



Housing Allocations Policy

February 2021

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Lettings Covered by the Allocations Policy

This Allocation Policy sets out the Council's arrangements for allocating housing accommodation within the meaning of Part 6 of the Housing Act 1996 (the 1996 Act) and related guidance; that is:-

- The selection of applicants to be offered secure, flexible/fixed term or introductory tenancies by the Council.
- Offers of secure, flexible/fixed term or introductory tenancies from other councils, or other bodies able to grant secure tenancies.
- Offers of assured/flexible tenancies from registered social landlords.

Equality and Diversity

The Council is committed to ensuring equal access and allocation of housing. No one will be treated any less favourably than anyone else because of gender, gender reassignment, marital status and civil partnership, race, origin, religion or belief, sex, disability, sexual orientation or age.

The development of a clear and consistent Allocation Policy goes hand in hand with careful monitoring to ensure that housing allocations are fair and seen to be fair by everyone.

It is also important that the Allocation Policy is understood by everyone who is part of it. If you want to receive this policy in an alternative format such as Braille, please email housing@stalbans.gov.uk. See www.accessible.co.uk for information about access to local facilities.

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1. Introduction

Your Home, Your Area, Your Choice

1.1 St Albans District Council allocates social housing through Choice Based Lettings (CBL).

1.2 This document sets out St Albans District Council's Housing Allocations Policy as requested by Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017. Its purpose is to determine the priorities in allocating housing and to set out the procedures to be followed.

The Allocations Policy enables the Council to consider the individual needs of applicants whilst making best use of the limited social housing stock. The policy sets out:

- How properties are allocated.
- How to apply for housing.
- Who is a qualifying person and can be accepted onto the Housing Register.
- Who is not a qualifying person and cannot be accepted onto the Housing Register.
- How priority for housing applicants will be determined.
- How homes will be let.
- How properties will be advertised.

1.3 Many people who apply for housing will never be allocated a property by the Council because of the shortage of social housing in the District. Even if you have a high housing need it is likely that you will have to wait for a considerable time before you are offered a property.

1.4 The Council works with other Registered Providers in the District to provide affordable housing. Registered Providers include the Council as well as Housing Associations and when we advertise properties the details of the relevant landlord will be included in the advert.

1.5 A summary of this Allocations Policy is available on the Council's website at www.stalbans.gov.uk .

2. Aims and Objectives

The overall aim of the Allocations Policy is to provide a framework for the equitable, effective and accountable allocation of affordable housing in the district. The policy gives priority to those in greatest housing need, but also reflects the wider objectives of increasing choice, promoting stable and sustainable communities and making the best use of the limited housing stock.

2.1 The Council's Housing Allocations policy aims to:

Discharge the Council's statutory duties as contained in Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017.

- Ensure that the allocations and assessment policy is transparent, simple, and easy to understand for all.
- Provide applicants with choice and give reasonable preference to those with the greatest housing need.
- Offer applicants open and fair access to housing and recognise diverse needs.
- Offer applicants a more active role in choosing accommodation, taking account of individual circumstances and waiting time.
- Provide applicants with sufficient information to make informed choices about opportunities for re-housing and understand the criteria and processes adopted by the Council.
- Maximise the use of, and efficiently let, all housing stock available to the Council.
- Promote social inclusion, sustainable communities and ensure that applicants benefit from any future regeneration and development taking place within the district.

2.2 **Prioritising Housing**

The Council is required by law to give priority to certain groups. These are defined by the current statutory reasonable preference categories which are set out in s.166A (12) of the 1996 Act. These were rationalised in the Homelessness Act 2002 (and further refined by the Housing Act 2004) and are based on housing need.

These groups (reasonable preference categories) are:

- (a) People who are homeless (within the meaning of Part 7 of the 1996 Act); this includes people owed a prevention or a relief duty under the Homelessness Reduction Act, and who have a local connection under Part 7 to the District and those who do not have a priority need for accommodation.
- (b) People who are owed a duty by the Council under s.190(2), s.193(2) or s.195(2) of the 1996 Act or who are occupying accommodation secured by the Council under the Homelessness Reduction Act.
- (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 a disability; and,

- (e) 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).

As well as the groups the Government says we must help, we have also decided to give priority to social housing tenants living in our district who will release a family-size home so that we can make best use of our housing stock.

3. Statement of Choice

3.1 CBL allows qualifying applicants to select properties that they are interested in. The scheme helps applicants make informed choices about where they want to live and the type of property they would prefer.

3.2 The Council is fully committed to enabling applicants to play a more active role in choosing where they live by advertising properties and providing feedback through our CBL system.

3.3 The Council believes that social housing is one of a range of options available to applicants. Information on all available housing options can be obtained from the Housing Options Team at the Council. You can also access information directly via the Council's website www.stalbans.gov.uk .

3.4 If you do not have an identified housing need you will not be allowed to register for housing unless you are aged 60 or over and have a Local Connection (as defined in this Allocations Policy) to the St Albans District. In these circumstances you will be considered for sheltered accommodation (if you meet the criteria) or properties restricted for applicants aged 60 and over only. In view of this, it is important to consider other housing choices that are open to you. These may include:

- Privately rented housing.
- Low cost home ownership.
- Reducing your overcrowding by helping some members of your household move to their own accommodation.
- Moving to an area of the country where social housing properties are more freely available.
- Staying where you are but getting help to make your property more suitable for your needs.
- A mutual exchange (swapping homes with another social housing tenant).

3.5 **If you are already homeless or think you may be going to lose your home**, you should contact the Council's Housing Options Team. It is important that you talk to us as soon as possible. We may be able to help you to keep your current home, at least for a time whilst you explore your housing options.

If you are threatened with homelessness the Council will begin a prevention or relief duty with you and will provide assistance to you in finding alternative accommodation. This is likely to be in the private sector. You will be expected to work with the Council to resolve your housing crisis.

4. Links to Other Policies

The Allocations Policy will work in parallel with a number of other key policies and priorities of the Council and these include the strategies listed below.

- The Homelessness Strategy.
- The Tenancy Strategy
- The Corporate Plan.
- Private Sector Housing Strategy.
- Inclusion Strategy.

5. Monitoring and Review of the Allocations Policy

The Housing Options Team will monitor the operations of the Allocations Policy by:

- Regularly reviewing policy to ensure that the policy meets its stated objectives and complies with the legislative changes.
- Assessing the impact, if any, that offering choice has upon vulnerable, black and minority ethnic groups and all other groups.

6. Housing Register

6.1 Whilst the Council still owns and manages housing stock, it works in partnership with a number of Registered Providers who also provide secure, good quality, affordable rented housing. We maintain a Housing Register and have nomination rights to properties managed by numerous Registered Providers.

6.2 The Council will operate a Housing Register which will include all applicants who apply and are approved for Social Housing. Lettings will only be made from the Housing Register. The Housing Register includes tenants of St Albans District Council and from Housing Associations.

7. Who Can Apply to Join the Housing Register?

To join the Housing Register, applicants must be a qualifying person. In order to be a qualifying person, applicants must meet all the qualification classes set out below:

- Be aged 16 years of age or over, although you cannot hold a tenancy until you are 18. Not be subject to immigration control or be an applicant from abroad unless the applicant is a 'qualifying person' as described by law.
- Be habitually resident in the common travel area (England, Scotland, Wales, Ireland, Channel Islands and the Isle of Man).
- Have a local connection to the St Albans area. Full details of Local connection are given at 7.6.

- Have an identified housing need that would place you into Bands A-D (unless aged 60 and over and applying for sheltered or properties restricted for those aged 60 and over).
- Have no history of unacceptable behaviour.
- Not have the financial resources to resolve your own housing need (Refer to Section 12 for income and capital thresholds)

7.1 Unacceptable Behaviour

Applicants may be excluded from joining the Housing Register if the applicant or a member of their household is responsible for unacceptable behaviour serious enough to make them unsuitable to be a tenant.

Unacceptable behaviour is defined as behaviour which would entitle a landlord to seek a Possession Order or Closure Order against them. Examples of such unacceptable behaviour include:

- Previous or current rent arrears.
- Breaches in your tenancy agreement.
- Previous or current property damage.
- Harassment or anti-social behaviour.
- Any relevant criminal activity.
- Fraud.

Please note that this list is not exhaustive and applies regardless of who your landlord was at the time the unacceptable behaviour took place.

You did not (do not) have to be a secure tenant of the Council (or any Council or Registered Provider) at the time and neither does an eviction have to have taken place.

