

Bucks Home Choice

Allocation Policy



Home Choice

1 May 2014

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1. Introduction

1.1 Introducing Bucks Home Choice

Section 166(A) of the Housing Act 1996 requires that every local housing authority in England must have an allocation scheme for determining priorities (and the procedure to be followed) in allocating housing accommodation.

Bucks Home Choice is the scheme that is used to allocate affordable housing in four local housing authority areas – Aylesbury Vale, Chiltern, South Bucks and Wycombe.

As the demand for affordable housing exceeds availability, Bucks Home Choice prioritises applicants so properties that become available are offered fairly and transparently. This document describes the policy in detail including who qualifies to apply for housing and how we give priority to different applicants based on their housing need.

Bucks Home Choice operates on the following basis:-

- Applicants register with the scheme
- Applicants are prioritised for re-housing based on their circumstances
- Available properties will be advertised
- Applicants can bid on properties they wish to move to
- Bids on a property will be shortlisted in priority order
- The property will be offered in accordance with 6.1 of the policy.

1.2 Members of the Bucks Home Choice Partnership

The following District Councils are members of the Bucks Home Choice partnership:-

- Aylesbury Vale District Council
- Chiltern District Council
- South Bucks District Council
- Wycombe District Council

The four District Councils have chosen to jointly operate Bucks Home Choice and a common Allocation Scheme in order to:-

- Deliver value for money by operating a shared scheme and IT system
- Allow good practice and knowledge to be shared across the four districts

- Provide the opportunity for properties to be advertised across the Partnership allowing applicants to move from one district to another

The scheme applies to all properties in the Bucks Home Choice districts that are owned and/or managed by a Registered Provider and the Councils have the right to nominate to.

The term “Senior Housing Officer” has been used in this policy for ease of reference only. The exact titles of the officers within each organisation vary and may be subject to change from time to time. Each organisation within the Partnership will have designated officers responsible for the operation of the Bucks Home Choice Scheme and Allocation Policy and details of these officers are available from each organisation on request.

1.3 Aims of the Bucks Home Choice Partnership

The aims of the Partnership are:

- To meet the District Councils’ statutory requirements and ensure that priority for housing is given to those with the highest level of housing need.
- To give applicants as much choice as possible having regard to the statutory requirements and the availability of housing stock.
- To provide a common framework for allocations of affordable housing within the Partnership.
- To facilitate a degree of mobility within the Partnership.
- To help and encourage sustainable communities.
- To make the best possible use of all available housing stock.
- To allocate housing resources in a way that is as fair as possible.
- To make the process of allocating tenancies as open and transparent as possible.

The Partnership is also committed to:

- Preventing households from becoming homeless.
- Providing applicants with sufficient information to enable them to make the right choices about where they wish to live.
- Providing applicants with information on a variety of housing options to enable them to make informed decisions about their housing application.
- Ensuring that vulnerable people are able to make the most of Bucks Home Choice to meet their housing needs.
- Acting sensitively and treating all personal information as confidential.

n) Ensuring customers are advised of their right to a review of decisions.

1.4 Equality Statement

This policy has been drafted in compliance with the requirements of the Equality Act 2010 and it has been subject to an Equalities Impact Assessment

Applicants will be asked to complete an equalities monitoring questionnaire. This information will be treated in the strictest confidence

1.5 Legal Background

This policy has been drafted to give due regard to the requirement to give reasonable preference to those categories of person set out in section 166A (3) of the Housing Act 1996.

In framing the Bucks Home Choice Allocations Policy, we have had regard to the “Allocation of Accommodation: Guidance for Local Housing Authorities in England (DCLG – June 2012), “Providing Social Housing For Local People: Statutory Guidance on Social Housing Allocations for Local Authorities in England” (DCLG – December 2013), the Bucks Tenancy Strategy and each of the District Councils’ Housing and Homelessness Strategies (see Appendix 5 for details).

1.6 Policy Contents

This policy sets down:

- How applicants can apply to the Bucks Home Choice scheme
- Who is a qualifying person to join Bucks Home Choice
- Who is eligible to join Bucks Home Choice
- How an applicants’ priority is assessed.
- How members of the Partnership will determine priorities in allocating housing accommodation.
- How properties are advertised and let.
- How applicants can ask for a review of a decision.
- How the policy will be monitored and reviewed.
- How the Partnership will comply with the Data Protection Act.

This policy does not cover offers of licences, non-secure, or assured shorthold tenancies granted to homeless households in pursuance of any member of the Partnership’s homelessness duties under Part 7 of the 1996 Act. This policy does not cover offers of tenancies excluded from an allocation scheme by virtue of S.159 (4A) and s.160 of the 1996 Act.

This policy is available, on our website www.buckshomechoice.gov.uk or applicants can request for a copy of the policy to be sent to them.

2. Eligibility and Qualification

2.1 Registering on Bucks Home Choice

In order to register for Bucks Home Choice, an applicant must:-

- Be aged 16 years or over (upon allocation of a property an applicant aged 16 or 17 years of age may be required to have a guarantor)
- Be eligible for an allocation of housing under Part 6 of the Housing Act 1996, and
- Qualify for the Bucks Home Choice scheme.

2.2 Eligibility for an allocation of housing

Under Section 160ZA of the Housing Act 1996, an applicant will not be eligible for an allocation of housing if he she is:

- A person subject to immigration control within the meaning of the Asylum and Immigration Act 1996 (unless he is of a class prescribed by regulations made by the Secretary of State).
- A person who falls within a class of persons from abroad who have been prescribed by the Secretary of State as being ineligible to be allocated housing accommodation by a local housing authority.
- A person who falls into any other class of person prescribed by the Secretary of State as not qualifying to be allocated housing accommodation by a local housing authority.

An applicant who is not eligible for an allocation of housing under Section 160ZA of the Housing Act 1996 cannot register with Bucks Home Choice regardless of the applicant's personal circumstances.

2.3 Persons who do not qualify to join the Bucks Home Choice scheme

Under Section 160ZA (7) a local housing authority may decide what classes of persons are, or are not, qualifying persons for an allocation of housing accommodation.

The following classes of person are not qualifying persons for the Bucks Home Choice scheme:

- A person whose circumstances do not meet the criteria of any of the Priority Bands set down in Appendix 1.

- A person who does not meet the local connection criteria set down in Section 2.3.2.
- A person who is an owner occupier of a property (See 2.3.3)
- A person with current or former tenancy rent arrears owed to a Registered Provider or private landlord unless the Council is satisfied that action is being taken to resolve the arrears (See 2.3.4)
- A person who is an applicant or a member of the applicant's household and is considered guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant and at the time of the application for housing they are still considered unsuitable to be a tenant by reason of that behaviour (see 2.3.5).

