

St Helens Council's

Allocations Scheme

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Introduction

All local authorities are legally required to have in place and to publish an allocations scheme which determines the priorities for rehousing, defines the procedures to be followed in the allocation of housing accommodation and ensures that properties are offered in accordance with the requirements of the Scheme.

This document sets out the Council's Housing Allocations Scheme and explains:

- who is eligible to join the Housing Register;
- who is eligible for an allocation and who are 'qualifying persons';
- how the Council prioritises applicants within the allocations scheme using a banding system to prioritise those in greatest need;
- how applicants are allocated properties through the choice based lettings system, UnderOneRoof and through direct lets;
- how the Housing Register is maintained; and
- how applicants can request a review of certain decisions made on their housing application.

The Allocations Scheme has been designed to meet all legal requirements, to meet the Council's commitment to providing a fair and transparent service and to allocate accommodation, in the majority of cases, to those households with the greatest need.

Aim and Objectives of the Allocations Scheme

The overall aim of the Allocations Scheme is to ensure that social housing is allocated fairly and objectively to those in the greatest need in accordance with the requirements of the Housing Act 1996, the Homelessness Act 2002 and the Localism Act 2011 and the relevant statutory codes of guidance.

The key objectives of the Allocations Scheme are to:

- meet housing needs and aspirations in a fair, transparent and accountable manner that gives priority to those in the greatest housing need;
- empower people to choose their own home and to make positive housing choices;
- ensure the provision of high quality information, advice and support for all housing applicants concerning their housing options;
- build safe, sustainable mixed communities and neighbourhoods by reducing the turnover of stock and number of empty properties;
- make best use of the housing stock in the borough;
- provide an excellent service to all customers; and
- comply with legislation and good practice guidance.

Statement of Choice

The Council is committed to enabling applicants to play an active role in choosing where they want to live whilst continuing to house those in greatest need and making

the best use of the housing stock in the Borough. Our aim is to take account of people's views about where they wish to live, the type of accommodation they wish to occupy and who they wish to have as a landlord. This will help to create sustainable communities and neighbourhoods where people want to live.

The Council, through UnderOneRoof, operates a Choice Based Lettings scheme where applicants are encouraged to actively search for a home and to submit bids for properties that are advertised. Applicants can bid for properties in any area of St Helens, unless a property is labelled specifically for a particular group, for example where a property has been adapted for people with disabilities or where a local lettings policy is in place. Where properties are advertised with an eligibility restriction, only applicants who meet the requirements will initially be considered for the property. Other applicants will only be considered where there are no applicants who meet the eligibility requirements.

To help applicants make informed choices about their future housing, UnderOneRoof will provide information about the number and types of homes, and current vacancy rates. The more flexible applicants are in their housing choices, the sooner they are likely to be successful in bidding for rehousing.

How UnderOneRoof Works

The Council's Allocations Scheme is operated on its behalf by UnderOneRoof which is responsible for the administration and processing of housing applications and the advertising and allocation of vacant properties.

UnderOneRoof is a choice based lettings scheme which aims to provide choice for applicants whilst prioritising those in the greatest need and making best use of the housing stock in the Borough.

UnderOneRoof advertises the social housing stock available to rent on a weekly basis through a variety of mechanisms such as the internet, and in local offices. To access these properties, applicants have to be accepted onto the Council's Housing Register and to become a member of UnderOneRoof – there are clear rules around who can join as set out below.

When an applicant applies via an application form, UnderOneRoof will initially assess whether the applicant is eligible or qualifies to join the Housing Register. Applicants who meet the eligibility or qualification requirements will then have their housing needs assessed against a set criteria. The Council operates a banding system, Bands A to D to assess housing need and to determine priority between applications. Once registered an applicant will be placed in one of the four bands from A-D (set out below). The applicant is then given a membership number and encouraged to bid for the properties that they are interested in. Applicants bidding will be restricted to 3 bids per advertising cycle. This is to ensure that applicants make informed choices and select to bid only for properties they are genuinely interested in occupying. At the end of the bidding cycle, UnderOneRoof offers the property to the person in the highest band and with the longest date of membership in that band. Successful bidders will be made the offer of accommodation. Unsuccessful bidders can then bid again in the next advertising cycle.

Direct Lets

The majority of properties made available will be allocated under the choice based lettings scheme. However there are sometimes exceptional cases where it is necessary to allocate an available property directly to an applicant as a direct let outside the choice based lettings scheme, for example, urgent housing management cases or where there is a requirement to discharge a legal duty by making a direct offer of a property. Exceptional let cases cannot include someone who is ineligible or does not qualify to join the Housing Register. The number of direct lets will be kept to a minimum possible and all direct lets will be monitored to assess the impact on the overall transparency of the Scheme and the need to ensure that the Scheme meets statutory requirements.

Whilst UnderOneRoof remains the primary method for allocating social housing, it should be noted that registered providers operating in the borough retain a percentage of their housing stock to allocate for their own operational purposes. For example, Helena Partnerships retain 25% of their own stock to deliver initiatives through Helena Homes. The Council will monitor the activities of registered providers to ensure that UnderOneRoof receives a fair and balanced proportion of the stock that is available for letting.

Equality and Fairness

The Council is committed to the principle of equal opportunity and will ensure its policies and practices are non-discriminatory by preventing and eliminating discrimination on the grounds of race and ethnicity, nationality, disability, gender/gender reassignment, sexual orientation, marital status religion, cultural and social background, belief and age. The Scheme will be accessible, responsive and sensitive to the diverse needs of individuals.

The impact of the Scheme will be monitored to ensure that it promotes equality of opportunity to individuals and minority groups. In order to achieve this all applicants will be asked to supply information about themselves and their households. This information is only used for monitoring purposes and will not be taken into account when assessing the application

An Equality Impact Assessment has been completed to ensure that the Allocations Scheme is compatible with the Council's equality duties.

Section One – Eligibility to Join the Allocations Scheme –

Who Can Be Rehoused?

Eligible and Qualifying Persons

The Council is committed to promoting social housing as a positive option for those in need of rehousing. In order to be offered an allocation under this Scheme, a person has to be on the Council's Housing Register. However, not all people are eligible for social housing within the law, and of those that are legally eligible, only some qualify to join the Housing Register.

