

Housing Allocations Policy

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Definitions and Abbreviations

Application	An application to join the Three Rivers District Council Housing Register
CBL	Choice Based Lettings
DWP	Department for Work & Pensions
The Council	Three Rivers District Council
Customer	A customer in the context of this document is used to define a person making the application
The district	The Three Rivers district
Homeseeker	A customer who does not have an affordable housing tenancy
Household	The people who normally reside with the customer making an application and who might reasonably be expected to reside with the customer
Housing Panel	Decision making panel of senior officers within the Housing Service consisting of the Housing Operations Manager, the Housing Solutions Manager and other relevant officers if required.
RP	Registered Provider of social housing (e.g. a housing association). For the purposes of this document, any reference to a social housing tenancy does not include temporary accommodation
Transfer customer	A customer who holds an affordable housing tenancy within the Three Rivers district
TRDC	Three Rivers District Council
LLP	Local Lettings Policy
We/Us	Refers to Three Rivers District Council

1.0 Policy Overview

1.1 Introduction

Three Rivers District Council completed a large scale voluntary transfer to Thrive Homes in 2008. However, the council does maintain a housing register and has nomination rights to properties managed by registered providers in the district.

The council is committed to allocating all social and affordable housing within the district to those in most need. This policy sets out how we prioritise customers for registered provider homes based on a customer's circumstances and housing need. The banding criteria that is used to assess customers can be found in Appendix A.

The council operates a choice based letting (CBL) system which allows customers to select properties they are interested in by placing a bid. A customer's bedroom entitlement can be found in Appendix B. Properties are allocated in priority band and date order. Customers should apply to join the housing register online at: www.threerivers.homeconnections.org.uk.

Unfortunately, the demand for accommodation within the district significantly exceeds supply. Therefore, joining the housing register is not a guarantee that an offer of accommodation will be made and customers are encouraged to explore other housing options which may include:

- Low cost home ownership (covering current government schemes such as shared ownership, shared equity, starter homes, Right to Buy/Acquire and Help to Buy;
- Existing social tenants can access mutual exchange agents such as Home Swapper;
- Renting in the private sector.

This policy will be regularly reviewed to ensure it meets the stated aims and complies with relevant legislation and statutory guidance.

The legislation listed below will be taken into consideration when implementing this policy:

- Housing Act 1985
- Children's Act 1989
- Housing Act 1996 (as amended)
- Homelessness Act 2002
- Housing Act 2004
- Children's Act 2004
- Equality Act 2010
- Localism Act 2011
- Welfare Reform Act 2012
- Homelessness Reduction Act 2017
- Domestic Abuse Act 2021

For the purposes of this document, any reference to social housing tenancies does not include temporary accommodation

1.2 Aims and Objectives

The council's Housing Allocations Policy aims to:

- set out who is eligible and qualifies to join the housing register;
- set out how customers on the housing register are prioritised;
- ensure that allocations and assessments are transparent, simple and easy to understand and recognise diverse needs;
- provide customers with choice and give reasonable preference to those in housing need, taking account of individual circumstances and waiting time;
- make best use of all registered provider housing stock the council has nomination rights to and promoting sustainable communities.

1.3 Links to other Policies

The Housing Allocations Policy will work in parallel with a number of other key policies of the council. These include the strategies and policies listed below:

- The council's Corporate Framework;
- The Housing, Homelessness and Rough Sleeping Strategy;
- Private Rented Sector Offer Policy;
- Tenancy Strategy;
- Temporary Accommodation Placement Policy.

1.4 Equality and Diversity

The council is committed to promoting equality of opportunity in housing services and has procedures in place to ensure that all customers are treated fairly and without unlawful discrimination in line with the Equality Act 2010. An Equality Impact Assessment has been completed on this policy and has found that no customers are disadvantaged due to their protected characteristics.

2.0 Eligibility and Qualification

As a local authority, it is essential that all legal requirements are fulfilled that affect who housing is allocated to.

A customer must be both eligible (see 2.1) and satisfy the qualification criteria (see 2.2) to join the housing register. If a customer on the housing register ceases to be eligible or no longer qualifies, their housing register application will be cancelled. If a customer who has been offered a property ceases to be eligible or no longer qualifies, the allocation cannot continue.

2.1 Eligibility Test

To be eligible to join the housing register, a customer must:

- be 16 years of age or over;
- not be subject to immigration control or be a customer from abroad, except for those listed in Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006;
- be habitually resident in the common travel area (England, Scotland, Wales,

Ireland, Channel Islands and the Isle of Man).

Customers from abroad or subject to immigration control will be considered in line with the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 and chapter three of the Allocation of Accommodation: Guidance for Local Housing Authorities in England.

