

CHESHIRE HOMECHOICE Common Allocation Policy

VERSION 4 - 2018



Cheshire East Choice Based Lettings Partnership

"Providing housing solutions in Cheshire East through choice"



Contents	Page
Section One - The Common Allocation Policy	4
Background	4
Our vision	4
Key aims and objectives	5
Equality and fairness	5
Section Two - The Common Housing Register	6
Introduction	6
Who can apply	6
Eligibility	6
Age	6
Persons from abroad	6
Joint applications	7
Multiple applications	7
Transferring tenants	7
Mutual exchanges	7
Applications from Elected Members, Board Members and employees	7
How to apply	8
Advice, support and information	8
Home visits	8
Changes in circumstances	8
Housing Register Renewal	8
Closed applications	9
Deliberately Withholding information/providing false information	9
Decisions	9
Reviews	9
Appeals	10
Cheshire Homechoice Panel	10
Cheshire Homechoice Board	10
Making a complaint	10
Section Three - Assessing Housing Need	11
Reasonable preference groups	11
Priority Band assessment	11
Housing Needs Assessment	12
Homelessness prevention and relief	12
Owed a full housing duty	12
Under a homelessness relief duty and accommodated	12
Under a prevention or relief duty and likely to qualify for TA	13
Under a prevention or relief duty and NOT likely to qualify for TA	13
Homeless or at risk of homelessness but not under a CEC duty	13
Unable to occupy current accommodation	13
Armed forces personnel	13
Downsizing	13
Living in unsanitary conditions	14
Households in supported accommodation	14

Urgent housing need	14
Care Leavers	15
Overcrowding	15
Definition of lacking secure tenure	15
Under occupation	15
Housing impact on a medical condition	16
Housing impact on a households welfare	16
Households with children or pregnant women	16
Reduced preference	16
Local connection	16
Section Four – Advertising, Bidding, Short-listing & Tenant Selection	18
Advertising properties	18
Extra care housing	19
Affordable housing developments	19
Bidding	19
No bids or suitable applicants	19
Support for vulnerable applicants	19
Bidding control - Homelessness & prevention	19
Short-listing & tenant selection	20
Shortlisting out of band order	20
Properties with adaptations	21
Community connection – rural lettings	21
New build priority – new build lettings	22
Multiple unit allocation	22
Local lettings	22
Houses to children	22
Capital limits and income checks	22
Viewing properties and receiving offers	23
Feedback on results	23
Direct lets	23
Nominations	24
Future development of the scheme	24
Appendix 1	25
Contacts	25

SECTION ONE THE COMMON ALLOCATION POLICY

Background

In 2010 Cheshire East Council launched their choice based lettings partnership with the aim of developing a common allocation policy, a common housing register and a choice based lettings scheme. The following organisations are members of the Partnership:

- Cheshire East Council
- Plus Dane Group
- Peaks & Plains Housing Trust
- The Guinness Partnership

The Partnership "Cheshire Homechoice" use a system of advertising properties and expressions of interest (bids) alongside this Common Allocations Policy to determine how properties are allocated.

In addition to the partners the following organisations advertise 100% of their available homes with Cheshire Homechoice:

• Great places	• Adactus
• Muir	• Aspire
• Riverside	• Staffordshire Housing Association
• Equity	• Regenda
• Your Housing	• Weaver Vale

Further to these, a small number of providers advertise a proportion of their available homes with Cheshire Homechoice:

• Sanctuary	• Johnnie Johnson
• Contour	• One Vision Housing
• Places for People	• Southway Homes
• Anchor	• Trafford Housing Trust

This policy is subject to periodic review. Reviews to date include:

- 2012 – Version 2
- 2015 – Version 3
- 2018 – Version 4

This document is version 4

Our vision

"Providing housing solutions in Cheshire East through choice".

Key aims and objectives

The overall aim of the policy is to ensure that all social/ affordable housing is allocated fairly and objectively to those in the greatest housing need, having regard to any legislative requirements and Codes of Guidance issued by the Ministry of Housing, Communities and Local Government. (MHCLG)

This policy has been developed with a view to meeting the following principles and key objectives:

- To operate a choice based lettings system which is simple; easy to understand; transparent; open and fair
- To operate an allocations system that offers realistic, informed choice for all
- To improve mobility within Cheshire East
- To encourage balanced and sustainable communities
- To ensure that every application is dealt with fairly and consistently irrespective of race, disability, gender, sexual orientation, religion and belief, and age
- To give adequate priority to applicants who fall within the “Reasonable Preference” categories
- To give adequate priority in order to prevent homelessness whilst maintaining a balance between the needs of the homeless and other applicants in housing need
- To empower applicants by giving them more opportunity to express choice and preferences about where they want to live whilst having regard to the availability of housing resources and the high demand for housing
- To assist those applicants who are vulnerable to access the service.