Eligibility

Anyone aged 16 and above can make an application. However, by virtue of Section 160A of the Housing Act 1996, the following people are **not** legally eligible to join the Housing Register:

- Persons subject to immigration control within the meaning of the Asylum and Immigration Act 1996 unless they fall within a prescribed class of persons specified by the Secretary of State as eligible: and
- Other persons from abroad not subject to immigration control, who are prescribed as ineligible by virtue of any regulation made by the Secretary of State.
- Any other person as prescribed by the Secretary of State.

Eligibility for housing assistance can be affected if there is a change in the immigration status of an applicant and therefore eligibility will be kept under review. The applicant however is responsible for informing the Council of any change in their immigration status.

Qualification

In addition to the above, legislation permits the Council to decide what classes of person are, or are not, qualifying persons. All eligible applicants are qualifying persons unless the Council decides they are not qualifying persons in accordance with the provisions below.

The following people may be excluded from the Housing Register:

People found guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant, who are, in the circumstances at the time their application is considered, unsuitable to be a tenant by reason of that behaviour. Normally the Council will only take into account unacceptable behaviour committed within the previous 5 years of an application. However there may be circumstances, for example, criminal offences which pose community safety concerns, when unacceptable behaviour that is more than 5 years old will be taken into account.

Some examples of unacceptable behaviour may include but not limited to:

- Being convicted of using or allowing a property to be used for illegal or immoral purposes;

- Serious anti social behaviour, for example, nuisance or annoyance to neighbours, racial or other harassment, violence and intimidation to the community/Council or Registered Provider staff/elected members;
- Supply of drugs, use or possession of drugs;
- Committing Domestic Abuse;
- Committing an arrestable offence in the property or in the locality of the property;
- Significant current rent arrears or outstanding previous housing debts; and
- False statements made knowingly or recklessly in order to induce a tenancy to be granted.

Before a decision to exclude an applicant is made, the Council must be satisfied that the applicant (or a member of the applicant's household) is guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant and in the circumstances at the time his/her application is considered, he/she is unsuitable to be a tenant by reason of that behaviour. When considering whether to exclude an applicant for unacceptable behaviour the Council does not operate a blanket policy and will consider the individual circumstances of each application.

A decision that an applicant is not a qualifying person may be made at the time an applicant applies to join the Housing Register or at any time where there is a current application up to and including the applicant receiving an offer of accommodation. This will depend on when the Council is made aware of relevant information.

Applicants excluded on this ground who consider their unacceptable behaviour should no longer be held against them as a result of changed circumstances can make a fresh application. Applicants who are excluded can ask for a review of the decision made as outlined in this policy.

The Council may also take into account the behaviour of an applicant (or a member of his/her household), which affects his/her suitability to be a tenant when determining an applicant's priority in the banding system. In these circumstances, an applicant may be accepted on to the Housing Register but will have their banding reduced.

Existing Tenants of Registered Providers

Existing Helena Partnerships and other partner Registered Providers operate their own policies in relation to their own existing tenants who wish to transfer using UnderOneRoof. Such existing tenants may be excluded in accordance with the rules on qualification above. In addition, in some circumstances Registered Providers may not support a move internally within their own stock for example where there has been an unsatisfactory inspection of the property, or where the tenant would have no reasonable preference or where the landlord can see no justifiable reason for the tenant to move property.

Local Connection to St Helens

St Helens Council and its partners wish to meet local housing needs and whilst the Council will not implement a residency test in relation to eligibility for the scheme, the Council must be satisfied that an applicant has a local connection to St Helens. in order to attain Band A or Band B status. This is in accordance with the Section below headed Applicants from Outside the Area.

Notifying Applicants

All applicants accepted as eligible and qualifying for rehousing will notified in writing and be advised of the outcome of their application and the Band they have been awarded.

Applicants who are ineligible or who do not qualify will be informed in writing of this together with the reasons for the decision and information on their right to review.

Appealing against Decisions on Eligibility and Exclusion

Applicants have the right to request a review of decisions made under this Scheme. This includes decisions on:

- (a) whether an applicant is eligible or qualifies to join the Housing Register;
- (b) the banding awarded including decisions to re-band an application following a review; and
- (c) the operation of the policy generally.

In relation to (a), if an applicant is excluded from the allocations scheme, a written decision will be provided detailing the reasons for exclusion together with information about the right to a review. For (b) and (c) a review will be dealt with normally by UnderOneRoof (for more information see Section below headed 'Appeals against Banding Decisions'.)

An applicant wishing to appeal against a decision must do so within 21 days of receiving the notification letter. An applicant will need to set out, in writing, why they believe a decision is wrong and provide supporting information.

A review of the decision will be undertaken by a different and more senior officer to the one who made the original decision. The review officer will consider the evidence and decide whether to support or overturn the original decision. The applicant will be informed of the outcome of the review, in writing, within 28 days of submitting their written request. The decision letter will include the reasons for the decision and the matters taken into consideration.

There is no further right of review following this. The decision can only be challenged by judicial review on a point of law.

Out of time reviews will only be considered where an applicant can evidence that there were exceptional reasons why a request for a review could not be made within 21 days. The decision to allow a review out of time will be made by the Council's Head of Housing and Culture.

Appeals against exclusion decisions should be made in writing to St Helens Council at the address at the end of this document.

Section Two – How We Decide Priority - Reasonable Preference and Banding

All applications under this Scheme will be assessed to ensure those in the greatest housing need are given preference for an allocation of accommodation.

Reasonable Preference

St Helens Council is required by law to give 'reasonable preference' to the groups set out below. Applicants from these groups are placed in bands A-D in order to give them reasonable preference over other groups.

Reasonable preference groups are:

- Applicants who are homeless (in accordance with Part 7 of the Housing Act 1996 as amended and extended by the Homelessness Act 2002) including those who are intentionally homeless and those who are not priority need;
- People who are owed a duty by any housing authority under s190 (2) or 195 (5) of the Housing Act 1996 (or under s65(2) or 68(2) of the Housing Act 1985 or who are occupying accommodation secured by any housing authority under s192 (3);
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- People who need to move on medical or welfare grounds;
- People who need to move to a particular locality in the borough, where failure to meet that need would cause hardship (to themselves or others).