When making decisions regarding unacceptable behaviour the Council will consider:

- When the unacceptable behaviour took place. Consideration will be given to the length of time that has elapsed and whether there has been any change in circumstances.
- What action the landlord would have taken against the perpetrator of the unacceptable behaviour. The behaviour must be serious enough for the Council to be granted a possession order.
- Whether the unacceptable behaviour is due to a physical, mental or learning disability.

St Albans District Council, its partner landlords and the residents of St Albans have a right to expect certain standards of behaviour. Therefore, before you are accepted onto the Housing Register or made an offer of a property, we may seek certain references to see if you qualify to join the waiting list and will be a suitable tenant of the Council.

Any household can be removed from the register for unacceptable behaviour, not only those who were previously a Council or Registered Provider tenant.

7.2 Notifying a Non-qualifying Applicant

If the Council decides that an applicant does not meet the qualifying criteria to register for housing, they will be notified in writing and be given clear grounds for the decision. Applicants have a right to request a review of the decision. Details of how to do this are given in section 25.

If your circumstances change and you think that you may meet the qualifying criteria to register for housing, you can make a new application.

If you have rent arrears, you will only qualify to join the Housing Register in special circumstances. This decision will be made at Principal Officer level or above. If, once you are registered, you fall into rent arrears your application will be suspended and if your arrears are not cleared within 6 months then the application will be removed unless there are exceptional circumstances. You may make a new application once your rent account is clear. In making this decision we will take into account the level of arrears and how these have accrued.

Transfer applicants (social housing tenants-please see 8.12 for definition) who apply to move to a smaller property with rent arrears will not necessarily be excluded from making a transfer application. In making this decision we will take into account the level of rent arrears and how these have accrued.

If the Council decide that you do not qualify to appear on the Housing Register, we will contact you to explain the reason. Applicants have the right to request a review of this decision. See Section 25 which covers reviews.

7.3 Keeping Applications Up to Date

All applicants must keep their housing application up to date via our CBL system when their circumstances change. Any changes in priority or bedroom requirements will date from when the information, including supporting evidence is received. It is the responsibility of the applicant to inform us if their circumstances change and to provide us with up to date contact details. Failure to notify the Council of a change of circumstance may result in an offer of a property being withdrawn.

7.4 Cancellation of Applications

Applications may be cancelled for one or more of the following reasons:

- (a) The applicant requests cancellation.
- (b) The applicant's circumstances change and they no longer meet the qualification criteria.
- (c) The applicant fails to provide the verification documents as requested by the Council within the timescale requested.
- (d) The applicant is found to have made a false or deliberately misleading statement in connection with their application.
- (e) The applicant is re-housed by a registered landlord (Council, Housing Association, ALMO etc.)
- (f) The applicant has not bid for a period of 6 months or longer.

- (g) Applicant provides false or inaccurate information.
- (h) The applicant is rehoused by a Registered Provider.

Please note this list is not exhaustive.

When an application is cancelled, we will contact the applicant or their representative at their last notified address to notify them. Where an applicant has been highlighted as vulnerable, the Council will also try to contact the applicant by telephone or visit to check their circumstances before cancelling the application.

Any applicant whose application has been cancelled has the right to ask for a review of the decision. This must be made in writing and within 21 days of the decision and state the reason why they believe the decision should be reviewed.

Where an applicant wishes to re-join the Housing Register at a later date their new date of registration will be the date they re-apply and provide the evidence to support their application.

If it is proven that an official error occurred or the applicant was unable to respond due to exceptional circumstances, we will reinstate the applicant on the register with their original registration date.

7.5 Reinstatement of Applications

Applicants may be reinstated to the Housing Register on submission of written reasons confirming why their application lapsed. Requests will be considered on their merits by the Housing Options Team Leader (Housing Supply).

7.6 Local Connection

Applicants must demonstrate that they have a local connection to be considered for registration on the St Albans Council's Housing Register. For an applicant to be considered as having a local connection to the St Albans Council's district they must qualify under one or more of the following grounds:

- Applicant or joint applicant's usual residency is in St Albans District by the applicant's choice. This must have been for a minimum period of 3 consecutive years immediately prior to applying for housing. Please note applicants without a fixed abode will not be considered to meet the residency requirements.
- The applicant is an existing social housing tenant in St Albans District.
- Applicants with a housing need that can demonstrate a local connection through close family living in St Albans will be considered eligible under special circumstances only. Close family includes parents, brothers, sisters, sons or daughters who are over 18 and they must have lived in the district for the last 10 years immediately prior to the housing application being made.

- Where the Council agrees that there are special circumstances. To qualify for consideration under special circumstances the household need to have a situation that is, for the most part, a set of circumstances that places the household in greater risk of harm and hardship than others in a similar situation already on the St Albans Council's register. It also includes where the Council has accepted the full Part VII housing duty and the person does not fulfil the Part VI local connection. Any approval will be signed off by a manager at Principal Officer level or above.

Please note that applicants who meet the criteria below do not need to demonstrate a local connection to the St Albans District.

- A member of the regular forces or someone who has served in the regular forces within 5 years of the date of applying for housing.
- Has within the last 3 years ceased to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner and that the death was wholly or partly attributable to that service.
- Is currently serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.
- Divorced or separated spouses or civil partners of regular forces personnel who need to move out of accommodation provided by the Ministry of Defence.

7.7 Suitability Test

Not everyone who applies to join the housing register will be accepted. When an application is registered, or while it remains on the housing register the Council may suspend the application or withdraw any offer of accommodation.

Applicants who are not considered suitable will have their application rejected or suspended. We will give due consideration on a case by case basis in the following circumstances:

Applicants have Rent Arrears: If you are a tenant with rent arrears, you will only be accepted onto the Housing Register in special circumstances agreed at Principal Officer level or above.

The Applicant has neglected or caused damage to Property: The applicant and/or member of their household owe a debt to the Council, Registered Provider or Private Landlord from a tenancy or licence agreement, because of damage to the property. Their application will not be accepted until the debt has been paid in full. If the applicant's property is in a seriously neglected condition through the fault of the applicant, the application will not be accepted until the condition of the property is brought up to an acceptable standard or any debt incurred is paid in full. This will include cases where the applicant has carried out unauthorised structural works to their property.

Applicants have received funding for Aids & Adaptations: The applicant has applied for and has been granted funding for aids and adaptations to the property valued at £1,000 or more, or the adaptations were carried out in the previous 5-year period.

Applicants are guilty of causing criminal or Anti-Social Behaviour: The application will be refused if the applicant's and/or a member of their household's behaviour affects their suitability to be a social housing tenant. This will be decided on a case by case basis.

The application will also be refused if any member of the applicant's household has assaulted or harassed an employee or agent of the Council, a Housing Association or a private landlord and this was either:

- Proven by their convictions for an offence which happened during the tenancy; or,
- Backed up by evidence which would have been presented in a court action for possession of the tenancy, if the tenancy had not ended before the court action could be taken.

Active applications

In order to bid for a property through our CBL system, or to receive an offer of accommodation, your application will need to be active. There may be situations where the Council could suspend your application.

Applicants will normally be suspended in the following circumstances:

- **Change of circumstances:** A change of address or a change to the household will require your application to be reviewed. Whilst it is under review your application will be in a suspended status.
- **Current rent arrears:** If you are currently in rent arrears or if your account falls into arrears your application may be suspended. A date will be set to review the situation, however, if you pay the arrears before the review date it is your responsibility to let the Council know.
- **Applicant is held in HM prison:** Applicants will have their applications made inactive until a period of 1 month before their release date, and official confirmation of this date will be required. If they do not have accommodation they may apply as homeless.
- **Applicants are serving Members of HM Forces:** Applications will be made inactive until a period of 3 months before their discharge date, and official confirmation of this date will be required. Those who occupy married quarters will also be required to submit confirmation that they are no longer entitled to occupy the married quarters.
- **Applicant is residing in supported accommodation:** In these cases, applicants will have their application made inactive until confirmation is received that the applicant has completed the necessary support programme and is ready for move on to independent accommodation.

7.8 Exclusions from the housing register or suspending an application

When the Council makes a decision to exclude an application or suspend it, we will give:

- The reasons for making an application inactive or excluding the applicant from the register.
- The date the inactive application will be reviewed.

7.9 Inactive Application/Excluded Applicant Reviews

Applicants have the right to request a review of the decision to make an application inactive or not to accept an applicant onto the register. Please refer to section 25.

