

Adur District/Worthing Borough Council

DRAFT Allocation Policy

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1. Introduction

The Register of Housing Need and Choice Based Lettings Policy is intended to make the best use of social housing in Worthing/Adur, match available housing to those in the highest housing need and give people more personal choice about where they wish to live. This policy has been adopted by Worthing Borough/Adur District Council and sets out the purpose of the Register of Housing Need and the operation of a Choice Based Lettings Scheme.

Worthing Borough/Adur District Council is part of the Sussex Homemove Partnership operating a subregional Choice Based Lettings scheme. Each local authority within the partnership has its own policy but the assessment of applicants and the principles of each scheme are broadly similar. This creates more consistency in the allocation of social housing across Districts and Boroughs in Sussex.

The Council is required by section 166A of the Housing Act 1996 to have a system of allocating properties that gives choice to applicants¹. This policy sets out the priorities and procedures for the Council's nominations to Registered Providers (RP's). The Register of Housing Need and Choice Based Lettings Policy applies to existing RP tenants in Worthing/Adur who want to transfer to another RP tenancy and to new applicants applying for housing.

This policy meets the requirements set out in Part VI of the Housing Act 1996 (as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017) and relevant Statutory Guidance². The policy gives reasonable preference to those applicants in the greatest housing need. It also aims to ensure that the allocation of social housing is carried out in a way that is efficient, cost effective, customer focused, and accessible. This is achieved by increasing access to services via the internet, and having more transparent information available to customers about social housing. In addition, a partnership approach to Choice Based Lettings across several authorities in Sussex provides more cost effective and efficient services by sharing development and running costs.

2. Choice and Empowerment

Choice Based Lettings give greater personal choice to those seeking housing and enable individuals to make informed choices about their housing options. The Choice Based Lettings Scheme is the set of rules by which we aim to treat everyone fairly and give the appropriate priority for housing. Choice Based Lettings encourage better use of the housing stock with Registered Providers by maximising the length of tenancies (as people have chosen their properties) and encouraging residents to have a stake in their community.

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This policy sets out how people's circumstances are assessed when applying for housing. A banding system, made up of three bands, is used to assess and prioritise housing need. All applicants receive information to advise them how to search for a property through the scheme, which is called Homemove. Available properties with Local Authorities and Registered Providers are advertised and applicants can use different methods to express their interest in the properties they want. This is referred to as 'bidding' and full details of the 'bidding' process are explained later in this policy.

2.1 Statement on choice

All applicants eligible to join the Register of Housing Need (see Section 3 of this policy) can exercise choice over the part of the Borough/District in which they wish to reside. Applicants are able to apply their preferences by bidding for the properties they want. However, all properties are let by a Local Authority or Registered Provider on the basis of household size and any other proven specialist requirements, e.g. a proven medical need for ground floor accommodation.

A Choice Based Lettings Scheme empowers applicants to make personal choices about where they want to live. The system offers transparency about properties that are available so applicants can be realistic about the choices they make. Some applicants may need greater assistance to understand and actively participate in Choice Based Lettings. The Council aims to guide and support applicants applying for housing and participating in Choice Based Lettings. Consideration is given below to equality, diversity and vulnerability issues.

In some cases one Direct or Reasonable Offer will be made as described in this policy.

2.2 Equality and diversity

Worthing Borough/Adur District Council is committed to providing and promoting services that are fair and equitable to all its customers. The Council seeks to ensure that services are accessible to all, and that no one applying for housing is disadvantaged on the grounds of age, disability, gender, race, religion/belief, or sexual orientation.

The process for allocating accommodation outlined in this policy is intended to be fair and transparent. The banding system allows people to identify why they are placed in a certain band as it is based on their current circumstances. Available properties are advertised and information is available about properties that have been let (for example, which band the successful applicant was in, how long they had been waiting in that band and how many bids were received).

Regular monitoring will be carried out to identify those people who have applied for housing but who have not registered an interest in any properties that have become available. Contact is made with those people to make sure they know how to access the Choice Based Lettings Scheme or to arrange for appropriate support to assist them. This covers all groups of people and provides a safety net to ensure that the scheme is accessible to all.