The Bucks Home Choice Partnership reserves the right in exceptional circumstances to register a household with the scheme even if the household falls into one of the non-qualifying classes set down above. Any decision to register a non-qualifying household will be subject to authorisation by the Senior Housing Officer of the partner Council receiving the application and will be based on the individual circumstances of the household concerned. In event of a decision being made to register a non-qualifying household, the partner concerned will record full details of the reason for the decision.

2.3.1 Non-Priority

Those persons who do not fall into any of the priority bandings set out in Appendix 1 are considered to be adequately housed and therefore not qualifying persons.

2.3.2 Local Connection

An applicant must have a local connection to at least one of the following District Councils in order to qualify for Bucks Home Choice;

- Aylesbury Vale
- Chiltern
- South Bucks
- Wycombe

An applicant is deemed to have a local connection with a district if the applicant:

- a) Is living and has lived in a district continuously for at least 2 years immediately preceding the date of the application and/or
- b) Is working and has been in continuous employment in a district for at least two years immediately preceding the date of the application and has worked for a minimum of 24 hours per week throughout that period. Employment is described as having a permanent contract, or

working under contract as temporary member of staff. The applicants' normal place of work must be based in the Council's area; the existence of a company office based in the Council's area will not by itself meet the criteria.

If an applicant does not meet criteria above, then the applicant will not be a qualifying person for Bucks Home Choice. The only exceptions to this are applicants who:

- a) Are aged 55 or more and are seeking accommodation designated solely for persons aged 55 years or more,
- b) Are subject to the main housing duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996 by Aylesbury Vale, Chiltern, South Bucks or Wycombe District Councils (in this event the applicant will qualify solely to go onto the Housing Register administered by the District Council that has accepted the duty)
- c) Are serving in the armed forces or who have served in the armed forces within the five year period immediately preceding the application
- d) Have recently left ministry of defence accommodation because of the death of a spouse, who served in the regular forces
- e) Are serving or have previously served in the reserve forces and are suffering from a serious injury as a result of this service
- f) Persons who were required to live outside of the district for reasons out of their control (placed in care, custody) and who had a local connection to the district immediately prior to moving away.

If an applicant meets any of the criteria listed in (a) to (f) above they will be deemed to qualify for Bucks Home Choice regardless of whether or not the applicant has a local connection to a district.

For the purposes of determining a local connection the following living arrangements will not be taken into account:

- Occupation of a mobile home, caravan, motor caravan, or houseboat which is not placed on a residential site; or
- Occupation of a holiday letting which includes a permanent building, hotel or bed and breakfast accommodation for the purposes of a holiday letting.
- Applicants placed in an institution, prison, hospital or supported housing in one of the districts who otherwise have no local connection.

2.3.3 Owner Occupiers.

A person is considered to be an owner-occupier for the purpose of this policy if they are the owner or joint owner of any residential property regardless of location. They will not be a qualifying person unless;

- a) the person is seeking accommodation specifically designated for occupation solely by persons aged 55 or more and the person does not have sufficient financial resources available to secure other accommodation without the Council's assistance , or
- b) It is not possible for the person to remain in their current address (e.g. because adaptations are required and cannot be undertaken) and the person does not have sufficient financial resources available to secure other accommodation without the Council's assistance.

In considering the issues raised in this section, the District Council managing the application will take specialist advice as required (e.g. from an Occupational Therapist)

2.3.4 Rent Arrears

Where an applicant or a member of his household owes rent arrears to a current or former landlord, the following action will be taken.

a) Rent arrears at time of the application

An applicant who has been evicted from a previous tenancy on the grounds of rent arrears within the five year period preceding the date of application (or who voluntarily surrendered a tenancy in advance of a warrant for possession being executed on rent arrears grounds) will not be a qualifying person for Bucks Home Choice unless the arrears have been cleared in full.

New applicants who have former/current rent arrears (but who have not been evicted in the last 5 years) will need to clear the arrears or will need to demonstrate that regular payments have been made for at least 6 months to reduce the rent arrears as per the agreed payment plan with the landlord and the debt has been reduced by a minimum of 50%

b) Rent arrears after the application

If an applicant is accepted onto Bucks Home Choice and then gets into rent arrears at a later date, then the application will be suspended, until the rent arrears have been cleared, or regular payments have been made for at least 6 months to reduce the rent arrears as per the agreed payment plan with the landlord and the debt has been reduced by a minimum of 50%

Where the rent arrears have arisen due to exceptional circumstances beyond the applicant's control the Council may depart from this policy and the decision will be referred to a Senior Officer.

The provisions in (a) and (b) above will not apply if the District Council has accepted a main housing duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996. The Council will contact the current or former landlord of the applicant or any member of his or her household to confirm the facts.

2.3.5 Unsuitable for Tenancy - Unacceptable Behaviour

Unacceptable behaviour is behaviour that renders the applicant unsuitable to be offered a tenancy.

If an applicant or any member of the applicant's household is considered to be guilty of unacceptable behaviour or considered to be causing or involved in activities that may be considered unacceptable behaviour, that is serious enough to make them unsuitable to be a tenant at the time of the application for housing, then they will be considered unsuitable to be a tenant by reason of that behaviour.

Examples of Unacceptable Behavior could be and are not limited to:

- a) Having been evicted for rent arrears on a previous tenancy, either with a Registered Provider or Private landlord in the last 5 years.
- b) Conviction for illegal or immoral purpose.
- c) Causing nuisance and annoyance to neighbours or visitors.
- d) Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community
- e) Being violent towards a partner or members of the family.
- f) Being verbally or physically abusive towards a member of one of the partnership's staff
- g) Allowing the condition of the property to deteriorate.
- h) Allowing any furniture provided by the landlord to deteriorate due to ill treatment.
- i) Obtaining a tenancy by deception, for example, by giving false or misleading information.
- j) Paying money to illegally obtain a tenancy.
- k) Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.

If an applicant is accepted onto the Housing Register and is subsequently found to be guilty of unacceptable behavior (including one of (a) to (k) above)

then the managing member of the Partnership will review the application and may remove the applicant from the Housing Register.

2.3.6 Right to a Review of a Decision of a Non Qualifying Person

If the managing partner has made a decision that an applicant is not a qualifying person and is not eligible to join Bucks Home Choice, the applicant will have the right to request a review of this decision within 21 days of being notified of the decision. The review will be undertaken by the Senior Housing Officer or another Officer who was not involved in the original decision.

3. Applying and registering for Bucks Home Choice

3.1 Applying to Bucks Home Choice

An applicant for Bucks Home Choice must apply to go on to one of the four District Housing Registers. The applicant must have a local connection to the District concerned in order to qualify for the District Housing Register (e.g. an applicant for the Aylesbury Vale District Housing Register must have a local connection with Aylesbury Vale). The full definition of what constitutes a Local Connection is in Paragraph 2.3.2.