8. How to Apply to Join the Housing Register

- 8.1** To apply to join the housing register applicants are required to complete a housing application form online. This can be accessed via the Council's website www.stalbans.gov.uk.
- 8.2** If you have any difficulty completing your application and uploading supporting documentation, please contact the Housing Options Team.
- 8.3** An application may include anyone that may reasonably be expected to live with the applicant as part of their household (See 8.8).
- 8.4** You can only have one application for housing with St Albans either as a main/joint applicant or included as a member of the household in another application.
- 8.5** On receipt of the application form, the Council will aim to assess the application within 4-6 weeks. The Council will request additional information so that the applicant's eligibility, suitability and housing need can be confirmed. The Council will verify the information provided which may include inviting the applicant for an interview at the council offices or conduct a home visit. Please note home visits may be unannounced.
- 8.6** The Council's policy is to ask all applicants and people listed as part of the application form to provide independent documentary proof of the following when assessing their eligibility to join the housing waiting list. For each person on the application, including the applicant(s) the following documents are required:
- Proof of identity - Full birth certificate or passport. Full birth certificates for children included as part of the household.
 - Where applicable passport and/or Home Office letter which shows residency status in the United Kingdom.
 - Marriage certificate (where relevant).
 - Adoption/foster certificate confirming main residency of any children in your application.
 - Proof of address – e.g. tenancy agreement/utility bill.
 - Ownership/financial interest in all other properties either in the United Kingdom or abroad.
 - Proof of income – e.g. benefit letters/wage slips for all adults included in application.
 - Proof of pregnancy (where appropriate).

- Photos of all people on the application that are aged 16 and over.
- Any other documents requested.

8.7 After assessment the Council will contact the applicant confirming:

- Whether the applicant meets the qualifying criteria to register for housing.
- The priority band in which the application has been placed.
- The date that the application was placed in the priority band i.e. the 'priority date'.
- How to have a decision reviewed.

The Council will ensure that advice and information is available free to everyone on how to apply for housing.

Applicants must provide the documents that are requested when completing an application form. If these documents are not received then we may contact you on the methods provided in your application to request these. If the documents are not received within 14 days, then the application will be closed.

Applications will not be registered until all the documentary proof has been received. The registration date will be the date the fully completed form along with all the required documentary proof is received by the Council.

8.8 Who Can be Considered as Part of the Applicant(s) Household?

In most cases only someone who is living with the applicant(s) as part of their household on a permanent basis at the date of registration or children born after registration, can be included in the application.

We assess the size of property you require based on who is included on your application. You can include only members of your immediate family who normally live with you or other people who have an extenuating need to live with you.

You can only include:

- Yourself and your partner.
- Your children or your partner's children, if they are aged under 25 and have lived with you permanently.
- Carer, if you require overnight waking carers as assessed by Adult Care Services. Evidence must be provided and agreed by the Council that this is needed. In these instances, Flexi Care will be considered in the first instance to satisfy an applicant's housing and care needs.

- Dependent children (under 18) joining the household, where it can be proved that the applicant is the sole legal guardian, will be considered as part of the household if they have lived as part of the family for a minimum of 12 months and the child has not been removed out of suitable accommodation where it would be reasonably expected that the child could continue to reside. Where there has been an involvement of Children's Social Services the Council can exercise its right to waive this period.
- Dependent adult relatives who have joined the household because they are unable to live independently may be considered as part of the household. This will generally be because of age, disability or for medical reasons. Such cases may be referred to the Council's independent medical adviser and/or the Council's Housing Review Panel. In these instances, Flexi Care will be considered in the first instance to satisfy an applicant's housing and care needs.
- Immediate family does not include you or your partner's
 - parents or step parents,
 - grandparents,
 - brothers or step brothers,
 - sisters or step sisters,
 - aunts,
 - uncles,
 - grandchildren,
 - nieces,
 - nephews,
 - cousins,
 - friends,
 - lodgers

unless they have an extenuating need to live with you. Non-dependant adults, whether related or unrelated, are generally expected to make their own housing application.

If you have adult children aged 25 or over, or children with their own family, living at home, they may apply to the Housing Register in their own right, but they may have more chance of success in moving to a property in the private sector.

If you are a transfer tenant living in the St Albans district (see 8.12 for definition) that is under occupying and looking to move to smaller accommodation, you may include children aged over 25 if they have always lived as part of your household.

A person can only be included on an application once, either as an applicant or as a member of a household. For example, a person cannot be included as the son/daughter of an applicant and also make their own housing application for housing.

The following household applicants cannot be included in an application:

- Friends, lodgers, sub-tenants and any other adults not listed above wishing to be included in order to share accommodation with the applicant.

- Anyone who has moved into the current property and caused the household to be overcrowded.
- Anyone who does not intend to move to any accommodation offered to the applicant(s) or does not intend to live with them permanently.
- Children that have a permanent place of residence elsewhere and visit the applicant as part of access or shared residency arrangements.

Such people will be disregarded for the purpose of assessing any overcrowding priority and the size of property that the household requires.

8.9 Joint Applications

For a joint application both of the applicants have to qualify for housing.

8.10 Civil Partnerships

Civil partners will have equal treatment with married couples in the Allocations Policy, including:

- Parental responsibility.
- Protection from domestic violence.
- Immigration and nationality purposes.

8.11 Date of Registration

The registration date of an application will be the date the application is completed with all the requested documents provided. As forms are usually completed over the internet, the date that all relevant documentary proof is supplied will be the date of registration.

8.12 Homeseeker/Transfer Applicants

Applicants will be registered as a 'homeseeker' if they are an applicant on the Housing Register or are tenants of Housing Associations outside the St Albans District or Local Authorities outside of the St Albans District.

Applicants will be registered as a Transfer applicant if they hold a tenancy with St Albans Council or have a tenancy for a property within the St Albans District that is owned by a Housing Association.

Please note that applicants applying from intermediate rent, shared ownership, keyworker and London Strategic Housing properties will not be registered as Transfer applicants.

8.13 Right to Move

The Council is committed to providing access to housing accommodation to existing social housing tenants seeking to transfer from another Local Authority district in England who:

- Meet a required priority category because of a need to move to the District to avoid hardship; and

- Need to move because the tenant works in the District, or needs to move to take up an offer of work.
- The Council must be satisfied that the tenant needs, rather than wishes, to move for work related reasons (voluntary work is excluded, however apprenticeships are included). Items to be considered will include:
 - The distance and/or time taken to travel between work and home; (travel time less than 90 minutes will be deemed as acceptable and applicants will not be considered).
 - The availability and affordability of transport, taking into account level of income;
 - The nature of the work and whether similar opportunities are available closer to home;
 - Other personal factors, such as medical conditions and childcare, which would be affected if the tenant could not move;
 - The length of the work contract (more than 12 months and 16 hours or more a week); and
 - Whether failure to move would result in the loss of an opportunity to improve employment circumstances or prospects e.g. by taking up a better job, a promotion or an apprenticeship.

When a tenant has been offered a job and needs to move to take it up, they must be able to demonstrate a genuine intention to take up an offer of work. The Council will need to verify evidence that confirms the intention, which could include:

- A contract of employment;
- Wage/salary slips and/or bank statements (particularly relevant for zero hour contracts);
- Tax and benefit information; and,
- A formal offer letter.

The Council may contact the employer to verify an application at the point of joining the Housing Register and also when considering an offer of a property.

The Council will also provide additional priority to applicants satisfying the above criteria (please see 'Right to Move priority').

The Council will publish the number of allocations to applicants who are successful with the 'Right to Move'. The Council will aim for a minimum of 1% and maximum of 1.5% of annual allocations in the District to be made to applicants who have the 'Right to Move' in line with statutory guidance. This will be reviewed and revised as appropriate.

8.14 Armed Service Personnel

In accordance with the Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 additional priority will be awarded to eligible applicants who can demonstrate that they meet one of the following criteria.

- Is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service
- Formerly served in the regular forces.
- Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and that person's death was attributable (wholly or partly) to that service serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.
- These relevant applicants that have an identified housing need under our Allocations Policy will be awarded additional priority to place the applicant in the next highest band above the band that their assessed circumstances would otherwise warrant (unless in the highest band). This award will be approved at Principal Officer level or above.

8.15 Verification

Applicants must have their circumstances checked if they make a successful bid or are well placed on a shortlist for a property. Applicants will be verified to confirm that the banding that was awarded based on their housing need is correct and that they still qualify for an offer of housing. We may carry out a home visit and this may be unannounced. All applicants will be required to supply the following documents. **Please be aware that these documents must be originals:**

- Proof of identity and residence for all persons included on the application.
- Proof of eligibility. e.g. Home Office letter or passport where applicable.
- Proof of income or benefits.
- Proof of any savings and/or investments and at least 3 months' worth of bank statements for all accounts held.
- Proof of entitlement to reside in the United Kingdom and eligibility for an offer of social housing.
- Proof that a local connection to the District still exists.
- Proof of any medical condition.
- Other proof as considered appropriate by the Council.