A summary of this policy is available, on request, in other formats, for example, large print or other languages. Alternatively, interpretation services can be arranged on request, for staff to verbally explain the policy to applicants. The Scheme User Guide that explains how the Choice Based

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Lettings Scheme works across Sussex is sent to all applicants and is also available on request in other formats and in other languages.

No particular group(s) of people should be disadvantaged by this policy (see 21.2).

2.3 Vulnerability

Social exclusion can arise where social, economic and cultural factors combine to exclude individuals and groups from accessing economic, cultural and social resources and from participating in the community. A person or group of people can be considered vulnerable when appropriate support is needed to enable or promote independent living and active participation in the community. When a vulnerable person does not receive support, social exclusion of a person or group can occur.

Although no particular groups of people are identified as being disadvantaged by this Policy, some people may need help to apply to join the Register of Housing Need and participate in Choice Based Lettings. Help is available from the Housing Needs Team to assist applicants to complete the Register of Housing Need application form. Home visits can be carried out to those people unable to come to the Council offices. Regular monitoring takes place to ensure that people with the highest housing need are actively participating in the Choice Based Lettings Scheme.

People requiring help to participate in Choice Based Lettings receive the level of support appropriate to their needs. People who need help, and do not already have support in place, are identified if they have not expressed an interest in available properties, from their application form, or by contacting the Council. Assistance is available from the Housing Needs Team at Worthing Borough/Adur District Council and from other services who work with people who are in housing need, for example, housing related support services.

3. The Register of Housing Need

3.1 What is the Register of Housing Need?

The Register of Housing Need is the register of people who are eligible, who qualify in accordance with this policy and want to be housed in the District of Adur/Borough of Worthing

3.2 Who can apply to join the Register of Housing Need?

People who are 16 years of age or over, who are eligible and who qualify in accordance with this policy can join the Register of Housing Need. Accommodation cannot be offered until a person is 18. Those joining the Register before 18 will be classed as suspended applicants until their 18th birthday. However, they will be able to accrue time on the Register from the date of acceptance.

There are certain classes of people that are excluded from joining the Register and details of who qualifies and who does not qualify are set out in sections 3.3 and 3.4 below.

To apply, an online Housing Register Self-Assessment Form must be completed and certain documents provided to confirm the details of those applying (for example, proof of identity and details of current and previous accommodation). Copies will be acceptable at the time of application, however, the original documents will be requested at the point when an applicant is nominated for a property.

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The details provided in an application will be checked by the Council's Corporate Investigation Team at the point of application and annually thereafter. This is to ensure applications are assessed fairly in accordance with this policy and that only those who are eligible to join are able to do so.

3.3 Qualification criteria

The following categories of people who upon assessment are also deemed to have a genuine housing need and so qualify to join the Register of Housing Need:

- a) People with a local connection according to the criteria set out below. This local connection must be proven and verified.
 - The applicant or their partner with whom they would normally reside are currently living in the District/Borough and have lived there permanently for at least 5 years out of the previous 6 years immediately prior to the application date;
 - The applicant or their partner has been in employment which is based permanently in the District/Borough for at least five years on a full or part time basis (at least 24 hours per week) and remains in that employment. This can include zero hours contracts, in which case average hours over the last year will be taken into account); or
 - The applicant or their partner needs to be in the District/Borough to give or receive regular daily support from or for a close relative (parents, adult children, brother and/or sister). The carer must be eligible for Carer's Allowance or able to demonstrate that this level of support is required. The support must be required on an ongoing long term basis and be unable to be provided by other family members or available support agencies. The family member must be permanently resident in the District/Borough and have lived here permanently for at least 5 years immediately prior to the application date.
 - The applicant is a young person who is owed 'leaving care' duties by West Sussex County Council (WSCC) under section 23C of the Children Act 1989, is under the age of 21, lived in the District/Borough for at least two years before they were 16.
- b) People without a local connection but are deemed to have a Reasonable Preference because they are:
 - accepted as statutorily homeless (as defined under Section 193 Part 7 of the Housing Act 1996, as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017)
 - accepted as being owed the prevention duty or relief duty in the District/Borough (as defined under Section 195 and 189(b) Part 7 of the Housing Act 1996, as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017)
 - members of the Armed Forces and former Service personnel, where the application is made within five years of discharge

