

# Thanet District Council Housing Allocation Policy

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## Forward

This policy sets out our priorities for how social rented housing in the Thanet district is allocated, and the guidelines which determine entitlement and eligibility to that housing. This will supersede any existing and former policy relating to the allocations of housing and is in accordance with the requirements of Section 167 of the Housing Act 1996, as amended by the Homelessness Act 2002.

It also explains what help people can expect from us in meeting their housing needs, and sets out the system and processes by which we let council-owned homes and make nominations for housing owned and managed by housing associations.

The policy sets out:

- Who is eligible to be accepted onto the housing register
- How homes are allocated
- How to apply to Thanet's housing register
- How priority for housing applicants will be given
- How transfer applications will be assessed
- Eligibility for different property types

As at 1<sup>st</sup> April 2018, there were 4,777 properties owned by Registered Social Landlords within Thanet.

The Council is landlord of 3034 properties which are broken down as follows:

Accommodation Type	No of Properties
Studio Flats	80
One bedroom flats/maisonette	558
One bedroom house	2
Two bedroom flats/maisonette	797
Two bedroom house	586
Three bedroom flats/maisonette	34
Three bedroom houses	888
Four bedroom flats/maisonette	4
Four Bedroom houses	84
Five bedroom house	1

As of 1 September there are 2552 households on the Councils housing register that are waiting for the following size homes.

Bedroom need required	No of households
One bedroom	1228
Two bedroom	633
Three bedroom	473
Four bedroom	179
Five bedroom or more	39

During the period 1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2018 there have been 358 allocated social homes of which the council allocated 132 homes which are broken down as follows:

Accommodation Type	No of Lets
Studio Flats	8
One bedroom flats/maisonette	36
One bedroom house	0
Two bedroom flats/maisonette	43
Two bedroom house	20
Three bedroom flats/maisonette	4
Three bedroom houses	21
Four bedroom flats/maisonette	0
Four Bedroom houses	0
Five bedroom house	0

As you can see, there is clearly insufficient social housing in the Thanet district to meet the need of every household on the housing register. It is therefore essential that each household is assessed and given the appropriate priority against the new policy.

## 1.0 Introduction

The Housing Register and this Allocations Policy operates under the provisions of the Housing Act 1996 – Part VI (as amended) and takes into account the three codes of guidance issued by the Government - Allocation of Accommodation: Code of Guidance for Housing Authorities 2002, the Allocation of Accommodation: Choice Based Lettings Code of Guidance for Housing Authorities 2008 and Fair and Flexible: Statutory guidance on social housing allocations for local authorities in England 2009. This Policy will be reviewed annually and may have to be amended to reflect any legislative changes.

### 1.1 Aims of the allocation policy

The Choice Based lettings policies and key objectives are:

- Empower applicants by offering choice, through a range of housing options, choice and information which will enable them to make realistic decision in relation to their future housing prospects.
- To target scarce resources to those in the greatest need.
- To challenge the perception that social housing is the only suitable housing option and where possible create active incentives and housing solutions for applicants.
- Ensure sufficient priority is awarded to transfers in order to make best use of the social housing stock.
- Promote the development of sustainable mixed communities and neighbourhoods of choice

Households will only be eligible for social housing if they have a specific reason to move. This could include medical reasons, under-occupying, overcrowding.

## 2.0 Who is eligible?

### 2.1 Residential Criteria

Households, who are Thanet residents and have been living within the Thanet district for a continuous period of 3 years immediately prior to date of application. For households temporarily residing outside of the district and where their principle home was in Thanet prior to moving can be considered if they have been resident in Thanet for 3 out of the last 5 years. Examples of this could be hospital, HMP, temporary lodgings, and refuges. The Council will determine the applicants eligibility, taking into account any exceptional reasons for moving and the security of any temporary arrangements. Armed Forces Personnel will be exempt from this criterion.

Households that are owed a full homeless duty under Part VII of the Housing Act 1996 (Amended 2002) will be exempt from this criteria. Households that have fled domestic abuse from another district will be exempt from this criteria.

Households who can evidence full time employment within the district and require to live in the area due to their job can also be considered examples of this could be key workers (more info in 4.7) where failure to reach the workplace in a period of time could jeopardise their employment.

### 2.2 Qualifying persons

Qualifying persons, all 'qualifying persons' are eligible to have their application added to the Housing Register. Part VI of the Housing Act 1996, (as amended), confirms that the Secretary of State may prescribe who are or are not qualifying persons. Currently, the following persons are entitled to join the housing register:

- Qualifying persons aged 16 or 17 (see Section 4 for further details)
- Any person aged 18 or over, and
- Their current home is their only home, or sole residence, unless proven otherwise with reason and
- They do not have access to a suitable home elsewhere, and
- They are not already on the housing list, either on their own or with someone else, and
- They are not ineligible for housing assistance under section 160A(1) and (3), and 185(2) of the Housing Act 1996 (as amended), or any regulation prescribed by the Secretary of State. In general terms a person from abroad who is subject to immigration control is ineligible for housing assistance, and
- They, or a member of their household, have not been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant.

### 2.3 Ineligible due to unacceptable behaviour

Thanet District Council may reduce priority for households if they or a member of their household have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant or lose their home. Examples of unacceptable behaviour are;

- breach of tenancy agreement
- nuisance or annoyance to neighbours
- conviction of using home for immoral or illegal purpose
- damage or neglect of your home
- conviction for arrestable offence in the locality of your home
- domestic violence causing you or another household member to leave the home
- false statement to induce grant of tenancy
- premium paid for assignment
- subletting
- tied accommodation when dismissed for misconduct

Where a person has previously been evicted they will be placed into band D. The local authority can review this position if there is reason to believe the person's behaviour has improved. This would be accepted, where an applicant had held a tenancy and a good tenancy reference was received or if specific satisfactory documentation was received upon Thanet District Councils request.

## **2.4 Voluntarily worsening your housing circumstances**

Where an applicant moves from their last settled accommodation that was available for their occupation that was more suitable for them than the accommodation they have moved to and which it was reasonable for them to have continued to occupy. This category also applies where they have left temporary accommodation provided by the council under a duty arising via the Housing Act 1996 (as amended Homelessness Act 2002) to provide interim accommodation to homelessness households. For an applicant to have intentionally worsened their circumstances there must be evidence that it would have been reasonable for the applicant to have remained in their original accommodation. These households will be awarded band D on the housing register for a period of 12 months unless there is a substantial change in their housing circumstances.

## **3.0 Assessment of need**

### **3.1 The banding system**

To try and be as fair as possible in deciding who should be offered properties, we use a banding system to determine priority for re-housing. Assessment is based on an applicant's housing circumstances, suitability of the property, and any long- term medical problems.

