

# **Royal Borough of Windsor and Maidenhead**

## **Housing Allocations Policy**

**2018 – 2021**

## **1.1 Introduction**

- 1.1 The housing allocations policy sets out how the council assesses applications for housing, prioritises each application and decides which applicant will be offered (allocated) housing.
- 1.2 The Royal Borough of Windsor and Maidenhead is not a stock holding local authority, hence all social housing allocated is through the nominations agreements held with local registered social landlords (housing associations).
- 1.3 The Council receives many enquiries every year from people looking to be housed within the borough. Due to the high demand for housing and limited supply of properties, the main purpose of this policy is to set out on what basis nominations are made and how properties are allocated.
- 1.4 This policy operates alongside a number of other documents specifically related to the provision and management of housing. These are:
  - The Housing Strategy, which sets out the overall objectives for the department
  - The Homelessness Strategy, which sets out the statutory functions of the Borough in relation to homelessness, prevention, relief, advice and assistance.

## **2.0 Legal context**

- 2.1 The housing allocation policy sits within a legal framework which is summarised below.
- 2.2 The 1996 Housing Act (as amended by the 2002 Homelessness Act) and the Localism Act 2011 requires local authorities to make all allocations and nominations in accordance with an allocation scheme. A summary of the allocations policy must be published and made available free of charge to any person who asks for a copy. This document is available on the Council's website [www.rbwm.gov.uk](http://www.rbwm.gov.uk) and paper copies will be provided on request.
- 2.3 The Housing Act 1996 (as amended) requires local authorities to give reasonable preference in their allocations policies to people with high levels of assessed housing need. The main groups are:
  - People who are homeless as defined by the Housing Act 1996, Part VII.
  - People occupying unsanitary or overcrowded housing, or who are otherwise living in unsatisfactory conditions.
  - People who need to move on medical or welfare grounds.
  - People who will suffer hardship if they are unable to move to a particular locality or district.

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

2.5 This housing allocations policy complies with the requirements of:

- Housing Act 1996 (as amended).
- Allocation of Accommodation: Code of Guidance for Housing Authorities 2002
- Homelessness Reduction Act 2017.
- Localism Act 2011.
- Equality Act 2010.

### **3.0 Housing stock**

3.1 The Council transferred all of its housing stock to two Council sponsored housing associations on 21 May 1995. It does not have a direct role in the management of these properties. The Council has retained nomination rights to a percentage of the association's properties and works with a variety of providers with the borough.

### **4.0 Aims of the allocations policy**

4.1 The allocations policy is designed to meet all legal requirements and to support and contribute towards the Council's wider objective of putting residents first. The council is committed to preventing homelessness and the allocations policy focuses on supporting residents to actively pursue suitable alternatives to avoid becoming homeless.

4.2 The key objectives of this allocations policy are to:

- Provide a fair and transparent system by which people are prioritised for and allocated social housing.
- Help those with the greatest housing need.
- Promote the development of sustainable mixed communities.

4.3 This policy has considered:

- The council's statutory obligation to provide reasonable preference to certain categories of applicants set down by law.
- The general and specific statutory discretions the council can exercise when allocating housing.
- The council's statutory discretion to grant 'additional preference' and/or to determine priority between applicants with reasonable preference.

- 4.4 The allocations policy will be supported by a housing options approach in order to give applicants realistic housing advice and promote a range of housing options such as low cost home ownership and private sector housing.
- 4.5 The Council will register eligible applicants who qualify for the reasonable preference criteria and certain groups who meet local priority. In addition, the council will ensure that greater priority through 'additional preference' is given to applicants who have a long attachment to the borough, are in employment or are / have been members of the British Armed Forces.
- 4.6 The Council will utilise the private rented sector, both within the borough and outside it to meet its statutory housing obligations. It will also make use of the private rented sector to discharge its homelessness duty in accordance with the Localism Act.
- 4.7 Where the Council believes that potential applicants are able to access market housing including private rented, low cost or shared ownership the Council will provide advice as necessary.
- 4.8 This policy will be retrospective and all applicants will be assessed in line with this policy.