Equality and fairness

Cheshire Homechoice will ensure its policies, procedures and practices are non-discriminatory and will promote equal opportunities by preventing and eliminating discrimination on the grounds of race, disability, gender (Inc. reassignment), sexual orientation, pregnancy/ maternity, religion/ belief and age. The scheme will be accessible, responsive and sensitive to the diverse needs of individuals.

The impact of the policy 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 provide relevant information when they apply to join the register.

Cheshire Homechoice will ensure all potential applicants have equality of information about the service and equal opportunity to apply, bid for and receive offers of accommodation. We will:

- Advertise the service widely in a variety of accessible media
- Provide practical assistance to those who may have difficulty in understanding the requirements of the system
- Provide practical assistance, where the applicant may have difficulty completing an application
- Provide tailored assistance to those who may have difficulty in bidding for properties.
- Monitor the profile of those who are applying and placing bids to ensure that minority and hard to reach groups are actively engaged in the service.

SECTION TWO

THE COMMON HOUSING REGISTER

Introduction

The Common Housing Register is a single list of all applicants for housing across Cheshire East. It includes new applicants and existing tenants wishing to transfer. Applicants who apply to join the Register need only apply once to be considered for vacancies across the whole of the Cheshire East borough.

Who can apply?

The register is open to all apart from those who are ineligible due to immigration status or classed as non-qualifying due to unacceptable behaviour as defined in the following sections.

Eligibility

Age

Anyone age 16 or over can apply to have their housing need registered, however tenancies are usually only offered to people of 18 years of age and over.

Persons from Abroad

A person (defined by s13 (2) of the Asylum and Immigration act 1996) may not be allocated accommodation under Part 6 if he or she is a person from abroad who is ineligible for an allocation under section 160ZA of the 1996 Act. There are two categories for the purposes of s.160ZA:

(i) *a person subject to immigration control* - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)),and,

(ii) *a person from abroad other than a person subject to immigration control* - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

All allocations made by Cheshire Homechoice will be made in accordance with the most current legislation, taking into account any qualifying rights to reside or immigration control limitations.

Unacceptable behaviour

Under s.160ZA of the Housing Act 1996, any applicant (or a member of their household) who is guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant, will be classed as non-qualifying for an allocation. In most circumstances this means anti-social behaviour or significant/persistent rent arrears.

Joint applications

In Line with s.160ZA of the Housing Act 1996, a joint application will not be accepted from two or more people if any one of them is a person from abroad who is ineligible. However, where two or more people

apply and one of them is eligible an application will be accepted from the person who is eligible, as a sole applicant.

Multiple applications

Multiple applications will not be allowed. If multiple applications do exist, the application which is a most accurate reflection of the applicant's circumstances will be kept open. Any other applications will be cancelled.

Transfers/ Existing tenants of social landlords

Any tenants of social landlords (registered providers) in the first 12 months of their tenancy will be excluded from registering for a move, unless they can evidence an urgent need to move or significant risk of harm.

Tenants of social landlords will be permitted to register after the first 12 months of their tenancy however in order to be considered for an alternative tenancy from their existing landlord they will have to meet the transfer criteria outlined by their landlord.

Common reasons for tenants being overlooked are:

- Rent arrears
- Poor property condition
- A poorly maintained garden

Moves to other landlords will be considered in alignment with general lettings criteria.

Mutual exchanges

Mutual exchanges are advertised outside of Homechoice, through the registered providers own channels and will be dealt with outside the policy. A link to relevant websites will be provided on the Cheshire Homechoice website or details of the scheme can be sent to applicants on request.

Applications from Elected Members, Board Members and Employees

Applications can be accepted from employees, elected members, board members and their close relatives. Applicants must disclose any such relationship at the time of application.

How to apply

An application can be made by completing a Cheshire Homechoice application form online and providing the information requested. The registration of an application may be delayed or cancelled if the information requested is not provided.

The purpose of the Cheshire Homechoice application is to correctly identify the housing priority for each applicant, which is expressed as a Priority Band. Once an application has been registered applicants will be notified of their:

- Date of registration
- Priority band assessment
- Priority date

- Application reference number

Advice, information and support

Advice will be provided by Cheshire East Council; information will be available online or on request in other formats and support in accessing the service will be provided to a bespoke level, on request.

Home visits

Home visits may be carried out to assess some applications where appropriate.

Changes in circumstances

Applicants who move to a new address or whose circumstances change after they have been accepted onto the Housing Register (e.g. someone joining or leaving their household) should immediately contact the Cheshire Homechoice Team at Cheshire East to notify them of the change. A new application may be required.

Cheshire Homechoice reserves the right to reconsider an applicant's priority band assessment on the grounds of change of circumstances at any time until an offer of accommodation has been accepted and a tenancy agreement signed.

If an applicant's circumstances have changed prior to the allocation of a property and records held by Cheshire Homechoice have not been updated the partners reserve the right to overlook an applicant's bid or to revoke an offer. It is an applicant's responsibility to keep Cheshire Homechoice updated with any circumstances relating to housing.