2.2 Qualification

As well as the eligibility criteria, a customer must also fulfil the qualification criteria set by the council. This means that they must:

- have a local connection to the district, as defined in 2.2.1;
- have a housing need, as defined in 2.2.2, 2.2.3, 2.2.4 and Appendix A.
- not have a history of unacceptable behaviour that would make them unsuitable to be a tenant as defined in 2.2.5;
- not have committed fraud by giving false information or withholding information as defined in 2.2.6.

2.2.1 Local Connection

To be considered as having a local connection to TRDC, at least one of the following criteria must apply:

- have current residence (by choice) in the district and have lived in the district for at least five of the last six years, excluding any time spent in temporary accommodation. This requirement applies at the point of application and the point of offer;
- have an immediate family member (parents, adult children, adult siblings) who is currently resident and has continuously been a resident within the district for at least ten years. The customer must have a relationship with that family member, a need for their support or to provide support to that family member and must demonstrate that the distance they currently travel to provide this support is unreasonable or creates a barrier to delivering effective care or assistance. The council will consider a need for support to be a formal care requirement, significant childcare needs, the need to assist in the care of a child with high complex needs. This requirement applies at the point of application and the point of offer.

There are some circumstances which mean that a customer may not need to meet the local connection criteria in order to qualify, these are as follows:

- a current registered provider tenant living within the district and the council has nomination rights for the property;
- a customer who needs to move through the 'Right to Move' (see 2.3 below);
- a victim of domestic abuse (see 5.2);
- if the requirement of a local connection may infringe equality and diversity legislation (e.g. Equality Act 2010). These applications will be considered on a case by case basis by the Housing Panel;
- a customer the council owes the main homelessness duty under Part VII of the Housing Act 1996 (as amended).
- Care leavers under the age of 25.

2.2.2 Armed Forces Exemptions

All Armed Forces veterans, irrespective the length of Service or when this Service ended, are exempt from local connection criteria to join the council's Housing Register.

This includes:

- Current serving members of the Armed Forces;
- Former members of the Armed Forces;
- Bereaved spouses or civil partners of Armed Forces members 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;
- Adult children of serving Armed Forces members who need to move out of family accommodation provided by the Ministry of Defence.
- 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;
- A divorced or separated spouse or civil partner of a Regular Armed Forces member who needs to move out of accommodation provided by the Ministry of Defence due to a relationship breakdown.

This list is not exhaustive and the council's Housing Panel (3.11) has the ability to grant an exemption to the local connection criteria, on the grounds of exceptional circumstances, to an Armed Forces veteran or family member who may not wholly fulfil one of the above.

This will be considered on a case-by-case basis.

2.2.3 Housing Need

To qualify for the housing register a customer must have a housing need. This means that their current home does not meet their needs, as detailed in section 4.0 and Appendix A.

However, there is an exception for customers over 55 years of age with a local connection who do not have a housing need. These customers will only be considered for age restricted properties and only prioritised in Band E.

A customer may be considered to have a housing need if they or a member of their household has a medical condition or disability that is affected by their current housing situation. A customer will be required to complete an online medical form and provide supporting documentation dated within the last 12 months.

Medical needs will be assessed and may be referred to an Independent Medical Advisor for a recommendation on whether medical priority should be awarded. Should a recommendation on medical priority be provided by the council's independent medical advisor, any decision to award medical priority to the application will be taken by the council's Housing Solutions Manager.

2.2.4 Home Ownership

Most customers who own a property will not be considered to have a housing need as they have sufficient financial means to resolve their housing and will not quality to join the housing register.

Applications from customers who own a property but are experiencing financial hardship which may result in them losing their home will be considered on an individual basis, however, these customers must be engaging with the council's Housing Options team.

2.2.5 Financial Means

A customer may not qualify to join the housing register if they have the financial means to resolve their own housing need. Typically, a customer will not qualify if they meet either of the following thresholds, both at the point of application and the point of offer:

- have in excess of £16,000 in savings;
- have a total gross household income in excess of the figures listed below for the size of property required (in accordance with Appendix A).

One Bedroom Need	£34,560.00
Two Bedroom Need	£45,396.00
Three/Four Bedroom Need	£61,200.00

Customers will be excluded from the above thresholds if they fall into any of the following categories:

- a member or former member of the Armed Forces who has received a lump sum in compensation for an injury or disability sustained on active service;
- aged over 55 and prioritised in Band E for age restricted properties only;
- have a specific housing need and do not have the financial means to source a suitable property in the private rented sector or through home-ownership. For example if a customer requires a property with adaptations (such as a stair lift) that cannot be funded through other means.

2.2.6 Unacceptable Behaviour

Customers may not qualify to join the housing register if any member of their household is the perpetrator of unacceptable behaviour serious enough that would make them unsuitable as a tenant.