The Banding System

Whilst the main principle of the Allocations Policy is to offer choice, the Council and housing associations have a duty to meet local housing needs. The Council operates a needs based banding system with bands arranged to reflect the level of housing need, to prioritise between applicants with different needs the order of applicants within the different bands. The current housing circumstances and needs of each applicant will be the determining factor in deciding which Band an applicant receives. Once placed in an appropriate band, applicants will be ordered within the band by date order so that priority within a band is given to the applicant with the earliest band date. The banding process will ensure that applicants in the greatest need receive the most preference for re-housing. Once an applicant has been assessed and placed into a Band, the applicant will not move to another Band unless there is a change in the applicant's circumstances.

Appeals against Banding Decisions

Should an applicant feel that the Band that they receive is incorrect, then a review may be requested from UnderOneRoof on this matter. Further evidence and supporting information explaining why an applicant considers the decision to be wrong will be required in order to undertake such a review.

Banding Categories

Band A – Urgent Housing Need

Homelessness

Applicants to whom the local authority has accepted a full duty to rehouse under the Housing Act 1996, that is those accepted as homeless or threatened with homelessness, in priority need and unintentionally homeless.

Demolition/CPO/Statutory Overcrowding

Applicants residing in a property within this borough that is subject to demolition due to Compulsory Purchase Order. Also includes properties subject to a Demolition Order or a Closing / Prohibition Order where the occupants are required to leave, or where the property is statutorily overcrowded.

Urgent Medical Need

Applicants in need of accommodation to enable discharge from hospital where their previous property is unsuitable.

Applicants with a life threatening condition who require an urgent move as verified by a Medical Assessment Panel.

Urgent Social Need

Applicants who are at risk of serious violence / abuse/harassment where there is a high risk to the applicants safety if they remain in the dwelling / neighbourhood.

Applicants with specialist support requirements.

Applicants who have been Looked After Children / Children's Act Referrals.

(In all cases of urgent social need, verification and support from professional agencies will be required).

Domestic Abuse

Applicants who are at risk of immediate harm due to Domestic Abuse and who are subject to MARAC or are receiving support from specialist agencies who verify that need through the MERIT assessment process.

Band B - Significant Housing Need

The following needs groups will **automatically** receive Band B

Under-Occupancy

Applicants who currently reside in Private Registered Provider (housing associations) family housing who wish to voluntarily move to smaller accommodation.

Working age tenants who are under-occupying a property and are affected by welfare reform changes reducing their Housing Benefit and following a satisfactory financial assessment by their Registered Provider will receive an enhancement in Band B status. This enhancement will prioritise them above all other Band B applicants.

Homelessness Prevention

Applicants who have undergone an assessment by the Housing Options & Advice Service and where confirmation by this service is received that the applicant requires early intervention in the allocations process to prevent homelessness from occurring in circumstances where in the Council's opinion they would owe the full homelessness duty.

Move on – Supported Housing

Applicants currently residing in recognised supported accommodation who are ready to move into independent living and where (a) they have resided for more than 12 months continuously or (b) their support provider can confirm their ability to live independently. *(In all cases confirmation will be required from support provider).*

Domestic Abuse

Applicants experiencing domestic abuse where a move will alleviate this circumstance. Verification may be required from professional agencies.

Severe Medical Need

Applicants who require re-housing or a move to alternative accommodation as part of their rehabilitation or where re-housing is essential to their longer –term care as confirmed by the Medical Assessment Panel.

Severe Overcrowding

Applicants who can demonstrate that they require an additional 2 or more bedrooms to alleviate recognised overcrowding and where the Administering Organisation is satisfied that this situation is not contrived

Forces Applicants

Current members of the Regular Forces who require accommodation upon discharge from service can apply 6 months before discharge from service and will receive Band B status when they apply.

The following Forces applicants with urgent housing needs e.g. those who are potentially homeless, will also receive *an additional 12 months enhancement* to their date of banding in Band B :

- those serving in the regular forces and suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,
- those who have formerly served in the regular forces,
- those who have 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 whose death was attributable (wholly or partly) to that service, or
- those serving or who have 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.

"Regular forces" and "Reserve Forces" are as defined in s374 Armed Forces Act 2006.

Foster Carers / Adoption

In order to assist in the placement of a child where an additional bedroom would be required, the Policy will provide prospective foster carers and adopters Band B status. Supporting evidence of the placement will be required from Children & Young Peoples Services.

*If an applicant's circumstances reflect **more than one** of the factors listed below, they will also receive Band B status:*

Overcrowding

Applicants who require one additional bedroom to alleviate overcrowding against the Bedroom Standards definitions as outlined at page x.

Properties failing to meet minimum standards

Applicants who have confirmation from Private Housing Initiatives/Environmental Health that their property fails to meet minimum standards.

Insecurity of Tenure

Applicants in Tied/Service Tenancies that have ended.

Applicants of no fixed abode or those whom the Council are of the opinion that they are homeless but do not owe the full homelessness duty. Applicants who have been served with a repossession notice from a landlord or mortgage company (excluding social housing tenants) where the Housing Options and Advice Service have assessed circumstances.

Applicants who are lodgers and where the Administering Organisation is satisfied that their ability to remain in the property is due to end.

Non Urgent Medical Need

Applicants whose health and well being could be enhanced by moving accommodation or whose current accommodation is exacerbating an illness.

Financial Hardship

Applicants from the private rented / owner occupied sector that are experiencing financial difficulty and their current home is unaffordable. Financial assessment will be completed by Housing Options & Advice Service and proof will be required

Non-Urgent Social Need

Applicants who can demonstrate a recognised needs to move accommodation to either give / receive support to / from other family members (evidence will be required including evidence of the support to be provided / received and how a move will facilitate this).

Applicants who require accommodation in order to obtain or maintain an existing offer of employment (evidence will be required)

Applicants experiencing relationship breakdown who will require accommodation in order to maintain access to children (in line with policy on Shared Care)

Tenants of fully participating landlords who need to move due to fear/risk of violence, harassment or exploitation. This category will include applicants whose quality of life has been so seriously affected by anti social behaviour that it represents a threat to their health. Proof will be required.