## **5.0 Eligibility and qualifying for housing**

- 5.1 When the Council receives an application for housing, it first assesses whether the applicant is eligible for social housing. This depends on where the applicant normally lives ("habitual residence") and their "immigration status".
- 5.2 A person is not eligible if they are:
- Subject to immigration control (within the meaning of the Asylum and Immigration Act 1996).
  - A person from abroad excluded by regulations made by the Secretary of State.
  - A person not habitually resident in the United Kingdom (other than EEA/EU workers or those covered by an EEA/EU Directive) or required to leave the UK by the Secretary of State.

## **6.0 Qualification rules**

- 6.1 The second assessment the Council makes is whether an applicant qualifies to join on the housing register. The Localism Act 2011 provided new freedoms for local authorities to determine who can join the housing register. In this policy, the Council has specified a number of qualification rules for the reasons provided below;

- To ensure it operates a more focused housing register which reflects local circumstances and can be understood more readily by the local community.
- It believes that social housing should be available to people who cannot afford to buy or rent a home privately.
- It wants to ensure its policies benefit the people who live in the borough.

**Households with no demonstrable housing need will not qualify to join the housing register.**

6.2 The Council will no longer maintain a housing register for those households that it is unable to help access social housing. This means applicants who are considered to have no housing need and/ or are adequately housed will not qualify to join the housing register.

6.3 The Council must manage the housing expectations of the public and will therefore exclude people with little or no prospect of being allocated accommodation. People who fall into this category will be signposted and given relevant information and advice through the housing options service.

**Exception**

6.4 People over 60 who would benefit from sheltered housing; however, they will be made an offer of sheltered accommodation after other households meeting residency criteria.

**Households with sufficient financial resources will not qualify to join the housing register.**

6.5 People with sufficient combined household income, savings and assets will not qualify to join the housing register:

- Any household who owns or has a financial interest in a property.
- Any household with a net income at or above the level required for low cost home ownership.
- Any household who has savings or assets in excess of £30,000 as they will be deemed to have sufficient financial resources to source a property to rent in the private sector. Deliberate disposal of assets or savings in order to become eligible for an allocation will render the applicant ineligible.

6.6 All applicants and prospective new tenants will be required to supply evidence of their financial income and resources. Where applicants are not able to show current entitlement to income support, housing benefit, council tax benefit (and universal credit), verification of income and savings will be required, prior to applicants joining.

- 6.7 Where applicants have resources considered sufficient to access low cost home ownership they will normally be offered advice or assistance as they are considered to have the income to meet their own housing requirements. Advice on home ownership and private sector renting options will be offered.

**Exception**

- 6.8 Members of the British Armed Forces who receive lump sum payments as compensation for an injury or disability sustained in active service.

**Households who do not currently live in the borough and do not have a need to move to a particular locality in the borough where failure to meet that need would cause hardship will not qualify to join the housing register.**

- 6.9 People who don't currently live in the borough and do not need to move to the area will not qualify to join the housing register unless failure to meet that need would cause hardship. Hardship grounds include:

- The need to move to take up a confirmed offer of employment.
- To give or receive care or support from/to a resident in the borough.

**Exception**

- 6.10 People over 60 who would benefit from sheltered housing, however, they will be made an offer of sheltered accommodation after other households who meet the residency criteria.

**Households who have not been continuously living in the borough for at least 2 years will not qualify to join the housing register.**

- 6.11 Applicants will need to demonstrate a local connection with the borough. Local connection within the terms of this scheme will normally mean that an applicant has lived in the borough through their own choice, for a minimum of 2 years up to and including the date of their application, or the date on which a decision is made on their application whichever is later.

- 6.12 For purposes of continuous residence, children spending time away from home for education due to periods of study such as at university and people who have moved away up to 3 times due to the requirements of their job will be disregarded. Care leavers placed outside the borough will be considered as having a local connection.

- 6.13 People will also be considered as having a local connection with the borough when they are placed in the borough in temporary accommodation in accordance with sections 190(2), 193(2), 195(2) or who are occupying accommodation secured by any local authority under section 192(3).