Where an applicant has a local connection to more than one District, the application will be managed and maintained by the district where the applicant has a residential local connection (i.e. where the applicant has lived for at least 2 years).

An applicant who does not have a local connection but is still a qualifying person can apply to go on to the Housing Register of any of the four Districts.

3.1.2. Applications from staff, elected council members or their family members

A person who is a member of staff of the Partnership, their close family and elected members in the Partnership may apply for housing in the same way as other applicants. A close family member is a parent, sibling or adult child. Their status should be disclosed on the application form at the time of applying. Any applicant making a successful bid for a property and subsequent letting must be approved by the appropriate senior officers.

3.2 Registration form and supporting information

To apply to go on the housing register, applicants are required to complete an on-line application process at www.buckshomechoice.gov.uk. Where an applicant is unable to use these on-line forms a paper form will be available on request, or assistance from staff will be made available. There are two stages to an application;

Stage 1 – This is a pre-assessment process which takes details from the applicant and determines what housing options are available to them. This will

include the option of making a Bucks Home Choice application if the information provided indicates that the applicant is eligible and will qualify for scheme.

Stage 2 – If the Stage 1 pre-assessment indicates that the applicant is eligible and qualifies for Bucks Home Choice, the applicant will then have the option of making a formal application to the Bucks Home Choice scheme.

After assessment, if the applicant is accepted onto the register they will receive written confirmation of the following information:

- Their unique reference number, which allows them to express interest via Bucks Home Choice.
- The Priority Band in which the application has been placed.
- The date that the application was registered.
- The size of the property for which the applicant is likely to be able to bid for.

Applicants must also provide the information and evidence that is required to enable the Partnership to check and assess their eligibility and housing need. If an applicant fails to provide the requested information within 28 calendar days their application will be cancelled.

The Partnership will make any enquiries necessary in order to determine an applicant's eligibility to join the housing register and their level of priority for housing. When signing the declaration form, applicants are authorising the Partnership to make reasonable and relevant enquiries as are required to complete the assessment. When signing the application, applicants are also authorising the Partnership to disclose information to other parts of the Council and other agencies in order to verify the application.

Applications will normally be assessed within 10 working days, once all the required information has been provided, and subject to any further information that may reasonably be required.

If an applicant is ineligible or does not qualify to join the housing register they will be informed of the reasons for this decision and advised of the review process.

3.3 Persons to be included in an application

An application for the Bucks Home Choice scheme will comprise of the lead applicant and any members of the applicant's household who require re-housing with the applicant. For the purposes of Bucks Home Choice, the applicant's household will normally comprise the applicant together with his/her partner (if applicable) and any dependent children (if applicable) who might reasonably be expected to reside with the applicant.

In assessing an application, the managing partner will assess who reasonably requires re-housing with the applicant. This will include consideration of the circumstances below.

3.3.1 Carers

If an applicant wishes to include a Carer in the application, then in all cases the Carer must have been identified by the applicant as the person who is primarily responsible for providing the applicant with care and the Carer must need to live with the applicant to provide this care.

Even if a Carer is in receipt of Carer's Allowance this does not mean that it is necessary for them to reside with the person who is being cared for. Many Carers provide over 35 hours a week support whilst living in their own home. An application to include a Carer in a housing application will be considered if the Carer has been assessed by the Social Care and Health agencies as needing to provide overnight support. In these circumstances the applicant must provide supporting evidence from other agencies (e.g. Social Care, or a health professional) to confirm this.

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

- Disability Living Allowance or Personal Independence Payment paid at either the middle or higher rate for personal care
- Attendance Allowance

3.3.2 Separated Parents and Dependent Children

If an applicant is a separated parent and wishes to include his/her child in the application, the managing partner will assess whether or not the child resides with the applicant. This assessment will consider all circumstances including:

- Residence Order for the child
- Which parent is the recipient of Child Benefit and Tax Credits
- The existing residence arrangements for the child (i.e. when does the child currently stay with each parent?)
- Any other relevant information

If the applicant has staying access to his/her child this does not mean that the child will be deemed to be residing with the applicant for the purposes of the Bucks Home Choice application.

Only in exceptional circumstances will Bucks Home Choice deem a child to be residing with both separated parents.

3.3.3 Other Family Members and Dependent Relatives

An application may include members of the applicant's family other than his/her partner and any dependent children. Examples of this include parents or adult non-dependent children. In this event, the managing partner will undertake necessary enquiries to confirm that the persons concerned are residing with the applicant and that they are permanent members of the applicant's household. This will include taking advice from professional agencies if it is reported that a family member is residing with the applicant for support.

If a family member is already included in another Bucks Home Choice application (either as an applicant in his/her own right or as a member of another applicant's household) then he/she cannot be included in the new application.

In view of the severe shortage of large properties, any Bucks Home Choice application seeking to include other family members and dependent relatives will result in Officers contacting the applicant to discuss the housing options that are available to the family. This will include the options for some members of the family to make their own housing arrangements.

3.3.4 Split families

Where the family unit is not currently residing together (and there is a reasonable expectation that it should reside together), the assessment of priority band will identify what accommodation is currently occupied by the different parts of the family and the assessment will be based on that accommodation which is currently available to the household and which will provide the most suitable accommodation for the household at the time of the application.

3.3.5 Support Needs

Where an applicant has been assessed as having support needs they will not be offered accommodation until they can demonstrate that they have engaged with the appropriate services and have a continuing support plan for tenancy sustainment. This is to ensure that an applicant with support needs will be able to manage a tenancy and reduce the risk of repeat homelessness. The partner that is managing the application will consult partner agencies as required.

3.4 False or withheld information

Under section 171 of the Housing Act 1996 it is an offence for an applicant to knowingly or recklessly give false or misleading information or knowingly withhold information relevant to their application. Under the Act, the Local Authority has the power to take action against an applicant which could result in a fine of up to £5000.

An offence is also committed if the applicant allows a third party to provide false information on his or her behalf, or at his or her instigation.

If an applicant, or a person acting on his or her behalf, has given false information or withheld information it could:

- Affect an applicant's eligibility to join the housing register;
- If appropriate, result in the applicant not being given preference at all.
- If appropriate, be taken into account in prioritising applicants who have reasonable preference

Where there is an allegation or suspicion that a person has given false information, or has withheld information, the application will be suspended pending the outcome of an investigation.

If the member of the Partnership assessing the application is not satisfied that it has been able to verify the true facts or that it has all the facts it needs to assess the application within a reasonable time, it will cancel the application or not register the application. The applicant can subsequently make a fresh application providing all the required information, and if this is accepted the date of registration will be that of the fresh application, with no backdating.

3.5 Giving applicants advice and information

The Partnership will provide advice and information to help applicants to make the most of Bucks Home Choice to meet their housing needs. This will include:

- How to apply to join the housing register and what supporting information applicants will be required to provide.
- Help to fill in the housing registration form.
- The meaning of the priority bands and how this affects the time individual applicants are likely to have to wait.
- Advice on how to bid on a property, and how to obtain help to bid.
- Advice on other options for housing such as private renting or shared ownership.