For applicants who do not have any settled accommodation we will try to visit at the address/location provided on their application. We may also conduct an interview in the Council Offices.

If the applicant has successfully bid on a property, they will be contacted by telephone or via their CBL portal account. The offer of accommodation is subject to the verification of the applicant's circumstances. If the applicant's circumstances have materially changed or cannot be satisfactorily verified or there is a discrepancy between the information provided and the information we have regarding the application, the offer will be withdrawn, and the application will be suspended.

If the requested verification documents are not submitted within 48 hours of the request, or the applicant is not available or refuses a home visit within 48 hours the applicant will not be considered for the tenancy and the offer will be withdrawn. Should the applicant no longer qualify for an offer or to be included on the Housing Register, they will be notified of the decision and the reasons in writing. The property will be offered to the applicant next on the shortlist. Applicants have the right to ask for a review of the decision. This request must be made in writing within 21 days of receipt of the original decision and must include reasons for requesting the review.

Verification may be carried out by the Council or the relevant Housing Association.

8.16 False Statement and Withholding Information

It is the responsibility of every applicant to provide necessary information and documents that will assist the Council in carrying out enquiries into the housing application.

It is an offence (under Section 171, Housing Act 1996), for an applicant to knowingly or recklessly provide the Council with information that is materially false or deliberately withhold or misrepresent their housing circumstances.

The Council will consider legal proceedings against the applicant and support any application by a landlord to gain possession of accommodation gained by providing false or withholding information that may have affected an applicant's priority on the Housing Register.

Please note that we do carry out verification checks on the information you provide with other agencies, housing providers, and credit checking agencies and any inconsistencies will result in an application being suspended whilst an investigation is carried out. No further offers will be made while the application is suspended and if you are under offer for a property this may be withdrawn.

8.17 Deliberately Worsening Circumstances

If the Council is satisfied that an applicant has worsened their circumstances they will be assessed based on their circumstances before the situation changed. If they did not have an identified housing need prior to their change in circumstances then their application will be cancelled. It may include the following:

- An applicant moving from accommodation that was available for their occupation that was suitable or more suitable for them than the accommodation they have moved into and which it was reasonable for them to continue to occupy.

- Homeowners who have transferred their property to another family member within the last 10 years from the date of application.
- Applicants who have disposed of or deprived themselves of assets which reasonably could have been used to secure housing within the last five years from the date of application.
- Applicants who have moved family members or others into a property unsuitable for their needs when suitable accommodation was being occupied by them elsewhere.

9. Assessment of Housing Need

All applicants aged under 60 years of age must have an identified housing need and Local Connection (as defined in 7.6) to register for housing. This is due to the limited supply of affordable housing and the unrealistic expectations raised by registering applicants that do not have an identified housing need. Applicants will be placed in a housing needs band between A and D. Applicants that do not have an identified housing need will be able to access housing advice from the Housing Options Team.

Single applicants or couples aged 60 and over with a local connection to the St Albans district but without a housing need will be placed in Band E. This band will be for those aged 60 and over without an identified housing need applying for sheltered and age restricted housing only

All applicants will be placed in a housing needs band following an assessment of their household's needs. Documentary proof will be required and if not provided within the requested timescales, the application will not be processed.

The Council will work with the applicant, their advocates and our partner agencies to provide this advice and assistance.

Applicants registered for housing must be prepared to make bids within the CBL scheme and make appropriate choices in the context of the local social housing availability within the district and balance this against the urgency of their own situation.

9.1 Housing Needs Bands

Applicants will be placed in one of four priority housing needs bands. Applicants in Band A will have the highest priority, applicants in Band D the lowest priority. If an applicant is applying for sheltered or age restricted accommodation, they will be placed into Bands A-E.

The assessment will be made in order to meet the requirements of the Housing Act (1996) as amended by the Homelessness Act (2002) and other government guidance whilst making best use of the housing nominations being made available to the Council including nominations to a RSL or other housing provider. Properties will be offered to applicants based on the following priorities:

1. Property Eligibility – does the applicant meet the requirement for the property as outlined in the advert including bedroom entitlement.

2. Priority Banding
3. Priority date (when registration into the current priority band took place).

Adapted properties advertised will be matched with applicants who need that type of adapted property whenever possible.

There is a very severe shortage of Council and Housing Association homes in St Albans District and all applicants are advised to consider other housing options.

For some properties a Local Letting Scheme will be in place and properties will be offered to applicants based on the priorities of that scheme (see section 10.5).

The examples given below are given only as a guide.

Priority Band	Description of housing need
	Applicants will be placed in Band A in circumstances where the applicant's current property poses a significant risk to life or health, and immediate re- housing is required. Applicants in Band A will be offered time-limited bidding and/or a direct let. All Band A applications will need to be verified before their application is made live
Band A	<p>Over-riding Medical Need</p> <p>Applicants with an over-riding medical priority awarded by the Local Authority. The Council may consult an independent medical adviser but the final decision rests with the Council. The applicant's medical condition will be such that it is being so severely and adversely affected by their current housing situation as to warrant an emergency move. This property may be agreed at the Housing Review Panel or by at least two of the senior management team.</p>
	<p>Over-riding Social/Welfare Need</p> <p>Applicants with an over-riding social/welfare priority. The applicant's social/welfare needs will be such that those needs are being so severely and adversely affected by the current housing situation as to warrant an emergency move. This priority may be agreed at the Housing Review Panel or by at least two of the senior management team.</p>
	<p>Imminent Danger</p> <p>Applicants needing to move urgently where there is a serious imminent personal risk if they remain. This will be where there is a threat of death or injury. This will need to be supported by corroborating evidence from the Police. This priority may be agreed at the Housing Review Panel or by at least two of the senior management team.</p>
	<p>Transfer tenants moving from 3 bedrooms or larger to 1-bedroom accommodation.</p>

	<p>Applicant succeeding to a Tenancy Where an applicant has succession rights to a tenancy after the death of a tenant, the applicant may be required to move to alternative housing in line with their assessed housing needs. In processing requests for succession to a tenancy the Council recognises civil partnerships as conveying legal rights and recognition of a relation for same sex couples. Time limited bidding and/or a direct offer may be made.</p>
	<p>Releasing a property in need - Applicant releasing an adapted property The property has major adaptations, and there is a current need for a property with that adaptation. Whether the property is considered to have major adaptations is decided by the Aids and Adaptations team</p>
<p>Applicants placed in Band B are deemed to need re-housing urgently. Applicants in the following situations and circumstances will be placed in this band.</p>	
Band B	<p>Applicants suffering from harassment All cases of harassment will, in the first instance, be dealt with through the respective landlords' Harassment or Anti-Social Behaviour Policy.</p> <p>A recommendation for transfer can be made by the applicant's social landlord or through the SADC's Community Safety Team.</p> <p>Where this priority refers to a transfer (Council and Housing Association tenants living in St Albans District) and the applicant is the victim of anti-social behaviour, this will be a property of a size that is appropriate for the applicant's housing need.</p>
	<p>Homeless households (Main homelessness duty owed) A statutory duty is owed where the authority is satisfied that the applicant qualifies for assistance, falls within a specified priority need group, is unintentionally homeless, and has a local connection with the authority (except where fleeing violence or harassment). A direct offer will be made. This offer can be an offer of a privately rented property.</p>
	<p>Urgent Medical Need Applicants with an urgent medical priority awarded by the Local Authority. The Council may consult an independent medical adviser but the final decision rests with the Council. This includes cases where the applicant's medical condition will be such that adaptations are required at the current property but the need to carry out adaptations could be avoided or reduced by a move to more suitable accommodation. This will be approved by two members of the senior management team or one member of the senior management team and one Housing Options Team Leader.</p>
	<p>Urgent Social/Welfare Need The applicant's social/welfare needs will be such that, should the applicant be moved to a more appropriate property, this will be improved by alternative accommodation. This will be approved by two members of the senior management team or one member of the senior management team and one Housing Options Team Leader.</p>