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- bereaved (or divorced or separated) spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of (or divorce or separation from) their spouse or partner
- serving or former members of the Reserve Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service
- witnesses or otherwise vulnerable people who are afforded Witness Protection Status, supported and verified by the necessary agencies, due to a real and immediate risk to their lives.
- fleeing domestic abuse, violence or threats of violence that are likely to be carried out and cannot safely reside within any of the council areas where they have a local connection
- Gypsies or Travellers who have a nomadic lifestyle and have been unable to establish a local connection as a result, and who do not have a local connection to any other Council areas

c) Current tenants of Adur Homes or current tenants of Registered Providers in Adur District/Worthing Borough who have an identified housing need and where the current landlord confirms they will accept a re-nomination of the tenant to a more suitable property if one is available. Identified housing need in these circumstances includes the need to move to smaller or larger accommodation or the need to move for medical reasons. Tenants who are living in accommodation that has adaptations that are no longer needed also qualify.

d) Tenants of Supported Accommodation will neither lose or gain local connection when accepting an offer of Supported Accommodation in the Adur District/Worthing Borough. Adur/Worthing residents who accept Supported Accommodation out of area as part of the Single Persons Pathway will retain their local connection in Adur/Worthing for a period of 2 years. In exceptional circumstances, the period of 2 years will be extended to enable the completion of a Support Plan.

In addition, the Housing Needs Manager has discretion to consider other, very exceptional, circumstances where the local authority might reasonably consider that the requirement for a local connection can be waived. Each case will be considered on its merits. Applicants have to demonstrate why the case is exceptional in each case.

3.4 Who cannot join the Register of Housing Need?

The following categories of people do not qualify to join the Register of Housing Need:

a) Persons who do not have a local connection

In order that local people are prioritised for housing in the District/Borough, applicants must be able to demonstrate a local connection, or else be eligible for a Reasonable Preference as set out in paragraph 3.3b above.

b) Persons who are ineligible

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Persons from abroad who are defined within current legislation as being 'subject to immigration control' cannot be given assistance with housing. They are, therefore, excluded from entry on the Register of Housing Need and referred to as 'ineligible'. Within the meaning of the Asylum and Immigration Act 1996 special provisions in relation to immigration control may be introduced from time to time due to specific situations occurring in a country or in a particular area of a country. This means that the classes of people who are subject to immigration control are subject to change. Therefore, a complete list of all the categories of those that are ineligible at any one time cannot be provided in this policy

However, the general classes of people who are ineligible and excluded from the Register of Housing Need are anyone who is NOT:

- A British Citizen
- A Commonwealth citizen with a right of abode, or
- An EEA National exercising Treaty Rights.

UNLESS they fall into one or more classes of eligible persons subject to immigration control (PSIC), as set out in Regulation 5 of the Housing and Homelessness (Eligibility) (England) Regulations 2006. These are:

- a person with refugee status
- a person with discretionary leave to remain which is not subject to a "no recourse to public funds" condition
- a person who has indefinite leave to remain (settled status) and who is habitually resident in the Common Travel Area, other than a person who has been given leave on the basis of a sponsorship undertaking and has been resident for less than 5 years (unless the sponsor has died).
- a person who has humanitarian protection granted under the Immigration Rules.
- Certain Afghan citizens who were locally employed by the United Kingdom Government in Afghanistan and have since been granted limited leave to remain in the UK.
- a person who has limited leave to enter or remain in the UK on family or private life grounds, who is subject to a "no recourse to public funds" condition
- a person who is habitually resident in the Common Travel Area who has been given leave to remain because they sought asylum in another European Country as a child and were resettled in the UK but have not been given Refugee status and humanitarian protection.
- a person who is habitually resident in the Common Travel Area and has "Calais leave" to remain in the UK - that is they were brought to the UK as children as part of the Calais migrant camp clearance in 2016 to reunite with family members but have not been given Refugee status and humanitarian protection.