Persons eligible to join the housing list will have their application assessed by an officer and placed into one of four bands, in accordance with the 'Fair and flexible' statutory guidance. The bands are referred to as 'A, B, C and D', and applications in band A will be given the highest priority for re-housing, band B the next highest, then C with band D applicants having the lowest priority. Further details of how an applicant's circumstances will determine the priority band they are placed in, are set out in (Appendix 2).

### Band A – Urgent housing needs

Factor 1	Urgent medical or welfare needs.
Factor 2	Management transfer.

### Band B – Serious housing needs

Factor 1	People occupying very overcrowded housing or otherwise living in very unsatisfactory housing conditions. People leaving supported housing.
Factor 2	Social housing tenants in Thanet who are under-occupying by one bedroom or more.
Factor 3	Armed Forces Personnel.
Factor 4	Homeless households where the council has accepted a re-housing responsibility under Part VII of the Housing Act 1996 (as amended) following an application made prior to 3 April 2018.

### Band C – Reasonable preference

Factor 1	All other homeless households.
Factor 2	People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
Factor 3	People who need to move on medical or welfare grounds, including grounds relating to a disability.
Factor 4	Key workers

### Band D – General housing needs

Factor 1	People who are intentionally homeless, or who have deliberately worsened their housing circumstances.
Factor 2	People who are homeless by another local authority
Factor 3	Households that have a housing need but owe a former tenancy debt or are deemed to have unacceptable behaviour as outlined in section 2.3



### **3.2 Waiting time**

The housing register will differentiate between people who are in the same priority band according to their waiting time, taking into account the following:

- For new applicants, the date of their completed application.
- For transferring tenants, the date they applied for a transfer, and have provided all the information required by the local authority to make an assessment.
- For existing applicants or tenants, the date they notified the local authority of a significant change in their circumstances which improved their priority band.
- For changes that lower their priority band, the date of application applies.

In all cases waiting time will only start to accrue once all the information required by the Council to make an assessment has been provided and the application registered.

### **3.3 Medical priority**

Applicant's who indicate in their application form that they consider their health or disability is adversely affected by their current housing conditions, will be asked to complete a Welfare and Medical Assessment form describing their health problems. Additional information, such as from a medical professional, may also be submitted. A home visit may be made to establish how the medical issue is affected in real terms by their housing situation. Applicants should be aware that even if they provide supporting documents stating that a move to alternative accommodation is essential, it is for the council to determine the appropriate level of priority in accordance with the allocation policy (See Appendix 3 for more information).

All medical information supplied will be assessed initially by Now Medical trained Housing Advisors. Cases that are unable to be determined due to their complexity will be advised of the Kent Agency Assessment process (see 3.4). Dependent on the case, the council can request information from a Doctor at Now Medical. Applicants will be advised in writing of the medical priority awarded and the type of accommodation identified as being suitable for their needs. Priority will be awarded on medical and disability grounds as set out in appendix 3.

If we determine that a particular type of property is required on medical grounds; for example a home with no internal stairs, the applicant will be expected to bid for accommodation matching that criteria. Bids placed on accommodation that does not meet the required criteria may be bypassed. Contact may be made to explain your accommodation needs based upon the information we have on file. If the applicant continues to bid on accommodation that does not meet their medical requirements any priority awarded on medical grounds will be reviewed. If an applicant's medical circumstances improve, any priority awarded on medical grounds will be reviewed and may be removed.

### **3.4 Kent Agency Assessment**

The Kent Agency Assessment (KAA) process is a mechanism for Health or Social Services professionals, and their agents, to refer an applicant with a housing related health/support need, to the council for help accessing suitable accommodation. A Kent Agency Assessment should be

used only where an applicant requires immediate re-housing due to a health/support need that cannot be met in, or is being exacerbated by, their current accommodation. The form provides all the supporting information required to assess an applicant's housing needs. Applicants will be advised by letter if the level of priority awarded has been agreed and outline the type of accommodation identified as being suitable for their needs.

Where an applicants needs are so great or severe that general housing is not suited, there are documents to evidence this or where a duty of care is owed by another statutory partner Thanet District Council will be able to refuse the KAA and send back to the referrer to ensure the applicant is provided with the appropriate accommodation that is suited to the applicants needs.

### 3.5 Suitable size of accommodation

The council considers the suitable size of accommodation for a household to be as shown in the following table. We will only accept household members that are reasonably expected to live with you, therefore friends or extended family will not be considered. Properties that have specific adaptations such as a through floor lift, the social housing provider can disregard this as a bedroom. If you have any children under 12 years old on the date of offer, you will have priority over applicants with children over that age in the same band as you for houses with private gardens. This usually applies to households with a 2 bedroom need. Please note single person households living in bedsits will be deemed as having their housing need met and will not be eligible to join the Council's housing register. For households that require 2 bedrooms due to care/medical needs and are age appropriate they will be expected to place bids on older person accommodation.

Single Person	Studio or one bedroom flat (inc up to 32 weeks pregnant)
Couple	One bedroom flat (inc up to 32 weeks pregnant)
Couple or Single person with a carer over 55 years old	One or two bedroom and if over 55 years old sheltered or older person accommodation only
Families with one child (under 16)	Two bedroom flat, maisonette or house
Families with one child (over 16)	Two bedroom flat and maisonettes only
Families with two children of the same sex up to 16 years old	Two bedroom flat, maisonette or house
Families with two children of the opposite sex where the eldest child is under 10 years old as in line with housing benefit/universal credit regulation	Two bedroom flat, maisonette or house
Families with two children of the opposite sex where at least one child is 10 years old or over as in line with housing benefit/universal credit regulations	Three bedroom flat, maisonette or house

Families with three children	Three bedroom flat, maisonette or house
Families with four or more children	three or four bedroom flat, house or maisonette
Households with special housing needs	studio flats, bungalows, sheltered flats and accommodation as defined by Kent Agency Assessment (see section 3.3)

### 3.6 Additional bedroom requests/carers

Where households request an additional bedroom due to medical or health needs we will only allow additional rooms for medical equipment, or for the applicant or partner to occupy additional rooms where there is a physical disability that prevent a couple from sharing a bedroom. Where households make this request and are over 55 they will be considered for sheltered and older person accommodation only. This could include enhanced extra care accommodation.

One member of the couple will need to be in receipt of the middle or higher rate care component of Personal Independence Payment (PIP), the higher rate of Attendance Allowance (AA), the daily living component of PIP or Armed Forces Independence Payments (AFIP).

A supporting letter from a medical professional confirming that you are unable to share a bedroom and the reasons as to why will also need to be provided.

We will only consider increasing the room requirement for a carer in line with housing benefits/Universal credit for a carer if:

- The carer is not already a household member (in which case they may be able to share with other members of the household, a partner perhaps, so being a carer doesn't entitle them to an extra room), or
- A non resident carer is required for either the claimant or the partner and the claimant or partner receives disability living allowance/personal independence payment at either middle or highest rate or attendance allowance and supporting evidence is provided by a medical professional to confirm this requirement.