	<p>Nominations and Move-on Arrangements Applicants referred to St Albans District Council under arrangements with certain referral agencies. These applicants will be made one offer of accommodation and will not be able to place bids themselves once they have been approved for Move On.</p>
	<p>Transfer tenants that are under occupying 2-bedroom accommodation and moving to 1-bedroom accommodation or transfer tenants that are under occupying and moving in line with their housing need to accommodation larger than 1 bedroom, e.g. 4 bed to 2 bed or 3 bed to 2 bed.</p>
	<p>Applicants with composite housing needs from Band C This band also recognises applicants with a composite housing need. To qualify to move to Band B, an applicant should be assessed as having a high medical need or have two or more bedrooms lacking plus at least one other factor from the list under Band C.</p>
<p>Applicants placed in Band C are deemed to have a high need to move. Applicants in the following situations and circumstances will be placed in this band.</p>	
Band C	<p>High Medical Need Applicants with a high medical priority awarded by the Local Authority. The Council may consult an independent medical adviser but the final decision rests with the Council. The applicant's current accommodation will be deemed as not appropriate for their medical needs.</p>
	<p>High Social/Welfare Need Applicants with a high social/welfare priority awarded by the Local Authority. The applicant's current accommodation will be deemed as not appropriate for their social/welfare needs. Priority awarded by at least one member of the senior management team.</p>
	<p>Applicant is assessed as lacking two or more bedrooms</p>
	<p>Applicants releasing a 1-bedroom general needs property (only Council or Housing Association tenants living in St Albans District) An applicant releasing a 1-bedroom general needs property will be placed in Band C if they require sheltered accommodation or elderly designated accommodation only.</p>
	<p>Applicants with composite housing needs from Band D This band also recognises applicants with a composite housing need. To qualify to move to Band C an applicant should be assessed as having either recognised medical need or lacking one bedroom plus at least one other factor from the list under Band D.</p>
<p>Applicants placed in Band D are deemed to have a recognised need to move. Applicants in the following situations and circumstances will be placed in this band.</p>	
Band D	<p>Recognised Medical Need Applicants with a recognised medical priority awarded by the Local Authority. The Council may consult an independent medical adviser but the final decision rests with the Council.</p>

	<p>Recognised Social/Welfare Need Applicants with a recognised level of social or welfare need as assessed by the Local Authority.</p>
	<p>Financial Hardship Applicants will be awarded Band D priority where the Local Authority deems a move would help address exceptional financial hardship. Where an applicant feels they will qualify for Band D priority due to exceptional financial hardship, they should approach the Local Authority for further guidance. In order to assess this, applicants will need to complete a financial disclosure form.</p>
	<p>Reasonable Preference This category includes other homeless applicants who are not owed a full duty under Part VII of The Housing Act 1996, but are owed a prevention or a relief duty in accordance with the Homelessness Reduction Act 2017.</p>
	<p>Unsatisfactory Conditions Applicants will be awarded Band D priority where it is determined by the Local Authority that they are living in unsatisfactory conditions. This will have to be assessed by the Housing Department.</p>
	<p>Applicants lacking one bedroom This includes applicants that apply from 1-bedroom accommodation with a child under 2.</p>
	<p>Applicants who need to move to a particular area in the District due to work, where failure to meet that need would cause hardship, and they meet the qualification criteria for Right to Move.</p>
	<p>Assisted private sector housing where a household has been either on or eligible for the housing register and have been assisted by the Council by way of the Council's Private Rented Sector access scheme, the household be allowed to remain on the housing register for up to 2 years from the date the tenancy started.</p>
	<p>Insecure accommodation Applicants who have been housed with immediate family members for more than 5 years in the district, but where the applicant's continued residence in the property is unstable. This will be provisional on the family members agreeing to allow the applicant to remain in the property for more than 6 months.</p>
<p>Applicants placed in Band E are not deemed to have an identified need to move. Applicants in the following situations and circumstances will be placed in this band.</p>	
Band E	<p>Applicants aged 60 and over with a local connection but without an identified need that are applying for sheltered or age restricted housing (60 years and over).</p>

9.2 Appropriate use of bedrooms

The assessment of overcrowding in an applicant's home, whether they are the tenant or just a permitted occupant, will be based on the best use of bedrooms in the property. This will be assessed by the Council when assessing your housing application. This may mean that an applicant is expected to use a smaller bedroom in favour of their dependent children residing in a larger bedroom. In considering this, the Council will consider the bed spaces required in the household, and the bedrooms and size of bedrooms available for the household to use.

9.3 Time limited bidding

All priority Band A (Emergency Need) cases and some categories of priority Band B (does not apply to under occupying social housing tenants living in the St Albans District area) will be subject to time-limited bidding and/or direct lets. Applicants offered time limited bids will be given a period of time in which to place their own bids before we review their case. In determining the timescales given to bid we will consider the individual merits of the case. This acknowledges the urgency of the situation, both for the applicant and for the Council. All cases will be monitored closely throughout this period. After 4 cycles each case will be reviewed on its own merits, and a decision will be made as to whether:

- The applicant should lose their emergency status if the circumstances under which they were placed in band no longer apply and they should be reassessed and placed in a lower band.
- The Council should allow the applicant to remain in the band until a further review.
- The Council should make one direct offer of accommodation before re-assessing the applicant and placing in a lower priority band.

During the initial period applicants will be expected to bid for any suitable advertised properties. The Council will monitor this and if applicants do not make bids on properties the Council considers suitable, the Council will make bids on the applicant's behalf during the initial period if the applicant has not. If applicants require help with bidding they should request supported bidding by contacting the Housing Options Team.

Applicants must consider different property types (houses or flats) from those they currently occupy. This means that applicants will sometimes need to compromise on their ideal choice of housing in order to achieve the urgent move they need. It will not always be possible to meet all their aspirations within the time available.

In conducting the review, the Council will take into consideration the questions posed below.

- Have there been any properties advertised that would have met the applicant's need?
- If so, have they bid for them?
- Why have they been unsuccessful?
- Do they have a specific need for a property that has not been available and no other property will resolve their housing need? For example, do they have a disability and need a ground floor property in a specific area so they can get family support?
- Have they received appropriate support and help in accessing the Choice Based Letting scheme?
- Have the applicant's circumstances remained the same?

- Is the applicant holding out for something that is unlikely to become available in a reasonable timescale, even though their need could be resolved by a more readily available property?

If the Council decides not to extend the period for bidding, the Council will make a final offer by making a bid on behalf of the applicant and, if successful, offer the property to them. If the applicant refuses this offer they will be moved to a lower priority band. **The Council can discharge its housing duty to homeless applicants if they do not accept their final offer.**

9.4 Accepted Homeless Households

Where the Council accepts a duty to rehouse a homeless household they will be made a direct offer of accommodation. This means that once an applicant has had their case approved they will no longer be able to place bids through the CBL system. One offer of accommodation will be made to the applicant which may be a direct offer and may be the result of an assisted bid placed on their behalf. If an applicant is unhappy with the offer then they have the right to request a review. See section 27.

Please note that if you are a household with one child under 2 then your direct offer may be to a 1-bedroom property or a 2-bedroom property.

Accepted homeless households may also be offered a property in the private rented sector. These tenancies will be for a minimum for 12 months.

Applicants will generally be offered accommodation in the order of their priority date within band and bedroom requirements. However, there may be exceptions to this depending on the requirements of the applicant and the suitability of accommodation.

10. How the Council Allocates Accommodation

The Council allocates accommodation via a Choice Based Lettings scheme. Applicants' housing priority will be assessed and applicants will be placed in a priority band A – D (unless aged 60 and over applying for properties that are sheltered or restricted for those aged 60 and over – these applicants will be placed in Bands A-E). Within the priority bands, the length of time an applicant has been waiting will be the deciding factor in determining who is rehoused unless a local lettings policy applies when the priority will be determined by the local lettings policy.

We advertise available properties, inviting applicants to bid for them. By “bid” we simply mean apply for the property.

A proportion of properties will be prioritised for transfer applicants. This in turn creates vacancies which are advertised.

Up to 50% of 3 bed properties will be prioritised for transfer applicants (see 8.12). Of this 50% of prioritised for transfers, up to half will be advertised for transfer applicants (see 8.12) in Band D.

Up to 25% of 2-bedroom properties will be prioritised for transfer applicants. Of this 25%, up to half will be prioritised for Band D transfer applicants only (see 8.12).

The Council will also prioritise up to 20% of 2-bedroom properties for applicants that are in Bands C and D. This offers applicants in these reasonable preference groups the opportunity to secure accommodation. This is applicable for both homeseekers and transfer applicants.

Up to 10% of properties will be prioritised for applicants who are in employment. Applicants will need to demonstrate that they are currently employed and have been employed on a permanent basis for a minimum of 12 months in the District, working 16 hours or more a week. Consideration will also be given to those on zero hours contracts. **In special circumstances the Council will give consideration to those who are unable to work.**

Additionally, some of the properties may be advertised for a particular group of applicants. This will be done in order to achieve best use of the housing stock or to comply with planning conditions. Examples include properties where there are disabled adaptations, larger 3-bedroom, 2 living room properties, supported housing schemes, sheltered housing, elderly designated properties and properties where a local lettings policy applies. This list is not exhaustive. Any criteria will be listed within the advert.

