

# **Social housing allocations policy – Borough Council Kings Lynn and West Norfolk**

## **Guide to West Norfolk Homechoice**

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#### **1. Introduction**

Every Council which is a housing authority must publish a policy for determining the priorities and procedures to be followed in allocating social housing in the area.

This social housing allocations policy explains the rules West Norfolk Homechoice will follow in maintaining a Housing Register and the allocating of social housing to housing applicants from the Housing Register.

More detail on the legal background can be found in Appendix A.

West Norfolk Homechoice is administered by BCKLWN on behalf of Registered Providers (Housing Association) partners. If you are successful in bidding for a property, West Norfolk Homechoice will pass your details to the relevant Housing Association who will consider your circumstances, income and housing history in accordance with their own housing policies.

Details of all the partners are included at Appendix B.

#### **2. Who can be accepted onto the Housing Register**

Not everyone can join the Housing Register. Applicants will only be accepted onto the West Norfolk Homechoice Housing Register if they are

- eligible within the meaning of the Asylum and Immigration Act (1996) and

- they have a local connection to the Borough Council of King's Lynn & West Norfolk as set out in this Policy and
- whose annual earned income, savings and equity in any property total more than one third of the average suitable property price in West Norfolk unless there is an overwhelming welfare need.

## **Explaining more about local connection to the Borough of King's Lynn & West Norfolk**

### **You will have a local connection if**

- you have been living in the area of the Borough Council of King's Lynn & West Norfolk for at least 3 out of the last 5 years or
- you have close family (parents, children, brothers or sisters) who have been living in the Borough for at least 5 years

### **You will also be considered as having a local connection if**

- you are in priority need and the Council owes or will owe a duty to because you are homeless or homelessness is inevitable
- You are a current member of the Armed Forces or you have been discharged within 5 years of the date of your application. Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- You are serving or who have served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service

### **You may be considered to have a local connection if**

- there are special circumstances (for example severe social or medical needs) why you need to live in the area. Evidence that extreme hardship would otherwise occur must be provided.
- you are an existing social housing tenant in another local authority districts and you have a need to move to West Norfolk because you already have genuine and effective work in the district or wish to take up an improved offer of such work here and failing to secure housing in West Norfolk would cause hardship. (Right to Move)

## **There are some other rules too**

**Age Limits** Applicants should be aged 18 years or over. Anyone aged 16 or 17 years will normally need to be referred by a recognised social welfare or health agency. If accommodation is made available a guarantor will need to be provided up until the age of 18.

**Those in prison** will not be active on the housing register. Anyone leaving prison can contact the Housing Options Team for more advice 6 weeks before release.

**Unacceptable behaviour** Those that are considered to have a housing history of unacceptable behaviour will **not** be allowed onto the housing register.

### **Rent Arrears**

If you have a housing debt to your current or former landlord you must make an affordable arrangement to make payments against the debt. Without evidence of an established record of payments and/or a significantly reduced debt your application will not be made active and you will not be able to bid for properties.

Those tenants of partner Housing Associations accruing rent arrears due to a reduction in their Housing Benefit arising from the 'room rate' will still be considered for a move to smaller, more affordable accommodation. If your property is deemed to be unaffordable following a housing options assessment you may be allowed to bid and be nominated for a property.

### **Unacceptable/inappropriate behaviour (antisocial behaviour)**

'A record of unacceptable behaviour by you or members of your household may result in you being ineligible and therefore unable to join or remain on the housing register. The following may be considered (not exclusively) as unacceptable Behaviour:

- Substantial tenancy debt or other breaches of tenancy conditions
- Anti-social behaviour
- If you or a member of your household has assaulted, threatened or been abusive to a member of Council, Housing Association staff or their agents

When making any decision we will consider when the unacceptable behaviour took place and whether there is any evidence that your behaviour has changed.

If you make an application and a decision is made not to include you on the Register you will be informed of the reasons. You will be advised of your right to have the decision reviewed – more details are at section 7.

### **3. How West Norfolk Homechoice works**

West Norfolk Homechoice is a simple and clear way of finding a home to rent from partner Housing Associations. It is available for people who are accepted onto the Housing Register. It is designed to give applicants a choice where they live and to make sure those in greatest need are given the greatest priority.

**However, being accepted onto the Register does not guarantee an offer of accommodation.**

To apply you will need to complete an online questionnaire and provide supporting documents such council tax or utility bills as proof of residence in last 6 years for all members of your household. If more information is needed Homechoice will advise you.