Children in flats / maisonettes.

Families with young children living in a Helena Partnerships or fully participating landlord flat or maisonette above ground floor. This category will be awarded after one year of the tenancy. This category will not be awarded for those children who were born when the current accommodation was accepted.

Older People living in flats/maisonettes

Older applicants aged 55 or above living in a Helena Partnerships or fully participating landlord flat or maisonette above ground floor in a block not designated for older people and who require ground floor accommodation.

Band C – Recognised Housing Need

*Applicants with **one need** from the categories below:*

Overcrowding

Applicants who require one additional bedroom to alleviate overcrowding against the Bedroom Standards definitions as outlined at page 21.

Properties failing to meet minimum standards

Applicants who have confirmation from Private Housing Initiatives/Environmental Health that their property fails to meet minimum standards.

Insecurity of Tenure

Applicants in Tied/Service Tenancies that have ended.

Applicants of no fixed abode or those whom the Council are of the opinion that they are homeless but do not owe the full homelessness duty. Applicants who have been served with a repossession notice from a landlord or mortgage company (excluding social housing tenants) where the Housing Options and Advice Service have assessed circumstances.

Applicants who are lodgers and where the Administering Organisation is satisfied that their ability to remain in the property is due to end.

Non Urgent Medical Need

Applicants whose health and well being could be enhanced by moving accommodation or whose current accommodation is exacerbating an illness.

Financial Hardship

Applicants from the private rented / owner occupied sector that are experiencing financial difficulty and their current home is unaffordable. Financial assessment will be completed by Housing Options & Advice Service and proof will be required

Non-Urgent Social Need

Applicants who can demonstrate that they need to move accommodation to either give/ receive support to/from other family members

Applicants who require accommodation in order to obtain or maintain an existing offer of employment (evidence will be required)

Applicants experiencing relationship breakdown who will require accommodation in order to maintain access to children (in line with policy on Shared Residency)

Tenants of fully participations landlords who need to move due to fear/risk of violence, harassment or exploitation. This category will include applicants whose quality of life has been so seriously affected by anti social behaviour that it represents a threat to their health. Proof will be required.

Older applicants living in a Helena Housing or fully participating landlord flat or maisonette above ground floor in a block not designated for elderly and who require ground floor accommodation.

Children in flats/maisonettes.

Families with children aged under 12 living in a Helena Housing or fully participating landlord flat or maisonette above ground floor. This category will be awarded after one year of the tenancy. This category will not be awarded for those children who were born when the current accommodation was accepted.

Older People living in flats/maisonettes

Older applicants aged 55 and above living in a Helena Housing or fully participating landlord flat or maisonette above ground floor in a block not designated for elderly and who require ground floor accommodation.

Band D - General Housing Needs

Applicants whose needs do not meet the above criteria or are considered to be adequately accommodated.

Applicants who have current or previous housing debts in accordance with the Policy Statement below.

Applicants who have a previous history of anti social behaviour in accordance with the Policy Statement below.

Applicants who are homeowners or former homeowners with equity/savings above £16,000 unless there are exceptional circumstance (see section on owner/occupiers below)

Section Three – Policy Position

16/17 year old applicants

Whilst anyone aged 16 and above can apply to join the register, those under 18 will normally not be made an offer of accommodation unless they are in the following exceptional circumstances:

- the young person is a looked after child leaving care and has been assessed as capable of independent living;
- the young person has been referred from a supported housing scheme and the provider has confirmed their ability to live independently;
- the young person is homeless or potentially homeless and the Council has accepted the duty to re-house under the Housing Act 1996 (as amended and extended by the Homelessness Act 2002); and
- the young person is pregnant / a parent or fleeing violence or where the provision of housing is essential to the young persons continued well being.

UnderOneRoof would expect that any applicant aged 18 or under would receive support from the relevant agencies in order to ensure tenancy sustainment and also to assist the young person in attaining independent living.

Young People Aged 18 to 24

Moving into your first home can be daunting and too many tenancies held by young people fail too quickly. In order to provide younger applicants with a better chance of becoming a good tenant, all applicants aged under 25 who apply to UnderOneRoof will need to complete a mandatory interview before they become an active member. The interview will focus on the young persons reasons for applying, their background and behaviour and their understanding of their responsibilities should they make a successful bid. Applicants of this age cohort who fail to attend interview will not be able to become a member of UnderOneRoof. For many young people, the interview stage will provide an opportunity to discuss the support they need before they take the big step towards living away from their family for the first time. Young people may also be advised to complete pre-tenancy training where a need is identified

Foster Carers / Adoption

In order to assist the Council in meeting its priorities in supporting Looked After Children, the Policy permits the award of Band B status to prospective applicants who are foster parents or in the process of adoption where there is a need for an additional bedroom that would facilitate this placement. Verification from Children & Young Peoples Services will be required.

Supporting Vulnerable Applicants

UnderOneRoof has a designated team in place to ensure that applicants who require support to bid can do so successfully. This includes designated officers who assist people and their advocate agencies to understand the system and how to ensure that they get the property that they need. New applicants are informed of the support available when requesting an application form.

Whilst UnderOneRoof is about giving applicants choice, becoming a tenant means responsibility both to the landlord and also the wider community. To this end and to meet the needs of vulnerable people some applicants may be assessed as requiring support to enable them to maintain a tenancy.

Applicants who require support in order to sustain their tenancy will be expected to effectively engage with that support. Where applicants are assessed as in need of housing with support and are refusing a support package to help them keep up a tenancy Under One Roof may not consider them until such time as they confirm their acceptance of that support. The ongoing engagement will be monitored by the Neighbourhood Management / Estate Management Teams.

UnderOneRoof will work with all applicants to ensure that they receive the necessary support in order to make informed decisions about the expectations of the Providers in becoming a tenant, including budget management, preparation for dealing with the introduction of Universal Credit (where applicable), advice and assistance into work if a tenant is not working already whilst endeavouring to promote sustainable tenancies into the future.