Where the property advertised is a Housing Association property any offer will be subject to the applicant meeting the Allocations Policy of the Housing Association.

10.1 Bid Types

The majority of bids will be made by the applicant. However, in certain circumstances the following may apply:

Auto bidding – There may be a number of reasons why an application might have auto bid applied to their application. Auto bidding is where the Council will bid on behalf of the applicant.

An applicant may be vulnerable and have no third party identified to assist them. It also usually applies to applicants in band A or B. For homeless cases this will count as a final offer and for succession cases this will count as a formal offer.

The Council will update the CBL system to enable automatic bids to be placed upon the applicant's behalf.

Approved bidding – This will apply for sensitive cases. The applicant may still bid themselves but the Council will need to approve the bid as suitable.

If you wish us to discuss your application with third parties we will need your signed agreement in order for us to disclose or accept information from your advocate.

10.2 Direct Lets

Direct Lets may apply in the following circumstances:

- Extra care or flexi care properties.
- If a property is needed to house someone in council property temporarily.
- In some cases where someone has to be moved immediately.

- In the case of a specially adapted property which is particularly suitable for a particular applicant or where a property has been identified as being suitable for an extension or adaptation decants (where the Council needs tenants to move).
- If there is no alternative temporary accommodation available and the Council would be breaching their duty.
- Allocations to ground floor sheltered and elderly designated accommodation given to current tenants, living on an upper floor, within the same block, who have a medical/mobility need for ground floor accommodation.
- Accepted homeless households.
- Applicants aged 60 and over who fall into a priority need category under Homeless legislation may be made a direct offer into one of our sheltered schemes as part of our Homelessness Prevention initiative.
- Households accepted as being homeless and being owed the main homeless duty (section 193). Where the applicant meets all criteria for a full housing duty, and where swift intervention is necessary to avoid hardship, a direct let can also be made to a homeless household during the relief duty (section 189B).
- Applicants nominated through any Housing First project.

Direct Lets will not always be part of the CBL scheme and will be approved by a member of the Senior Management Team.

10.3 Applicants subject to Multi-Agency Public Protection Arrangements

Housing applications received from the Multi Agency Public Protection Panel will be considered by the Housing Review Panel.

10.4 Applicants who require an adapted property or other special requirement

Where an applicant has been assessed as requiring a specific size, type or adapted property, they will be placed in the appropriate priority band. This assessment may take into consideration recommendations from the Council's independent medical advisor. In some cases, the applicant may be offered a direct let. Where the Council has identified a shortage of suitable properties for applicants with special requirements on the housing register, the Council will consider creating a 'chain move'.

This is where the Council matches the applicant with a special requirement need, with a Registered Provider who has identified an applicant with an adapted property who has applied for a transfer. This is different from a Mutual Exchange whereby all applicants have a property to offer in the exchange.

Occasionally a property will be substantially adapted to make it suitable for applicants with a disability. In these cases, priority will be given to bidders with an identified need for this type of property, providing that they are in Bands A–C. Some ground floor properties will be advertised with a preference for applicants within Bands A-C who require this on medical grounds.

10.5 Local Lettings Policy

The Council, in partnership with other Registered Providers, may produce a local letting policy. These policies will outline any specific local letting initiatives for the neighbourhood taking into account supply and demand and other management factors. Rural exception sites will be subject to permanent local lettings policies. Other local letting policies are normally short-term measures put in place to address specific local issues. These can include dealing with community sustainable issues such as:

- Increasing the number of people in employment.
- Training.
- Reducing child density and anti-social behaviour on estates.

Local lettings policies may therefore override the 'rules of choice and the Council's normal letting policy' in specific neighbourhoods, in villages or on local housing estates and over specific periods of time. Examples include properties that may have criteria based on age or household composition to address specific local issues or may override occupancy level agreements and demand issues to address local management or supply.

Local letting policies will be by definition dynamic documents monitored against and developed in line with changing situations and demands.

Copies of local letting policies will be available from the Council and the Registered Provider.

The Council, in these circumstances, will ensure that their local lettings policies do not discriminate, directly or indirectly, on racial or other equality grounds. Local lettings policies will normally apply to new developments where over 10 affordable homes will be provided.

10.6 Move on and Leaving Care

The Council will have some agreements with organisations that provide specialist housing. These organisations deal in particular with vulnerable homeless applicants or young people leaving care who may require move on accommodation usually for single applicants. The Council will try to house an agreed number of applicants nominated from these organisations each year.

10.7 Management Priority

There are occasions when the Council must house applicants outside our normal procedure. When requested, supporting evidence from other agencies such as police, Adult Social Care or Children Schools and Families and other groups is essential to achieve a management decision. Evidence of this nature needs to be countersigned by a Senior Manager.

Management Priority moves will be dealt with on a case by case basis. Cases that will be considered for management priority decisions include:

- Decants (where the Council needs tenants to move).
- Nominations received from the National Witness Mobility Scheme.
- Households who need to move for emergency reasons not covered in the bands.
- Cases referred through Multi-Agency Public Protection (MAPP).

In view of the urgency involved with Management priority offers, one reasonable direct offer of suitable accommodation may be made by the Council. This may include the offer of a like for like property.

All Management Priority applications will need to be verified before their application is made live

10.8 Assessed Bedroom Need

The table below indicates the size and number of bedrooms that an applicant can bid for.

When calculating bedroom entitlement the following rules will apply.

Two children of the same sex are assessed as needing one bedroom regardless of their ages. Two children of opposite sexes are assessed as needing one bedroom until one reaches the age of ten.

Current Table of Bedroom Eligibility

Household Size	
Single Applicant	Bedsit-Studio or One bedroom
Single Applicant with staying access to 1 child	Bedsit-Studio or One bedroom
Single Applicant with staying access to 2 children	One bedroom
Couple without children	One bedroom
Parent/s with one child under 2	One bedroom or Two bedrooms
Parent/s with one child aged 2 or above. Parent/s with 2 children under 2	Two bedrooms
Parent/s with 2 children of the same sex. Parents with two children of opposite sexes where both are under 10 years	Two bedrooms
Parent/s with 2 children of opposite sexes where one is over the age of 10	Three bedrooms
Parent/s with 3 children	Three bedrooms
Parent/s with 4 or more children Parent/s with 4 children depending on age and sex (2 same sex sharing / opposite sexes sharing up to 10 years.)	Three or Four bedrooms using the eligibility rules outlined above.
Parent/s with 5 or more children	Four bedrooms or larger Three bedrooms with dining room and lounge.

All properties that are advertised through the CBL scheme will be clearly labelled to identify the size of property that an applicant can bid for.

Unborn Child

An unborn child does not count as part of an applicant's household.

10.9 Proof of Access to Children

The Council will check to make sure that access does take place and will need to see proof. Such proof could include a letter from the separated (other) parent. This is not normally considered enough on its own, as the proof should be independent, therefore the Council will seek further supporting evidence such as a Solicitor's letter or Court papers as it deems appropriate or make appropriate enquiries.

Where an applicant has staying contact with children for less than 50% of the time, the children will not be counted as part of the applicant's household when assessing bedroom requirements.

Where two applicants have equal staying contact with children, evidence as to the child's main and principal home is required when assessing bedroom requirements. There is an extreme shortage of housing in St Albans and it is not possible to provide accommodation where children are not permanently resident and they will not be included if we are not satisfied that they are a permanent member of the household.

10.10 Medical Need for an extra bedroom or alternative accommodation

If the applicant feels that there is a medical need for an extra bedroom, or alternative suitable accommodation, this will be considered by the Council. The Council will seek supporting evidence from the applicant that there is a need for an extra bedroom or alternative accommodation. The Council may refer this information to an independent Medical Adviser and, in these cases, they will assess the information provided in the application and supporting information provided by professional third parties such as Social Services, Occupational Therapists, and medical consultants.

Any decision to allow an extra room will be made at Principal Officer level or above.

The final decision will be made by the Council taking into account all information available to it. This may over-ride the usual rules about bedroom eligibility.

10.11 Extra room for Carers (care workers)

It will be expected that the relevant services at Hertfordshire County Council should provide supporting evidence that a 'live in' carer is needed, and that if the support was not given voluntarily or paid for by the client they would qualify for funding for a 'live in' carer.

In the first instance these applicants will be considered for Flexi Care schemes within the District. These schemes assist with independent living and have care arrangements in place for residents.

