooms are not available.

Applicants with a need for an additional bedroom due to the medical needs of the household will be assessed on a case-by-case basis taking into account the supporting documents provided. For children who are unable to share bedrooms due to medical needs applicants are encouraged to provide information to help assessing officers conclude this assessment, including:

- Evidence of a medical diagnosis
- Evidence that the child is in receipt of DLA or PIP
- Supporting statements from specialist medical professionals which detail the need for the separate bedroom

An offer of a larger property than the bedroom standard in these cases will be subject to an affordability assessment before an offer can be made. Applicants should also ensure that the property will be affordable for themselves.

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



## 2.0 Space standard

The space standard below is used as a guide to determine if bedroom sizes are inadequate:

| Room's floor space in square metres | Number of people able to occupy |
|-------------------------------------|---------------------------------|
| 4.6 - 6.4                           | 0.5                             |
| 6.5 - 8.3                           | 1                               |
| 8.4 - 10.1                          | 1.5                             |
| 10.2                                | 2                               |

Anyone aged 10 or over counts as 1 person

Children aged 1 to 9 count as 0.5

Children under 1 year count as 0

### Discretion for low demand properties and under-occupiers

CDC may on occasion relax bedroom standard restrictions for low demand properties including those which have not been successfully let on an initial letting cycle or to help encourage and facilitate under-occupiers of social housing to downsize. This may include allowing under-occupation of properties and where properties are advertised may include giving priority to certain categories of applicant such as applicants who are already under-occupying social housing who are moving to downsize. For example, a single applicant moving from a 3-bed to a 2-bed property. Applicants nominated to a property will need to pass an affordability assessment carried out by the RP, as normal, prior to receiving an offer of a tenancy.

### Definition of Household types

|                        |  |
|------------------------|--|
| Single person under 55 | One person household with no resident children<br>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 principal 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, sibling and families with non-dependent children  |

**Appendix 4: Health and disability assessments**

Applicants should complete CDC’s medical form in order to allow for a thorough assessment of medical needs. The below table will be used by CDC as a guide to determine the level of priority that should be applied to an application based on medical needs and gives illustrative rather than exhaustive guidance. In line with the guidance in the table, CDC will consider the severity and impact of the housing situation on the medical condition rather than only the severity of the medical condition itself.

Any supporting information that is provided alongside the application and medical form, including information from medical professionals, will also be considered and given appropriate importance when considering which band may apply in accordance with the table below.

|                      | <b>Band 3</b>   | <b>Band 2</b>  | <b>Band 1</b>  |
|----------------------|---|--|--|
| <b>Mental Health</b> | Prescribed medication alongside short-term, time-limited secondary care intervention. For example, Talking Space. Or referred to, or previous intervention received from a secondary care service with medication ongoing. In all cases housing must be the cause or significant aggravating factor in the mental health issue. | Anti-depressant or anti-psychotic medication with sustained secondary care input. The care that is provided is vital to maintain community living and the housing situation is a significant factor in the illness and mental health is likely to deteriorate if housing need is not addressed. Secondary care input to be considered when no medication prescribed due to other factors e.g. pregnancy, conflict with other medication.<br><br>Alternatively a mental health specialist planned treatment programme where housing is a significant factor in the plan and some support is needed to prevent admission into a psychiatric unit, or immediate deterioration in their health where housing issues are directly related to illness and relationships within the household are seriously affected by mental health issues. | Immediate discharge from a psychiatric hospital following treatment where housing is a significant factor in the treatment plan or cannot be discharged to previous accommodation due to high risk. High support needs required to prevent re-admission. |