The final decision will be made by Thanet District Council.

### 3.7 National Witness Mobility Service (NWMS)

In order to assist the national police force to tackle serious crime and to support witnesses in the legal process, the council works in partnership with colleagues in the NWMS and will, as required, accept referrals from this source.

Such cases will have been assessed and verified by the NWMS managers and referrals will only be accepted with the agreement of the Housing Options Manager. There are particular confidentiality considerations for such cases and no personal information will be taken until the applicant accepts a direct offer of accommodation in the district. Any proposed offer will be

checked for suitability by the NWMS before the offer is made and details of successful lettings may not subsequently be made available to the public.

### **3.8 Other considerations in determining need**

Because of the shortage of social housing and in order to make best use of all the available stock, there may be occasions when properties are restricted to applicants who have particular medical needs.

There is limited availability of purpose built and adapted properties for people with disabilities. People with a need for such accommodation will be considered for suitable vacancies on the basis of medical priority. If a ground floor property becomes available, and at the time of allocation there are no suitable applicants requiring ground floor accommodation the property may then be let to those registered for a house, maisonette or upper floor accommodation, at the discretion of the council.

Priority for houses will be given to applicants with dependent children. If a household consists of adult children only i.e. over the age of 16 you will not be offered a house.

Because of the very limited availability of four bedroom homes, priority for three bedroom properties with two living rooms (lounge & dining rooms) will be given to larger families.

For households that include a pregnant person, we will request a copy of your MATB1 form 8 weeks prior to the birth of the baby, to enable us to register baby X. This will enable households to bid on suitable size accommodation prior to the birth of their baby. This will mainly benefit those that would require an additional bedroom following the birth.

### **3.9 Sensitive lettings**

Where a vacancy arises in an area that has been subject to a significant level of anti-social behaviour or other factors such as the frailty and vulnerability of neighbours, it may be advertised as a sensitive let. This means the vacancy may not be given to the applicant in the highest priority where that applicant has an evidenced history of anti-social behaviour.

### **3.10 Direct lettings**

In limited circumstances the Council may allocate properties directly, outside of the Kent HomeChoice system, as set out below:

- Special circumstances e.g. if the Public Protection Panel recommends that a tenant or homeseeker with high priority should be excluded from bidding. The Council will make one reasonable offer and if refused the applicant will lose priority.
- Households living in temporary accommodation provided by the council who have failed to exercise choice through the bidding process. The Council will make one reasonable offer of accommodation before duty is discharged.

- Tenants who have highly specific requirements or who have failed to bid successfully will be made a direct offer. If the offer is refused, their priority will be reviewed by the council.
- Tenants who need to be temporarily decanted will be offered a temporary property. If the offer is refused the council will review their priority.
- Tenants who need a permanent decant and fail to bid will be made one reasonable offer. If refused the council will review their priority.
- Under-occupiers who have succeeded to a tenancy will be made one direct offer. If refused, the council will review their priority.

### **3.11 Refusals**

In the cases set out in 3.10 and for those set up on auto bidding, the Council will make one reasonable offer which, as far as possible, matches the size and type of property the applicant qualifies for.

The offer will not be in an area known to be unsafe for the household.

If refused, the applicant must give their reasons for refusing in writing. The property will not be held empty while the refusal is reviewed but will be let to another applicant. A senior officer will determine whether there is an opportunity for future offers of accommodation or whether the application is removed from the Council's housing register.

## **4.0 Determining priority**

### **4.1 Homeless households**

We are committed to extending choice of housing to those who are accepted as homeless under the Council's statutory duties, ensuring effective use of Council resources and the provision of temporary accommodation. Consequently those accepted as being owed the full statutory housing duty under Part VII of the Housing Act 1996 (as amended), will be given a period of a month from notification of acceptance within which to bid for properties through KentHomechoice. If at the end of the month they have not been bidding appropriately for a property, officers may bid on their behalf for each suitable property that becomes available and may change bids when an applicant has applied for a property that they are ineligible for. When a bid is successful for a suitable property this will then constitute a qualifying offer or nomination for the purposes of discharging the homeless duty. Direct lets can be made to households owed a homeless duty.

Legacy homeless cases where an application was taken before the 3 April 2018 and the council accepted a full housing duty will be prioritised into band B, honouring their homeless acceptance date.

The Localism Act 2011 gives a legislative change to enable the way in which the duty on authorities to secure accommodation under section 193(2) of the 1996 Act can be brought to an end with an offer of suitable accommodation in the private sector. These changes allow local authorities to end the main homelessness duty with a private rented offer. The duty can only be ended in the private rented sector in this way with a minimum 12 month assured shorthold tenancy.

If the household becomes homeless within two years of taking the tenancy then the reapplication duty (section 195A(1)) applies.

## **4.2 Domestic Abuse**

If any household is experiencing domestic abuse they should report this to the police. Housing Options can provide advice and assistance for victims and one option could be to secure accommodation in a refuge which will be a place of safety. Households in the local Oasis refuge will have their housing needs assessed and personal housing plans offered. Households will be banded in band B as they are in supported accommodation and therefore meet this banding criteria. Social tenants should notify their landlord if they are experiencing domestic abuse and believe they are in danger in your existing home.

## **4.3 Separated households**

If one member of the household is suitably housed and the 'partner' could move into the property without causing additional housing need then their banding will be prioritised based upon that accommodation.

Children will only be considered on an application if they primarily reside with that household. If that child also resides with another household they will only be considered as part of the household they primarily reside with.

## **4.4 16 and 17 year olds**

Young people under the age of the age of 18 are ineligible to join the housing register (subject to exemptions). If you are aged 16 or 17 the law states that you are not old enough to hold an assured or secure tenancy. In exceptional circumstances an applicant aged under 18 may be eligible to join the housing register:

- If you are a non-dependent applicant aged 16 or 17, requiring independent accommodation, which is not provided by Specialist Children's Services (SCS)
- If you are a teenage parent aged 16 or 17
- If you are aged 16 or 17 and leaving local authority care
- If you are aged 16 or 17 and owed a homelessness duty by the council

Where an applicant aged under the age 18 and are eligible to be on the housing register and are successfully allocated a property, they must have an appropriate adult aged 18 or over, to hold your tenancy in trust until they reach the age of 18. This will be in the form of an "Equitable Agreement" where the trustee will hold the legal estate, but is not liable for the rent.

Young people may also be asked to attend and interview with East Kent Housing to ensure that they have the skills to sustain a tenancy. They must be willing to be referred for floating support to assist with tenancy sustainment if necessary.

People under 18 with a serious housing problem, are homeless or in threat of becoming homeless, should contact either Kent County Council Children's Specialist Services or the Housing Options

Team. Support will be provided to assist the young person to remain within their parental or family home. Where this is not appropriate housing and children's services will arrange for a joint assessment.