This can include where there is evidence that legal or other serious action has been taken against any member of a customer's household due to anti-social behaviour (ASB) within two years immediately before the date of application. This decision will be made by the Housing Panel, taking into consideration any of the below and all available information. This will include information provided by the Community Safety Partnership (CSP).

- Acceptable Behaviour Contract
- Community Protection Notices
- Legal Undertakings
- Anti-Social Behaviour Injunctions

- Premise Closure Order
- Criminal Behaviour Orders

2.2.7 False, Misleading or Withheld Information

Knowingly giving false or misleading information or withholding information is a Level Five offence. The Council may prosecute a customer found guilty of this offence and this may result in their housing application being cancelled.

False or misleading information can include:

- Giving false information;
- Not disclosing all information required;
- Customers not informing Housing Services of changes to their housing situation.

2.3 Right to Move

The Right to Move applies to existing social housing tenants seeking to transfer from another local authority area in England who satisfy 2.3.1 and also 2.3.2 or 2.3.3:

2.3.1 have reasonable preference under s.166A(3)(e) of the Housing Act 1996 (as amended) because of a need to move to the district to avoid hardship, and;

2.3.2 need to move due to employment in the district, or;

2.3.3 need to move to take up an offer of work (the customer must demonstrate that if they were unable to move to take up a job offer that it would cause them hardship).

The council needs to ensure that a customer has a genuine intention to take up the offer of employment. Evidence will need to be provided, such as contract of employment (12 months or more consisting of at least 16 hours a week), pay slips or a formal offer letter. We may contact the employer in order to verify the offer of employment. Voluntary work does not count for this purpose but an apprenticeship would qualify.

The council must also be satisfied that the required move is based on need, rather than wishes. The following factors would be taken into consideration:

- distance and/or time taken to travel between place of employment and home;
- employment opportunities available closer to home;
- contract length;
- personal factors which may be affected if a customer were unable to move;
- availability and affordability of transport.

This list is not exhaustive.

2.4 Arrears

A customer's housing register application may be made non-active if a customer has rent arrears or owes money to the council or a housing provider. This can include but is not limited to:

- owing court costs to a landlord;
- current or former tenant arrears owed to any landlord (private, council, registered provider) where there is no payment plan in place OR an acceptable payment plan

- is not being adhered to for at least 12 weeks;
- Council Tax arrears;
- monies owed to the council for any previous tenancy on the council's private rented sector scheme whereby there is not a payment plan in place or a payment plan is not being adhered to;
- any other monies owed to the council.

Discretion may be exercised in the following circumstances:

- an overpayment of housing benefit due to council or DWP error;
- arrears due to housing benefit payment being temporarily suspended.
- Serving or former members of the Regular Armed Forces or their former partners who have accrued mesne profit debt whilst in accommodation provided by the Ministry of Defence.

The above list is not exhaustive. The final decision will be made by the Housing Panel.

2.5 Deliberately Worsened Circumstances

If the council considers that a customer has deliberately changed their circumstances to gain extra priority on the housing register, they will be placed in the priority band they would have held before this change for a minimum of one year from the date of the change.

Examples of this can include but are not limited to:

- customers moving from already suitable accommodation;
- homeowners who transfer their property to another family member;
- customers who have disposed of assets which could have been used to secure housing;
- voluntarily moving into a property which results or will result in a customer becoming statutory overcrowded which is not a result of a natural increase in family size.

2.6 Household Members

Customers will be required to give details of all members of their household. In most cases, only someone who is living as part of the household on a permanent basis at the date of application (or children born after registration) and the date of offer will be considered part of their household.

Non dependent children (aged 21 or over and no longer in tertiary education or apprenticeship) will not be considered part of a household unless they are unable to live independently due to support or care needs.

Dependant adult relatives who have joined or already live in a customer's household because they are unable to live independently may be considered as part of their household. This is usually due to care or support needs or for other medical reasons. Such cases may be referred to the council's Independent Medical Advisor.

An unborn child will be considered part of a household four weeks prior to the due date.

2.7 Proof of Access to Children

When a customer has equal access rights to a child which could potentially lead to two

applications with the same child as a household member, the child will only be considered part of the household from the child's main and principle home. Proof of the child's main and principle home should be provided at the point of application and the point of offer.

2.8 Change of Circumstances

It is the responsibility of a customer to update the council if their housing circumstances have changed. A customer must complete a change of circumstances form online and their application will be reassessed.

3.0 Administration of the Housing Register

3 Bidding

Once an application has been assessed and made live, customers can bid on available properties through our Home Connections website.