Where an applicant is assessed as being a non qualifying person, the applicant will be given advice and information on the other housing options open to them.

3.6 Renewal of applications and changes of circumstances

Applicants must renew their applications once a year and they will receive a reminder and information on how to do this on the anniversary of the date of their application.

Applicants must also notify the member of the Partnership with which they are registered of any changes in their circumstances, such as a relationship breakdown, an older child leaving home or a baby being born.

3.7 Suspending or Cancelling an Application

An application will be suspended if:

- a) An applicant has been asked for information to support an application and a reply is awaited.
- b) An applicant has changed address and not provided a change of circumstances form.
- c) An applicant has been asked to provide information from their support agency or worker to support their application and a reply is awaited.

If suspended, an applicant will not be able to bid for properties

An application will be cancelled if:

- d) The applicant has asked for it to be cancelled.
- e) The applicant has been rehoused via Bucks Home Choice.
- f) The applicant has exchanged a property with another tenant and is now deemed to be adequately housed.
- g) The applicant has moved and not told us of their new address.
- h) A Partner has written or emailed the applicant about the application and there has been no response within 28 days.
- i) An applicant has not provided within 28 days all the information that has been requested and is reasonably required to support the application.
- j) A Partner has evidence that the applicant no longer qualifies for housing.
- k) The applicant has not responded to an offer of housing.
- l) The applicant has given false or misleading information.
- m) The applicant's circumstances have changed and the applicant has no housing need or local connection under this policy.

In the event of an application being cancelled the partnership reserves the right to re-instate an application at its discretion.

4. Assessment and Prioritisation of Applicants

The Partnership will assess the relative priority of applicants in two stages:

Stage One – Banding (See 4.1)

This assessment takes place when an applicant applies to join the housing register and his or her eligibility and priority are assessed. This policy ensures that reasonable preference is given to applicants who satisfy one or more of the categories listed in Appendix 1. It also seeks to ensure that the landlords

in the Partnership are able to make the best use of their stock, and deal effectively with housing management issues.

The assessment of an application will take into account any accommodation that the applicant is currently entitled to occupy and any medical and welfare needs, including:

- a) As an owner, lessee or tenant or by virtue of a court order.
- b) Express or implied license to occupy i.e. as a lodger or living with relative.
- c) Any other enactment or rule of law giving a person the right to remain in occupation or restricting the right of another person from recovering possession.

An applicant must not knowingly do (or fail to do) something for the purpose of worsening their housing circumstances and securing an increased level of priority under the Bucks Home Choice Allocation Policy. When such a situation arises, the managing partner will carefully assess the change of circumstances and consider the facts of the case. The assessment of an application in these circumstances will take into account the applicants circumstances prior to the act.

Examples of an applicant undertaking an act for the purpose of worsening housing circumstances are set out below;

- a) Abandoning a previous suitable tenancy.
- b) Moving into unsuitable housing without good reason.
- c) Selling a property or giving notice on a tenancy without securing other adequate housing.
- d) Knowingly allowing a property to become overcrowded.
- e) Moving out of a property when housing advice has been provided for the applicant to remain in their existing accommodation.
- f) Moving out of an adapted property into an unsuitable or un-adapted property.
- g) Moving out of a property due to financial reasons when the property has been assessed as being affordable by the partnership.
- h) Having sufficient funds available to purchase or to rent suitable accommodation in the private sector and choosing not to do so.

If an applicant is assessed as having worsened their housing circumstances, and they qualify to join the scheme, they will be placed into band D for a period of 12 months. They can then request that their application be reassessed after this period.

Stage Two – Shortlisting (See 6.1)

This assessment takes place when an applicant has bid on a property.

If more than one applicant bids on a property, they will be placed on a shortlist. The policy states how the relative priority of applicants on a shortlist will be determined.

4.1 Priority Bands

Applicants will be placed in a Priority Band, taking into account the information they have provided with their housing application. The criteria for the Bands are given in Appendix 1.

4.2 Assessment of Medical Needs

Members of the Partnership have appointed a qualified medical advisor whose advice may be sought when assessing whether to place an applicant in a higher priority band on medical grounds.

Applicants with serious medical problems may complete a self-assessment form. A Housing Officer will consider the information provided and make an assessment as to whether any medical priority should be awarded. In some cases the managing partner will seek the medical advisor's opinion before reaching a decision. They will consider the medical advisors opinion along with all other relevant information in order to determine whether a priority band should be given and also any recommendation for the type of housing required (e.g. ground floor or adapted accommodation).

If applicants have been assessed as having a medical need they will be advised of the type of property that would be considered as suitable. Bids placed by the applicant on properties not meeting the criteria recommended will not be considered for the property.

When making a decision whether to award a priority on medical grounds, the Housing Officer will look at:-

- How the current accommodation is causing or affecting the medical condition.
- How social housing would improve it.
- The severity of the effect that housing is having on the medical condition.
- The duration of the condition and any expected recovery time.
- The severity in comparison to the housing needs of other applicants.
- Whether other options are viable that could improve the situation.

Following the assessment a decision will be made whether to award a priority banding. The bandings are below:-

Band B

“Severe” – The current housing is having a severe adverse impact on the applicant’s (or family members) health and their health will deteriorate if the applicant is not moved to a suitable property.

Band C

“Significant” – The current housing is having a significant adverse impact on applicant’s (or family member’s) health. Their health will not deteriorate in current accommodation, but the adverse impact will be reduced if the applicant moves to more suitable accommodation.

No Priority/Additional Priority

An applicant has a right to request a review of a decision not to award medical priority. Following the outcome of that review, the managing partner will not undertake any further assessment for 12 months unless there is a significant change in circumstances.

4.3 Assessment of welfare needs

Some applicants may need to move on welfare grounds that are not related to a medical condition.

It is not possible to state all the circumstances that will justify reasonable preference on welfare grounds, and each case will be assessed individually. A panel of officers will assess each application, and will record their decisions to ensure equality and consistency is maintained.

The panel will comprise of at least two senior officers of the partnership who will consider the following factors to ensure consistency when assessing welfare cases:

- Is the applicant’s current housing situation having an adverse effect on their welfare?
- If so, can the adverse effect on the applicant’s welfare be resolved without the need to move?
- If the adverse effect cannot be resolved in the applicant’s current housing situation, can it be resolved by re-housing elsewhere? (Consideration will be given by the panel to ensure that, where there is a risk to the applicant’s safety and well-being, any move will reduce that risk. This may require a move away from the applicant’s current district).