Domestic Abuse

St Helens Council and its partners wish to provide support to people experiencing domestic abuse and in circumstances where an applicant experiencing domestic abuse wishes to move to a new property, UnderOneRoof will work with the applicant and support agencies in facilitating that move. Applicants experiencing domestic abuse who have received Band A status will be exempt from any tests of local connection and any equity regulations (if an existing or former homeowner). In addition, such applicants cannot be excluded or demoted without the approval of the Head of Housing & Culture as this Policy recognises the urgency to move to a place of safety.

Reviewing Band A Applicants

All applicants who are awarded Band A status due to urgent need for rehousing, will be subject to a review six weeks after being awarded Band A. This review will address the following:

- a. whether the applicant still needs immediate re-housing;
- b. whether the applicant's circumstances and choices have not changed;
- c. whether the reasons for refusing offers of accommodation are reasonable and the number of offers refused which were suitable for the applicants needs. Suitability will be based upon size of property, type of property and location;
- d. the number of properties which have been advertised during the six weeks;
and
- e. the number of bids an applicant has made.

At the review stage, cases will be assessed on an individual basis and if necessary further support will be provided to applicants to enable successful bidding. If after further support has been granted and an applicant fails to bid for properties which meet their stated requirements then the Council reserves the right to offer two

specific properties which meet the applicants stated needs or to demote applicants from Band A if it is satisfied that there has been either a change in circumstances or the level of urgency for re-housing has changed. The applicant will still be able to access re-housing through an alternative Band, dependant on their circumstances. The applicant will be demoted in line with their reviewed need and the date of registration will be the date they were demoted to the Band. All decisions removing Band A status will be in writing giving reasons and will be subject to a review and appeal.

Review of Band A Status for Homeless Applicants

Where the Council has a duty to secure accommodation for homeless applicants awarded Band A, this duty will come to an end where the applicant refuses or fails to respond to a suitable offer. In such a case they will be required to vacate any temporary accommodation provided in relation to the homelessness duty. They will have a right to a review of the suitability of any accommodation and will be informed of this in writing.

Prison Release

Applicants who are currently in prison can, in certain circumstances, still apply to join the Housing Register. Applications received from applicants in prison will be subject to verification procedures and risk assessments as appropriate and will be assessed on an individual basis. Applications from people in prison will be considered from 13 weeks prior to the date of release. Bids will be accepted 4 weeks prior to release date.

Crime and Disorder Restrictions

The prevention of crime and disorder is a shared objective between all social landlords and therefore, in certain cases, the Council reserves the right to restrict applicants choice of areas within the borough in order to protect the local community or prevent crime / disorder from occurring (for example where a victim of serious crimes still lives in an area, for prolific and repeat offenders, etc). Applicants who are subject to such restrictions will be notified of the justification for this restriction by UnderOneRoof and have the right to review this decision.

Applicants from Outside the Borough

The Council recognises that there are many reasons why people need to move home. However, the primary concern of St Helens Council and its housing association partners is to meet local housing needs. For those living outside the borough who wish to access UnderOneRoof to move back to St Helens, they may apply through the same route as local residents. With the exception of applicants classed as unintentionally homeless and in priority need and armed forces applicants, applicants from outside the area will be awarded Band C or Band D status according to their housing circumstances and will be able to bid on all properties advertised.

However, in order to attain Band A or Band B status the Council must be satisfied that an applicant has a local connection to St Helens. Applicants shall normally be considered to have a local connection with St. Helens in the following circumstances :

- (i) the applicant has resided in St. Helens by choice for at least 3 of the last 5 years ;
- (ii) the applicant has settled employment in St. Helens (e.g. employed for more than six months) or can evidence the offer of a job or education / training in the locality;
- (iii) has close family relatives (e.g. parents or children) who currently reside in St. Helens; and
- (iv) has special circumstances that gives rise to a local connection e.g. provides care and support to someone within St Helens.

If an applicant cannot satisfy this connection, they will be banded in either Band C or D according to their needs.

The provisions of this Policy concerning applicants applying from outside the area will not apply to an applicant who:

- (a) is serving in the regular forces or who has served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act;
- (b) 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 where - (i) the spouse or civil partner has served in the regular forces; and (ii) their death was attributable (wholly or partly) to that service; or
- (c) is serving or has 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\.

Current and Previous Housing Debts

The Council's policy is to encourage all applicants who have a debt or arrears on a current or previous tenancy, whether it is a social landlord or a private landlord, to take responsibility for this and to demonstrate a commitment to repay the amount owed by entering into an agreement and maintaining this.

Applicants with current rent arrears or previous housing debts may be excluded from the Housing Register in accordance with the rules on qualification above where they are regarded as being guilty of unacceptable behaviour or have their priority for rehousing reduced in accordance with the provisions of the policy set out below. Wilful non-payment of rent, or where a debt has been incurred as a result of wilful damage to a property will be treated more seriously than other situations.

Applicants with current or previous housing debts of £500 or more (or where 12 weeks payment were missed), owing to the Council, any registered social landlord or private landlord may be excluded, dependant on the level of arrears, on the basis of their unacceptable behaviour. Alternatively, if an applicant is not excluded, they may have their priority for rehousing reduced to Band D status.

Applicants with current or previous housing debts of less than £500 owing to the council, any registered social landlord or private landlord will be accepted onto the Housing Register but will normally be demoted to the Band below their overall need

assessment. For example, if an applicant owing less than £500 is assessed as having Band B priority, this may be reduced to Band C as a result of a housing debt.

The Council does not operate a blanket policy in relation to applicants with a current or former housing debt and understands that sometimes people can fall into debt due to circumstances beyond their control. In making a decision whether to exclude an applicant from the Housing Register or to reduce their priority, the Council will look at the circumstances in which the debt arose and consider any mitigating factors. The Council will also take into account evidence that an arrangement to repay the debts has been made, and that repayment arrangements are being maintained. A full assessment of all the circumstances, including the applicant's personal financial circumstances, will be undertaken before reaching a decision. This may involve considering evidence and representations from other agencies. Where decisions to exclude or demote an applicant are made, the applicant will be informed, in writing, of the decision and the reasons for this and will be advised of their right to review the decision.