Appendix 1

|   |   |   |  |
|---|---|---|--|
| <p><b>Mobility</b></p>                                  | <p>Home slightly unsuitable to meet their needs with low risk of harm e.g. some difficulty accessing essential facilities such as the toilet, bathroom, bedroom. Adaptations would be feasible.</p>   | <p>Home is increasingly unsuitable to meet their needs with moderate risk of harm e.g. increased difficulties accessing essential facilities e.g. toilet, bathroom, bedroom – or are unable to access essential facilities. Care or severely modified living is required and housing is a significant factor in maintaining community living. Adaptations are not an option or have been refused by the landlord.</p> | <p>Home not suitable following discharge from hospital in relation to a permanent medical condition where no adaptations are possible and applicant is at risk of serious harm. Or unsuitability of home is preventing discharge.</p>  |
| <p><b>Children – Physical disability</b></p>            | <p>Children who have difficulty accessing essential facilities e.g. bathroom, toilet bedroom or a child’s disability restricts use of the house by other family members e.g. increased bathroom usage. Health and safety not affected. Adaptations would be feasible.</p>     | <p>A child who has increasing difficulty or already cannot access essential facilities e.g. toilet, bathroom, bedroom without assistance and health and safety is affected. The Occupational Therapy Service or Physiotherapist has made recommendations that adaptations are required but are not possible or practicable.</p>   | <p>Home not suitable following discharge from hospital in relation to a permanent medical condition where no adaptations are possible, and child is at risk of serious harm. Or unsuitability of home is preventing discharge.</p>   |
| <p><b>Children / Vulnerable Adult – Behavioural</b></p> | <p>Behavioural problems which affect the household and are made worse by the housing situation. Health care professional, health visitor and/or family support worker involvement to provide some individual care to child/vulnerable adult and/or parents/carers/family.</p> | <p>Behavioural problems which affect the household and are made worse by the housing situation – and which could potentially cause moderate harm to self and household. Involvement from community paediatrician, consultant, social services, education or health services.</p>  | <p>Children / vulnerable adult with behavioural problems have caused, or is continuing to cause, serious harm to the child or the household. Ongoing multi-agency involvement from community paediatrician, psychologist, social services, education or health services.</p> |

Appendix 1

|  |  |   |  |
|--|--|---|--|
| <p><b>Independence (relates to giving or receiving care)</b></p> | <p>Independence is affected by inability to access essential facilities. Need occasional informal care / support from family or home carer.</p>          | <p>Independence is affected by inability to access essential facilities without a high level of care / support from family or home carer.</p> <p>Qualifies for County Council care provision, but the County Council are unable to provide the care due to the applicant's accommodation.</p> | <p>A high level of formal medical care / support is needed and cannot be sustained in the medium term due to current accommodation.</p>  |
| <p><b>Carer</b></p>  | <p>Currently living arrangements for carer have a negative impact on quality of life and would be improved by a move to more suitable accommodation.</p> | <p>Carer's health deteriorating due to currently living arrangements/ housing making it difficult to continue with care arrangements. Supported by medical evidence.</p>  | <p>Carer's health is deteriorating due to currently living arrangements/ housing and there is an imminent breakdown of care arrangements. Supported by medical evidence.</p>       |
| <p><b>Sensory environmental</b></p>                              | <p>There are some concerns that the accommodation is affecting sensory medical issues. Adaptations would be feasible.</p>                                | <p>There are serious and sustained concerns with sensory medical issues that can be mitigated by moving home. Adaptions may be possible but not practicable. Health services are involved and support a move.</p>   | <p>There is an urgent need to prevent serious harm from occurring, due to sensory medical issues. Adaptions are not possible. Health services are involved and support a move.</p> |

## Appendix 5: Social, Welfare and Hardship assessments

The below table will be used by CDC as a guide to determine the level of priority that should be applied to an application based on social, welfare or hardship issues and gives illustrative rather than exhaustive guidance.