- Will the applicant suffer hardship if they do not move to a particular location in the local authority district? (Where an applicant is applying to move to live near a relative to give/receive support, the panel will consider if there is evidence to support the application. These may include confirmation from support services, evidence of Carers Allowance and any other information that the Partnership feels is relevant to the application).

In the event that the panel accepts that:

- An applicant needs to move on welfare grounds, but
- The Bucks Home Choice scheme cannot deliver a suitable move (e.g. because the applicant needs to move out of the partnership area).

The partner managing the application will liaise with the applicant and relevant agencies to identify a suitable course of action to address the welfare needs.

4.4 Reviewing of Welfare and Medical Priority Banding

The Partnership reserves the right to review the applicant's priority banding on an appropriate periodic basis. Applicants are expected to be actively looking for and bidding on available properties on Bucks Home Choice. In certain circumstances the Partnership may make a direct allocation of an appropriate property. Any reviews will take into account bids that have been made by an applicant, offers made and refused, along with the particular circumstances of the case.

If an applicant has been placed in Priority Band A (Welfare) or B or C (Medical grounds) and has failed to bid for any properties or accept a direct offer of accommodation, the Partnership reserves the right to review the Priority Band.

In conducting the review the managing partner will take into consideration the following:-

- Have there been any properties advertised that would have met the applicant's needs?
- If so did the applicant apply for them?
- Why were the bids unsuccessful?
- Did the applicant receive appropriate support in accessing the bidding cycle?
- Are the applicant's circumstances the same?

On completion of the review a decision will be made whether the priority banding continues to apply. This may result in the application being removed where, without this priority banding, they would not otherwise qualify to join the housing register.

5. How properties will be advertised and let

5.1 How properties will be advertised

Properties will be advertised weekly in a variety of formats and locations.

- On the Bucks Home Choice website
- In the offices of members of the Partnership
- Personalised property lists posted to applicants who are housebound or cannot use any of the other methods

The Partnership may choose to vary the timing of the cycle for advertising properties. Any such variation will be subject to the agreement of all partners.

5.2 Advertising criteria

Each property advert will have information on the location, size and type of property, and any criteria that applicants must satisfy in order to be eligible for shortlisting. For example, a property in an elderly persons' designated over accommodation will be normally restricted to applications from people 55 years of age. Larger properties may state that applicants must have more than a certain number of children under 16.

5.3 Properties advertised within the District Council areas

An applicant will only be able to bid for a property that is:-

- Advertised via a Partner where the applicant has a local connection with the Partners' district or,
- Advertised across the Partnership and is available to all Bucks Home Choice applicants who require the size and type of property concerned (regardless of which District(s) the applicant has a local connection with).

5.4 Properties advertised across the Partnership

One of the aims of Bucks Home Choice is to enable some applicants to move within the Partnership. In order to achieve this, properties that do not have a high local demand will be advertised as being available for any applicants who are registered with Bucks Home Choice, regardless of the District(s) with which they have a local connection.

The Partnership will monitor how many properties are advertised, and how many are let in this way. It will also monitor how many properties are let to applicants who do not have a local connection. This monitoring will enable the Partnership to assess whether applicants are finding some flexibility in where they can choose to live, whilst ensuring that the District Councils continue to be able to meet their Statutory Duties.

Where a property has been advertised for three advertising cycles and the property has received no appropriate bids the Partnership reserve the right to consider allocation of the property to people outside of the Bucks Home Choice scheme.

5.5 Size and type of property for which applicants are eligible

In order to make the best use of the available housing stock, it is essential to let properties to those who need that size and type of property to:

- Avoid creating overcrowding or under-occupation when letting a property
- Minimise the risk of the applicant being unable to afford rent payments on the property that is being let

When deciding the size and type of property that an applicant is entitled to bid for the Bedroom Standard will normally be used as follows

1 bedroom for each of the following;

- a) Adult or adult couple
- b) Two children of the same sex aged under 16
- c) Two children of different sexes when the eldest is aged under 10
- d) Any other child

More information is available in Appendix 2.

In exceptional circumstances the Senior Housing Officer may exercise discretion in deviating from the Bedroom Standard. In all cases applicants will need to demonstrate the property is affordable at the time of offer. Examples are:

- a) Where applicants require larger accommodation on health grounds, the Senior Housing Officer will consider this on a case by case basis, taking into account the advice of a qualified medical advisor appointed by the Partnership.
- b) Where there is little or no demand for a particular property.
- c) Where the applicant has been approved as a foster carer by Buckinghamshire County Council, and so will need a larger property than normally required by the household.
- d) Where the applicant or a member of the household needs the support of a carer who will need to sleep in the home and cannot reasonably be expected to share a bedroom with another member of the household. (See section 3.3)

5.6 How applicants bid on a property

Applicants may bid on up to three properties for which they are entitled in any one advertising cycle, this can be done;

- On the Bucks Home Choice website
- In person at one of the Partnership's customer service centre
- SMS text
- Telephone bidding by dedicated phone line

Applicants who find it difficult to bid may ask an advocate or support worker to do so on their behalf. Help will also be available via the Partners and special arrangements will be made for vulnerable applicants who are unable to bid without help.

It is not normally possible for an applicant to view a property before making a bid.

6. Prioritising and Lettings

6.1 Determining priority between shortlisted applicants

Where more than one applicant bids on a property, they will be placed on a shortlist. Any applicant who bids on a property where they do not satisfy the advertised criteria will not be included on the shortlist. The reasons for this could include, but not be exclusive to, the following:

- The applicant's household size does not meet the Bedroom Standard.
- The applicant does not satisfy the age limit or mobility level as advertised.
- Has failed to meet any other advertising criteria.

The details of how applicants are awarded a Priority Band are given in Appendix 1.

For each property (except for properties designated solely for persons aged 55 or more) the applicants' bids will be ranked in the following order:-

- a) Priority Band (Band A applicants will have a higher priority than Band B, and so on).
- b) Date of registration.

For properties designated solely for person aged 55 or more, the applicants expressing an interest will be ranked in the following order:

- a) Priority Band (Band A applicants will have a higher priority than Band B, and so on).

- b) Local Connection to the district where the property is located (applicants with a local connection to the district will be ranked higher than those who do not).
- c) Date of registration.

If the applicant with the highest priority on a shortlist refuses the offer, the property will then be offered to the next applicant on the shortlist. Age limited restrictions will be clearly indicated in the advert, if the applicant does not meet the specified restrictions, any bid placed on such a property will not be considered.

It should also be noted that:-

- a) If an applicant bids for a property and has rent arrears, then the bid will not be accepted and the application will be suspended (see section 2.3.4)
- b) Some advertised properties may be subject to a Local Lettings Policy (see section 6.2)
- c) The prioritisation of short-listed applicants will be based on the priority banding of each applicant as it stood at the point when the advert cycle closed.
- d) The prioritisation and allocation process will take account of any additional criteria set down by the landlord for the occupation of the property. Where a property has specific adaptations (e.g. wheelchair access, ramps, level access shower), priority will be given to applicants who require the adaptation in the property.