Applicants will be able to increase their priority by payment of appropriate amounts to bring the arrears total within the above levels. Previous housing debts outstanding for a period of more than six years will not be taken into account when deciding eligibility to the 'UnderOneRoof' scheme.

UnderOneRoof will also consider whether there are exceptional circumstances warranting the relaxation of the rules concerning the reduction in priority. Examples of exceptional circumstances are:

- Those who can demonstrate that either they or their family face life threatening circumstances and as a consequence require immediate re-housing;
- Applicants awarded priority for Domestic Abuse.

Where such exceptions apply Under One Roof will fully assess all the circumstances in the light of the principles above, consulting with other agencies as appropriate e.g. the Domestic Violence Co-Ordinator may be consulted regarding the risk of domestic violence.

Applicants experiencing domestic abuse who have received Band A status cannot be excluded or demoted without the approval of the Head of Housing & Culture as this Policy recognises the urgency to move to a place of safety.

In addition to the above the Head of Housing & Culture may consider excluded or demoted cases which warrant special consideration due to the Council's strategic priorities e.g homelessness, community safety, domestic violence. Relevant officers will compile a report for consideration detailing all the circumstances and options available concerning the applicants.

The above provisions regarding exclusion or demotion do not apply to:

- a) Homeless applicants to whom the Council owes the full re-housing duty, that is, those accepted as homeless or threatened with homelessness, in priority need and unintentionally homeless. These applicants cannot be excluded nor have their priority reduced due to current or previous debts or recharges.

- b) Applicants who require alternative accommodation as a result of the declaration of a clearance area, or the making of a CPO, a demolition order or prohibition order cannot be excluded nor have their priority reduced due to current or previous debts or recharges.

Anti Social Behaviour

All of the partners in UnderOneRoof have an overarching aim to build and maintain stable communities free from crime and disorder.

Applicants who have been involved in anti-social behaviour such as causing a nuisance to neighbours and other kinds of behaviour affecting their suitability to be a tenant will be considered for exclusion in accordance with the principles in Section 1 where they are guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant. Where their behaviour falls short of this test for exclusion applicants accepted on to the waiting list who have been engaged in such behaviour, and where such behaviour has been established, may have their priority for housing reduced by being placed in a lower band. These applicants will be placed in Band D.

Before a decision is made to reduce an applicant's priority for re-housing Under One Roof will consider the following:

- a) The relevance of the behaviour (including criminal offences) to the applicant's request for accommodation and to his suitability to be a tenant;
- b) Whether the applicant's behaviour may represent a threat or potential threat to the community;
- c) Any improvement or deterioration in an applicant's conduct/behaviour over the previous 12 months prior to making an application.

There must be clear evidence of the behaviour in question which must have led to enforcement action being taken, for example, reference to any Anti-Nuisance Team, commencement of legal action or a current criminal conviction obtained.

Where priority has been reduced, the applicant may appeal against the decision to UnderOneRoof.

Local Lettings Schemes/Sensitive Lettings

The Council recognises that some housing associations wish to develop specific local lettings to manage small neighbourhoods and schemes in a specific manner in order to address issues such as child density, estate sustainability, supporting people in work or seeking work. Restrictions on schemes could be rules such as 'no pets' or designating properties for a certain client group or age (e.g. older people). Any restrictions or 'local lettings' will be included in the advertisement to assist applicants in making choices and understanding if the property is suitable for them. The main aim of local lettings policies is to help build and maintain balanced and sustainable communities. These policies must not discriminate on racial or other equality grounds.

Local lettings scheme will only be established where there is sufficient evidence to warrant this. Proposals put forward must provide a clear definition of the issues to be addressed, the timescales for the duration of the scheme and how outcomes will be measured. St Helens Council must approve all local lettings schemes in advance of implementation, however it is the responsibility of the landlord to ensure that the

criteria is legal, appropriate, reasonable and fair. Monitoring of the application of lettings criteria will take place to ensure that the processes are transparent, consistent, non-discriminatory in practice, and that overall reasonable preference is given to the groups legally required. Such cases will be recorded and reported to the Council as part of its monitoring processes. All local lettings policies will be reviewed at least annually to ensure that they are delivering the intended outcomes.

In addition, the Council may depart from the allocations policy or such designations in individual cases where this would cause serious difficulties with neighbours or threaten the sustainability of the community. In such cases it may allocate individual properties sensitively to avoid, for example, serious clashes of lifestyle e.g. in a block of 6 flats where 5 are occupied by elderly people it may not be appropriate to allocate the vacant flat to a young person. Such cases will be considered individually and will be recorded and reported to the Council as part of its monitoring arrangements.

Local lettings policies may also be applied to newly completed or converted dwellings where appropriate. It will be the usual position that newly built properties when first let will be subject to local lettings criteria.

Owner Occupiers

Owner occupiers or former owner occupiers with equity or savings in excess of £16,000 will be given reduced priority. Such applicants, unless there are exceptional circumstances as set out below, will be placed in Band D. UnderOneRoof will also take into account their current financial circumstances and any previous disposals of assets or capital when calculating the financial resources available that will include disposals for nil (for example, transfer of ownership) or below market rate value.

Applicants in the following circumstances will not receive reduced banding:

- Applicants who would otherwise receive Band A status aside from their equity levels;
- Applicants experiencing Domestic Abuse;
- Applicants who can evidence that they are struggling to pay an existing mortgage or who are experiencing significant financial hardship

Applicants Savings Levels / Current Earnings

UnderOneRoof wishes to promote affordable housing to working households and therefore the savings and / or earnings levels of applicants will not be a barrier in applying for a property in St Helens.

Bedroom Standards Definitions

Significant changes to the benefits system have been made from April 2013 that will affect those of working age and who have one or more spare bedrooms. Applicants claiming Housing Benefit will have the amount they can receive restricted based on the number of bedrooms their household requires. Applicants will be given advice on the changes to help them make an informed choice when bidding on properties.