3.1 Property Adverts

All properties advertised through Home Connections will be available to bid on for a specific time period.

3.2 Time Limited Bidding

Some priority Band A and Band B applications will be subject to time limited bidding. This means that there will be a timeframe for how long this priority will stand. This is because the council acknowledges the urgency of the situation. Each case will be reviewed on an individual basis and all customers should be aware of the following:

- a customer's housing application could be reassessed and a lower priority band may be awarded;
- the council may actively bid on a customer's behalf;
- any priority awarded may be extended with a further review date.

3.3 Approved Bidding

Some customers will be subject to approved bidding. Customers will still be able to bid for all properties, however the council will need to approve the bid as being suitable. This can include the location or type of property.

3.4 Direct Lets

On some occasions properties will be allocated through a direct let. A direct let means that a customer will not bid on properties but will receive an offer of suitable accommodation. A direct let made to a customer who the council owes a main homeless duty will be a final offer of accommodation.

Direct lets may also be used in the following circumstances:

- if a suitable property becomes available for a customer who requires significant adaptations;
- for customers in high risk priority groups such as fleeing from domestic abuse or UK Protected Persons Service (formerly witness protection). (see 5.0 for further details);

- exceptional circumstances as approved by the Housing Operations Manager or Strategic Housing Manager.

All direct lets will be considered on a case by case basis by the Housing Operations Manager or Strategic Housing Manager.

3.5 Allocations and Shortlisting

3.5.1 Shortlisting

The customer with the highest priority band who has bid for a property will typically be offered the property should this be suitable for their housing need.

If two customers who have bid for a property have the same priority band, the customer with the earliest band start date will be offered the property.

If two customers in the same priority band have the same priority band start date, the property will be offered to the customer for who the property is considered most suitable. The Housing Panel will make this decision.

Some properties may have additional criteria. These will usually be identified in the property advert. Examples include priority being given for customers with a medical need for a ground floor property (see 5.11)

3.5.2 Property Viewing

In some cases, more than one customer may be invited to view a property. Therefore, a viewing is not a guarantee of an offer of accommodation. If the property is offered to a customer, they will have a period of time in which to accept or decline this offer (this will usually be 24 hours)

3.6 Verifications

If a customer is successful in bidding, their application will be verified at the point of offer. There may situations in which an application may be verified at the point of application and the point of offer, specifically but not limited to applications made under 2.2.2 (medical) and 2.2.4. Should a customer exceed the limit of 2.2.4 or apply under medical grounds of 2.2.2, the application will be verified at the point of application and the point of offer.

A customer is required to provide the following for all household members:

- proof of identify: this includes passport or full birth certificate, proof of address, National Insurance number;
- proof of income, expenditure, savings and any interest in a property;
- proof of residency of children: this includes a full birth certificate, proof of receipt of Child Benefit, proof of receipt of Child Tax Credit or the child element of Universal Credit;
- proof of pregnancy;
- confirmation of immigration status and recourse to an allocation of social housing if relevant;
- medical evidence if this is relevant to a customer's need to move to alternative accommodation: this must be dated within the last 12 months;

- notice of eviction if relevant;
- Any other reasonable information relevant to customer's circumstances.

A home visit may be conducted if necessary (see 3.8)

When an offer is made, the above documents must be provided within 48 hours (unless there are exceptional circumstances). If the documents are not provided within this time period the offer will be withdrawn and the property offered to the next customer on the shortlist.

3.7 Home Visits

A customer may be visited at their home prior to an offer to confirm their circumstances. Visits can be scheduled, requested at short notice, or conducted unannounced. If a customer is unavailable for a scheduled visit, the accommodation offer could be subject to reconsideration. If a customer does not have any settled accommodation, a visit may be made to the address provided on the application form. These visits are essential, with access granted to all areas of the property as part of this verification process.

Whilst having regard to the council's adherence to the relevant Nominations Agreement, Officers commit to providing any customer with reasonable opportunity to facilitate a scheduled home visit before any offer of accommodation could be reconsidered.

3.8 Withdrawal of Offers

In the following circumstances an offer of accommodation may be withdrawn from a customer by either the council or the registered provider:

- where there has been a change in the customer's circumstances;
- a customer is no longer eligible or do not qualify to remain on the housing register;
- a property has been offered in error;
- a customer could be at risk of harm following the allocation;
- a property is no longer available to let;
- a RP rejects a nomination by the council due to the customer not meeting the criteria of the RP's policies.

3.9 Refusing an Offer of Accommodation

If a customer has successfully bid and has been offered a property, as a principle of Choice Based Lettings they may refuse that offer without their priority on the housing register being affected. However, should three offers of accommodation be refused the customer may be contacted by the Housing Supply Team and their application to the Housing Register reviewed.