You will need to provide information on all the people included on the application who will live as part of the same household if you are successful in bidding for a property.

If you are, or have been a tenant, your landlord(s) will be asked to complete a tenancy report about any breaches of your tenancy agreement.

If you are pregnant your priority will not be re-assessed until we receive a copy of the birth certificate.

### **Staying contact with children**

A child or children living between parents at separate addresses will only be considered as having one main home. Proof of receipt of child benefit/child tax credit will be required. Due to the high demand for accommodation, if a child's main home is not with you it cannot be included when determining if you are overcrowded or be taken into account when determining what size of property you are eligible to bid for.

If you have already been given written notice to leave your home or where harassment/violence is given as the reason for needing to move you may be referred for an assessment by the Housing Options team within the Council. The Police and the appropriate landlord will be consulted to assess the level of risk. Applicants will be asked to sign a disclosure which in effect allows the Police to divulge all information in relation to that applicant at that address (including convictions if appropriate).

If you are lacking a kitchen, bathroom/shower, toilet or your home is in serious disrepair you may be referred for an assessment of your home by the Housing Standards team in the Council.

Homechoice will then consider your application and the information supplied to see whether you qualify to be included on the Housing Register.

If you are registered you will receive confirmation of

- The priority band you are in
- The relevant date you are placed in that band
- Your registration number

All available properties are advertised on our website [www.west-norfolk.gov.uk](http://www.west-norfolk.gov.uk)

Properties are advertised weekly on a Wednesday and bids must be placed by noon on the following Monday.

You can bid for available properties online. Your bid will not be considered if your circumstances do not match that given for the property. Some properties may be advertised giving preference for households with special circumstances e.g. disabled people or local connection to a particular Parish.

You may bid for all properties whose descriptions or criteria you meet. Each partner Housing Association will provide the descriptions and photos of the properties available each week.

## **Bidding**

If you have made a successful bid you will be unable to make any new bids until West Norfolk Homechoice has been informed by the Housing Association that you wish to refuse the property.

You will be unable to make a bid for a particular property if your circumstances do not meet those advertised, for example if a flat is advertised for those aged over 60 and you are 25. You will not be able to bid for a bungalow if you are aged under 60 and have no proven medical need for ground floor accommodation.

Minimum family sizes rather than maximum family sizes now apply to many advertised properties.

If your circumstances change you will need to go online to update your application and provide more information as requested.

Your application may be cancelled if you do not make bids for advertised properties or if there is no contact with West Norfolk Homechoice in the previous six months.

## **4. Priority**

West Norfolk Homechoice uses a banding system - High, Medium and Low - to identify need and hence priority. In extreme circumstances an 'Emergency priority' may be given.

### **Emergency Priority**

Sometimes applicants find themselves in such severe living conditions that they have no option but to move straight away. Examples of extreme circumstances are :- witness protection cases, hospital discharge or a combination of factors from the High Band. In these extreme circumstances an Emergency Priority may be awarded.

- The decision as to whether an Emergency Priority will be awarded will be taken by the West Norfolk Homechoice Panel. The panel consists of representatives of the Borough Council and of partner Housing Associations.
- If granted, this will give you priority overall other banded applicants of similar household size for 3 months. You may bid for any property suitable for your family size. If you don't bid during that time your case will be looked at again and a decision taken as to whether to allow you more time or to place you in the Band that your housing need dictates.

## High Band

**To be included in this band an applicant must meet at least one of the following conditions:**

● **Homeless** – The Council’s Housing Options Service consider that you are in priority need and through no fault of your own, are owed or will be owed a duty because you are homeless or your homelessness is inevitable.

● **Overcrowding** – Your family needs at least 2 or more bedrooms than it has now or you are sharing a bedroom with your child aged 6 months or over and Homechoice consider that you have no alternative but to share that room.

● **Under-occupation** – You’re already a tenant of a Housing Association within West Norfolk and live in a property that has 2 bedrooms or more than you need. You must wish to move to a smaller more suitable home.

● **Combination of factors of housing need** – You have been awarded medium medical priority and medium priority for overcrowding.

● **Medical** – Your current accommodation is totally unsuitable and a move is essential to give some quality of life. High medical priority may be given where:

1. A medical condition is terminal and rehousing will give some quality of life.
2. A medical condition is life threatening and the existing accommodation is making the condition worse.
3. The applicant’s current housing is so severely affecting their health that it could become life threatening.
4. The applicant’s accommodation is so unsuitable that it cannot be adapted or otherwise used in such a way to meet their needs.