Note: The homelessness habitual residence test is in Annex 1 of the Homelessness Code of Guidance 2018.

c) Persons exhibiting serious unacceptable behaviour

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An applicant may be excluded from the Register of Housing Need when he or she (or a member of his or her household) has demonstrated unacceptable behaviour. This unacceptable behaviour must be such that if the applicant was a tenant of the Council, the Council would be entitled to a Possession Order (in accordance with Part 1 of Schedule 2 of the Housing Act 1985). In the case of debt, the exclusion will be until the debts are repaid in full. For all other categories, the exclusion will be for a minimum of 2 years, from the date of the most recent incident, dependent on the nature and severity of the behaviour at the discretion of the Housing Needs Manager. At the end of the exclusion period, the applicant can reapply.

This behaviour includes the following and any such amendments made to Schedule 2 of the Housing Act 1985:

- Outstanding rent arrears in respect of previous private or social tenancies or other housing related debt, such as for Housing Benefit, Council Tax, rent in advance and deposit guarantee loans or unpaid bills for Emergency or Temporary Accommodation. NB The exclusion policy may be waived for those tenants who have accrued arrears as a result of the under occupation charge if they are downsizing or in other exceptional circumstances, at the discretion of the Housing Needs managers.
- Identified benefit fraud
- Breach of tenancy conditions;
- Involvement in serious nuisance, harassment or annoyance to neighbours which has resulted either in a written warning or other action by a public authority or eviction;
- Unspent conviction or eviction for using accommodation or allowing its use for illegal or immoral purposes;
- Unspent conviction for any other arrestable offence,
- Domestic abuse causing a partner or other family member to leave the property;
- Causing or allowing deliberate damage to residential property or seriously neglecting the upkeep of residential property;
- Providing false information when applying to join the Register of Housing Need

d) Persons who are current tenants (or household members of tenants) of:

- Registered Providers or Local Authority in Adur or Worthing whose accommodation meets their housing needs (in accordance with this policy).
- Local Authorities or Registered Providers and the tenancy is not in either Adur or Worthing (except those who would qualify under criteria 3.3.3b and 3.3.3c).

e) Home ownership, financial resources and exceptions -

- People who own a property or have an interest in a property, either in the UK or abroad, which reasonably meets their housing needs or where there is sufficient equity to be able to sell the property and purchase or rent suitable alternative accommodation to meet their needs. This includes applicants who own or part own accommodation or who have a legal interest in home ownership (for example through marriage or civil partnership in accommodation owned by their spouse or civil partner)

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(NB, if as a result of legal proceedings a Court has ordered that the Applicant may not reside in the former matrimonial or civil partnership home in which they still have a legal interest for a period which is likely to exceed 5 years, then the Applicant will be treated as if they do not own or part own accommodation).

- An income financial assessment will be carried out. If a household's income exceeds the following amounts they will not qualify to join the housing register:
 - Studio/One Bedroom - £22,000
 - Two Bedroom - £32,000
 - Three Bedroom or above - £36,000

Income will be calculated taking account of all adults on the application and include income from working and any other income regardless of its source.

- In addition to the cap on income, account will be taken of any savings or investments that the household has to enable them to source accommodation. The level set will be:
 - Studio/One Bedroom - £5,000
 - Two Bedroom - £7,000
 - Three Bedroom and above - £8,200

Where income/savings is derived from the sale of any assets such as a house then the council will assume that this sum is available as part of the financial assessment. If an applicant deliberately deprives themselves of capital or income in order to qualify for housing, they will be treated as still having it for the purpose of the financial assessment. Where a person is treated as having "notional" capital this amount may be reduced on a monthly basis to take into account living costs such as rent, council tax and other general outgoings until the notional capital is less than the financial caps under this policy.

Deliberate deprivation includes gifted money to relatives and friends and payments to third parties that do not form part of authorised loans that are regulated by the financial services authority.