This does not apply to customers who are owed the main homelessness duty (see 5.1) or customers who are subject to time limited bidding (see 3.3)

The council will treat it as a refusal of an offer of accommodation by a customer, if they do not hear from the customer, following contact regarding a potential nomination, within 2 working days.

3.10 Housing Panel

The Housing Panel has the ability to grant a customer an exemption to the local connection criteria, on the grounds of exceptional circumstances. An exemption under these grounds will not be considered for any customer that has the means to facilitate a mutual exchange of a social housing tenancy or the financial means to access the private rented sector in the district.

The Housing Panel also has the ability to consider other exceptional cases where an exception to the Council's Housing Allocations Policy may need to be made.

In some cases, the Housing Panel will have the ability to award additional priority to customers who have a welfare, care or support need or other social need that affects their housing.

3.11 Right to Request a Review

Customers have the right to request a review of certain decisions under the Housing Act 1996:

- if they do not qualify to join the housing register;
- if they are not eligible to join the housing register;
- the facts that were taken into account in considering whether to allocate you accommodation.

If the customer disagrees with one of the above decisions, they may request a review of this decision which must be done in writing to the Housing Operations Manager within 21 days. Reviews will be considered by an officer senior to the person who made the original decision within 56 days of the request being received and a written response will be sent stating the outcome of this review.

If the customer disagrees with a decision above made by the Housing Panel, they may request a review of this decision, which must be done in writing to the Strategic Housing Manager within 21 days. Reviews will be considered by the Strategic Housing Manager, independent of the Panel who made the original decision, within 56 days of the request being received and a written response will be sent stating the outcome of this review.

3.12 Cancelling an Application

An application can be cancelled by the council in the following circumstances:

- at the request of a customer;
- where a customer has not placed a bid for at least 12 months or has not responded to any other relevant correspondence within the specified time period;
- if a customer is no longer eligible or no longer qualifies to remain on the housing register;
- when a customer has been housed into suitable accommodation.

This list is not exhaustive.

If you wish to re-join the housing register at a later date this will be treated as a new application.

3.13 The Local Government Ombudsman

The Local Government and Social Care Ombudsman (LGSCO) looks at complaints about councils and some other authorities and organisations, including education admissions appeal panels and adult social care providers (such as care homes and home care providers). The service is free, independent and impartial.

If a customer is not satisfied with the action the Council takes, they can complain to the ombudsman. This complaint must have been dealt with by the Council before contacting the ombudsman, using its internal complaints procedure. The LGSCO can be contacted at:

Advice line: 0300 061 0614
www.lgo.org.uk

3.14 Data Protection

Information held on a customer is confidential and will not be disclosed to any member of the public. This also applies to any information related to a customer's housing application. If a customer requires a family member or advocate to access information or speak on their behalf then the council will need written permission from the customer.

We seek to comply at all times with all data protection legislation and regulations.

In some circumstances, disclosure of a customer's information to other professionals or services may be necessary, for example to nominate a customer to a partner Housing Association. For further information please see our privacy notice on our website www.threerivers.gov.uk/egcl-page/privacy-notice

4.0 Priority Banding and Additional Priority

4.1 Reasonable Preference

There are five categories of customers to whom reasonable preference must be given. These are as follows:

- People who are homeless, as defined in Part 7 of the Housing Act 1996 (as amended). This includes homeless applicants who have been found not to be in priority need, and those who have not made an application under Part 7 but would have been found to be homeless if they had made an application;
- customers who are owed a duty under the following sections of the Housing Act 1996:
 - section 190(2) - eligible for assistance, homeless, in priority need and intentionally homeless
 - section 193(2) - eligible for assistance, homeless, in priority need and not intentionally homeless
 - section 195(2) - the prevention duty owed to persons who are eligible for assistance and threatened with homelessness;
- customers occupying insanitary or overcrowded housing, or otherwise living in unsatisfactory housing conditions;
- customers with a need to move on medical or welfare grounds, including grounds

- relating to a disability;
- customers who need to move to a particular area to avoid hardship to themselves or to others. This could include someone who needs to move to access specialist medical treatment or to provide care for a relative.

4.2 Additional Priority

A customer may be awarded additional priority if one or more of the criteria below are met. This will be awarded by backdating their band start date by 12 months.

- For sole applications, a customer has been employed for at least 12 months for a minimum of 24 hours per week;
- for joint applications, both customers have been employed for at least 12 months for a minimum of 37 hours per week;
- a customer is unable to work due to medical issues and has been unable to work for the last 12 months. Evidence must be provided from the DWP that a customer is receiving the support component of ESA or they have proof from the DWP stating that they have been assessed and are unable to work.
- A customer who has served in the Armed Forces who has joined the Housing Register as they have a housing need, however, are not currently homeless, will be awarded additional priority. This priority will be awarded by backdating their band start date by 2 years.