The new rules apply to those of non-pensionable age. For benefit purposes they allow:

- One bedroom for each adult or couple as part of the household;

- This means that a couple is expected to need one bedroom whilst two adults who are not a couple will need two bedrooms;
- A child up to their 16th birthday is expected to share a bedroom with a child of the same gender;
- Two children up to their 10th birthday are expected to share a bedroom regardless of gender;
- One bedroom for any other child (other than a foster child or a child whose home is elsewhere);
- A bedroom for a non-resident carer is allowed where they provide **overnight** care to a resident of the household who has a disability. In order to qualify you must receive Attendance Allowance (AA) or the middle or highest rate care component of Disability Living Allowance (DLA). If you do not receive either of these benefits you must have provided the Council with sufficient evidence to show that this type of care is required; and
- If you have an extra bedroom(s) to accommodate children that you have **access** to, you will not receive housing benefit to cover the extra bedroom(s) in your home.

Shared Care

Where parents who don't live together have shared care of their children the children are only treated as living with the parent that is treated as responsible for them and provides their main home. For a person to be treated as responsible for a child or young person, the child or young person must normally be living with that person. If a child or young person spends equal amounts of time in different households, or there is a question as to whom they normally live with, they will be treated as living with the person who is receiving child benefit for them.

Some applicants will not be affected by these changes and may choose to apply for a larger property. The table below sets out the property type that applicants are allowed to bid for. However, applicants should consider that their circumstances may change in the future and if they apply for Housing Benefit, deductions may then apply.

In cases where children are known to Children and Young Peoples Services and there are considerations as to the care and control of the children and to whom they may reside no decision will be reached about the bedroom numbers required until the long term future of the accommodation of the children can be ascertained.

If your family composition is....	1	2	3	4	
Single person	X	X			If 2 bed allocated there may be benefit reduction
A couple with no children	X	X			If 2 bed allocated there may be benefit reduction
Two adults (not cohabiting)		X			
Two adults non-cohabiting with 1 child			X		

Parent(s) with one child		X	X		if a 3 bedroom is allocated then there may be a benefit reduction
Parents with 2 children under 10 regardless of sex		X	X		if a 3 bedroom is allocated then there may be a benefit reduction
Parents with 2 children same sex, 15 or under		X	X		if a 3 bedroom is allocated then there may be a benefit reduction
Parents with 2 children age 16 or over regardless of sex			X		
Parent(s) with 2 children, different sexes 1 under 10 and 1 over 10			X		
Parent (s) with 3 children, two under 10 regardless of sex			X		
Parent(s) with 3 children (two of same sex, one under 10 years and one over 10 years, one over 16)			X	X	If a 4 bed is allocated then there may be a benefit reduction
Parent(s) with 3 children (two of different sexes, one under 10 years and one over 10 years, one over 16)				X	
Parent(s) with 4 children under 10 regardless of sex			X	X	If a 4 bed is allocated then there may be a benefit reduction
Parent(s) with 4 or more children (at least one who is over 10). Preference will be given to larger families for parloured and four bedroom houses in accordance with the bedroom standard definitions detailed above used for benefit purposes. See also the notes below.				X	

Applicants who have a permanent carer **where they provide overnight care to a resident of the household who has a disability** will normally be offered a property with an extra bedroom if proof of this arrangement can be provided. Single people with no such needs will not be eligible for a two bedroomed house and as a general principle will not be allocated house-type accommodation unless it is a one bedroom house.

For the purposes of offering accommodation applicants who are pregnant will be considered for family housing on production of their MAT B1 form

Certain properties may be designated for particular kinds of applicant e.g. for older or young people or certain types of property may be designated for a particular size of household e.g parloured houses for larger families to alleviate overcrowding.

Preference will be given to larger families for parloured houses. Similarly, preference will be given to larger families for 4 bedroom properties. In this context, larger families will be defined **in accordance with the bedroom standard definitions**

detailed above used for benefit purposes. Families of equivalent size will be considered in Band and date order.

Where there is no demand for a particular property these standards **may** be relaxed

Accommodation for Older Applicants

Applicants aged over 55 are able to bid for general properties, specialist properties for older people or extra care properties, which are all clearly labelled within the advertisement. For those applicants wishing to access extra care or specialist housing, UnderOneRoof will arrange for an assessment of needs. Additional information on the property type available and the care / support packages can be provided by UnderOneRoof upon request.

Adapted Properties

St Helens Council and its housing association partners want to make the best use of the housing stock available and also want to meet the housing needs of the local community. This includes ensuring that adapted and purpose built properties are allocated to applicants who require them. Therefore properties which have been purpose built or significantly adapted to meet the needs of someone with a disability will be reserved for those people who require them and the Occupational Therapy Service will confirm this requirement. In addition to this, properties with ground floor WC's will be prioritised for those with a need for such a facility, except in the case of four bedroom properties, and those applicants with Band A status.

Ground Floor properties

Applicants assessed as having a medical need for a ground floor property will normally receive preference for ground floor properties when they become vacant.

Extra Care Housing

UnderOneRoof manages the allocation of extra care housing through a separate allocations process, which is defined by individual scheme eligibility and criteria. Information about extra care housing is available upon request.

Section Four – Rules of Membership

Changes in circumstances/Banding Changes

Applicants whose circumstances change must notify of the Council of any changes and provide evidence of any change if requested. The application will be reassessed and the applicant will be informed, in writing, of the outcome.

The Council acknowledges that an applicant's circumstances may change during the time they are bidding for a new home. In such situations, a reassessment will be made of the banding of an applicant. If an applicant is assessed into a higher band then their date of registration will change to the date that they moved up the banding. If a reassessment results in an applicants banding being reduced then the original date of registration remains. This ensures that no new applicants should overtake existing members of a higher band. Applicants moved to a lower band will be informed of the reason for the change of band and will be advised of the right to a review of this decision.

Bidding Support

The council recognises that some applicants will require support with the application and bidding process. Within UnderOneRoof there are a number of staff who can assist with the completion of forms and provide advice on bidding timescales and property information. In order to receive additional support, applicants need to tick the relevant box on the application form or to inform UnderOneRoof of any family member or support provider who may be assisting an applicant in the bidding process.

Reviewing the Housing Register

The Housing Register will reviewed regularly.

Cancelling Applications

Applications will be cancelled in the following circumstances:

- when an applicants requests this;
- when an applicants has secured an allocation;
- where an applicant is asked to provide further information following submission of an application form and fails to do so within 20 working days of the request;
- where an applicant fails to does not bid for a property within a 12 month period; and
- where the Council has good reason to believe an applicant no longer meets the qualifying criteria to join the Housing Register.