**Exception:**

6.14 The following exceptions apply to those who have not been continuously living in the borough for at least 2 years:

- People who have served in HM Forces in the last 5 years.
- People over 60, and are currently resident in the borough who would benefit from sheltered housing. They will be considered for sheltered housing after other households who meet the residency criteria.
- Emergency cases where homes are damaged by fire, flood or other disaster if it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life.
- Cases nominated under the Police Witness Protection Scheme or other similar schemes that the Council has agreed to be part of.
- Statutorily homeless persons and other persons who fall within the statutory reasonable preference groups.
- Households who need to move to the Borough to avoid hardship.
- The need to move to take up a confirmed offer of permanent employment.
- The need to move to specialist facilities where they receive care but live outside the Borough.
- The need to move to receive or give care/support (meaning higher care costs or even the use of residential care for those who cannot move).
- People fleeing violence or harassment.
- Children spending time away from home due to periods of study such as at university.

**Those who can apply to join the Housing Register:**

6.15 The following people can apply to join the housing register:

- Residents in the borough who are 18 years old and over can apply to join the housing register by completing the online application at [www.rbwm.gov.uk](http://www.rbwm.gov.uk).
- People who are recognised key workers.
- Persons who have left HM Forces within 5 years of the date of their application.
- Persons in HM Forces accommodation.
- People who wish to apply for shared ownership options.
- Persons in hospital whose last settled address (prior to hospital admission) was, for a period of 2 years, within the borough.

6.16 The Council intends to ensure that all successful applicants have reasonable preference. In addition, the council has used its statutory discretion to determine groups of households who will be eligible for housing allocation.

## **7.0 How to apply**

### **Application form / online application**

7.1 An application form is available at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) which can be downloaded or a form can be collected from the Maidenhead or Windsor libraries. Applicants can telephone 01628 683 800 to request a form be sent to their current address.

7.2 Following receipt and processing of an application, applicants will be informed in writing of the decision which has been made regarding their application, in accordance with this policy. All applications submitted must be accompanied by the relevant documents /proofs as no assessment will be conducted until all necessary documents have been seen. Applications received that are still incomplete after 28 calendar days will be cancelled and a fresh application will need to be submitted in order to be assessed.

### **Change of circumstances:**

7.3 Applicants are required to inform the Council at any point if they have a change of circumstances. It is important that the Council and other housing providers have the most up to date information in order to ensure the appropriate allocation of housing in the borough.

7.4 Once placed in a priority band, applicants should notify the Council in writing of any material change in their circumstances that will affect their priority for housing, for example:

- A change of address for themselves or any other person on the application.
- Any additions to the family or any other person joining the application.
- Any member of the family or any other person on the application who has left the accommodation.
- Any change in income or savings.

### **Failure to notify of a change in circumstances**

7.5 If the Council find your circumstances have changed as a result of a review of your application and you have not notified the change, your application will be suspended while we investigate how the changes affect your eligibility and housing priority.

## **8. Priority banding**

8.1 Housing need is determined by assessing the current housing circumstances of applicants. A priority 'band' is then allocated according to the urgency of the housing need. There are four priority bands as follows

Band A:	Urgent priority
Band B:	High priority
Band C:	Medium priority
Band D:	Lower priority

8.2 The council is required by law to give reasonable preference in the scheme to people with high levels of assessed housing need:

- People who need to move on welfare or medical grounds (including grounds relating to a disability),
- People who need to move to a particular locality of the city to avoid hardship to themselves or others,
- People living in unsanitary, unsatisfactory or overcrowded housing, and
- People who are homeless within the meaning of the Housing Act 1996, and people who are owed a particular statutory duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985 or who are occupying accommodation secured by any such authority under section 192(3).

8.3 Applicants outside the reasonable preference categories can also be given additional consideration to meet local priorities.

8.4 Applications are processed by the council's Housing Options Team, in accordance with this policy.

### **Criteria for being placed in each band**

#### **Band A**

8.5 This band is intended to meet the needs of applicants in extreme circumstances and will only be issued in certain situations where an applicant needs an urgent move to ensure their well-being or safety. Circumstances where Band A status may be awarded include:

- Applicants accepted by the council as statutorily homeless under part VII of the Housing Act. If statutorily homeless and placed in band a. The council will discharge its homeless duty into the first suitable property that is offered. If a homeless applicant refuses the offer of a suitable property the council will view its statutory homeless duty as having been discharged.
- Applicants required to move as determined by the police for witness protection reasons.