6.2 Local lettings policies

Section 167(2E) of the 1996 Act enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories.

Local lettings policies may be used to achieve a wide variety of housing management and other housing policy objectives. So for example, local lettings policies may be used to lower the proportion of older children/young adults on an estate to reduce the incidences of anti-social behaviour; or to deal with concentrations of deprivation by setting aside a proportion of vacancies for applicants who are in employment.

From time to time a member of the Partnership may adopt a local lettings policy that will apply to a proportion of the properties that it advertises. All such local lettings policies will be published on the Bucks Home Choice website and will be available by request. The local lettings policy will state clearly the justification for its adoption and operation.

In some cases, a housing scheme may be subject to planning conditions that restrict who is permitted to occupy the accommodation (e.g. a rural housing scheme where occupancy is limited to people with a local connection).

When a property is subject to a local lettings policy or planning conditions, the advertisement will state the restrictions and which applicants are permitted to bid.

6.3 Direct allocations

In certain circumstances members of the Partnership reserve the right not to advertise a property and allocate it directly to an applicant, or to allocate a property that has been advertised directly to an applicant. The following are examples of circumstances where a direct allocation may be made.

- a) Where a person has been assessed as needing an urgent move as a result of violence or threats of violence or through the National Witness Protection Service.
- b) Where a sensitive letting has to be made, for example for a vulnerable person, or a sex or violent offender, or to deal with a severe housing management problem, where the Council considers that a direct allocation is more appropriate than requiring or allowing the applicant to bid on a property.
- c) Where the applicant is a homeless person and the Council has accepted a full Housing Duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996 and the applicant has failed to bid on any properties for which he or she is eligible.
- d) Where the applicant is a homeless person where the Council has accepted a full housing duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996 and the applicant has been successful in bidding on a property, but has subsequently refused, even though the property was suitable for the household's needs.

In these circumstances, the Council may make one direct offer of a suitable property to the applicant.

If the applicant is in temporary accommodation and this offer is refused the District Council that owes the applicant a duty under the Act will discharge its duty and will take possession proceedings.

- e) Where the applicant is a homeless person where the Council has accepted a full housing duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996 and the applicant is
 - in temporary accommodation,
 - has bid on a property or properties,

- has not been successful, and
- there is a strategic need to move that applicant from the temporary accommodation to make way for another homeless applicant.

When making a direct allocation, the preferences of the applicant will be taken into account as far as possible.

6.4 Applicants subject to duty under Section 193 of Housing Act 1996 (Homelessness)

Where a Bucks Home Choice applicant:

- has also made an application for assistance to the District Council under Part 7 (Homelessness) of the Housing Act 1996 and
- has been deemed to be eligible for the duty under Section 193 of the Housing Act 1996 (Duty to persons with priority need who are not homeless intentionally),

then the applicant will be placed in Priority Band C in order to give the applicant a reasonable opportunity of securing suitable long term settled accommodation.

In the event that the District Council has secured accommodation for the applicant under Section 193 of the Housing Act 1996 and

- the applicant has been in that accommodation for at least 6 months since the Council accepted the duty under Section 193 of the 1996 Act and
- the applicant has been unsuccessful in bidding for properties under Bucks Home Choice

the applicant will be moved up to Priority Band B.

If the District Council ceases to be subject to a duty under Section 193 of the Housing Act 1996 then this will be deemed to be a change of circumstances and the applicant's qualification and priority under Bucks Home Choice application will be re-assessed accordingly.

If the reassessment finds that:

- (a) the applicant continues to qualify for Bucks Home Choice (see Section 2.3) and
- (b) the duty under Section 193 of the Housing Act 1996 ceased because the applicant:

- (i) refused a suitable offer of accommodation that was offered in performance of the Section 193 duty,
- (ii) voluntarily ceased to occupy accommodation that was offered in performance of the Section 193 duty,
- (iii) has become homeless intentionally from accommodation that was offered in performance of the Section 193 duty,
- (iv) has refused a suitable final offer of accommodation made under Part 6 of the Housing Act 1996 , or
- (v) has refused a suitable private rented sector offer

then the Bucks Home Choice application will be re-banded and placed in Priority Band D.

The application will remain within Priority Band D for a period of twelve months from the date on which the District Council's Section 193 duty ceased. The application will then be re-assessed in accordance with the Bucks Home Choice Policy.

The above approach aims to assist homeless applicants by giving them reasonable priority for re-housing while also recognising the scarcity of accommodation and the need for such applicants to make full use of the assistance provided under Section 193 of the Housing Act 1996. This assistance is not available to other applicants on Bucks Home Choice and, therefore, it is expected that a homeless applicant will accept all assistance offered through the Section 193 duty in order to secure accommodation. If an applicant fails to make use of this assistance and the duty under Section 193 ceases, then the Bucks Home Choice scheme considers that it is unfair to continue to give the applicant a high priority banding (i.e. Band B and Band C) compared to the majority of other applicants on the scheme. Therefore, the Bucks Home Choice application will be re-banded to the lowest Priority Band, Band D.

6.5 Verifying and nominating an application

6.5.1 Verifying

Before any offer of accommodation is made, the managing partner will contact the successful applicant to verify all relevant information on their housing application. Home visits will, where appropriate, be carried out to verify applications. Applicants will be expected to provide the required documentary proof to confirm the statements on their housing application.

The purpose of this verification is to check that the details provided by the applicant are correct, and in particular to confirm that the applicant is:

- Eligible and qualify for housing under the Bucks Home Choice Allocation Policy, and
- Suitable for the size and type of property concerned (see Appendix 2), and

- Has been placed in the correct Priority Band, based on his or her circumstances (see Appendix 1).

If an applicant does not provide the necessary information or if the verification shows that the housing application is not correct the application will be suspended and a re-assessment will be made reflecting the current circumstances. This includes where the applicants rent account is not up to date and it does not meet an exception category, the offer will be withdrawn (see Paragraph 2.3.4). The next person on the shortlist will be contacted with a view to making an offer.

6.5.2 Nomination

If an applicant is shortlisted for a property, then the Registered Provider will contact the applicant to set down the timescales for a viewing of the property concerned and for the acceptance of any offer that is subsequently made. It is the responsibility of the applicant to attend the viewing at the stated time and to respond to the timescales set down by the Registered Provider. In the event of the applicant failing to do so, the Registered Provider will have the option to withdraw the offer of the tenancy.

In the event of the Registered Provider refusing a nomination the Partnership will require clear written reasons for the refusal. If the Partnership considers the reason for refusal as being incorrect, unjust or subjective then the Partnership will submit a written request to the Registered Provider to review their decision.