#### **4.5 Serious Offenders**

Applications made by serious offenders, as defined by the Serious Crime Act 2007 will be subject to an appropriate assessment of their eligibility, which will take MAPPA (Multi-Agency Public Protection Arrangements) guidance into account. Any allocation will only be made following a multi-agency risk assessment and where suitable and safe accommodation has been identified.

#### **4.6 Armed Forces**

Armed Forces Personnel means a person who is serving in the regular forces or a person who has served in the regular forces within three years of the date of their application for an allocation of social housing under Part 6 of the Housing Act 1996. The Regulations give effect to the Government's commitment to ensure that members of the regular and reserve forces, and their families, are given appropriate priority for social housing if they need it when serving or after they have left the Armed Forces.

The "regular forces" and "reserve forces" have the meanings given by section 374 of the Armed Forces Act 2006:

- "the regular forces" means the Royal Navy, the Royal Marines, the regular army or the Royal Air Force;
- "the reserve forces" means the Royal Fleet Service, the Royal Naval Reserve, the Royal Marine Reserves, the Army Reserve, the Territorial Army, the Royal Air Forces Reserve or the Royal Auxiliary Air Force".

These Regulations are made by the Secretary of State under section 166A(7) of the Housing Act 1996, inserted by section 147 of the Localism Act 2011. Section 166A(7) gives the Secretary of State power by regulation to amend the reasonable and additional preference provisions in section 166A(3) which determine who has priority for an allocation of social housing.

The Regulations provide that local housing authorities must frame their allocation scheme to give additional preference to the following persons if they fall within one or more of the statutory reasonable preference categories and are in urgent housing need:

- a) serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- b) former members of the regular forces.
- c) 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.
- d) serving or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.

For members of the Armed Forces, band B will be awarded and armed forces personnel will not be discriminated against when assessing their financial situation (6.4/6.5) however if they own their own home the normal housing assessment will take place. Where spouse or civil partners of those serving in the regular armed forces have had a relationship breakdown and are required to leave the accommodation they will be prioritised in the same way.

#### **4.7 Key workers**

The Council will assist key workers who need to move to the district to take up employment. Key workers will require a housing need and evidence of their employment. All other sections of the policy will apply when determining eligibility. The Key worker scheme applies to:

- NHS
- Education
- Police
- Prison Service
- Probation Service
- Local Authority
- Fire Fighters
- Ministry of Defence
- Environmental Health
- Highways Agency Traffic
- Care workers
- Other essential workers

#### **4.8 Rough Sleepers**

The government has been committed to end rough sleeping by 2027. Rough sleepers will have housing needs assessed in line with the policy however for vulnerable verified rough sleepers that do not have access to suitable housing options and that are actively engaging with services may be awarded additional priority through welfare needs.

## **5.0 Housing for older people**

### **5.1 Sheltered housing**

Sheltered housing is housing designed for persons over 55 with housing related support needs. Sheltered housing will normally only be available to persons requiring the level of support offered in this type of accommodation. Eligible persons may be subject to an assessment by the landlord to establish their support needs and suitability for living in the scheme selected. Applicants over 55 years of age will be considered as well as applicants with a disability who require the accommodation and support provided within a sheltered scheme. In the latter case, some landlords will accept persons over 50 years of age.



Priority for allocations to ground floor sheltered and elderly persons accommodation will be given to current tenants on the housing register, living on an upper floor, within the same block, who have a medical/mobility need for ground floor accommodation. Allocations made thereafter will be based on individual need. This will then free up a property for another applicant. If the assessment indicates that the person requires a higher level of support than can be provided by sheltered housing, they will be advised that sheltered housing would not be appropriate and referred to Adult Care Services.

## **5.2 Extra care housing**

Extra care is housing for older people where additional support and social care services are provided in accordance with assessed need. Extra Care housing is intended to enable older people to live as independently as possible for as long as possible and improve the quality of life and choice that older people can expect as they become less able. Extra care housing will be advertised through Kent Homechoice but a dedicated allocation panel, consisting of representatives from the Council and Social Services, will make allocations. Allocations through this panel will be based on an assessment of the level of support and care required by the applicant. These units are for applicants aged 55 and over only.

## **6.0 Financial criteria**

### **6.1 Current rent arrears**

We may take into account, in accordance with S167(2B) of the Housing Act 1996 (as amended), current rent arrears. If a tenant of a social landlord applies on the housing register we will expect the tenant to clear their rent account before an offer of accommodation is made. A tenancy reference will be obtained from the current landlord at the point of offer.

### **6.2 Former tenancy debts**

We may also take into account former tenancy debts with another social landlord (registered social landlord or local authority). If an outright possession order was granted or we have reason to believe that an outright possession order would have been granted by the court, and no efforts have been made to clear this debt, the application will be accepted onto the housing register and prioritised in band D until the debt has been cleared or the current landlord has confirmed that an acceptable agreement has been maintained to clear the debt.

Housing associations (HAs) participating in the choice based lettings scheme may have policies which prevent them offering a tenancy to an applicant who has former/current tenant arrears with another local authority or HA.

### **6.3 Income**

If any member of the household is earning a higher rate salary which places them in the higher or additional rate taxable bands (as per HM Revenue & Customs) then you will not be considered on the housing register.

## 6.4 Savings and Assets

If an applicant applies on the housing register and has savings and/or assets of over £16k they will not be considered on the housing register, in line with housing benefit regulations (Armed Forces Personnel will be exempt from this rule). The applicant will be expected to use this money to secure accommodation. If it is considered that an applicant has purposely deprived themselves of capital in order to meet the criteria to apply on the housing register their application will not be considered.

## 6.5 Owner/Occupiers

If an applicant owns their home (this can include static caravans and mobile homes) they will not be considered on the housing register unless there is a substantial reason to move. If specific or specialist accommodation is required due to change in circumstances, each application will be considered based upon evidence on file such as a Kent Agency Assessment (see 3.4).

# 7.0 Allocations exceptions

## 7.1 What does this mean?

People who apply to join the housing register are assessed in accordance with the provisions of Part VI of the Housing Act 1996 (as amended). There are a number of circumstances where people will be assessed outside of this and will have their applications managed by the local authority and/or housing association separately. These circumstances are:

- Mutual exchange.
- An application made under Part VII of the Housing Act 1996 (as amended) (Homelessness) and consideration for temporary accommodation under this Part.
- Transfers involving a temporary decant for major works, or other management reason not involving an application from the tenant.
- Where a local authority secures the provision of suitable alternative accommodation under the Land Compensation Act 1973, section 39.
- The grant of a secure tenancy under the Housing Act 1985, section 554 or 555, regarding a defective home.
- Any duties arising from an application made under the Rent (Agriculture) Act 1976, section 27 or 28.
- Where a secure tenant dies, the tenancy is a periodic one, and there is a person qualified to succeed the tenant under the Housing Act 1985, section 89.
- Where a secure tenant with a fixed term tenancy dies and the tenancy remains secure by virtue of the Housing Act 1985, section 90.
- Where a secure tenancy is assigned to someone who would be qualified to succeed to the tenancy if the secure tenant died immediately before the assignment.
- The grant of a secure joint tenancy where the tenancy is held by one of the joint tenants as a sole tenancy.
- The grant of a secure sole tenancy to a former joint tenant, where the joint tenancy has been terminated by one joint tenant and the other tenant wants to remain in the property (when this is in accordance with eligibility for that specific property type).