- An applicant has an extremely urgent medical assessment, as determined by a Housing Options team leader or manager.
- Those applicants requiring urgent hospital discharge where their current accommodation is totally unsuitable for their needs.
- Those applicants required to leave their homes as a result of an emergency prohibition order served in relation to the premises under the Housing Act 2004 or as the result of action taken by the Fire and Rescue Service.
- Where the applicant or member of their household is being seriously and adversely affected by their current accommodation and there is a severe and very urgent need to move for welfare reasons.
- Applicants with a combination of high needs as determined by a Housing Options team leader or manager.
- Those applicants under threat of immediate and serious violence as determined by the police and a Housing Options team leader or manager.
- Other very extreme circumstances as determined by the Housing Options team leader or manager.

## **Band B**

### 8.6 Circumstances where Band B status may be awarded include:

- Applicants who are homeless or threatened with homelessness who are likely to lose their accommodation through no fault of their own, for which there is no legal redress, in the next 12 weeks, who are assessed by the council's Housing Options Team as likely to be in priority need and who are receiving and acting upon housing advice from the council to prevent homelessness. The Council reserves the right to withdraw Band B awarded on the grounds of homeless prevention if the applicant refuses the offer of a suitable property or fails to act on the advice of their housing adviser in order to prevent their becoming homeless.
- High medical needs directly relating to the applicant's accommodation or need for accommodation as determined by a Housing Options Team leader or manager, or by the council's assessment panel. Medical priority is only awarded where an applicant needs urgent re-housing due to a strongly evidenced, serious and enduring medical condition or disability, which is severely and permanently affected by their current accommodation.
- Where the applicant or member of their household is being seriously and adversely affected by their current accommodation and there is an urgent need to move for welfare reasons.
- Applicants have no access to a kitchen and/or bathroom.
- A prohibition order or demolition order has been served in relation to the applicant's dwelling by the council's private sector housing team. This indicates that the property contains one or more category 1 hazards that probably cannot be remedied.

- An improvement notice has been served in relation to the applicant's dwelling by the private sector housing team and:
  - The remedies that are needed to reduce the hazard will require the property to be vacated for a significant period of time
  - The cost of the remedies are beyond the means of the applicant (where applicable)
  - The remedies will make the property unsuitable for occupation by the applicant.
- Applicants lack two or more bedrooms.
- Where there is significant evidence of serious harassment or violence, where a change of accommodation could be reasonably expected to alleviate the problem and there is no other remedy.
- Applicants with a combination of medium needs.
- Members of the British Armed Forces eligible to join the register

### **Band C:**

8.7 Circumstances where Band C status may be awarded include:

- Applicants who are homeless or threatened with homelessness, who are likely to lose their accommodation through no fault of their own, for which there is no legal redress, in the next 12 weeks, who are assessed by the council's housing options team as not likely to be in priority need and who are receiving and acting upon housing advice from the council to prevent homelessness.
- Applicants with no identified priority need who have been verified by the council as having no settled accommodation and are 'rough sleeping' or 'sofa surfing'.
- Significant medical needs directly relating to the applicant's accommodation or need for accommodation as determined by a Housing Options team leader, manager or by the council's assessment panel. Significant medical needs directly relating to the applicant's accommodation or need for accommodation as determined by a Housing Options team leader, manager or by the council's assessment panel.
- Where the applicant or member of their household is being significantly and adversely affected by their current accommodation and there is a need to move for welfare reasons.
- Applicants lack one bedroom.

### **Band D**

8.8 All other applicants who qualify to join the housing register will be placed in Band D.

### **Priority dates**

- 8.9 As the level of need within each 'band' is broadly similar, it is fairest to make an offer of social housing to the applicant that has been waiting the longest in that 'band'. This is known as a priority date order. The priority date is awarded either on the date of the original application or on the date the council is notified of a change in circumstances.

### **Moving up a 'Band'**

- 8.10 The priority date is the date the higher priority is awarded.