As applications are verified at the point of offer, the onus will be on a customer to provide evidence of the above should it apply. If evidence is not provided a customer Housing Allocations Policy will not receive this additional priority. Customers will be advised of this requirement when making their online application. Backdates in priority will not be awarded should a customer not provide the necessary evidence when applicable.

The following customers that must be awarded reasonable preference (4.1) and have urgent housing needs, will receive a Band C priority on the council's Housing Register:

- currently serving in the regular forces and suffering from a serious injury, illness or disability which is attributable to that service;
- has formerly served in the regular armed forces;
- has recently ceased or will cease to be entitled to reside in accommodation provided by the Ministry of Defence following the death of a spouse or civil partner who served in the regular forces and whose death was attributable to that service;
- has served or is serving in the reserve forces and is suffering from a serious injury, illness or disability which is attributable to that service.

4.3 Housing Need and Priority Banding

When a housing application has been assessed a customer will be awarded one of four priority bands between Band A and Band D, with Band A being the highest. If a customer's circumstances change their priority band will be reassessed.

The priority bands are designed to give customers with the greatest housing need greater priority for housing, while making best use of the available housing stock in the district.

A 'band start date' will be given to the customer. This will initially be the date of

application. If a customer's housing circumstances change their band start date may change if the change results in a change in the priority awarded on the housing register. If a customer moves to a higher band, their 'band start date' will be the date of entering the new band. If a customer moves to a lower band, they keep their original 'band start date'.

5.0 Customers with Additional Requirements

5.1 Homeless Households

Following implementation of the Homelessness Reduction Act 2017 in 2018, there are now three stages to a homeless application;

- Prevention Duty (when a customer is threatened with homelessness within 56 days)
- Relief Duty (when a customer actually becomes homeless, this duty lasts for 56 days)
- Main Duty (if relief has not been possible and the customer is not intentionally homeless, a decision is required once the 56 day relief period has ended)

If a customer holds a local connection to the district for purposes of joining the housing register (see 2.2.1) during the Prevention Duty or Relief Duty, the council will bid on behalf of a customer for all suitable properties.

If the council accepts the main duty to provide a customer with secure accommodation, the council will bid on behalf of a customer for all suitable properties.

A customer could also be offered suitable accommodation in the private rented sector. Any offer of suitable accommodation made to a homeless customer that is owed any of the above homeless duties, will be considered a final offer of accommodation.

If the council accepts a main duty to provide a customer with secure accommodation but the customer does not meet the housing register local connection criteria, they will be prioritised for an offer of accommodation in the private rented sector. Further details in the Private Rented Sector Offer Policy,

5.2 Domestic Abuse

The council will ensure customers who are suffering from domestic abuse and engaging with the council's Housing Options team:

- are given appropriate priority on the housing register;
- are not disadvantaged by any local connection qualifying criteria if they have fled to a refuge in another local authority area;
- are not disadvantaged by any local connection qualifying criteria if they have fled from another local authority area.
- will be referred to, and provided specialist support from by the council's Domestic Abuse Caseworker

Following the introduction of the UK Government's Domestic Abuse Act 2021, the legal definition for domestic abuse is defined as the following;

- Domestic abuse is any single incident, course of conduct or pattern of abusive

behaviour between individuals aged 16 or over who are “personally connected” to each other as a result of being, or having been, intimate partners or family members, regardless of gender or sexuality.

- Children who see, hear or experience the effects of the abuse and are related to either of the parties are also considered victims of domestic abuse.
- Behaviour is “abusive” if it consists of any of the following: physical or sexual abuse; violent or threatening behaviour; controlling or coercive behaviour; economic abuse; or psychological, emotional or other abuse. This includes incidences where the abusive party directs their behaviour at another person (e.g. a child). Economic abuse means any behaviour that has a substantial adverse effect on someone’s ability to acquire, use or maintain money or other property, or obtain goods or services.

For the full legal definition of domestic abuse, see [Part 1 of the Domestic Abuse Act 2021](#).

Customers engaging with the council’s Domestic Abuse Caseworker who have experienced domestic abuse may be awarded welfare priority. Where appropriate, information may be requested from relevant professionals supporting a customer.

5.3 UK Protected Persons Service (UKPPS)

The council supports the UK Protected Persons Service (formerly Witness Protection) and will consider referrals made to house protected persons at its discretion and in line with outward referrals made under the scheme. The decision to accept referrals is made by the Housing Operations Manager. Accepted referrals will not normally exceed one in any financial year. Any priority given may be reassessed if an offer of suitable accommodation is refused.