- Where a secure tenancy vests or is otherwise disposed of in pursuance of an order made under:
  - a. the Matrimonial Causes Act 1973, section 24 (property adjustment orders in connection with matrimonial proceedings);
  - b. the Matrimonial and Family Proceedings Act 1984, section 17(1) (property adjustment orders after overseas divorce); or
  - c. the Children Act 1989, Schedule 1, paragraph 1 (orders for financial relief against parents).

## 8.0 Transfer applications

### 8.1 Thanet District Council tenants

Social tenants can apply to move to alternative council and housing association owned property. Priority awarded to their application will be based on an assessment of their housing needs. Applications for transfer may be made jointly by separate tenants of the council who wish to apply for housing together, on the condition that both tenancies will be relinquished if the council makes an acceptable offer of a transfer to a third property. Transfer applications will be subject to checks relating to the condition of the applicant's property and their compliance with the conditions of their tenancy. Failure to adhere to the tenancy inspection will result in the removal of your application from the Council's housing register.

### 8.2 Transfer Incentive Scheme

In order to encourage council tenants who are under-occupying homes to move to smaller non-family housing, or if a tenant is occupying fully adapted, wheelchair accessible accommodation and no longer requires the use of these facilities, a grant of £1,000 is currently offered. Any debt owed to Thanet District Council will be cleared using this money prior to the remainder being paid to the tenant. This grant will only be payable if the move is as a result of a successful bid to alternative council or housing association property through the choice based lettings scheme and is subject to sufficient budget being available.

### 8.3 Management transfers

The Council recognises that there may be exceptional circumstances where the only way a housing need can be resolved is through the use of discretionary management transfer.

If a Council or Housing Association tenant has an urgent need for rehousing due to a confirmed risk to the personal safety of themselves or their household, or other exceptional factors, their landlord may recommend a management transfer. This will only be agreed if there are no other options available or feasible. Examples of exceptional circumstances include, but are not limited to:

- Threat to life.
- Emergency cases whose homes are damaged by fire, flood or other disaster may be provided with another tenancy if it is not possible to repair the

existing home, or if any repair work will take such a longer period of time that there will be serious disruption to family life.

- Households who, on police advice, must be moved immediately due to serious threats to one or more members of the household, or who continuing occupation would pose a threat to the community.
- An applicant who has an exceptional need that is not covered in the Allocations Policy, for example, where child or public protection issues require re-housing or for severe domestic abuse where all other options to remain in the home have been considered.
- Tenants where their flexible tenancy will not be renewed because their circumstances have changed necessitating a move to smaller accommodation.

The social housing provider will make a recommendation for a management transfer and it will be agreed by the Housing Options Manager or a senior officer. In certain circumstances temporary accommodation may be requested whilst the reason for a permanent move is investigated.

Because the circumstances are exceptional and rehousing considered urgent, the Management Transfer will have the following restrictions:

- Only one offer of suitable permanent rehousing will be made.
- This could be a direct offer to ensure that a household's urgent needs are met as quickly as possible or through a successful bid on KentHomeChoice.
- The offer will be on a 'like for like' basis. This is based on property type and bedroom numbers with no account being taken of room sizes and facilities such as gardens.
- Areas of choice for rehousing cannot be considered but the Management Transfer move will be away from the applicant's current home. Area restrictions will only be taken into account if there are proven factors that pose a risk to personal safety, relevant to the reason for transfer.
- Other medical and social factors which would normally qualify the applicant for a Housing Register transfer will not be taken into account.
- A refusal of a direct offer will be considered by the Head of Housing in consultation with the landlord's Housing Manager.

#### **8.4 Right to Move**

In April 2015, the Government established a Right to Move for certain social tenants who need to move take up a job or live closer to employment in another district of England.

The Council has agreed that 1% of its annual nominations will be used for applicants who qualify for the Right to Move. This will enable the Council to assist around 3 qualifying tenants each year. (More information is provided in Appendix 4)

## **9.0 How homes are let**

## **9.1 Choice based lettings**

We are one of 14 Kent local authorities and 23 housing association partners involved in Kent Homechoice the choice based lettings service which is used to let social homes across the whole of Kent. As a partner we are committed to offering the greatest choice possible in the allocation of social housing in the district, whilst ensuring that housing goes to those with the greatest need.

Choice based lettings (CBL) schemes are designed to introduce an element of choice for people who apply for council and housing association homes. Choice based lettings allow people applying for a home, including existing tenants who want a transfer, to bid for properties which become available. Available properties are advertised in various ways and the adverts will describe the property and which type of household can bid for it. For example, if it is for an elderly or disabled person, or for a household which needs a certain number of bedrooms.

Where an applicant may have difficulty in making bids for properties without assistance, they can be set up for auto bidding which will ensure bids are placed on social homes based upon the applicants housing need. Households that are owed a duty by the local authority will automatically be set up for auto bidding.

Once bids have been made they are sorted in order of priority, and once verified the person with the highest priority will be offered the property. If that person turns the offer down, the next person on the list gets the chance to see it, and so on.

There will be certain situations where choice in the allocation of housing has to be restricted – such as when the council or a housing association needs to re-house a household in an emergency. The circumstances when this may apply are set out in this policy. Apart from these exceptional cases, housing will be allocated to applicants who bid for a specific property, and all applicants will have the opportunity to bid for properties they are entitled to be considered for, having regard to household size and other eligibility criteria.

Choice based lettings enables those seeking housing in the district to identify the level of priority they have been awarded within the allocation scheme, to develop awareness of the availability of accommodation suitable to their needs within the district, and to make informed decisions which balance their need for accommodation with the availability of properties that meet their requirements. As a result applicants can decide whether to wait until they have sufficient priority to obtain their ideal property, or whether to bid for properties they are more likely to have a chance of obtaining. It also helps applicants to make an informed choice about whether they wish to seek alternative solutions to their housing needs.