- Exceptions to the Savings Cap - The savings cap for applicants for Sheltered Accommodation will be £16,000. Where a household in need of Sheltered Accommodation is homeless or threatened with homelessness or their current accommodation does not meet their needs (evidenced with information from a medical professional), discretion will be applied to the income and savings cap taking account of the needs of the household.
- The above financial caps will be reviewed on an annual basis taking into account average rents and average incomes in the District/Borough.

g) Persons who have deliberately worsened their circumstances

Where there is evidence that an applicant has deliberately worsened their housing circumstances within the last five years, they will no longer qualify to be on the Register and will be unable to reapply for one year. Deliberately worsening circumstances may include the failure to take reasonable actions or follow advice which would prevent them from becoming homeless or improve their housing circumstances, for example: failing to take up a reasonable offer of suitable private or

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social rented accommodation or deliberately moving to/remaining in unsuitable accommodation where other more reasonable housing options are available.

3.5 When will eligibility be assessed?

The eligibility of an applicant will be assessed at the time their application is considered, again if there is a change of circumstances or a new report of unacceptable behaviour is received while an applicant remains on the Register of Housing Need and before a firm offer of a property is made. If found to be no longer eligible, the applicant will be removed from the Register.

3.6 Who will be removed or suspended from the Register of Housing Need?

The following persons will be removed or suspended from the Register of Housing Need:

- Those who have refused three reasonable offers of accommodation made under Part 6 of the Housing Act 1996
- Those who have refused one Final Offer, which is an offer made under or Part 7 of the 1996 Housing Act as amended by the Homelessness Reduction Act 2017. This could be a Direct Offer, one made via an Auto Bid or one resulting from a successful bid made by the applicant (See the individual band categories for details of where this applies).
- Those who are found to have provided false information in their application to join the register, or once on the register have neglected to advise about a change of circumstances or have provided false information about a change of circumstances.
- Those who are found to have committed an act of unacceptable behaviour, as defined in paragraph 3.3 (c) above, while on the Register.
- Those whose circumstances change so that they are no longer eligible according to the criteria set out in paragraphs 3.2 and 3.3 above.

In addition, those who have failed to bid on properties for the following lengths of time (unless no suitable properties have been advertised during that time):

- band A - 3 months
- band B - 9 months
- band C - 12 months

may, at the discretion of a Housing Needs Manager, have autobids made on their behalf, be downgraded to the next band down or, in the case of band C, may be suspended or excluded from the Register

3.7 Can people reapply once they have been excluded from the Register of Housing Need?

Where a person is excluded from the Register of Housing Need, a fresh application will be considered if:

- the immigration status of the applicant has changed; or

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- the applicant can demonstrate, following the exclusion period, that there has been a significant improvement in their behaviour; or
- outstanding rent arrears or other housing related debts have been paid in full; or
- there has been a material change in the circumstances of the applicant or a member of their household (for example, an illness or disability has developed or an existing medical condition has worsened); or
- the period of the exclusion has been completed; or
- the applicant did not previously meet the qualification criteria but the criteria is now met .

There is a review procedure if a person is suspended from or excluded from the Register of Housing Need after filling in an application form. This procedure is set out in section 19 of this policy.

3.8 What happens when a person applies to join the Register of Housing Need?

- An application form is completed on-line, where there is a need, paper forms or home visits will be made available to assist an applicant to complete the form and verify the circumstances of applicants. NB The form must be completed and submitted within 28 days or it will be automatically closed.
- Once completed and submitted, the application is assessed in accordance with this policy and necessary checks made to verify the information provided.
- If eligible, the applicant is placed into one of three bands: A, B or C.
- Once all information requested has been received, the applicant's entry on the Register will be made live. If this information, or an update on when the information will be available, is not received within 10 days, the application may be cancelled and the applicant may have to reapply.

Once the completed application form has been assessed, the applicant will be contacted to let them know whether they have been accepted onto the Register of Housing Need and, if so, the following information:

- Priority band and reason for it.
- Mobility Level
- Priority date.
- What size property the applicant can bid for (based on how many bedrooms the applicant is entitled to in accordance with this policy).

3.9 Medical needs

The following factors are taken into account when an assessment is carried out to determine which band is appropriate:

- Medical condition or illness supported by evidence from a medical professional

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- Physical disability supported by evidence from a medical professional or Occupational Therapist (The Housing Accommodation Team will advise what evidence is required)
- Mental health diagnosis supported by evidence from a mental health professional
- Care or support needs which have been determined via a Care Act Assessment

In and of themselves, these factors do not mean an applicant will be placed in a higher band. The assessment looks at whether the medical need is affected by the current housing situation of the household, or whether there are specific requirements in relation to alternative accommodation. When carrying out an assessment any treatment, care or support an applicant may be receiving is taken into account to decide the appropriate level of priority given to an application.