5.4 Multi-Agency Public Protection Arrangements (MAPPA)

Housing applications received from these customers will be considered in line with the MAPPA Herts Housing Protocol by the Housing Operations Manager and, if successful will be subject to approved bidding (see 3.4) as these cases are sensitive. The council will work with RPs to find suitable accommodation for such cases and all bids will need to be approved.

5.5 Move On and Leaving Care

The council have agreements with organisations that provide specialised housing. These organisations deal with vulnerable customers and young people leaving care or in supported living who require independent accommodation.

These customers are awarded priority on the housing register. The decision to award priority is made by the Housing Solutions Manager.

5.6 Sheltered and Age Restricted Housing

Sheltered and age restricted housing is designed for customers who are typically over the age of 60. The age restriction may vary and will be identified in a property advert.

5.7 Welfare Needs

The term 'welfare' encompasses care, support and other social needs. This may include customers who need to move to a different locality in order to give or receive care, to access specialised medical treatment or customers recovering from the effects of domestic abuse.

The decision to award welfare priority is made by the Housing Panel.

5.8 Medical Assessments

Some customers may be able to receive additional priority if they or a member of their household has a medical condition or disability that is affected by their housing (see 2.2.3)

5.9 Adapted Properties

When the council advertises a property which has had significant adaptations the advert will clearly state if customers with a need for the adaptations will be given initial priority on this basis.

This means that a customer requiring adaptations will be prioritised over a customer who does not require adaptations even if they are in a higher band.

5.10 Extra Room for a Carer

If an extra room is required for a carer, supporting documentation must be provided stating that a live in carer is required for the customer's care needs. This information must satisfy the Housing Supply Team. This may be referred to the council's Independent Medical Advisor.

If an additional bedroom is approved by the Housing Solutions Manager, the customer must provide evidence that they receive the benefits needed to cover its cost, to ensure affordability if they become benefit dependent. This evidence must be submitted before they can bid on larger properties.

5.11 Extra Room for Medical Need

Priority for ground floor flats may be given to customers in Bands A to C with a medical need for ground floor accommodation. This will be clearly stated in the advert.

If priority is granted for ground floor accommodation, the customer will only be considered for accommodation of this type (no external or internal stairs).

5.12 Ground Floor Flats

Priority for ground floor flats may be given to customers in Bands A to C with a medical need for ground floor accommodation. This will be clearly stated in the advert.

6.0 Other Information

6.1 Allocations to Council Staff, Council Members or their Families

Staff of the council, their immediate family and elected members who require housing through the council may apply in the same way as other customers. Their status should be disclosed on the application form at the time of applying.

If a customer is applying for housing or has made a successful bid as any of the above persons, the Housing Operations Manager or Strategic Housing Manager will be informed and must approve the shortlist letting prior to a formal offer being made.

6.2 Local Lettings Policies

Three Rivers District Council reserves the right to implement a Local Lettings Policy for new developments or to address issues on existing estates. These are used to ensure that communities are sustainable and contain an appropriate mix of households.

6.3 Lettings in Villages – Rural Exception Areas

Within Rural Exception Sites the aim will be to provide affordable homes for people with a need to live in the locality, or have a local connection to the community and therefore additional criteria will normally be necessary. These will be incorporated into a Local Lettings Policy or nominations agreement and will limit occupancy to people with close ties to, or employed in, the locality. A cascade approach to gradually widen the area of eligibility to occupy the dwellings will usually be acceptable to the council to ensure that occupants can always be found to fill that property. Rural exception sites which come under this description are Bedmond Village and Sarratt.

6.4 Lettings Covered by this Policy

This Allocations Policy sets out the procedures used by the council for allocating housing. Some Registered Providers maintain their own register and retain a small percentage of properties for their own tenants.

Registered Providers will offer different lengths of tenancies, some are lifetime tenancies but the majority are offered as flexible tenancies with a one year starter tenancy followed by a fixed-term tenancy.

There are also different rent levels set by the Registered Provider; the majority are either at social rent level or affordable rent which can be up to 80% of market rent.

Lettings that are not treated as allocations under this scheme include:

- mutual exchanges between tenants of a Registered Provider, whether by Deed of Assignment or by commencement of new tenancies (including those arranged via national schemes such as Home Swapper);
- succession of a tenancy following the death of a tenant;
- where an introductory tenancy, assured shorthold starter, or probationary tenancy becomes an assured or secure tenancy;
- where the Registered Provider uses their own allocation percentage to facilitate a management move or another allocation from their own waiting list;
- where a secure or assured tenancy is granted by court order under Matrimonial Causes Act 1973, Matrimonial and Family Proceedings Act 1984, or Children Act

1989; or

- where a tenancy is demoted by court order or where a demoted tenancy reverts back to secure tenancy status.