### **Moving down a 'Band'**

- 8.11 A new priority date refers to the data that applied when the applicant was previously in that 'band' or any earlier date when they were in a higher band. The principle is that when moving down, their priority date should be the earliest date that they were in the new lower band, or in a higher band.
- 8.12 If the applicant has been suitably housed for any of the time, the new band date cannot be any earlier than the date they were subsequently assessed as band A, B, C or D.

### **Deliberately worsening circumstances**

- 8.13 Applicants who have deliberately worsened their circumstances in order to obtain housing i.e. by moving to less adequate accommodation, through introducing family or friends into their household thereby causing overcrowding or by giving up secure accommodation without good reason would be placed in Band D. Each case will be individually assessed. This will preclude any applicant being afforded reasonable preference or additional preference on the housing register.

### **Property size qualification**

- 9.1 Each applicant will be assessed by the Council, to determine what size of property they qualify for. It is expected that participating landlords will seek to maximise occupation of available properties.
- 9.2 The previously mentioned bedroom requirements are applied when assessing bedroom deficiency; statutory overcrowding is set out in the Housing Act 1985 which calculates the space standard in two ways; the number of rooms required is as follows:
- 1 room = 2 persons
  - 2 rooms = 3 person
  - 3 rooms = 5 persons
  - 4 rooms = 7 ½ persons

- 5 rooms or more = 2 persons for each room
- Or by floor area size as below:

<b>Floor area of room</b>	<b>Number of persons</b>
Below 4.65m <sup>2</sup>	Nil
4.64m <sup>2</sup> - 6.5m <sup>2</sup>	1/2 person ( child under 10 years )
6.5m <sup>2</sup> - 8.37m <sup>2</sup>	1 ½
8.37m <sup>2</sup> - 10.22 m <sup>2</sup>	1 person
10.22m <sup>2</sup> or greater	2 persons
No account shall be taken of a child under the age of one.	A child of one to ten years counts as a ½ unit.

9.3 The Council considers that a separate bedroom is appropriate for each of the following

- A couple living together.
- A single parent.
- Two children of opposite gender can share one room whilst both are under 10 years of age.
- Two children of the same gender can share one room until one reaches 16 years of age

9.4 The number of bedrooms used by the applicant is compared with the number they need. However the Council will consider the actual use of all available space in the home. The guide used is set out in the table below:

<b>Size of household</b>	<b>Size of Property Entitlement</b>
Single Person	1 bedroom
A couple without children	1 bedroom
Two adults of the same sex and generation for example, flat sharers, or two siblings	2 bedrooms
A couple expecting a child or with a child, including an adult son and daughter	2 bedrooms
A couple with two children of the same sex	2 bedrooms
Two adults of opposite sex who do not live as a couple, for example, brother and sister	2 bedrooms
A couple with two children of opposite sex both under ten	2 bedrooms
A couple with two children of opposite sex one of whom is over ten	3 bedrooms
A couple with three children	3 bedrooms

A couple with four children (all of the same sex or two of each sex)	3 bedrooms
A couple with four children (three of one sex and one of the opposite sex)	4 bedrooms
A couple with more than four children	4 bedrooms

## 10. Assessment of need

### Medical grounds

- 10.1 If you apply for housing because your current accommodation affects a medical condition or disability, your application will be referred to the council's medical adviser or occupational therapy team depending on the information you have provided in your application.
- 10.2 Medical assessment does not examine how severe an applicant's medical condition or disability is. It looks at how your current accommodation affects the health or the disability of a household member. The assessment is based on whether your health or a member of your household's health would improve by moving to alternative accommodation.
- 10.3 Therefore, medical priority is awarded according to the extent to which the health or welfare of one or more members of the applicant's household is affected by their current housing conditions and the expected benefits of providing suitable alternative settled housing.

### Welfare grounds

- 10.4 This assessment will be carried out by a Housing Options team leader or manager. Each case will be assessed on its merits to determine whether welfare priority should be awarded and will look at whether the situation is serious and enduring, whether it is directly affected by the applicant's present housing and whether it would improve if the applicant were re-housed.