● **Welfare/support/hardship** – You are currently resident in West Norfolk, have been living here for more than 3 years and have a proven need to move to suitable accommodation within a particular locality of the Borough. Evidence that extreme hardship would otherwise occur must be provided.

● **Severe disrepair/insanitary conditions** – You have been living for more than 12 months in a private sector property in West Norfolk where continued occupation is due to be prohibited by the Council or where the property is due to be demolished.

● **Supported housing** – You have a local connection, have been living in a King’s Lynn & West Norfolk Borough Council partner Supported Housing Scheme for more than 3 months and West Norfolk Homechoice has written confirmation from the Scheme Manager that you are ready to ‘move on’ to independent accommodation. Floating support must be available to you. If you do not make a successful bid for suitable accommodation within 3 months or refuse a suitable offer, your housing need band may be reassessed.

●**Right to Move** – You will have High band status for 6 weeks, if there has been no successful bid then one suitable offer of accommodation will be made. If the direct offer is refused without good cause your application will be cancelled.

## Medium Band

**To be included in this band an applicant must meet at least one of the following conditions:**

●**Homeless and not in priority need** – You have a local connection and the Council's Housing Options Service consider that you are homeless through no fault of your own but not in priority need.

●**Overcrowding** – your family needs one more bedroom than it has now.

●**Under-occupation** - You are already a tenant of a Housing Association within West Norfolk and live in a property that has one more bedroom than you need. You must wish to move to a smaller more suitable home.

●**Medical** – You have been given a medium medical priority. Your current accommodation affects your medical condition to some degree and there is a demonstrable link between housing and the medical condition and the need for re-housing is significant but not overriding. Applicants are generally coping with their current situation but with some degree of difficulty and have no alternative ways to improve their situation.

●**Children in flats/maisonettes** – You have a child or children under the age of 12 living in a first floor dwelling or above.

●**Gardens** – You have a child or children under the age of 12 living in a property with no garden/yard.

●**Sharing facilities** – You are living in a property where you share facilities (bathroom, kitchen or toilet) with non-relatives. This does not apply to joint tenants.

●**Welfare/support/hardship** – You live outside West Norfolk and there are special circumstances (for example severe social or medical needs) why you need to move to suitable accommodation in the Borough. Evidence that extreme hardship would otherwise occur must be provided.

## Low Band

**Applicants will be in this band if one of the following circumstances applies:**

●**Adequately housed** – You live in a property which is adequate for your needs. This applies if you are a tenant of a Housing Association, private landlord or if you own a property. You are adequately housed in the home of a family member.

● **Deliberately worsened circumstances** – Your housing circumstances have worsened as a result of your own actions. You will remain in Low band for a period of 12 months.

● **Intentionally homeless** – You have been found intentionally homeless by the Council's Housing Options Service. You will remain in Low band for a period of 12 months.

● **Armed Forces** – You are currently serving in the Armed Forces and are living in accommodation provided for Forces personnel.

● **Homeless with financial ability to secure own accommodation** – The Council owes or will owe you a duty as homeless but you have the financial means to purchase or privately rent accommodation.

## **Additional priority**

### **Existing tenants of partner landlords**

Existing tenants of partner landlords will be given additional priority for some vacancies advertised via West Norfolk Homechoice. Tenants of partner landlords in High and Medium Bands will be given preference over other applicants for each landlord's tenth advertised vacancy. These will be marked as TEN in the advert.

### **Grouped Homes/Sheltered Schemes**

Existing tenants of a Grouped Home/Sheltered Scheme will be given preference over other applicants for every fourth vacancy arising within that scheme. These properties will be indicated by 'TEN' in the advert.

### **Employment**

Every tenth family-type vacancy (houses, flats and maisonettes) is advertised with preference given to those applicants in the High and Medium housing need bands that are working. These properties will be marked 'WORK' in the advert.

### **Right to Move**

An annual quota of 1% of lettings is available for those qualifying under the Right to Move in line with the statutory guidance.

### **Prospective adopters and foster carers**

If a prospective foster carer or adopter needs an extra bedroom to accommodate a foster or adoptive child, the Operations Manager for Adoptions and Fostering Services of Norfolk County Council may request that the Senior Housing officer for West Norfolk Homechoice consider awarding additional priority to the housing application. Those families considered to be lacking one bedroom will be eligible for the Medium band and those lacking two bedrooms, for the High band.



### **Serving and former members of the Armed Forces**

Those who have completed their contract, have left the Armed Forces within the last 5 years and are in the High or Medium housing need bands, will be given additional preference by having their 'relevant date' of application enhanced by 3 months.