Housing register renewal

Applicants must keep their application details up to date and place bids on adverts for properties that meet their requirements. Cheshire Homechoice reserves the right to close inactive applications. At a minimum of annually, Cheshire Homechoice will require applicants to renew and update their application. If applicants wish to remain on the register, they must contact Cheshire Homechoice within 28 days. Providing none of the housing circumstances have changed and the previous assessment remains valid the application will be re-opened promptly and the previous priority of the application will remain unaffected. Where circumstances have changed an application will be re-assessed in accordance with this policy.

In Bands A & B there will be more regular monitoring and reviews; Cheshire Homechoice will encourage applicants in all Bands to keep their details current and will contact applicants regularly to ensure we hold current and relevant information.

Closed applications

Applications will be closed in the following circumstances:

- A request has been received from the applicant (or their advocate)
- The applicant has accepted a tenancy as a sole or joint tenant
- The applicant has bought a property

- Notification has been received from an executor or personal representative that the applicant is deceased and s/he was the sole applicant
- It is discovered that the applicant has given false or misleading information in their application
- Information is obtained that gives reason to believe that the applicant is no longer eligible
- If a response to correspondence is not received within 10 working days (2 weeks)

Applicants can request an explanation of the reason/s for their application closure and can request a review of the decision (see Reviews and Appeals).

If the applicant makes a request to reopen their application within 20 working days (4 weeks) of it being closed it will be reopened (where eligible) and receive the original assessment of Band and priority date provided no relevant circumstances have changed.

Deliberately withholding information or providing false information

Legal action could be taken against any applicant who provides false information when applying for housing (including a fine of up to £5,000). Under Section 171 of the Housing Act 1996 it is an offence to:

- Deliberately provide false information; or
- Deliberately withhold information that should have been given

Where an applicant has been found guilty of making a fraudulent application, they will automatically have their application closed as above. Possession proceedings can be instigated if a tenancy was obtained by giving false information and the tenant may be classed as non-qualifying for the Housing Register

Decisions

Reviews

Applicants have the right to request a review against decisions made in the allocation process. These include:

- A decision to reduce preference
- A decision to overlook a bid on a shortlist
- A decision about the priority band assessment
- A decision about eligibility to make an application
- A decision to close an application

The applicant's request for a review of the decision should be made in writing within 20 working days (4 weeks) of the original decision being made with supporting evidence why they require a review of the original decision.

An independent officer from Cheshire Homechoice will carry out reviews. The officer will not have been involved in the original decision. The officer will consider the evidence provided and decide whether to overturn or support the original decision. The applicant will be informed in writing of the decision within 20 working days (4 weeks) of receipt of the request for a review. The reply will contain the decision made, the reasons for the decision and the facts taken into account when making the decision.

Appeals

If the applicant is not satisfied with the decision made by a reviewing officer, they can request the Cheshire Homechoice Panel (see below), review the evidence provided and review the decision. Applicants will need to do this in writing within 20 working days (4 weeks) of the review letter being sent. The Cheshire Homechoice Panel will have 40 working days (8 weeks) in which to review the supporting evidence and respond in writing to the applicant of the decision made.

Cheshire Homechoice Panel

Cheshire Homechoice is committed to equality of opportunities and therefore will monitor all processes robustly to ensure that there is open and fair access to social/ affordable housing and to ensure allocations of accommodation are made to those in the greatest housing need. This will be done through the Cheshire Homechoice Panel. Operational managers from all Cheshire Homechoice partners will attend the panel on a regular basis to make decisions on, and monitor the following:

- Reviews of decisions
- Customer satisfaction/complaint levels
- Accessibility for vulnerable groups
- Reduced preference applicants
- Ineligible or unqualified applicants
- Allocations to ensure they have been carried out fairly and transparently and in line with this Policy
- The number of direct/management lets and the reasons they were made
- Refusal of offers
- Community, new build and local lettings to ensure that need is being met

Cheshire Homechoice Board

Future developments and alterations to this Common Allocation Policy, or the overall scheme, will be decided by the Cheshire Homechoice board, which consists of strategic managers from each of the participating organisations.

Making a complaint

If an applicant wishes to make a complaint they should contact Cheshire East to be informed to which partner the complaint should be directed and advise them of the partner's complaint procedure.

All applicants who make a complaint will be treated fairly and objectively. A reply to any complaint received will be delivered within the timescales set out in each partner organisation's complaints policy. Copies of these can be obtained from the individual partners (see Appendix 1)

If the applicant has gone through the complaints procedure and remains dissatisfied, they can write to the Housing Ombudsman or the Local Government Ombudsman or apply for a judicial review.

SECTION THREE ASSESSING HOUSING NEED

Reasonable preference groups

All qualifying applications will be assessed under this policy, to ensure that those in greatest housing need are given preference for an allocation of accommodation. Cheshire Homechoice gives reasonable preference to applicants as set out in section 166A(3) of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017). These are:

- People who are homeless including those who are intentionally homeless and those who are not in priority need.
- People who are owed a duty by a local authority under section 190(2), 193(2), (189b) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under s.192(3)
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds, including grounds relating to disability
- People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others)

In addition, section 166 A (3) gives local authorities the power to frame their allocation schemes to give additional preference to particular descriptions of applicants who fall within the reasonable preference categories and who have particularly urgent housing needs.