### Care leavers

- 10.5 If a young person who has been looked after by the Council and is ready to move into their own accommodation they may be considered for housing on welfare grounds. This includes those placed out of the borough. To qualify, the young person must have been a relevant child under the Children Leaving Care Act 2000, which means s/he would have been looked after by the council for a certain period of time and have had a pathway plan drawn up.
- 10.5 In most cases young people leaving care will be ready to move into independent living with the support of the social care service. If the young

person is ready to move on and has developed the required life skills, such as managing a budget, cooking, cleaning etc. the council will support her or him to find suitable private rented accommodation

- 10.6 For some young people whose support needs are high and accommodation in the private rented sector would have a detrimental effect on their transition to independent living, their housing application will be considered by a Panel (Care Leavers Panel) who will determine whether to award priority for social housing.
- 10.7 The Care Leavers Panel consists of senior officers from Housing and Care Leavers Services. The panel assesses each referral individually to ensure the needs of any particularly vulnerable or at risk young person is addressed.
- 10.8 To be considered for social housing, the care leaver must meet one or more of the following criteria:
- Young people subject to Care Orders under section S31 of the Children Act 1989 where the council has parental responsibility (Looked After Children).
  - Young people with moderate learning difficulties or disability or those who are subject to a statement of educational needs or a psychological assessment.
  - Young people with significant mental health issues – who have had involvement with CAMHS or CMHT for a period of three months or longer and are continuing to receive treatment.
  - Young people with complex needs placed in high cost placements where they no longer require that degree of support and whose application has been approved by the 'Access to Resources Panel' or the 'Asylum High Cost Placement Panel'.
  - Young people with significant offending behaviour, which limits access to other types of suitable accommodation.
  - Young people leaving care who are also parents and also meet one other criteria listed (e.g. they or their baby are especially vulnerable).
- 10.9 Those with other mitigating circumstances. A Care leaver who is approved by the Panel will be placed into Band B

### **Fostering and adoption**

- 10.10 The council recognises the contribution that foster carers and adopting parents make towards ensuring that children in the Royal Borough of Windsor and Maidenhead are cared for. Priority will be given to those applicants approved or being assessed for approval to adopt or foster and where recommendation is made by social care to provide accommodation because the current accommodation is not large enough or would cause overcrowding.

Those enabling fostering and adoption will be placed in Band A on welfare grounds.

## **11. Local priorities**

11.1 In addition to statutory reasonable preference groups, the council will provide housing assistance to certain groups who meet local needs and priorities.

### **British Forces Covenant**

11.2 This policy applies to people who have served in the Royal Navy, Royal Air Force and British Army and have not been dishonourably discharged.

- Members of the Armed Forces and former service personnel where the application for housing is made within 5 years of discharge.
- Serving or former members of the Reserve Forces who need to move because of serious injury, medical conditions or disability which is wholly or partially attributable to their service.
- Bereaved spouses or civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their service spouse or partner and the death was wholly or partially attributable to their service.

11.3 Members of the British Armed Forces eligible to join the register will be placed in Band B.

## **12. Sheltered housing**

### **Eligibility**

12.1 Applicants for sheltered housing must be over 60 years of age. Applications will be assessed in accordance with the general scheme.

12.2 The relevant Housing Associations will ensure that applicants fully understand the service provided by sheltered housing.

12.3 Applicants must be able to live independently and care for themselves adequately. Elderly residing above ground floor and requesting Sheltered Accommodation

12.4 Nominations to any schemes designed as 'Elderly Extra Care' accommodation will be made following an assessment of care needs by Adult Social Care, and owner occupiers along with other applicants may be actively considered subject to a suitable care plan being in place