## **9.2 Local lettings policies**

Local Lettings Policies to help to maintain and promote balanced and sustainable communities. The Council has the power under s166A(6)(b) of the Housing Act 1996, as amended by the Homelessness Act 2002, to allocate particular accommodation using criteria other than the reasonable preference categories as set out in part V1 of the Housing Act 1996 (as amended). However, in operating local lettings policies, we need to ensure that, overall, reasonable priority is given to applicants in the reasonable preference categories and that other criteria do not dominate

the policy, as set out in Paragraph 4.19 of the Allocation of Accommodation: Guidance for Local Authorities in England issued in June 2012. Examples of situations where a local lettings policy may be used include:

- New developments where there is a need to achieve a balanced mix of household sizes
- Criteria that aim to reduce the likelihood of anti-social behaviour in areas that have existing high levels of ASB.
- Rural Housing developments where a local connection is identified in the Section 106 agreement.

Local lettings plans will set out the criteria and priorities for letting homes within the specific housing development. Local Lettings Plans will be agreed by the Head of Housing in consultation with the relevant Cabinet member.

Following the implementation of a Local Lettings Plan on a development any re-lets on the site will be subject to the same criteria as outlined in the plan.

### **9.3 Tenancy Strategy**

The tenancy strategy was adopted in October 2018 and details tenancies are available and circumstances of when they are renewed or terminated.

## **10.0 Applying to the Thanet Housing Register**

### **10.1 What is the Housing Register?**

The Housing Register is essentially the list of people who wish to be housed by a social landlord in the Thanet district and existing tenants who wish to transfer to another council or housing association property. We receive a large number of enquiries each year from people looking to rent a home in the district and the housing register is constantly growing. Regrettably, there are only enough properties becoming available to be able to house those most in need. As a result of this shortfall, applicants for housing, and in particular those identified as having no or low need, may never be housed. We will only accept households who would reasonably be expected to reside with each other and joint tenancies will only be offered to cohabiting couples as recognised in law.

Applicants may want to consider other options for re-housing such as renting accommodation in the private sector. Thanet District Council has a team of Housing Options Officers who can provide advice and information about how to access other types of housing.

Because of the limited amount of social housing available, we have a system to prioritise households on the housing register in accordance with their identified need for housing and to manage the letting of social homes in accordance with our objectives. The criteria and rules that relate to this system are set out in (Appendix 2) of this policy.

## **10.2 How to apply for housing**

People wishing to apply for housing should complete a pre assessment for housing which will determine whether they are eligible to apply for housing with Thanet Council. This is available on the Kent Homechoice website at [www.kenthomechoice.org.uk](http://www.kenthomechoice.org.uk) and choose the apply tab.

It is important that all sections of the pre-assessment and subsequent full application are completed in full and that any evidence requested on the form is provided. Additional priority for length of time on the Housing Register will only start to accrue from the date that we receive all the information necessary to make an assessment. Incomplete applications without photographs and supporting information may be returned to the applicant. Once the form has been completed and all the information has been provided, the council may need to make additional enquiries.

In accordance with S171 of the Housing Act 1996 (as amended), a tenancy granted on the basis of information subsequently found to be false or because material information has been withheld, may result in legal action being taken by the landlord to recover possession of the property. In addition it may be decided that an applicant has committed a criminal offence where:

‘he knowingly or recklessly makes a statement that is false and may lead the council to award priority for housing if the statement was relied on when assessing the application’.

A person guilty of such an offence would be liable on summary conviction to a fine of up to £5,000.

## **10.3 Proof of identity and supporting information**

The housing options team has a service level agreement with the housing benefit service, enabling officers to use the verified identification documents, to process their housing register application. Any additional information required will be sought upon verification. A list of potential items required can be found in appendix 1.

## **10.4 Placing bids**

The Choice Based Lettings system requires applicants to actively engage with the process of bidding in order to obtain a new home. The Council can add homes daily so it is important that applicants check Kent HomeChoice weekly in order to avoid missing homes. It is essential applicants place regular bids on suitable properties and where applicants have not placed a bids when homes are available then the Council has the right to remove the household from the housing register with no notice.

If it is in the Council’s interest for the applicant to move, then failure to bid regularly, or realistically, will constitute grounds to make a direct offer. (See 3.10 for information about direct lets and the consequences).

## **10.5 Renewing an application**

The Council will complete regular annual reviews which will be via email. If this is not responded to within four weeks the application will be cancelled without further notice.

## **10.6 Changes of circumstances**

It is an applicant's responsibility to ensure they notify the council of any changes in circumstances as this could 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.
- The health of any member of the family or any other person on the application, getting better or worse.
- A change in the applicants income or employment status.

Applications will be temporarily suspended from bidding while the Council re-assesses the information provided by the applicant and completes further enquiries that may be necessary. The council will carry out an assessment of each applicant's entitlement and priority for housing on the basis of information which has been provided by the applicant or otherwise received in connection with the application.

## **10.7 Removing applicants from the register**

The council may remove your application in the following instances:

- If an applicant refuses the offer of a property they have bid on their application may be cancelled. They would then need to reapply after a period of 12 months.
- If we are awaiting additional information from the applicant and the applicant has not responded to requests for information.
- the applicant has failed to respond to the renewal (we ask you annually).
- The applicant has failed to place bids within 6 months when there have been suitable homes available.

Prior to removal of an application the council will consider any exceptional circumstances and will only remove an application from the register where it is reasonable to do so.

The council will cancel applications to the register in the following circumstances:

- the applicant has accepted an offer of accommodation from the council or a housing association.
- the applicant has completed a mutual exchange.
- the applicant is no longer eligible to join the Register.

## **10.8 Members of the council, staff members and their relatives**

To ensure that we are seen to be treating all applicants fairly, any application from members of the council, employees of the council or associated persons must be disclosed on the application form. Such applications will be assessed in the normal way but in addition be passed to the Housing Options Manager to be audited. In order to ensure public confidence, any accommodation



allocated to the applicant under the scheme must be approved by the Head of Housing and the Council's appointed Monitoring Officer following appropriate checks. The term 'associated persons' above is as defined in S178 of the Housing Act 1996 (as amended).

## 11.0 Homeless Reduction Act 2017

The Homelessness Reduction Act 2017 (HRA) is significant legislation change and will transform the way homelessness services are delivered to ensure that all eligible applicants faced with homelessness within 56 days are given appropriate help and support. The legislation came into effect on 3 April 2018.

The HRA sets out new duties on English local authorities with the aim of preventing homelessness. The key new duties introduced by the HRA can be summarised as follows:

- A new duty to complete a Personal Housing Plan for all eligible households facing homelessness within 56 days.
- A new 56 day duty to provide meaningful homelessness prevention services to all eligible households facing homelessness.
- A new 56 day duty to relieve homelessness for all eligible and homeless households. This includes taking reasonable steps to ensure accommodation becomes available for at least 6 months, with an absolute duty to secure accommodation for those households where there is reason to believe that they may be in priority need.

The new duties are all subject to new rights of review for applicants, as well as a new duty to co-operate on the applicant themselves. There is an additional duty on other public bodies to refer to the local housing authority. Implementation of this duty is scheduled for the autumn 2018.