To ensure that local priorities are met, the scheme may provide for other factors, other than those set out in section (2) of the Housing Act 1996, in determining which categories of applicants are to be given preference for an allocation of accommodation within the scheme, providing they do not dominate the scheme over those listed in the statutory preference categories listed in section 166A (3)

Priority band assessment

Band A

- Under a homeless relief duty and accommodated by Cheshire East Council
- Unable to occupy their current accommodation
- Armed forces personnel with a housing need and serious disability
- Owed a full homeless duty by Cheshire East Council

Band B

- Under a Cheshire East Council homeless prevention or relief duty and likely to qualify for an allocation of emergency accommodation
- Downsizing
- Living in unsanitary conditions
- In supported accommodation and ready to move on
- Urgent housing need
- Care Leavers or armed forces personnel with additional housing need

Band C+

- Under a Cheshire East Council homeless prevention or relief duty and NOT likely to qualify for an allocation of emergency accommodation
- Overcrowded, without secure tenure
- Housing is impacting on a medical condition, without secure tenure
- Housing is impacting on welfare, without secure tenure
- Homeless or at risk of homeless but not under Cheshire East Council duty

Band C

- Overcrowded, with security of tenure
- Tenants of registered providers whom under occupy a property in Cheshire East
- Housing is impacting on a medical condition, with security of tenure
- Housing is impacting on welfare, with security of tenure

Band D

- Do not meet any of the reasonable preference criteria and/or are otherwise adequately housed

Band E

- Reduced preference

Housing needs assessment

Housing need is not cumulative. The housing needs assessment will take account of all household circumstances and the highest priority circumstance will determine the priority Band.

Homelessness Prevention & Relief

Owed a full homeless duty by Cheshire East Council

The Local Authority has a legal duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) to ensure that homeless Households owed a full housing duty by Cheshire East Council under s.193C (4) are provided with suitable accommodation. Homeless Households to whom the full duty is owed will be placed in Band A.

Households awarded this priority under the scheme should receive an offer of an allocation within a short period of time, therefore the priority awarded on the grounds of homelessness will only be permitted for a limited period of time and subject to bidding control or direct offers.

Under a homeless relief duty and accommodated by Cheshire East Council

Customers whom have been assessed as qualifying for the Homelessness Relief Duty s.189(b)(2), in accordance with the Homelessness Reduction Act 2017, and have been place in emergency accommodation by Cheshire East Council will qualify for band A priority. This priority will be time limited and subject to bidding controls or direct offers.

Under a Cheshire East Council homeless prevention or relief duty and likely to qualify for an allocation of emergency accommodation

Households whom are owed a s195(2) prevention or s189(b)(2) relief duty by Cheshire East Council in accordance with the Homelessness Reduction Act **AND** are likely to qualify for an offer of emergency accommodation, will be placed into Band B. This priority will be time limited and subject to bidding controls or direct offers.

Under a Cheshire East Council homeless prevention or relief duty and NOT likely to qualify for an allocation of emergency accommodation

Households whom are owed a s195(2) prevention or s189(b)(2) relief duty by Cheshire East Council in accordance with the Homelessness Reduction Act **AND** are **NOT** likely to qualify for an offer of emergency accommodation, will be placed into Band C+. This priority will be time limited.

Homeless or at risk of homeless but not under Cheshire East Council duty

Where households have elected not to be assessed under the homelessness reduction act or are owed a duty by another local authority; priority band C+ will be awarded to applicants whom have:

- Received a non priority or intentional homeless decision
- Had their prevention or relief duty discharged
- Had their full homeless duty discharged
- Have elected not to be assessed under the homelessness reduction act

AND remain homeless or at risk of homelessness.

Unable to occupy current accommodation

Households who cannot physically access their accommodation (long term) or who are in hospital or respite care and have been medically assessed as being unable to return permanently to their current home will be placed in Band A.

Armed forces personnel

Current and former armed forces personnel whom are already adequately housed will be placed in Band D. Where a household of current or former armed forces personnel has any additional housing need they will be placed in Band B. (For example: If an applicant is confirmed as having served in the armed forces and is overcrowded they will be assessed as Band B). Where an applicant is in housing need **AND** has a serious disability as a result of service in the armed forces applicants will be placed in band A.

Downsizing

Current tenants who occupy larger homes belonging to one of the partner Registered Providers **AND** whom are experiencing issues with affordability maybe placed in band B. **Applicants will need to obtain the support of their landlord before being awarded this priority.** This assessment differs significantly from the under-occupation priority; sponsorship for this priority would come from and be monitored by the Registered Provider and will be time limited and could be subject to bidding controls or direct offers.