Applicants can supply additional information from a GP or other relevant health professional(s) in support of their application if they so choose. However, if the health professional charges a fee to provide this information, it is the responsibility of the applicant to pay the fee. The Council may choose to make its own enquiries into the medical needs of an applicant and, in that circumstance, will meet reasonable charges where appropriate.

An officer within the Housing Needs Team, or an alternative officer at an equal or higher position within the Authority, carries out the assessment of medical information provided in support of an application. The medical information provided may enable the officer to decide the level of medical priority given to an application. Alternatively, the officer may conclude that further enquiries are needed before a decision can be made. The officer may seek further information from the applicant and/or advice and guidance from an independent medical adviser in making a decision.

3.10 Change of circumstances

Applicants are responsible for telling the Accommodation Team at the earliest opportunity of any changes in their circumstances that may affect their application, for example change of address, family size, income (including savings and investments), medical diagnosis or change in immigration status.

The Council must be notified of any change of circumstances in writing.

Any applicant whose circumstances have changed so that they would be deemed to have a different housing need may have any offer of a property withdrawn and/or be suspended from the Register while their housing need is reassessed.

3.11 Re-registrations

All applications are reviewed on an annual basis (or sooner if changes occur). The Council writes to applicants to ask them to confirm that they still wish to be on the Register of Housing Need. If an applicant does not respond within the time specified, their application is removed from the Register of Housing Need. An applicant can re-apply later but the application will only be registered at the date of the new application and their priority date is based on their new application. Therefore, any time priority, linked to an earlier priority date from a previous application, is lost

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

4. Choice Based Lettings

4.1 The guiding principles of the Choice Based Lettings Scheme

- To balance housing need and the requirement for customer choice in lettings;
- To harmonise the criteria between Housing and Transfer Registers to create a single Choice Based Lettings Scheme.
- To ensure that access to tenancies with Local Authorities and Registered Providers is possible on a fair and needs related basis.
- To provide information and advice freely, openly and in an accessible and clearly understood way.
- To ensure that all services are delivered in accordance with the Council's corporate policies in respect of Equality and Customer Care.

5: The Banding Structure

5.1 How are applications banded?

There are three bands – A, B, and C. These enable applicants to see the priority they have and their likely prospects of rehousing.

5.2 How do the bands give priority for housing?

Each band has a number of different categories which reflect housing need. Applicants in band A are assessed as having the highest levels of housing need and have the highest priority for housing. Applicants in band C have the lowest levels of housing need or their priority has been reduced.

The prospects of rehousing depend on an applicant's housing need compared to others. The aim of this policy is to house those most in need first. Priority is given according to:

- The applicant's housing need, reflected by the band they are placed in. Each band has a number of different categories which reflect housing need, the category numbers do not give higher or lower priority within the band.
- The length of time an applicant has been in that band.

The band categories give priority to applicants who need to move on medical grounds, those moving on from supported housing (who were living in Worthing/Adur for at least five years prior to moving into Supported Housing) and existing tenants of Local Authorities and Registered Providers who have a property that no longer meets their needs (for example, tenants who are under-occupying accommodation or tenants living in a property which has adaptations that they no longer need). These priorities reflect the local situation in Worthing/Adur where emphasis is placed on making best use of existing housing stock (including supported housing). Applicants are given priority when they are living in accommodation that is no longer suitable for them and when their existing accommodation would meet the needs of other applicants.

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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For certain properties additional priority may be given according to mobility level or need for adaptations. Also some landlords may advertise properties for specific groups.

Applicants in the higher bands have the highest priority when they bid for a property. However, Choice Based Lettings encourages applicants to exercise choice over which properties they choose to bid for.

All housing applicants are assessed and, if they are found to have a housing need, are placed into one of the three bandings, A, B, or C, depending on the urgency of their need to move. When an applicant's situation fits into more than one banding, the application will be registered in the higher band.