Where applicants cannot be considered for Flexi Care and the Council agree that an extra bedroom is needed on medical grounds, only one extra bedroom for a carer will be considered. Extra rooms for a carer's dependants cannot be considered.

A full-time carer will only be included in the application when it can be demonstrated that a live-in carer is essential on a 24 hour, daily and continuing basis and this is agreed by the Council. Any decision to allow an extra room will be made at Principal Officer level or above.

11 Choosing Where You Want to Live

11.1 How to Bid

Applicants can bid for any property that is of the appropriate size in accordance with their assessed need and that they meet the advert criteria for. Bidding is simple, it can be done either online or by requesting auto bid is activated on an accepted application. In this situation, bids will be automatically placed, based upon an applicant's area of preference and housing need.

New properties are advertised every week with a closing date for bids clearly shown. Bids must be submitted before the closing date, which will be highlighted on the property advert.

Each available property will have a short description that will include the number of bedrooms, floor level, rent, location of the property and information about facilities in the property and its neighbourhood. Applicants must make sure they meet the criteria noted on the advert otherwise they will not be considered for the property.

The Council cannot guarantee precisely when an applicant will be successful in their bid, as this will depend on the type and location of the property they bid for, whether they have reasonable or additional preference and the number of applicants bidding for the property.

11.2 Viewings

After bidding closes, the Council will look at the shortlists for the properties that have been advertised.

Applicants are reminded that they must provide up to date contact details. If we are unable to contact a successful applicant within 48 hours, then the property will be offered to the next applicant on the shortlist. Applicants must also make an appointment for a viewing within 24 hours otherwise the property will be offered to the next person on the shortlist.

The purpose of viewing the property is to see the internal and external features of the property and seek any further clarification from the landlord regarding the property. The applicant that has been shortlisted for a property will not be considered for any other properties whilst they are under offer.

The applicant at the top of the shortlist will normally be given 24 hours after viewing a property and receiving a verbal offer of a tenancy, to accept or refuse the offer. If the offer is refused the person next on the shortlist will be offered the property. We may also arrange multiple viewings for a property.

Some applicants may require longer than others to make a decision about accepting a property. These will be considered on a case by case basis and a time scale agreed between the applicant and the Council.

In exceptional circumstances the Council's Head of Housing may approve a decision not to offer a property to the applicant at the top of a shortlist if in doing so the offer could put a vulnerable person at risk of any harm. Any such decisions will be given to the applicant in writing.

11.3 Accepting Offers

Once the applicant has been verified, they will receive a formal offer for the property or be nominated to the Registered Provider. During the period after acceptance of an offer or nomination and before tenancy sign up, the CBL system will not allow the applicant to be considered for other properties.

The landlord of the property will start the tenancy on any day of the week. In some cases, there may be a delay between acceptance of an offer and commencement of tenancy e.g. new properties awaiting final handover, properties undergoing maintenance.

11.4 Withdrawal of Offers

In the following very exceptional circumstances, the landlord may withdraw an offer of accommodation:

- Where there has been a change in the applicant's circumstances.
- Following verification, the applicant does not qualify for the property.
- Where an error has been made in the advertising criteria.
- Where an offer of accommodation could put a vulnerable applicant at risk of any harm.

- Where the applicant does not meet a specific Letting Policy of the landlord.

This list is not exhaustive.

11.5 Refusing an Offer of Accommodation

If an applicant refuses an offer of accommodation made, they will remain in their housing needs band (subject to the conditions in 9.2 and 9.3).

12. Financial Assessment

All applicants will be asked about their financial circumstances as part of the verification process. We may use a credit checking agency to verify details and as part of our policy to prevent/detect fraud, share information with other departments within the Council and other Housing Providers. By completing the Housing Register declaration and consent form you will be giving your consent for this. If an applicant's financial situation is such that they are deemed to have sufficient financial resources to resolve their own housing need they will be excluded from the housing register.

An applicant who has sufficient resources to resolve their own housing need, either through renting or buying a suitable property, (whether on the open market or through one of the low-cost home ownership schemes) or by any other means, will normally not be allowed onto the housing register. In making this decision we will take into account any equity outstanding from the sale of a property, income, investment income and current property value (for homeowners). This list is not exhaustive but gives an indication of what will be taken into account in the financial assessment. Applicants can request a review of this decision. Please note that we will disregard any sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active service.

The Gross Household Income Limits are:

1 Bed Property	£36,295
2 Bed Property	£48,173
3 Bed Property	£56,152
4 Bed Property	£69,608

These income limits have taken into account the average market rent in the St Albans district. The amounts permitted reflect gross household income, including adult children aged 18 and over that are included as part of the application.

These income limits will be reviewed on an annual basis. Household Income Limits are updated in April each year in line with the previous September's RPI figure.

Applicants with savings over £16,000 will not qualify to register for housing except in exceptional circumstances. These decisions will be taken at Principal Officer level or above.

If you apply to the Housing Register and you own, or part own, a property then your application will not be accepted onto the housing register unless there are very exceptional circumstances. The decision to allow a property owner onto the Housing Register will be made by officers at Principal Officer level or above.

13. Medical Grounds

Where an applicant requests priority based on a medical condition, this will only be taken into account where the medical condition is being made worse by the accommodation that the applicant resides in or would be improved by a move to more appropriate accommodation.

Where an applicant or member of their household has a medical condition or disability that is affected by their housing circumstances, they will be asked to submit supporting evidence. Applicants need to state how their medical condition will be improved or alleviated by a move to alternative accommodation. This will usually be considered along with any other medical reports or occupational therapy reports and may be referred to the Council's Medical Adviser. If requested the Medical Adviser will advise on the relative medical priority of the household and any other re-housing needs, such as a need for ground floor accommodation for consideration by the Council. The

Medical Adviser's recommendation will be considered by the Council. The Council will make the final decision as to whether or not medical priority will be awarded. Some applicants may be considered for bungalows if it is considered that this type of property is suitable for them even if they do not meet the age criteria. These decisions will be made at Housing Review Panel and will usually be in the case of wheelchair adapted bungalows where it is hard to meet this need within the general needs stock.

The 'priority date' awarded under Medical Grounds is the date of which the original medical information was received by the Council, for which you received additional priority. For more information relating to 'priority dates', please see section 20.

Applicants can request a review of their medical priority. Whilst the Council may seek the opinion of a medical expert in determining whether priority will be awarded, the final decision remains with the Council.

Following the outcome of that review the Council will not undertake any further assessment for 12 months unless there is a significant change in circumstances. If a further assessment is undertaken and the person's health has improved this may result in the priority award being reduced or removed.

The Medical Adviser may make recommendations for a particular property type. Applicants must make appropriate bids or request for auto bidding to be applied to ensure appropriate bids are placed. Bids for properties that do not meet the medical recommendations made will not be considered.

14. Support/Care Needs

It is essential to assess any support and care needs for applicants with approved medical priority. The Council may liaise with relevant agencies, as necessary, to ensure the allocation of appropriate accommodation. The Council will also consider whether the applicant or member of their household needs would be better served by the applicant remaining in their current accommodation and, if appropriate, an application for aids and adaptations can be made.

15. Sheltered Housing and age restricted properties

For sheltered accommodation usually only applicants aged 60 years of age and over will be considered, but applicants with physical/learning disabilities who are suitable for and would benefit from sheltered accommodation will also be considered. Where a joint application is made, these will be considered where one applicant is aged 60 or over and the other is aged 50 or over. Some properties are restricted for older applicants. The age restriction will be clearly stated in the advert.

Sheltered housing will only be available to householders who require the level of support offered in this type of accommodation. Applicants for sheltered housing will be subject to an assessment by the Council to establish the prospective applicant's support needs.

Priority for allocations to ground floor sheltered and elderly designated accommodation will be given to current tenants on the transfer list, living on an upper floor, within the same block, who have a medical/mobility need for ground floor accommodation. This will be done via a direct let. Allocations thereafter will be allocated based on individual need. This will then free up a property for an applicant via CBL.

If the assessment indicates that the applicant requires a higher level of support than can be provided by sheltered housing, the applicant will be advised of this and referred to Adult Care Services and where appropriate, considered for extra care or flexi care schemes.

16. Bungalows

Bungalows are primarily for applicants who are aged 60 years and over or for social housing tenants living in the St Albans District who are aged 50 years and over and are currently under occupying a Council or Registered Provider home.

However, some applicants (Bands A-C) below the ages listed above, who have a medical priority will be considered for bungalows. All applicants not meeting the age restriction will need to be approved by the Housing Review Panel to bid on bungalows.