This assessment will not confirm eligibility to any other downsizing schemes held by the partners nor does it mean that the Registered Provider will finance a move.

Living in unsanitary conditions

If Cheshire Homechoice can confirm that an applicant has 'no access' at all to toilet, washing or cooking facilities; or the applicant is statutorily overcrowded, the applicant will be placed in Band B.

For the definition of 'no access' to facilities, Cheshire Homechoice will consider shared access or access to facilities outside of the home to be access. Running water will be enough for the assessment of washing facilities and a microwave is considered sufficient for cooking.

Households in supported accommodation

Applicants living in short term supported accommodation services in Cheshire East will be placed in Band D.

However, when applicants are confirmed as ready to move on by their supporting service the priority will be increased to Band B.

Definition of short term supported accommodation – Placements must be short term in nature. Sheltered or home based support would not qualify. The support service must be funded or commissioned by Cheshire East council and the available placements must be exclusive to applicants with a connection to Cheshire East.

Applicants living in longer-term supported accommodation services that no longer qualify for a funded placement or the support provided and have capacity to manage a tenancy independently will be considered under the prevention of homelessness criteria with a view to the suitability of their accommodation.

Urgent housing need

Additional priority may be awarded where an applicant cannot access their washing or bathing facilities safely due to a physical disability and where adaptations cannot be done to the property to facilitate access. Subject to further assessment by the partners and or the Occupational Therapy Team (where appropriate) applicants will be placed in Band B.

Households with a requirement for equipment to manage a disability which cannot be accommodated in their current home will be placed in Band B.

Where there are pending convictions or intensive ongoing investigations that indicate a significant risk of harm to a member of a household and the police or an ASB co-ordinator (or equivalent) are in support of the fact that a move is the only resolution, applicants will be placed in Band B.

Cases meeting all of the following criteria will be placed in Band B:-

- cases referred to Multi-Agency Risk Assessment Conference (MARAC) where there is a risk outside the property, of domestic violence
- where a perpetrator of domestic violence remains a risk to a person/ family that cannot be controlled long term by the police as a matter of public protection
- a move is the only solution.

More serious issues may be considered in line with Homelessness Legislation.

Other significant risks of harm including those relating to mental health will also be considered under these criteria.

Care leavers

For the purposes of assessing priority, a young person will be considered under the care leaver's policy if they can prove they are, or have previously been, a "Cared for Child" by Cheshire East Council AND are under the age of 26.

Young people who are care leavers of Cheshire East Council under the Children (Leaving Care) Act 2000 and are already adequately housed will be placed in Band D. Where a "care leaver" (as defined above) has any additional housing need they will be placed in Band B. (For example: If an applicant is confirmed as a care leaver and is overcrowded they will be assessed as Band B). The only exception to this is if the care leaver meets any of the assessment criteria in Band A or Band E

Supporting documentation will be required from the appropriate Local Authority department.

Overcrowding

If a Household is overcrowded in excess of the bedroom standard or overcrowded as defined in Part 10 of the Housing Act 1985, they will be placed in Band C+ if they do not have long term security of tenure. Those with security of tenure will be placed in band C. The overcrowding priority does not increase with the number of rooms lacking.

Definition of security of tenure – An applicant whom owns their own home or lives in a tenancy with a registered social landlord, that is likely to last longer than 6 months; or applicants in a private tenancy with a remaining term of over 6 months. Only where a notice has been service by a social landlord or mortgage company will tenure be considered insecure.

Under occupation

Tenants of Registered Providers within Cheshire East whom under occupy a property and have a need to move to a smaller property, will be assessed as Band C.

If an applicant applies for a property of the same size or larger than their current home their bid may be overlooked by a Registered Provider as this would be considered an abuse of this priority.

For the purposes of assessing overcrowding/ under occupation the following criteria will be applied:

Household	Bedroom Need
Single Applicant	Studio/One bedroom
Couple	One bedroom
Person age 21 or over	One bedroom
Single child from birth	One bedroom
Two children, both under 10 years old	One bedroom
Two children of the same sex, aged 10-20	One bedroom
Two children of opposite sex, one or both over 10 years old	Two bedrooms

Housing impact on a medical condition

Where an applicant's current accommodation is having an adverse affect on a diagnosed medical condition of any member of the household whom intends to move, applicants will be placed in Band C+ if they have no security of tenure and band C if they have security of tenure.

Housing impact on a household's welfare

Where an applicant's current accommodation is having an impact on the welfare of household members, applicants will be placed in Band C+ if they have no security of tenure and band C if they have security of tenure.

Circumstances that will be given consideration under this criteria:

- Anti-social behaviour
- Financial hardship
- Property condition

Households with children or pregnant women

Households with children or pregnant women will be placed in Band D unless additional housing need is identified.

Reduced preference

A reduced preference assessment overrides all other priority assessments.

In certain circumstances, section 167(2A) of the Housing Act (1966) as amended by the Homelessness Act 2002 allows local authorities to take certain other factors into account when determining priorities between applicants. This can result in the applicant being awarded a lower priority than they would otherwise receive according to their housing needs alone.