## **13. Offers and refusals of accommodation**

13.1 An offer of accommodation can be:

- An assured short-hold introductory tenancy for a fixed term of 12 months, followed by an Assured tenancy at a social rent.
- An assured short-hold introductory tenancy for 12 months followed by a fixed term tenancy of no less than two years at a rent which is 80% of market rent.
- An assured short-hold introductory tenancy for 12 months followed by a fixed term tenancy of no less than 2 years.
- An affordable good quality private sector property for a period of no less than 12 months.
- Applicants are entitled to two reasonable offers of accommodation. An offer is deemed reasonable where it is of the correct bed and person size based upon the housing application and within an area selected by the applicant.
- However any applicant who has been placed in Band A will receive one offer of suitable affordable accommodation in any area which will address their housing need.
- If an applicant refuses an offer they will be asked to explain the reason in writing. If the reason is due to exceptional or unusual circumstances the offer may be deemed to be unreasonable, and not counted.
- The offer will not be deemed unreasonable if the Council was not made aware of certain facts and requirements prior to offer.
- If the offer is held to be reasonable, the applicant will be given 48 hours to reconsider. If the first reasonable offer of accommodation is refused and the applicant is in Band A the applicant will be entitled to a second offer but the application will be moved to Band B.
- If a total of two reasonable offers are refused, the application will be removed from the register. Applications will be removed from the housing register if it is found that it has never been or it has ceased to be an eligible application.
- Applicants are required to re-register annually. Applications will be removed if the applicant fails to re-register or if the Council considers there are good reasons for removal.
- A statutorily homeless applicant will be entitled to only one suitable offer of accommodation anywhere in the Borough. Where that offer is refused the Council will consider it to have discharged its statutory duty and where applicable, the provision of temporary accommodation will be withdrawn.

## **14. Keyworker housing**

14.1 To qualify for key worker accommodation applicants must be eligible for inclusion on the housing register in all respects other than local connection criteria in the Borough. Applicants must be working in a permanent position in

one of the following sectors: education, health, police, fire, social services and some other key public and voluntary services and public sector agencies.

14.2 Keyworker applications will be held separately and no banding will be applied

14.3 The zone agent for keyworker accommodation is Catalyst who hold a register of keyworker properties and keyworker applicants. In order to register with Catalyst an applicant must be eligible for consideration by RBWM.

## **15. Shared Ownership**

15.1 To qualify for shared ownership applicants must be eligible for consideration by the Council. However housing association tenants currently resident in the Borough may apply for shared ownership. Applicants must be first time buyers or purchasing for the first time in their own right.

15.2 The zone agent for shared ownership accommodation is Catalyst who hold a register of shared ownership properties and shared ownership applicants. In order to register with Catalyst an applicant must be eligible for consideration by the Council.

15.3 The criteria for eligibility to be referred to shared ownership schemes is subject to variances where schemes have differing requirements. Do it yourself shared ownership (DIYSO) is subject to funding availability.

15.4 Shared ownership applications will be held separately and no banding will be applied.

## **16. New housing developments**

16.1 Nominations to new housing association developments will ensure that a mix of lettings occur from both the Council's housing register and existing housing association tenants who are Housing Registered for a transfer. Individual lettings plans will be agreed with the housing association for each development at the time of first letting.

## **17. Exceptional circumstances**

17.1 In consideration of exceptional circumstances the Head of Housing has discretion to allow admittance of applicants.

## **18. Equal opportunities policy**

18.1 The Council is committed to ensuring that no customer of housing services receives less favourable treatment on the grounds of race, colour, creed, nationality, ethnic or national origins, or are placed at a disadvantage by conditions or requirements that cannot be shown to be justified.

18.2 Consequently applicants will be asked their ethnic origin on the application form and this will be recorded in the Council's housing computer system. The information provided will allow the Council to ensure that fairness is being exercised in its policies.

## **19. Reviews of decisions**

19.1 Applicants who are refused entry onto the housing register and those who are removed from it following a decision by the Council have a statutory right to request a review of the decision.

19.2 The Council will notify affected applicants of the Council's decision and of their rights, and a request for review must be made within 21 days of the written notification.

## **20. Fraud prevention**

20.1 Section 171 makes it an offence for anyone seeking assistance from a housing authority under Part 6 of the 1996 Act to:

- Knowingly or recklessly give false information, or
- Knowingly withhold information which the housing authority has reasonably required the applicant to give.

20.2 It is important for the Council protect scarce housing resources and any applicant seeking to obtain housing by making false or misleading statement or failing to inform the Council of a material fact relevant to the outcome of their application, or a change in circumstances, will have their application immediately cancelled. The Council will not hesitate to prosecute any household who has either been allocated a home or applied for a home by using false or fraudulent information.