Appendix A Banding Scheme

The banding structure described below provides for an assessment structure which officers can work within. They are not prescriptive however, and should the circumstances of a case require that exceptions are made to these bands, senior officers will use their discretion to make such a decision.

If a customer needs a property which is larger than the property they are currently living in, please refer to the Bedroom Eligibility Matrix below (Appendix B).

Band A

- Customers who need to move urgently because of a critical medical housing need, including emergencies, where a customer's current housing situation is so severely detrimental to their health.
- Customers needing to move where they are in immediate danger if they remain in their current home. This will need to be supported by corroborating evidence by the Police or UK Protected Persons Service.
- Customers who have a welfare, care or support need or other social need that affects their housing situation so severely that a move to alternative accommodation is necessary.
- Customers who have succession rights to a social housing tenancy who are required to move to another property and this is not possible through a management move.
- Tenants living in social housing in the district who need to move due to their current property being demolished or needing redevelopment.

Band B

- Customers who need to move because they have been assessed as having a serious medical need that is being affected by their current housing situation.
- Customers who have a serious welfare, care or support need or other social need that affects their housing to a degree that they need to move to alternative accommodation. This can include victims of domestic abuse (see section 5.2).
- Customers needing to move due to harassment. This will need to be supported by corroborating evidence by the Police. Other supporting information will be considered.
- Tenants who are living in social housing in the district and under-occupying by one or more bedrooms.
- Customers owed the Main Homelessness Duty (S193).
- Customers that need to move on from care or supported housing where a nominations agreement or protocol is in place.
- Customers who have been assessed as being statutory overcrowded where this is not the result of a deliberate act (see 2.5).
- Customers with composite need from Band C, one of which is medical priority

Band C

- Customers who have been assessed as having a moderate medical need that is being adversely affected by their current housing situation.

- Customers who have a moderate welfare, care or support need or other social need that affects their housing to a degree that they need to move to alternative accommodation.
- Customers living in accommodation for which an Improvement Notice or a Prohibition Notice has been served by Three Rivers District Council in relation to a Category 1 or 2 hazard in the customer's dwelling and the remedies needed to reduce the hazard will require the property to be vacated for a significant period of time or will make the property unsuitable for occupation by the customer.
- Social housing tenants living in a fully adapted property who no longer need these adaptations.
- Social housing tenants living in the district in general needs stock wishing to move into age-restricted accommodation.
- Customers with a priority need owed the Relief Duty by the council.
- Customers who are occupying a property which is subject to a Compulsory Purchase Order and are unable to secure suitable alternative accommodation.
- Currently serving in the regular forces and suffering from a serious injury, illness or disability which is attributable to that service
- Has formerly served in the regular armed forces
- Has recently ceased or will cease to be entitled to reside in accommodation provided by the Ministry of Defence following the death of a spouse or civil partner who served in the regular forces and whose death was attributable to that service.
- Has served or is serving in the reserve forces and is suffering from a serious injury, illness or disability which is attributable to that service
- Customers with composite need from Band D, one of which is medical priority.

Band D

- Customers who have been assessed as having a low medical need that is being adversely affected by their current housing situation.
- Customers who have a low welfare, care or support need or other social need that affects their housing to a degree that they need to move to alternative accommodation.
- Customers living in accommodation for which a Hazard Awareness Notice has been served by Three Rivers District Council in relation to a Category 1 or 2 hazard in the customer's dwelling and the remedies needed to reduce the hazard will require the property to be vacated for a significant period of time or will make the property unsuitable for occupation by the customer.
- Customers who have no fixed abode, including those that have received a non-priority need decision or intentionally homeless decision.
- Customers owed the Prevention Duty by the council.
- Customers without a priority need owed the Relief Duty by the council.
- Customers who qualify for the 'Right to Move'.
- Council staff leaving tied accommodation where there is a contractual agreement to provide accommodation.

Band E

- Customers who qualify through having a local connection and who have no housing need but are only eligible for sheltered or older person's accommodation.

Appendix B Bedroom Eligibility Matrix

Household Size	Bedroom entitlement	Current Bedrooms			
		Without a bedroom	One bedroom	Two bedrooms	Three bedrooms
Single person	Bedsit or 1	D	-	-	-
Couple	1	D	-	-	-
One child	2	C	D	-	-
Two children of opposite sex both under 10		B	C	-	-
Two children of same sex both under 16		B	C	-	-
Two children of opposite sex (at least one child 10 or over)	3	B	C	D	-
Two children of same sex (at least one child 16 or over)		B	C	D	-
Three children		B	B	C	-
Four or more children	3+/4	B	B	C	D