Reduced preference may apply when the applicant, or member of the household, has demonstrated unacceptable behaviour which was not serious enough to justify a decision to treat the applicant as ineligible, but which can be taken into account in assessing the applicant's level of priority. Examples include:-

- Property related debts
- Current or former rent arrears
- Acts of anti-social behaviour that have caused or are likely to cause serious nuisance to neighbours
- Property damage

- Assaulting, abusing or harassing officers or elected members
- Households who have no local connection to Cheshire East
- 2 unreasonable refusals of written/verbal offers or wasting the time of partners
- Intentionally worsening housing circumstances with the intent of increasing priority
- Those applicants who wish to remain on the list but have no intention of bidding presently
- Withholding information that should have been provided
- Providing false information
- No local connection

This list is not exhaustive. Applicants who are given reduced preference will be placed in Band E.

A decision to reduce preference will be reviewed, where circumstances have changed, upon written request from the applicant. Each case will be considered on its own merits.

Local connection

Applicants who fulfil any of the following will be considered as having a local connection:

- Currently live, or have lived, within Cheshire East and have done for at least 2 consecutive years
- Have immediate family (mother, father, brother, sister, adult child, adoptive parents) who are currently living in Cheshire East and have done for at least five years or more
- Have a permanent contract of employment based within Cheshire East borough
- Members of the armed forces:
 - (a) members of the Armed Forces and former Service personnel, where the application is made within five years of discharge
 - (b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
 - (c) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result
- Other significant reason

Applicants without a local connection will be placed in Band E.

SECTION FOUR

ADVERTISING, BIDDING, SHORT LISTING & TENANT SELECTION

Cheshire Homechoice is a Choice Based Lettings scheme that enables applicants to bid for properties they are eligible for. The successful applicant will be decided in line with this policy.

Advertising properties

Property adverts will be clearly presented to show the charges, property features and local neighbourhood information.

Applicants will be able to view online, the properties for which they are eligible. There will sometimes be restrictions as to which applicants are eligible for a property. Any such restrictions will be made clear in the advert, for example where:

- A property is only suitable for applicants who need adaptations such as a level entry shower
- A property that is ring fenced to certain age groups
- A property that permits wheelchair access

Bids from applicants may be allowed if they cannot match the requirements in an advert, applicants make the decision to place a bid and there is an expectation that they will have read all of the advert content including the detailed description. Registered Providers are only able to overlook a bid if restrictions are disclosed in an advert. For example: overlooking applicants that do not have a local or community connection, there must have been a statement in the advert to advise customers that a local or community connection is required.

Property adverts will clearly display the maximum number of household members that a property can accommodate. Registered Providers will aim to maximise the occupancy of a property and under or over occupancy will only be considered if there are no bids from an applicant who can fully occupy all the rooms in a home. In making a decision to under occupy the Registered Provider must fully consider affordability before making an offer.

For the purposes of eligibility, suitable property size will be determined in alignment with Local Housing Allowance guidance and this policy.

Houses will be prioritised to households with children under 16 and bedrooms allocated as a minimum to the criteria below:

Household	Bedroom Need
Single Applicant	Studio/One bedroom
Couple	One bedroom
Person aged 16 or over	One bedroom
Single child from birth	One bedroom
Two children, both under 10 years old	One bedroom
Two children of the same sex, aged 10-20	One bedroom
Two children of opposite sex, one or both over 10 years old	Two bedrooms

Pregnant women will only be considered for an additional room for baby after baby is born.

Extra care housing

Properties with extra care facilities may be advertised as part of the scheme. The service providers will directly match vacant properties to qualifying applicants that meet the eligibility criteria following a detailed assessment of their housing, care and support needs. Although some extra care facilities will also operate their own waiting list and application process.

Affordable housing developments

Affordable housing may also be advertised through the scheme. When new housing developments are built within rural areas a Section 106 agreement may state that applicants who are allocated the properties must have a direct local connection to that specific rural area. When this is the case properties advertised on the Cheshire Homechoice website will make clear what the eligibility criteria are for the property.

Bidding

Available properties will be advertised daily and applicants can bid for up to 2 properties at any one time. All vacant homes will be advertised in the first instance for a minimum of 5 days to include a Saturday, Sunday & Monday.

Bids can be placed on properties via the telephone, email, the website and auto bid. Visitors to Cheshire East Offices will be directed to an internal phone line. Advice and support will be provided to applicants who need it; to ensure they are able to access and use the scheme.

Where a provider has made an offer to an applicant and pending the signing of the tenancy an applicant will no longer be permitted to place bids and any previous bids for other homes should not be considered. Registered Providers are not permitted to offer a home to an applicant whom has received an offer.

No bids or suitable applicants

If a property is not let on the first advert, providers must re-advertise the property as a “home available now” and consider opening up the restrictions (i.e. considering permitting a wider age range, or under occupation or reducing non working limits). At this time other media can be considered but applicants with a Homechoice application must be given priority or those sourced externally.