Serving and former members of the Armed Forces with an urgent housing need will be considered for the Emergency housing need band and any compensation they may have received as a result of injuries sustained whilst serving will be disregarded when considering their financial circumstances

### **Reduced priority**

For those whose local connection is solely through family residence, the band awarded will be one band less than that which would be awarded to applicants with similar housing needs meeting any of the other local connection criteria.

Although all applications will be considered on their own merits, those in breach of their tenancy agreement may be placed in the band lower than would normally be appropriate, until Homechoice is satisfied that the tenant is meeting the conditions of their tenancy and evidence is provided.

Applicants with a history of inappropriate behaviour that is not serious enough to justify exclusion from the housing register may be placed in a lower band than that to which they would normally be entitled. A history of rent arrears may result in an applicant being placed in a lower band even if payments are being made.

If you bid successfully for 3 properties and turn down all 3 offers of accommodation, this may trigger a review of your housing need band. If it is considered that 3 refusals of accommodation have been made without good cause, your housing need band may be reduced to Low for a period of 12 months.

If you are already in the low band your relevant date of application will be changed to the date you refused your last offer of accommodation.

### **West Norfolk Homechoice Panel**

The West Norfolk Homechoice partnership agreement has a panel of representatives of the Borough Council and partner Housing Associations. The panel has the authority to make certain decisions on cases with extraordinary housing need which fall outside normal Homechoice policy, for example awarding Emergency Priority, and withholding properties from the advert.

### **Disability, health and housing needs**

An assessment panel will then look at your application. Its decision will be based on your condition, the effect of your current home on your health and how your condition would be helped if you move to another home.

### **Selection**

If there is more than one applicant for an advertised home, we select the one in the highest band, who has the earliest 'relevant date'.

The 'relevant date' is normally the date of your first application to join the housing register. In cases where an applicant's circumstances alter and they are placed in a higher band, the 'relevant date' will be the date from which they entered that higher band. In cases where a change of circumstances leads to an applicant being placed in a lower band, the 'relevant date' will be the date when they first joined the housing register.

Following successful selection within the Homechoice policy, your details will be referred to the relevant Housing Association who will check to ensure that

- your circumstances are the same as those you have declared on your application
- the property you have been chosen is not inappropriate in any way
- there are no problems with a current or former rent account
- you can afford to pay the rent of the property

Each housing association will make a decision whether to offer a property based on their own policies.

### **Offers of accommodation**

If you are offered a property you should think carefully if you wish to refuse it as it could affect your ability to bid for other properties and/or your priority. This is especially true for homeless people who should contact their Housing Options case worker if they are considering refusing a property in order that they are aware of consequences of this.

## **5. Size and type of properties**

When properties are advertised they indicate what type of household may register a bid. Examples of properties and the household types that will normally be eligible for them are as follows:

### **Studio flat/bedsit**

Single people under 60

### **1 bed flats**

Childless couples and single people under 60 (including those with access to children)

### **2 bed flats and maisonettes**

Families with 1 or 2 children

### **3 bed maisonettes**

Families with a minimum of 2 children

### **2 bed houses**

Families with 1 or 2 children

### **3 bed houses**

Families with a minimum of 2 children

### **4 and 5 bed houses**

Families with 4 or more children

### **1 bed bungalows**

Single people and couples over 60 or those with a proven medical need for ground floor accommodation. If the dwelling has a level access shower, preference is normally given to those needing it in high and medium bands.

### **2 bed bungalows**

Single people and couples over 60 or those with a proven medical need for ground floor accommodation. Preference is normally given to families then couples. If the dwelling has a level access shower, preference is given to those needing it in high and medium bands.

### **3 bed bungalows**

Families with 2 or more children with a proven medical need for ground floor accommodation

### **1 and 2 bed flats and bungalows in sheltered schemes**

Single people and couples over 60, those aged over 55 with a medical need for sheltered accommodation accepted by the landlord of the scheme. Preference for 2 beds is normally given to couples.

### **Specially adapted properties (dwellings with stairclimbers, level access showers etc)**

Those with a proven need for the particular adaptation.

## **6. Allocation policies for specific schemes**

### **Local connection to a village within the district of West Norfolk**

To be considered for preference for vacancies that arise in some housing schemes in villages you must first meet the local connection criteria for the Borough as shown above. You may have a local connection to a village if you live there now, you previously lived there, your family live there or you work there. A full description of the connection criteria applicable to particular village schemes can be seen on the West Norfolk Homechoice page of the Council's website [www.west-norfolk.gov.uk](http://www.west-norfolk.gov.uk) under 'Village Homes'.