## 12.0 Reviews and Customer Feedback

### 12.1 Right to a review

Applicants have the right to ask for a review of any decision made under the terms of this policy with which they do not agree. A request for a review must be made by the applicant or advocate within 21 days of being notified of the decision. If a review is requested after 21 days it is the Council's decision to determine the reasons why this was late and confirm if this is accepted.

Following the request for a review being received the Council has a maximum of 8 weeks to respond. Please note that an application will not be backdated and subsequent request for reviews on the same decision made will not be considered.

Please note that information that has already been supplied can be reviewed as well as additional relevant information. If an applicant is eligible for inclusion onto the housing register by virtue of this new evidence, priority will begin from the date that all the correct information is received.

The Council's decision on the review will be final and the applicant will not be entitled to a further review of that decision. Reviews of decision requested under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) and the Homelessness Reduction Act 2017 are outside the scope of this Allocations Policy.

## **12.2 Complaints, compliments and comments**

We aim to provide a high standard of customer care and to treat every application equally. We appreciate feedback and would welcome any comments about how we can improve or increase the service that we offer. If an applicant is dissatisfied with any aspect of the way in which their application for housing is dealt with, other than one for which a review can be requested, they should contact the council and, if the matter is not resolved to their satisfaction, make a formal complaint which can be via telephone, email, in writing or in person.

## **13.0 Equality and diversity**

We are committed to delivering a service that is accessible and equitable to all the communities that we serve. We will ensure that people will be treated with respect and dignity. We will monitor access to the housing list, and the assessment of need in accordance with our equality impact assessment. We will make certain that no-one is discriminated against on the grounds of:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Sex (gender)
- Religion or belief
- Sexual orientation

The various application forms referred to in this policy can be made available in a number of different languages. We can also arrange a translation service for people who visit the Council Offices.

## **14.0 Information sharing**

### **14.1 Information Sharing Protocol**

We will share data provided by a person applying for housing in accordance with the Information Sharing Protocol agreed by the Kent Choice Based Lettings Partnership. When completing an application form, either using a paper copy of the form or on-line, the person is asked to provide their consent to the sharing of personal data between the parties to the protocol. Personal data can be shared provided the person has given informed consent and the sharing is for the purposes for which consent is given. Informed consent means that the person has the capacity to give consent,

is aware of what information is to be shared, whom it is to be shared with and what it is to be used for. Personal information is only disclosed to other parties with the person's consent or in exceptional circumstances where disclosure without consent is necessary. These reasons are:

- Where there are overriding legal, social or public interest considerations, for example there is a risk of seriously harm to the person themselves or to others if the information is not disclosed.
- Where the information is required by a local authority department or external auditors to carry out a statutory function.
- Where the information is required by the police as part of a criminal investigation.

## 14.2 Personal Data

The Data Protection Act 2018 and the General Data Protection Regulation (Regulation (EU) 2016/679) require the council, as a data controller, to inform housing applicants in a concise, transparent, intelligible and easily accessible form how we will process their personal data (information).

Personal information can be any information that relates to or identifies a living person. Typically and at its most simple it could include a name, date of birth, postal address, email address, telephone number and debit or credit card details.

The law regards some personal information as being in a special category. This special category of personal information is given more protection by the law and includes information about an individual's;

- Race
- Ethnic origin
- Politics
- Religion
- Trade union membership
- Genetics
- Biometrics (where used for ID purposes)
- Health
- Sex life
- Sexual orientation

We are required to explain to applicants why we hold their personal information, how this information is processed, for what purpose and who it is shared with.

Applicants applying for housing will be provided with easy access to our privacy statement which sets out how we will use any personal information held, who we will share it with and how we will protect privacy. It also contains information about applicant rights as provided in the Data Protection Act 2018.

# Appendices

## Appendix 1 – Application Checklist

Please check that the information you have given is correct, ensuring that:

- You have answered all the necessary questions
- You have included your name, address and postcode on page 1 (if you are of 'no fixed abode' you must use state a care of or correspondence address)
- You have signed and dated the application form
- You have or will be providing the following items (these must be originals and not copies)

### Proof of Identity

(This is required for ALL household members).

Please provide either ONE of the documents from list A or TWO documents list B

#### List A

- Passport
- Driving Licence
- Birth or Marriage Certificate
- Medical Card

#### List B

- A letter addressed to you from a solicitor, social worker, probation officer, the Home Office, HM Revenue & Customs
- A letter addressed to you from Housing Benefit or Council Tax
- A recent gas, electricity or water bill
- A recent bank statement

### Proof of Current Address

(This must be provided even if you are of 'no fixed abode' and only using the address as a care of or correspondence address)

Please provide ONE item from the list below for each adult or non-dependent child named on the application to be re-housed.

- Utility Bill
- Council Tax bill
- Bank/Building Society Statement
- Housing Benefit entitlement letter
- College/School letter
- Letter from a professional person or organisation (i.e. Doctor; Probation Service; Social Services)

- Payslip with address
- Letter from Department of Work & Pensions (e.g. Benefit or Pensions letter)
- Tenancy agreement (if you are still within the fixed term of the tenancy)
- Mobile phone or telephone Bill

#### Proof of Income

(Please provide proof of ALL income being received by the applicant)

- The last six weekly, last three fortnightly or last two monthly wage slips for you and your partner.
- Your latest accounts if you are self-employed and letter from the HMRC which indicate self-employment
- Benefit award letters i.e. Job Seekers Allowance, Employment Support Allowance, Pension Credit
- Child Benefit award letter
- Working and Child Tax Credit letters

#### Proof of Savings or Capital

(For people not receiving income-based Job Seeker's Allowance, Income Support, income-related Employment Support Allowance, or Pension Credit Guarantee)

- Full statements for each account showing the last two months' transactions
- Documents showing any stock, shares, bonds, or certificates owned

#### Additional Documentation

(You will also be required to supply additional documentation should any of the following apply)

- Proof of pregnancy i.e. MAT B1 form or pregnancy record (including the EDD)
- At least two valuations of any property owned in the UK or abroad and details of any outstanding mortgage or loans secured on this property.
- Home Office documentation, such as workers registration scheme documents; residence cards or visas, for persons subject to immigration control or persons who do not hold a Great Britain and Northern Ireland passport.
- Notice to quit, possession order, notice of eviction or letter giving notice if you are being asked to vacate your current home.

Without this information it will not be possible to process your application for housing, so you must provide everything as quickly as possible.

## Appendix 2 – Priority bands and criteria for reasonable preference

The banding scheme reflects the legal requirement set out in the section 167(2) of the Housing Act 1996 which requires that the allocations system gives “reasonable preference” for people in five groups:-

- People who are homeless (within the meaning of Part VII (7) of the Housing Act 1996, as amended by the Homelessness Act 2002)
- People who are owed a duty by any local housing authority under section 190(2), 193(2), or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds (including grounds relating to a disability); and
- People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

The local authority may award “additional preference” to particular individuals, provided that they have “urgent housing needs”. The authority may take into account a wide range of actions when considering whether to give an individual “additional preference” or whether to give a lesser priority, but it must be able to explain the reasons for the decision.