Where an application has been cancelled, consideration will only be given to reinstating the application where:

- the applicant contacts UnderOneRoof within 2 months of the cancellation date: and
- the applicant is able to provide evidence of good reason for not responding within the required timescales.

Refusing Offers

UnderOneRoof wishes to encourage active bidding by members, however members should only bid for a property that they have a genuine interest in becoming the tenants of. Applicants who bid for properties and refuse an offer of a property 3 or more times will be contacted by UnderOneRoof to ascertain the reasons for continued refusal and their position will be reviewed. UnderOneRoof reserves the right to suspend an applicant from bidding for a period of three months if they make more than 5 refusals of offers of accommodation.

Withdrawal of Offers by UnderOneRoof

The Council reserves the right to withdraw an offer of accommodation from an applicant if it is proven that an applicant's circumstances have changed to such a manner that they would be ineligible for the property or if a change of circumstances would result in an applicants banding status being altered. UnderOneRoof will verify the circumstances of an applicant prior to any formal offer of accommodation being received.

In addition, Registered Providers reserve the right to determine whether a property is affordable for an applicant who may be affected by changes in Housing Benefit entitlement for those under-occupying a property.

In accordance with the bedroom standard detailed earlier in this Policy, applicants may choose larger properties than they strictly require as assessed under benefit regulations. Such applicants, however, will be subject to an affordability assessment, which will be completed to ensure that the applicant being considered for the property is able to meet rent payments. If the applicant is assessed as being unable to afford the rent payments the Registered Provider may withdraw the offer of accommodation. The RP will be required to advise the applicant of its decision and reasons for this. Applicants will have the right to appeal this decision to the PRP.

High Demand Neighbourhoods

Within any area, there are more popular neighbourhoods where demand for property cannot be met by supply. In order to address this, the Council has introduced a system in which the most high demand neighbourhoods have 1 in every 4 properties allocated to applicants in Band C and D. Recent consultation with residents has demonstrated that this has been a popular change and therefore, whilst the areas have been reviewed, this mechanism will be retained to offer applicants in lower bands the opportunity to live in these localities.

Following analysis from UnderOneRoof statistics, the following five neighbourhoods routinely receive the highest number of bids:

- Billinge and Ashton;
- Town Centre;
- Haydock;
- Windlehurst;
- Rainford

Therefore in these neighbourhoods, UnderOneRoof will reserve 1 in every 4 houses to Band C and D applicants only. These reserved properties will be clearly advertised and allocated on the band / membership date. Members who are demoted due to

housing related debts or anti social behaviour will not be eligible to bid for these properties.

Publishing Lettings/Feedback

Details of all lettings made through UnderOneRoof are published in the various advertising fora used (e.g. on the website, etc). By publishing the band and length of time in that band of a successful bidder, it is expected that this will inform other applicants of their choices regarding future bids.

Confidentiality/Sharing Data

All applications for housing accommodation will be dealt with in a confidential manner. The Data Protection Act 1998 sets out the requirements for processing personal information and applies to paper and electronic records. The Council and UnderOneRoof will operate at all times in accordance with the requirements of the Data Protection Act. Information held under the Scheme will not be disclosed to any third party except where:

- a) the applicant who is the subject of such confidential information has consented to disclosure to a third party;
- b) the Council is permitted to disclose the information under data protection legislation;
- c) there is a requirement in law to make such disclosures; and
- d) the Council considers that the applicant has given consent for any information held on an application to be shared with other social landlords and other agencies.

The Right to Information

An applicant accepted on to the Housing Register has the right to see their entry and to receive a copy of it. An applicant can also request general information that would enable them to assess how their application is likely to be treated under the Scheme, whether they would be likely to be accepted on to the Housing Register and, if so, how long they might have to wait.

The Council will publish its Allocations Scheme on the website and will have a copy available for inspection at the Town Hall to provide information to applicants regarding these matters.

False Statements or Withheld Information

It is a criminal offence for applicants and/or anyone providing information to this Scheme to knowingly or recklessly make false statements or knowingly withhold reasonably requested information relevant to their application (s171 Housing Act 1996). This includes but is not limited to information requested on the application form, in response to correspondence at the renewal of the application, or relating to any other review of the application. An offence is also committed if a third party provides false information whether or not on the instigation of the applicant. This would apply at any stage of the application process. An applicant considered by the Council to be guilty of such behaviour will be excluded from the Housing Register as a non-qualifying person.

Ground 17 of the Housing Act 1988 enables the landlord to seek possession of a property where it has been granted as a result of a false statement by either the tenant or a person acting at the tenant's instigation

Applicants who fail to provide all information required in order to process their applications, or who withhold information, will not be able to have their applications considered further until any gaps in information are remedied.

Welfare Reform Implications

Applicants will need to be mindful of the impact of these changes on their personal circumstances prior to bidding for or accepting an offer of accommodation.

Exceptions Statement

From time to time a situation may arise that is not adequately reflected in this Allocations Scheme but the needs or circumstances are exceptional and significant. In such cases the Council's Head of Housing & Culture will take such decisions in the spirit of the policy and will ensure that all decisions made on an exceptions basis are transparent and equitable.

Reviewing the Policy

This Policy will be reviewed annually.

Monitoring the Policy

St Helens Council and its partner organisations receive quarterly statistical reports and an annual report on performance from UnderOneRoof. This data enables trend analysis to be completed alongside annual equality monitoring to ensure that this service is meeting its objectives to the community and meeting local housing need.

How to Apply

If you wish to become a member of UnderOneRoof you will need to complete an application form – available by contacting UnderOneRoof on 01744 636363 or via the UnderOneRoof website – www.under-one-roof.org.uk.

All correspondence (except eligibility appeals requests) should be sent to:

UnderOneRoof
Helena Central
4 Corporation Street
St Helens
WA10

Eligibility Appeals Requests should be sent to:

UnderOneRoof Appeals
C/o Housing Strategy Team
Housing Services Section
St Helens Council
Town Hall
Victoria Square

St Helens
WA10 1HP

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