|   |
|---|
| <b>Band 1</b>   |
| Emergency cases due to fire, flood or other disaster  |
| Exceptional need not covered elsewhere in the scheme as directed by Head of Housing or Assistant Director   |
| Family member of social tenant in the district with at least 12 months verified prior residence with the family member and no right of succession to the property (or to the property size) following the death of the tenant in cases where a move would prevent homelessness or exceptional hardship.   |
| Emergency cases due to fire, flood or other disaster  |
| <b>Band 2</b>   |
| There is a significant need to move in order to give or receive essential care, support or access specialised medical treatment.  |
| Significant need to move not covered elsewhere in the scheme.   |
| The applicant or a member of their household has a physical or learning disability which is significantly impacted by their current housing   |
| Key workers who need to move to take up or continue with an existing permanent position within Oxfordshire.   |
| Need for sheltered housing only   |
| The existing home moderately limits the care and support that can be provided to the applicant or someone in their household.   |
| <b>Band 3</b>   |
| Accommodation is required with appropriate care and support and the applicant could not be expected to find their own accommodation, such as young adults with learning difficulties who wish to live independently in the community  |
| The environment around the home has moderate detrimental effect on the quality of life of the household   |
| Inadequate room sizes: The household has an adequate number of bedrooms as per the bedroom standard, but the bedroom sizes are inadequate by at least 1 person, as per the space standard taking into account all bedroom sizes the applicant's household has access to. See appendix 3   |
| Split households with insufficient bedrooms: The property has a sufficient number of bedrooms to accommodate all occupiers as per the bedroom standard, but two or more households are sharing, and the applicant's household is left short of a bedroom due to genuine and justifiable bedroom allocation. This may also include an adult couple with access to only one bedroom where the relationship has ended. |
| Financial hardship: Current accommodation is financially unsustainable, and a long-term resolution is unlikely. More affordable accommodation is a key factor in resolving the financial situation.   |
| Need to move to take up employment, education or training within the district.  |
| No Fixed Abode. Cases where the applicant has no principal, settled address but is not deemed to be homeless.   |
| Accommodation is required with appropriate care and support and the applicant could not be expected to find their own accommodation, such as young adults with learning difficulties who wish to live independently in the community  |

## **Appendix 6: How sheltered and extra care housing is allocated**

### **1. Sheltered housing**

Applicants with evidenced support needs who meet the minimum age criteria can be considered for sheltered accommodation. They will also need to meet the eligibility criteria specified by the landlord which may on occasion state that no support needs are required. Applicants also need to be eligible and qualify for social housing as per this housing Housing Allocation Scheme.

Some sheltered housing in Cherwell is allocated directly by RPs of social housing who will maintain their own waiting list for each sheltered housing scheme. Applicants who are seeking sheltered housing are therefore encouraged to register with social housing providers that have sheltered schemes in the district. CDC's website ([www.cherwell.gov.uk](http://www.cherwell.gov.uk)) contains information about the sheltered schemes in the district including contact details.

It is sometimes a condition of sheltered housing schemes that tenants agree to take the Care Line or Warden Services. Separate charges are made for these services on top of the rent.

### **2. Extra Care Housing**

Extra care housing provides older people who have care needs with their own home and tenancy within a support and care environment. This helps ensure that appropriate personal and housing support are available as required. CDC has nomination rights to some extra-care schemes in Cherwell. A tenant may move into a scheme with no or low needs but can access further care as and when the need arises as they get older or frailer. Extra care housing can remove the need for residential care for older people in some 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 allocations panel will have to take a number of things into consideration when allocating a property. These factors include, but are not limited to, the nominations agreement for each scheme, individual circumstances, available care hours, existing needs and numbers of tenants with dementia in the Extra Care Scheme.

All applicants will be registered and assessed for housing in line with CDC's housing Housing Allocation Scheme and must be eligible to access social housing.

To be eligible for Extra Care Schemes applicants must:

- Be over 55 years of age or meet the eligibility criteria specified by the landlord
- Be eligible for social housing as per this Housing Allocation Scheme
- Be assessed by the Extra Care Scheme Manager for support that is provided.
- Be deemed suitable for the Extra Care Scheme, without 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 not be covered by Housing Benefit.

Residents in the Extra Care 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.

### **3. Extra Care Housing Allocations Panel**

The Extra Care Housing Allocations Panel (the Panel) will require an up to date social care assessment in an agreed 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:

- a. A Scheme Manager
- b. A CDC Housing Officer
- c. 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:

- a. the housing and support need of the applicant
- b. care hours required and the balance of needs within the Extra Care Scheme
- c. 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
- d. whether the applicant has a local connection to the area
- e. the nominations agreement that applies to the extra-care scheme

An allocation to an extra-care scheme will only be made via this Panel and will be completed via a direct match as opposed to being advertised on the CBL website ([www.cherwell-homechoice.org.uk](http://www.cherwell-homechoice.org.uk)). This panel will convene, either in person or using any form of information communication technology whenever a vacancy arises.

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

#### **4. 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, affordability and the government's guidance on bedroom allowance.