### Band A – urgent housing needs

Applications from persons who meet the following criteria:

Urgent medical or welfare needs.

Where an urgent medical need has been agreed with the local authority or a high priority referral has been accepted by the local authority under the Kent Agency Assessment procedure.

Management transfer.

Where the social landlord requires the tenant to move or the tenant needs to move due to violence, harassment, intimidation or threats of violence likely to be carried out, major works or other urgent management reason.

### Band B – serious housing needs

Applications from persons where none of the above in Band A applies but who meet the following criteria:

1. People occupying very overcrowded housing or otherwise living in very unsatisfactory housing conditions. This is where a household is suffering from one or more of the following:
  - a. Major overcrowding, that is lacking two or more bedrooms.
  - b. Living in supported people funded housing and needs to move, as support is no longer required.
  - c. Where a Category One hazard exists under the Housing Health and Safety Rating System, which cannot be resolved within a reasonable time frame, such as that which may be set out in an improvement notice
2. Social housing tenants in Thanet who are under-occupying by one bedroom or more.
3. Members of the Armed Forces
4. People who are homeless.  
Where the local authority have accepted a re-housing responsibility under Part VII of the Housing Act 1996 (as amended) following an application made prior to 3 April 2018.

#### Band C – reasonable preference

Applications from persons where none of the above in band A or band B applies but who meet the following criteria:

People who are homeless.

All other homeless households as defined by either Part VII of the Housing Act 1996 (as amended) or the Homelessness Reduction Act 2018.

Reasonable preference

- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- Living in insecure housing, for example on a licence agreement or non-secure tenancy
- Lacking bathroom or kitchen
- Lacking inside WC
- Lacking cold or hot water supplies, electricity, gas, or adequate heating
- Overcrowding
- Sharing living room, kitchen, bathroom/WC
- Property in disrepair, with Category One hazards that can be resolved in a reasonable time, such as that which may be set out in an improvement notice

People who need to move on medical or welfare grounds, including grounds relating to a disability. Where a medical need has been agreed with the local authority or a priority referral has been accepted by the local authority under the Kent Agency Assessment procedure.

Mobility.

People who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship to themselves or to others. For example, to give or receive care, or to take up employment.

## Key workers

Households that are required to live in the area to fulfill employment opportunities.

## Band D – general

Applications from persons where none of the above in band A, band B or band C applies, or:

People who are intentionally homeless, or who have deliberately worsened their housing circumstances.

Where a decision has been made by the local authority under Part VII of the Housing Act 1996 (as amended) or, where a person has deliberately worsened their housing circumstances and would have been found to be intentionally homeless if an application under Part VII had been made.

People who are homeless by another local authority

This applies where a duty is owed by another local authority under section 190(2), 193(2) or 195(2) of the Housing Act 1996, or who are occupying accommodation secured by another local authority under section 192(3).



### **Appendix 3 - People who need to move on medical or welfare grounds (criteria may apply to any member of the household)**

Medical or welfare priority is awarded where the current housing is adversely affecting the health or wellbeing of an applicant, or member of their household, and whereby a move would positively improve their health or wellbeing. Below are examples of where priority would be awarded.

#### **Band A – Urgent medical or welfare needs**

- Any life threatening illness being made worse by housing conditions
- A person who is housebound due to stairs or steps (e.g. using a wheelchair in an upstairs property)
- Any person who requires specifically adapted accommodation that they are lacking.
- Any person who cannot be released from hospital until alternative accommodation is secured.
- High priority Kent Agency Assessment

#### **Band C – People needing to move on medical or welfare grounds, including grounds relating to a disability**

- Severe mental health problems affected by current accommodation.
- Elderly persons with moderate to severe arthritis which significantly affects mobility (e.g. spine, legs) living upstairs or on a steep hill.
- Conditions requiring ongoing medical treatment, being very severely exacerbated by living conditions (e.g. extreme cases of asthma).
- Conditions causing a reduction in mobility (e.g. breathlessness, dizziness) when combined with stairs or poor location.

## Appendix 4 – Right to Move

In April 2015, the Government established a Right to Move for certain social tenants who need to move take up a job or live closer to employment in another district of England.

The Council has agreed that 1% of its annual nominations will be used for applicants who qualify for the Right to Move. This will enable the Council to assist around 3 qualifying tenants each year.

Who qualifies for the Right to Move?

You must live in England and either be a secure or introductory tenant of a local authority or an assured tenant of a private registered provider (a housing association tenant).

You must live outside of the Thanet district.

You must not be in breach of any tenancy conditions e.g. in rent arrears.

You must be able to show that you need to move to the Thanet district because failure to meet that need would cause hardship to someone within your household and you must need to move because either:

- you work in the Thanet district
- or you have been offered work in the Thanet district and can demonstrate to the satisfaction of the District Council that there is a genuine intention to take up the offer of work

Do you need to move?

We must be satisfied that you need to move because failure to do so will cause hardship. In making our assessment, we will take into account the following:-

- the distance and/or time taken to travel between work and home
- the availability and affordability of transport, taking into account the level of earnings
- the nature of the work and whether similar opportunities are available closer to home
- other personal factors such as medical conditions and child care, which would be affected if the tenant could not move
- the length of the work contract
- whether failure would result in the loss of an opportunity to improve your employment circumstances or prospects, for example by taking up a better job, a promotion or an apprenticeship

What type of work qualifies?

A need to move connected with short term and marginal work, work that is ancillary to work in another district and voluntary work does not qualify.

In deciding whether work is short term, the Council will take into account whether the work is regular or intermittent. This is likely to be particularly relevant in the case of the self-employed.

The Council will also take into account the period of employment and whether or not work was intended to be short term or long term at the outset. A contract of employment that was intended to last for less than 12 months may be considered to be short term.

In deciding whether work is marginal, the Council will take into account the number of hours worked and the level of earnings. Employment of less than 16 hours a week may be considered to be marginal in nature.

Where the tenant works occasionally in the Thanet district but their main place of work is in a different district, the work is considered to be ancillary and does not qualify.

Work that is subject to an apprenticeship agreement in the form of an employment contract, does qualify.

Information required in support of an application for the Right to Move

To apply for re-housing under the Right to Move, you should complete an application form for housing in the Thanet district and also complete a Right to Move – Supporting Statement form. When submitting your application and statement, you should also provide the following:

- A copy of your contract of employment
- Wage/salary slips for six months (or for the full period of employment where this is less) or in the absence of wage slips, copies of bank statements (for example in the case of zero hours contracts) if you are already working in the district
- A formal offer of a job letter and copy of your written acceptance of the offer if you are seeking to move in order to work here

Contact details for your employer must also be provided as we will seek verification of your situation.