17. Under-Occupiers

In order to make the best use of our Council stock we will place social housing tenants living in the St Albans district that are under occupying 3- and 4-bedroom accommodation and looking to move into 1-bedroom accommodation into Band A. All other social tenant under occupiers living in the district will be placed in Band B. St Albans Council tenants who under occupy and who move to accommodation with fewer bedrooms from two bedrooms or larger may qualify for the Tenant's Incentive Scheme. Under occupiers who are aged 50 and over are able to apply for bungalows.

18. Social and Welfare Needs

Priority may be awarded under social and welfare grounds where there is an identified housing need not addressed in the banding assessment criteria.

The term "welfare" is intended to encompass not only care or support needs, but also other social needs which do not require ongoing care and support.

19. Allocations to Staff, Council Members and Families

Members of staff, their close family and elected members who require housing through the Council may apply for housing in the same way as other applicants. Their status should be disclosed on the application form at the time of applying. Failure to disclose this may result in an application being suspended while investigations are undertaken.

If an applicant who is a member of staff, elected member or a member of their direct family, makes a successful bid for a property, the Head of Housing will be informed and must approve the shortlist letting prior to the formal offer being made. If the Head of Housing is not available an officer with delegated authority or a member of the senior management team must approve the shortlist.

20. Priority Date

The 'priority date' is the date that an applicant was placed into their priority band. For some applicants their priority date will be the original date of application. If there are any significant changes in the circumstances of an applicant that may require changes in their priority or bedroom requirements, their priority date will change. However, for homeless applicants, the priority date will be the date the Council accepts statutory duty to re-house the applicant.

Where two applicants are placed first and second on the shortlist for a particular property, are in the same priority band and have the same priority date, the property will be offered to the applicant for whom the Housing Options Team Leader (Supply) considers the property most suitable.

Any property belonging to Registered Provider may hold additional criteria. For details you should refer to the policy of the specific Registered Provider.

21. Change of Circumstances

All applicants must update their online application form with details of any changes in the information provided. Some changes in circumstances will mean that the application will be suspended, this is because it could affect applicant's priority or eligibility for an offer. Examples of change of circumstances are detailed below, although this list is not exhaustive:

- Household members leaving the household.
- Relationship breakdown.
- Change to the medical circumstances of anyone included in the application.
- Death of a joint applicant.
- Change of address or contact number.
- Change in medical condition.
- If there is a change in immigration status.
- If anybody included as part of the application receives a criminal conviction.
- If there is an increase in the number of people in the household, e.g. birth of a child

Applications may be suspended whilst the Council assesses the information provided by the applicant and completes any further enquiries that may be necessary.

Please note that if an applicant comes up for an offer and their circumstances have changed and we have not been notified then this could result in the application being cancelled or suspended and any offer of accommodation being withdrawn.

22. Tenancy Management outside the scope of CBL

The following tenancy management areas fall outside of Part 6 of the Housing Act 1996 and will be managed by Registered Providers:

- Mutual exchanges.
- Persons transferring from introductory to secure tenancy in the same property.
- Where a secure tenancy is assigned by way of succession to the same property.
- Where a secure tenancy is assigned to someone who would be qualified to succeed to that tenancy if the secure tenant died immediately before the assignment.
- Transfers that a landlord initiates for management purposes.
- In the cases of joint tenants where there is a relationship breakdown and a decision is taken to create a new tenancy for one tenant.

- Where court orders are made under one of the following:
 - Section 24 of the Matrimonial Causes Act 1973,
 - Section 17 (1) of the Matrimonial and Family Proceedings Act 1984,
 - Paragraph 1 of schedule 1 to the Children Act 1989.

23. Right to Information

An applicant has the right to:

- Request general information that will enable the applicant to assess how their application is likely to be treated under the scheme and whether accommodation appropriate to their needs is likely to be made available.
- Be notified in writing of any decision about whether the applicant is suitable to be a tenant of the Council.

24. Data Protection

When an applicant applies for housing, the Council will seek only information that they require to assess the applicant's housing need. The Council is processing the personal data you provide to comply with its legal obligation, therefore processing is in accordance with Article 6 (1) (c) of General Data Protection Regulation ("GDPR").

If you are providing us with special category personal information (such as details about your health) we will be processing this under Art. 9(2) of GDPR. If you are providing us with criminal conviction personal information we will be processing this under Art.10 of GDPR.

We will use the data you have supplied for the purposes of your housing application. The Privacy Notice for Housing Applications details how the Council will use the personal data, who this data will be shared with and how we will store your personal data.

Your personal data will be treated in accordance with the Council's GDPR Personal Data Policy, the General Data Protection Regulation and Data Protection Act 2018

25. Decisions and Reviews

Decisions under the Allocation Scheme may be taken by officers of the Council who have been given appropriate delegated authority by the Head of Housing. Any discretion shown in the Allocation Scheme as belonging to the Head of Housing may also be exercised by officers of the Council with appropriate delegated authority. Members of the Council (also known as Councillors) do not make decisions on individual applications under the Allocation Scheme, whether or not they fall into a category prevented by regulation from doing so.

The Council will conduct allocation reviews in accordance with any regulations issued by the Secretary of State. Currently, these require that the review be carried out by an officer not involved in the original decision and who is senior to the officer who made the original decision. Requests for a review should be made in writing to the Housing Options Team Leader (Housing Supply) within 21 days of the date of the decision.

You can request a review of the following decisions:

- That your application does not meet the qualifying criteria to join the Housing Register.
- If your application is made non-active
- If your application has been removed from the Housing Register other than by request.
- The banding assessment of your application

Applicants must request a review in writing within 21 days of receiving the decision. The Council has discretion to extend the time limit if it considers this would be reasonable. An applicant may provide any additional information that they think the Council should take into account when reviewing its decision.

A manager senior to the officer that made the decision and who was not involved in the original decision will carry out the review. The manager will notify the applicant of the decision and the reasons for it within 56 days, unless a longer period is agreed with the applicant.

An applicant will only be entitled to one officer review. If an applicant is still unhappy following the review of a decision, they can request a review of the decision by the Housing Review Panel within 21 days of being notified. The applicant cannot attend but can be represented by a Councillor.

If the Council upholds the decision that the applicant does not meet the qualifying criteria, any further application will be a fresh application.

- The suitability of accommodation which is a final offer discharging the Council's homelessness duty.

In this case, the review will be considered at Housing Review Panel. The manager will notify the applicant of the decision and the reasons for it within 56 days unless a longer period is agreed with the applicant.

Please note for reviews of medical decisions please see Section 13.

Elected Member Involvement

The Allocations of Housing (Procedure) Regulations 1997 (SI 1997 No. 483) restricts a housing authority's elected members involvement in allocations decisions in certain specified circumstances. They prevent an elected member from being part of a decision-making body (i.e. the housing authority or any sub-committee) at the time the allocation decision is made, when either;

- the unit of housing accommodation concerned is situated in their electoral ward; or,
- the person subject to the decision has their sole or main residence in the member's electoral ward.

The applicant will be informed in writing of the decision made on review, and the reasons for it.

Reviews for decisions made under Part 7 of the Housing Act 1996 (Homelessness) are outside the scope of this scheme.

26. The Local Government and Social Care Ombudsman

The Local Government and Social Care Ombudsman investigates complaints of injustice arising from maladministration by local authorities and other bodies. They can be asked to investigate complaints about most council matters including housing.

If a complainant is not satisfied with the action the Council takes, the applicant can send a written complaint to the Ombudsman. A complainant must give the Council an opportunity to deal with a complaint first, using its internal complaints procedure.

Local Government & Social Care Ombudsman:

Advice line: 0300 061 0614 (you can also text 'call back' to 0762 4803014)

Website: www.lgo.org.uk

27. The Housing Ombudsman

If you are an existing tenant you will need to contact the Housing Ombudsman who deals with complaints from housing tenants and leaseholders.

If you are not satisfied with the action the Council takes you can contact the Housing Ombudsman, although you must give the Council an opportunity to deal with a complaint first using its internal complaints procedure.

To do this you need to either refer your complaint to a designated person:

- Any MP
- Any St Albans District Councillor
- Designated Tenant Panel (currently we do not have a designated tenants' panel).

Alternatively you can refer your complaint directly to the Housing Ombudsman but you are required to wait eight weeks from the date of the Council's final response letter.

The Housing Ombudsman service details are below:

Housing Ombudsman Service
Exchange Tower
Harbour Exchange Square
London
E14 9GE

Website: www.housing-ombudsman.org.uk

Tel: 0300 111 3000

Email: info@housing-ombudsman.org.uk