5.3 The three priority bands

The three bands (A, B, and C) and the categories within each band ('band reasons') are set out below.

Band A – Urgent/Emergency

A1	Homeless households owed the main housing duty by Worthing/Adur Borough/District Council placed in emergency temporary accommodation where, due to a severe disability need, the only prospect of meeting the households' needs is in permanent accommodation.
A2	Successors, non-statutory successors with a priority need and lawful occupiers of Local Authority or Registered Provider tenancies in Worthing/Adur who are approved by the Housing Needs Manager for an offer of smaller or more suitable alternative accommodation in agreement with the Local Authority or Registered Provider. Applicants in this category who do not place a bid on a suitable property, subject to a suitable property being advertised, for three months, may be made a direct offer of accommodation.
A3	Releasing an adapted property, or to make best use of adapted stock, in Worthing/Adur, at the Council's discretion, where the tenant does not require adaptations.
A4	High medical priority awarded where the applicant, or a member of their household, has a severe mental or physical illness or condition AND where their housing conditions are having such a major adverse effect on the medical condition that it is regarded as life-threatening. High medical priority must be supported by evidence from a suitably qualified medical professional.
A5	Tenants of Local Authorities and Registered Providers in Worthing/Adur under-occupying family sized accommodation and where Worthing Borough/Adur District Council can nominate to the vacancy that arises.

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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A6	<p>Households living in Worthing/Adur which are statutorily overcrowded (based on the Housing Act 1985 standard) where the overcrowding could not have been avoided.</p> <p>The council may reduce a person's band award if there are indications that a person has moved into accommodation knowing that this accommodation is not suitable to meet the needs of their household. This will include moving into studio accommodation that causes statutory overcrowding and moving additional people into accommodation knowing that this will cause severe overcrowding'.</p>
A7	<p>Applicants leaving residential or supported housing in Worthing/Adur, where there is an overriding need for social housing and where applicable Worthing Borough/Adur District Council will have nomination rights to a supported housing property following the vacancy arising.</p> <p>The overriding need must be evidenced by a relevant care plan, references where appropriate and a full support package to meet future care or support needs.</p> <p>Applicants accommodated in the Single Person Pathway who have an overriding need for social housing and nominated and agreed by the Single Person's Pathway Panel.</p> <p>Applicants in this category who do not place a bid on a suitable property, subject to a suitable property being advertised, for three months may be made a direct offer of accommodation.</p> <p><i>NB The nominations under this category will be authorised by the Housing Needs Manager until such time as a Single Person Pathway and Panel is established. The number of properties let in this category will be reviewed annually. A Single Persons Pathway will have an agreed protocol for accepting nominations, Step Ups and Step Downs within the pathway and an Eviction Protocol agreed by the Homelessness Forum</i></p>
A8	<p>Care leavers moving on from supported accommodation who are eligible to join the Housing Register in Worthing/Adur, and who are officially deemed tenancy-ready by West Sussex Leaving Care Team.</p> <p>NB: If the young person is not deemed to be ready to manage an independent tenancy and are offered a supported housing placement then they will be awarded band A once there is an agreement from Housing and Children's services that the young person is tenancy ready.</p>
A9	<p>Priority transfer of a Local Authority or Registered Provider tenant in Worthing/Adur where a crisis has arisen due to severe ongoing harassment, exceptional circumstances due to significant and insurmountable problems associated with the tenant's occupation, where there is imminent personal risk to the household if they remain, or where there are exceptional circumstances resulting in an urgent need to move</p> <p>The reason for the priority must be supported by information from other agencies, such as the police, tenancy services, health services and environmental health, as appropriate.</p>