6.5.3. Withdrawal of a nomination

In very exceptional circumstances, the Registered Provider may withdraw an advert/ offer of accommodation, these circumstances may include but not be limited to:-

- Where an error has been made in the advertising criteria.
- When it has been established that the property needs extensive works.
- When the property has been advertised, but the existing tenant has withdrawn their notice.
- When the property has been advertised but withdrawn for a direct let for an urgent case.

6.6 Temporary suspension from bidding

Where an applicant has successfully bid for a property and been offered the tenancy, their outstanding bids for other properties, if any, will not be considered. An applicant who has accepted the offer of a property will not be able to bid in the following advertising cycle until the result of the offer has been determined.

Where an applicant has been offered three tenancies which the Partnership consider to be suitable for the applicant's household and has refused all of the offers, then the application will be suspended for a period of 6 months. During this period the applicant will not be permitted to bid on any advertised properties. Applicants will be notified of any such suspension.

7. Review of decisions and complaints

7.1 Asking for a decision to be reviewed

Applicants have rights under the Act to ask for the review of a decision. The following decisions are subject to the right to request a review:

- a) The applicant's housing application has been refused on the grounds they are not eligible or qualifying person.
- b) The applicant is removed from the housing register on the grounds they are no longer eligible or qualifying person.
- c) An applicant's Priority Banding (i.e. the applicant disagrees with the banding that they have been awarded and wishes to have their banding reviewed).
- d) Any decision about the facts of a particular application which have been taken into account to assess whether an allocation should be made.
- e) Any decision to suspend an application due to the applicant having refused three offers of a tenancy (see section 6.6).

Applicants should request a review within 21 days of being notified of a decision.

The review will be carried out by the Member of the Partnership that made the decision in respect of (a) to (e) above. Reviews will be carried out by a senior member or member of staff who was not involved in the original decision.

The applicant will be notified of the Partnership's decision in writing within 21 days of the review being completed.

Once a review has been completed and the applicant has been notified of the decision on review, the applicant cannot request a further review on the same decision unless there has been a factual change in his/her circumstances.

7.2 Making a complaint

Each member of the Partnership has a published procedure for customer complaints which can be found on their website or a hard copy is available upon request.

8. Monitoring and policy review

8.1 Monitoring

The Partnership will monitor the outcomes of lettings through Bucks Home Choice, to assess whether it is meeting the aims stated in section 1.3 and the Equality Statement in section 1.4.

8.2 Policy review

The results of monitoring will be used to review this Policy. Reviews will be carried out annually, but the Partnership may carry out an earlier review if monitoring shows that this is necessary.

9. Data Protection and information sharing

9.1 Data Protection

All information held by the Partnership is subject to the Data Protection Act 1998. Each member of the Partnership will seek the express consent of applicants joining their housing register to share personal information about the applicant, and any member of the household.

9.2 Information sharing without consent

Information can be shared with the other members of the Partnership and Registered Providers to whom nominations are to be made and, where relevant to organisations' providing support services in supported housing.

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

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

Each Council will on an annual basis publish lettings information including the age, sex, ethnicity and nationality of applicants and new tenants.

APPENDIX 1

Priority Bands

This Policy assesses the relative priority of Bucks Home Choice applicants by placing them in a Priority Band that best reflects the applicant's current housing circumstances and level of housing need.

The Priority Bands take account of the requirement of Section 166A (3) of the Housing Act 1996 which states that a local housing authority's allocation scheme must be framed so as to secure that reasonable preference is given to the categories of household listed in Appendix 3 of this policy.

The Priority Bands are listed below.

Band A
<p>Welfare grounds</p> <ol style="list-style-type: none">1. Applicants or a member of his or her household who have demonstrated an urgent need to move due to serious imminent personal risk or severe harassment and rehousing is the only option.2. Applicants or a member of his or her household whose health or disability is so severely affected that:<ul style="list-style-type: none">- they physically cannot access their current home and/or essential facilities within their current home and- it is not possible for adaptations to be carried out to the property to provide this access
<p>Child protection</p> <ol style="list-style-type: none">3. Applicants where a child needs protection as assessed by the Safeguarding Board and a more suitable property is essential to reduce the risk to the child.

Band B

1. Applicants who are:

- subject to a full housing duty under Part 7 (Homelessness) of the Housing Act 1996
(i.e. accepted as homeless, in priority need and not homeless intentionally).
- have been living in temporary accommodation for six months from the date of acceptance, and
- have been unsuccessful in expressing an interest in properties.

2. Applicants living in supported housing who are:

- threatened with homelessness,
- in priority need (under Section 189 of the Housing Act 1996) and not intentionally homeless.

Priority B status will only be awarded where there is an agreed move-on protocol in place between the landlord/support provider and the District Council with which the applicant is registered.

3. Applicants who are due to leave the care of the Children and Families service and who are:

- threatened with homelessness,
- in priority need (under Section 189 of the Housing Act 1996) and
- not intentionally homeless.

Priority B status will only be awarded where the move is being undertaken in accordance with the Buckinghamshire Leaving Care Protocol between Bucks County Council and Aylesbury Vale, Chiltern, South Bucks and Wycombe District Councils.

4. Applicants living in statutorily overcrowded accommodation.

5. Applicants who lack two or more bedrooms (based on the bedroom standard in Appendix 2)

6. Applicants who currently hold a tenancy within the Partnership area with a Registered Provider and who are under-occupying family accommodation by one or more bedrooms in comparison with the Bedroom Standard in Appendix 2.

Band B

7. Applicants who currently hold a tenancy within the Partnership area with a Registered Provider and are living in a property that has been built or adapted for a person with a disability (or where support is provided) and this is no longer needed.

8. Applicants who need to move on medical grounds because their current home is having a severe **adverse** impact on the health of a member of the household, re-housing to more suitable accommodation will help to reduce this impact and his/her health will deteriorate if the household is not moved to more suitable accommodation.

(Note – Priority B status on this ground will only apply where the applicant is expressing an interest in a property that will reduce the impact on the health of the member of the household. If the applicant expresses an interest in a property that will not reduce this impact, then Priority B status on this ground will not apply.)

The recommendation of an independent medical advisor will be taken into account when deciding the level of priority to be given to applicants on medical grounds and the type of property they will be eligible to bid on.

Band C

1. Applicants that have been accepted as Homeless, in priority need and unintentionally so by:

- Aylesbury Vale District Council
- Chiltern District Council
- South Bucks District Council
- Wycombe District Council

2. Living in insanitary or unsatisfactory conditions which would include, properties effected by lack of amenities or services, severe damp, major structural defects, flooding, collapse of roof or statutory nuisance and

- The conditions cannot be rectified within a reasonable period.
- Applicant cannot resolve situation by moving to alternative accommodation
- There is an immediate threat to health and safety

Band C

3. Applicants lacking 1 bedroom (based on the Bedroom Standard in Appendix 2).
4. Applicants that need to move on welfare grounds, as agreed by the Bucks Home Choice Partnership.
5. Applicants who need to move on medical grounds because their current home is having a significant adverse impact on the health of a member of his or her household and their health will not deteriorate in their current accommodation but the adverse impact will be significantly reduced with a move to more suitable accommodation. The recommendation of an independent medical advisor may be taken into account when deciding the level of priority to be given to applicants on medical grounds.