Bidding support for vulnerable applicants

Cheshire Homechoice places demands on applicants. It gives people an active role in the lettings process and encourages them to place bids on empty properties.

Applicants will need to:

- Receive information on the housing options available
- Have access to and ability to use the technology necessary to apply to Cheshire Homechoice and place bids for properties
- Have the capacity to make decisions on the basis of the information provided

Broadly speaking vulnerability can mean anyone who cannot be actively involved in the choice based lettings process, for example:

- Older people
- People with learning difficulties
- People with mental health issues
- People fleeing domestic violence
- People with drug or alcohol issues
- People with medical needs
- People with sensory impairment

Cheshire Homechoice will ensure vulnerable applicants are able to access the Cheshire Homechoice website. When a vulnerable applicant is identified every effort will be made to assist and support them through the process. In all cases the level and type of support will be decided on an individual basis. A number of measures will be put in place to ensure that vulnerable applicants are not disadvantaged for example through:

- Providing appropriate advice and assistance
- Providing information in other formats
- Partnership working with support agencies
- Translating documents on request
- Ensuring appropriate support is available for applicants using the system
- Using auto-bidding and property alerts to improve accessibility.

Wherever possible Cheshire Homechoice would like applicants, whatever their background or presumed ability, to become active participants in the choice based lettings process. However we recognise in limited circumstances it may be necessary to assist certain vulnerable people outside of the choice based lettings process and to allocate properties to them.

Bidding control for homelessness & prevention

Applicants who are awarded priority on the grounds of homelessness or the prevention of homelessness will be closely monitored and reviewed by Cheshire East Housing Options and Homechoice case workers.

Short listing & tenant selection

Bids on property adverts will be placed in the order of priority e.g. Band A highest priority, then Band B, Band C+ Band C, Band D and finally Band E.

If two or more applicants within the same Band have bid for the same property for which they qualify, the date they entered their current Band will be used to determine the higher priority. If the Band date is the same, the original housing register application registration date will be used to determine priority.

If an applicant is ranked first for more than one property and provided the eligibility criteria are met, they will be contacted to make a decision about which property they wish to consider and no further offers on additional properties will be made.

Once an applicant has accepted an offer of a property, they will no longer be permitted to place any bids. Equally, Registered Providers are not permitted to approach applicants whom have accepted an offer with another provider, even if historic bids have been placed.

Shortlisting out of band order

In certain circumstances shortlists may be allocated out of band order and applicants may see that a home they bid for is allocated to an applicant with a lower priority.

Reasons for this include:

- Properties with adaptations
- Community connections – rural lettings
- New property priority – new build lettings
- Multiple unit allocations
- Local lettings
- Houses prioritised for children

Properties with adaptations

Adapted properties are homes, which have been designed for or significantly adapted to meet the needs of applicants with physical or sensory disabilities. In most cases, adapted homes will be advertised along with all other vacant homes to ensure that applicants assessed as needing this type of accommodation are given the widest possible choice. On occasion providers may use a bespoke search of applicants on the housing register to make direct offers.

Applicants with a need for adapted accommodation that has been determined by Cheshire East (CE determined need) will be given priority for adapted homes over others in the same priority Band whom do not need adaptations.

In selecting an applicant for an adapted property from the short-list, the full circumstances of each case will be considered when deciding who will be offered the property. In some circumstances a property may be allocated out of priority order, if a property is particularly suitable for the needs of an applicant.

Applicants with a need for adaptations can also bid for properties without appropriate adaptations, however the applicant must understand that they are likely to be required to fund their own adaptations or to have funding in place from an external source; registered providers are unlikely to fund adaptations.

Community connection – Rural lettings

Properties in rural areas may be let under the Cheshire Homechoice policy for meeting local need. Advertisements for these properties will stipulate that those with a community connection will be given preference within the terms of the policy.

The partners of Cheshire Homechoice are mindful of the concerns of residents for stability and sustainability within their communities, but also of the need to foster diversity within those communities and facilitate geographical mobility within the Cheshire East Borough.

In some rural areas we may require applicants to demonstrate a community connection to that particular settlement. Cheshire Homechoice will make any such requirement clear in the advertisement for the property. In these instances, any applicant currently registered with Cheshire Homechoice may bid; however, preference will be given to the household in the greatest housing need demonstrating the community connection. In the absence of a bid from any applicant with a community connection, the property will be let to an applicant with no community connection.

In these cases a person will be deemed to have a community connection if they fulfil one or more of the criteria below. If there is more than one applicant with a connection they will be considered in the order of their priority Banding and priority date.

- Currently live, or have lived, within the boundaries of the parish or adjoining parish and have done for at least 2 consecutive years
- Have immediate family (sibling, son, daughter, parent, step-parent or adoptive parents) who are currently living within the boundaries of the parish or adjoining parish and have done for at least five years
- Have a permanent contract of employment based within the parish or adjoining parish

An adjoining parish is defined by another rural parish with an adjoining boundary to the parish in which the vacant property is located. The adjoining parish must also fall within the boundaries of Cheshire East Borough.