### **Lettings Plans**

West Norfolk Homechoice panel will also agree lettings plans for certain schemes, where a need has been identified by the landlord, to resolve specific housing management issues. Lettings plans will be agreed for a limited time period only and are subject to review.

## **Housing with care for the frail elderly**

Homes at Lisbon Court, Kings Lynn and Oakes Court, Downham Market are not advertised by Homechoice. Flats are allocated to those in greatest need in accordance with the care needs assessment carried out by social services and others.

## **Returning from abroad**

Applicants whose immigration status makes them ineligible for the housing register will be notified in writing of the decision and the reason for the decision.

## **7. Right to appeal/review**

If you are not accepted onto the housing register or disagree with the banding you are given you will be advised of your right to a review of the decision.

Your request for a review should be made within 21 days of the decision.

Reviews will be undertaken by a senior officer who was not involved in the original decision and who is senior to the decision making officer. The Review will be undertaken within 8 weeks of it being made.

If an applicant is dissatisfied with the management of their application, other than where a review can be made, they should follow the council's corporate complaints procedure detail of which can be found on the council's website.

## **Appendix A – Homechoice partners**

Borough Council of King's Lynn & West Norfolk  
Broadland Housing Association  
Cotman Housing Association  
Flagship Housing Group Ltd  
Freebridge Community Housing  
Hastoe Housing Association  
Housing 21  
Longhurst & Havelok Homes  
Metropolitan Housing Trust Ltd  
Orbit Housing Association  
Sanctuary Housing Association  
The Hyde Group  
Victory Housing Trust  
Wherry Housing Association

## **Appendix B – Legal Background**

Housing authorities are required by the Housing Act 1996 s166A (as amended by the Homelessness Act (1996) and the Localism Act (2011) to have an allocation scheme for determining the priorities and defining the procedures to be followed in allocating affordable housing accommodation.

The Allocation Policy must set out who can access the housing register and how accommodation is allocated in the Borough.

The Council cannot by law allocate housing accommodation to anyone who is subject to immigration control within the meaning of the Asylum and Immigration Act (1996) unless they fall within a class exempted from this restricted by Government Regulations.

In addition, the Council cannot, by law, allocate housing accommodation to other classes of persons from abroad if Government Regulations dictate we cannot.

### **Reasonable Preference**

By law Local Authorities must award ‘reasonable preference’ to certain categories of applicant:

- Applicants who are homeless within the meaning of Housing Act 1996, part 7
- Applicants who are owed a duty by any Housing Authority under the Housing Act 1996 section 190 (2), 193 (2) or 195 (2) or the Housing Act 1985 section 65 (2) or 68 (2), or who are occupying accommodation secured by any such Authority under section 192 (3)
- Applicants who are occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- Applicants who need to move on medical, support or welfare grounds, including grounds relating to disability
- Applicants who need to move to a particular locality in the district of the Authority where failure to meet that need would cause hardship to themselves or others

### **Additional Preference**

Under the provisions of The Housing Act 1996 (Additional Preference for Armed Forces) ( England) Regulations 2012 additional preference is given to the following applicants who fall within one, or more, of the statutory reasonable preference categories and are in urgent housing need:

- Serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
  - Former members of the regular forces
  - Bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly, or partly, attributable to their service

- Existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly, or partly, attributable to their service

There are different rules relating to the offer of social housing in some specific circumstances such as

- Succession on the death of a social housing tenant
- Assignments by way of a mutual exchange
- Transfer of a tenancy by a court under family law provisions
- Acceptance of a surrender and granting of a tenancy to another partner

In some circumstances there will be direct offers of accommodation such as

- A temporary offer of accommodation to a homeless household to meet the council's duties in relation to temporary accommodation
- Properties withheld from advert for exceptional cases, as agreed by the West Norfolk Homechoice Panel
- Difficult to let properties where Homechoice had not had eligible applicants bid for 4 weeks.

Decisions in relation to acceptance onto the Register, priority to be awarded, bidding and selection are undertaken by the Homechoice team of officers within KLWN Council

Councillors are not allowed to take part in any decisions on accommodation in their ward or where the resident has a residence in their ward.

Councillors approve the Social Housing Allocation Policy which officers have to follow in considering individual cases. Councillors can seek and obtain information on behalf of their constituents if they have been authorised to do so by the individual involved.