Band D

1. Applicants who are currently sharing accommodation with members of the immediate family, namely:
 - parents,
 - brothers or sisters,
 - adult children,
 - grandparents or
 - grandchildren.

For the purposes of this policy, sharing accommodation is taken to mean sharing the use of kitchen, bathroom and toilet facilities.

2. Applicants who are living in HMOs (Houses in Multiple Occupation). For the purposes of this policy, a HMO is a building which is lived in by more than one separate household who share basic facilities such as a kitchen, a bathroom or a toilet. People are treated as being part of the same household if they are related to each other (i.e. family members) or live together as a couple.

Band D
<p>3. Applicants who are serving in the armed forces (or who had served in the armed forces within the five year period immediately preceding their Bucks Home Choice application) and who do not satisfy any of the Reasonable Preference categories listed in Appendix 3.</p> <p>4. Applicants who have recently left ministry of defence accommodation because of the death of a spouse, who served in the regular force and whose circumstances do not fall into Priority Bands A, B or C.</p> <p>5. Applicants who are serving or have previously served in the reserve forces and are suffering from a serious injury as a result of this service and whose circumstances do not fall into Priority Band A, B or C.</p>
<p>6. Applicants who are over 55 and seeking accommodation designated for persons aged 55 or more (and whose circumstances do not fall in Priority Band A, B or C)</p>
<p>7. Applicants who are in the care of Children and Families service who wish to register their application but do not have a move on date. This must be in accordance with the Buckinghamshire Leaving Care Protocol.</p>
<p>8. Applicants living in Supported Housing who wish to register an application but do not have a move-on date. This must be in accordance with a move-on protocol agreed between the landlord or the Supporting People service and the District Council with which the applicant is registered</p>
<p>9. Applicants who have applied for homeless assistance under Part 7 of the Housing Act 1996 where the Council has reached a decision that they are homeless and in priority need, but homeless intentionally</p>
<p>10. Applicants who have applied for homeless assistance under Part 7 of the Housing Act 1996 where the Council has reached a decision that they are homeless, not in priority need.</p>
<p>11. Applicants who have ceased to be subject to a duty under Section 193 of Housing Act 1996 and who meet the circumstances set down in section 6.4.</p>
<p>12. Applicants who are homeless within the meaning of Part 7 of the Housing Act 1996.</p>
<p>13. Applicants who have knowingly worsened their circumstances in order to gain a higher priority banding (see Section 4)</p>

Band D

14. Applicants placed in interim accommodation by one of the four districts under Section 188 Housing Duty (duty to provide interim accommodation) following a homeless application and awaiting a decision.

Appendix 2

Bedroom Standard and Type of Accommodation

When deciding the size of property for which applicants will be eligible, the following Bedroom Standard will be used.

Bedroom Standard				
	Number of bedrooms			
Household Size	1 *	2	3	4
Single Person	✓			
Couple wishing to live together	✓			
In exceptional cases e.g. where there are care needs adult siblings wishing to live together	✓	✓		
Parent(s) with one child		✓		
Parent(s) with two children of the same sex both aged under 16 years		✓		
Parent(s) with two children of opposite sex both aged under 10 years		✓		
Parent(s) with two children of the same sex and the oldest is aged 16 years or more			✓	

Parent(s) with two children of opposite sex where the older child is aged 10 years or over			✓	
Parents with three or more children regardless of age or sex			✓	✓

- *For the purposes of this policy a bedsit/studio is considered suitable for either a single person or a couple.
- When deciding whether an applicant and his or her household is under-occupying accommodation, or lacks one or more bedrooms, the lower number of bedrooms shown against each size of household will be used as the “standard” number of bedrooms required. For example, a family with two children who is living in a relative’s home and has the use of one bedroom will be deemed to lack one bedroom.

Where a bedroom can accommodate bed/beds in line with Housing Benefit rules, this is deemed adequate. There may be exceptions to this i.e. Sloping ceiling under stair or eaves, where it may be relevant to reconsider.

Type of accommodation

- Age restricted housing will normally be available for applicants over 55.
- Accommodation that is designated as supported housing will be available only for applicants who are eligible for that particular accommodation. For example, some supported housing is provided exclusively for people with learning difficulties, or for young people leaving care.

Where accommodation is available only for applicants who satisfy such special criteria, this will be made clear in the advertisement of the property

Appendix 3

Reasonable Preference

Section 166A (3) of the Housing Act 1996 states that a local housing authority's allocation scheme must be framed so as to secure that reasonable preference is given to

- a) People who are homeless (within the meaning of Part 7 (Homelessness) of the Housing Act);
- b) People who are owed a duty by any local housing authority under Part 7 (Homelessness) of the Housing Act 1996 because they are:
 - Homeless and in priority need but homeless intentionally;
 - Homeless and in priority need and not intentionally homeless;
 - Threatened with homelessness and in priority need and not intentionally homeless;
 - Not intentionally homeless but not in priority need;
- c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- d) People who need to move on medical or welfare grounds (including grounds relating to disability).
- e) 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 others.

Appendix 4

Explanation of the terms used in this policy	
Applicant	The term “applicant” includes single people and couples.
Household	The term “household” includes all eligible adults and dependant children included in the applicant’s application. Short term sharing arrangements or temporary part time arrangements will not normally be classified as a household member (see Section 3.3)
Reasonable preference category	Description of those applicants to whom the District Councils must give “a head start” in their housing application. See Appendix 3.
The Act	The Housing Act 1996 as amended
Child	A person under 16
Housing Register	A database of applicants for Bucks Home Choice
Change of Circumstances	A change in household circumstances (e.g. address/accommodation, addition of an adult household member) that may affect BHC qualification and/or priority banding

Registered Provider	A private non-profit making body that is registered and regulated by Government to provide and manage affordable housing (also known as a Housing Association)
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Appendix 5

Policies

In accordance with Section 166A (12) of the Housing Act 1996, the Bucks Home Choice Allocation Policy has been prepared with regard to the following Strategies:

Bucks Tenancy Strategy (Adopted January 2013)

Aylesbury Vale District Council Housing and Homelessness Strategy 2008-2013

Chiltern District Council Homelessness Strategy 2009-2011 (Update pending)
Chiltern District Council Strategic Housing Framework 2013-2014

South Bucks District Council Homelessness Strategy 2008-2013

Wycombe District Council Homelessness Strategy 2014-2019