Allocations will be conducted considering all reasons in their own merit, not comparing against people who can demonstrate a stronger connection. The connections are not tiered.

All applicants will be required to have evidence of their connection to a parish on file before the close of the bidding cycle in which a property is advertised.

New property priority - New build lettings

There will be a cascade priority for all new build developments on **first let only**.

A shortlist for a new property will be re-ordered to ensure that the following cascade of priority is followed:
1st priority – Applicants demonstrating a local connection to the town/ village in which the property is being built

2nd priority – Applicants currently employed/ key workers and certain voluntary workers

To qualify for a new build priority the evidence of connection or work must be on file before the close of the bidding cycle; this is the applicants' responsibility.

****Where a new property is built within the confines of one of the rural communities the community connection criteria will replace the local connection criteria.**

Multiple unit allocation

Re-lets (not new build) in multiple unit blocks of flats or maisonettes will be allocated on a 50-50 basis.

Lettings will be made in accordance with:

50% to singles over 25, couples and families in employment

50% to applicants in the highest priority band

Local lettings

Certain properties may be let in accordance with a Registered Provider's local lettings policy. When properties are advertised on the Cheshire Homechoice website they will be clearly labelled with the eligibility criteria. Any local lettings policies will be reviewed by Cheshire East before being implemented and annually (where relevant) to ensure that tenant selection is fair and need is still being met.

Houses to children

In respect of public health recommendations and the benefits demonstrated to children through access to outdoor space, houses will be prioritised to households with children under 16.

Capital limits & income checks

In some instances Registered Providers may overlook a bid placed by an applicant if they have sufficient income, equity and/or savings to be able to afford to rent or purchase a property on the open market.

Assessments may be conducted by Registered Providers to ensure that applicants can afford to pay the rent for a property before an offer is made. If an applicant cannot afford to pay the rent, their bid for a property might be overlooked.

Where an applicant is deemed not to be able to afford a home, despite being eligible for the housing related benefits to support the rent, Registered Providers should be providing access to or referring to financial support services.

The procedure for assessments will be shared with the Local Authority and monitored to ensure that access to social/ affordable housing by vulnerable applicants is not being restricted. Registered providers will be responsible for promoting financial inclusion for all applicants.

Viewing properties and receiving offers

Registered Providers may request additional information to support the allocation process.

A formal offer of accommodation will not be made until the information and/or supporting evidence has been provided and failure to do so may lead to an application being closed.

Applicants who unreasonably refuse 2 verbal/written offers within a 12-month period will have their priority reduced to Band E for a period of 6 months. Applicants accepted as Statutorily Homeless will be assessed in line with current housing legislation that applies to refusing offers.

If an applicant does not agree with their priority being reduced, they can request a review.

Feedback on results

Lettings results will be made available to the public via the Homechoice website (feedback). Results will include:

- Lettings results for property type and neighbourhood
- The total number of bids made for the property
- The successful applicant's registration date and/or priority Band
- Properties described as a management let, where an offer was made and the property was not advertised/ or the property advert was no successful in facilitating tenant selection
- The results of customer satisfaction surveys.

Direct lets

The partner Registered Providers will advertise ALL vacant properties via Cheshire Homechoice. There will be certain occasions when a property cannot be advertised, for example:

- An emergency move for an existing tenant
- Where a property has specific adaptations and a tenant has been sourced from the register via a bespoke search
- Where a shortlist for a similar property has been used
- Where a property has not been let to an applicant from a shortlist and the provider used alternative media

The Cheshire Homechoice Panel will monitor all lets made outside of the choice based lettings process to ensure fairness and for transparency all direct lets will be recorded online , for public information.

Nominations

Registered Providers (not formal Cheshire Homechoice partners) operating within Cheshire East will provide at least 50% of their vacancies (excluding transfers) for nominations via the scheme. The Local Authority will monitor to ensure compliance with the nomination agreements in their area.

Future development of the scheme

Cheshire Homechoice is committed to continually reviewing its practices and procedures associated with this policy, to ensure a consistent and joined up approach in the delivery of a first class choice based lettings service.

Appendix 1

Contacts

Cheshire East Council

Town Hall
Macclesfield
Cheshire
SK10 1EA
www.cheshireeast.gov.uk
Tel: 0300 123 5017 option 1

The Guinness Partnership

1 Stable Street
Oldham
OL9 7LH
www.guinnesspartnership.com
Tel: 01270 506200

Plus Dane Group

Shepherds Mill
Worrall Street
Congleton, Cheshire
CW12 1DT
www.plusdane.co.uk
Tel: 01260 281037

Peaks & Plains Housing Trust

Ropewalks
Newton Street
Macclesfield
SK11 6QJ
www.peaksplains.org
Tel: 01625 553553