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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	Applicants in this category will be made a direct offer of accommodation.
A10	Former tenants of Local Authority or Registered Providers in Worthing/Adur, where Worthing Borough/Adur District Council has given an undertaking to accommodate them at the time the tenancy was relinquished, for example following the tenant going into an institution or care setting, and they are now ready for release or discharge from that institution or care.
A11	<p>Private sector households occupying properties in Worthing/Adur which have Category 1 Hazards under the Housing Act 2004 Housing, Health & Safety Rating System (report required from Environmental Health) and where:</p> <ul style="list-style-type: none"> · The Private Sector Housing Manager agrees works cannot be done in a reasonable time period (must have been notified formally by landlord); AND · The client is vulnerable and the hazards impact on their ability to live normally by worsening their health to the extent that their quality of life is significantly reduced (for example, no heating in winter, excessive damp), or make the property unsafe (for example no proper fire escape) AND · The client is unable, due to their physical or mental health, as evidenced by a relevant medical practitioner, to make their own arrangements for alternative accommodation and the Council has not been able to source suitable alternative private sector accommodation for them.
A12	<p>Applicants who are witnesses or otherwise vulnerable people who are afforded protected person status due to a real and immediate risk to their lives.</p> <p>These applicants will be made a direct offer.</p>
A13	<p>Applicants who are:</p> <ul style="list-style-type: none"> • members of the Armed Forces with an urgent housing need who are threatened with homelessness and served notice from their Service Family Accommodation as a result of discharge from service due to injury • bereaved spouses and civil partners of members of the Armed Forces threatened with homelessness and served notice on their Services Family Accommodation following the death of their spouse or partner
A14	The Housing Needs Manager shall have discretion to award band A in exceptional circumstances arising from severe, multiple and complex needs not otherwise covered in this policy where it is deemed that emergency priority is warranted.

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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Band B – High Housing Need

B1	Households living in Worthing/Adur and lacking 2 or more separate bedrooms, except for those living in supported housing or accommodation provided in accordance with the homelessness legislation.
B2	<p>Households threatened with homelessness who would be owed the main housing duty by Worthing Borough/Adur District Council, where the household is making their own temporary arrangements in unsettled accommodation for a minimum of a year (for example, moving in with family where a commitment is made to provide accommodation for at least a year). Assured Shorthold Tenancies are considered to be settled accommodation, for the purpose of this policy.</p> <p>NB the cause of homelessness cannot be the source of the temporary accommodation (for example, if evicted by family or friends, the applicant cannot then make arrangements to stay on with that household for another year. In those circumstances, the applicant will be deemed to have not been evicted).</p> <p>It is expected that applicants in this category will bid on all suitable properties and we may therefore place autobids on their behalf. Only one offer of suitable accommodation will be made. Applicants in this category who do not place a bid on a suitable property, subject to a suitable property being advertised, for six months may have their priority reduced. If a suitable offer is refused, it is likely to result in suspension from the register.</p>
B3	<p>Medium medical priority is awarded where the applicant, or a member of their household, has a severe mental or physical illness or condition AND where their housing conditions are having such a major adverse effect on their medical condition that significantly reduces their quality of life but is not regarded as life-threatening.</p> <p>Medium medical priority must be supported by evidence from a suitably qualified medical professional.</p>

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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B4	<p>Households who are:</p> <ul style="list-style-type: none"> · Foster carers approved by West Sussex County Council who have a child/children placed with them; · Foster carers newly approved by West Sussex County Council who are waiting for a child to be placed with them · In the process of adoption and have had a child placed with them prior to the adoption order being made. <p>AND require accommodation that meets the property size and health and safety conditions set down in legislation.</p> <p>When considering housing applications from prospective foster carers or adopters who would require an extra bedroom to accommodate a foster or adoptive child, the Council will assess the risk that the application to foster or adopt may be unsuccessful (leading to the property being under-occupied), against the wider benefits to the Borough/District if the placement was successful.</p> <p>All those placed in this category will be subject to a review of circumstances with West Sussex County Council on an annual basis.</p> <p>NB The definition of a Foster Carer includes extended family who are approved as foster carers for their relative under the Fostering Regulations, 2011, where a residence order is granted by the court and supported by Children's Social Care, and Special Guardianship cases which are supported by Children's Social Care. It does not include private foster carers or non-agency adoption arrangements</p>
B5	<p>The Housing Needs Manager shall have discretion to award band B in exceptional circumstances arising from multiple and complex needs not otherwise covered in this policy where it is deemed that high priority is warranted.</p>

Band C – an Identified Housing Need

C1	<p>Households lacking one separate bedroom, or lacking two bedrooms but it would not be appropriate to give additional priority (for example, applicants who have moved into accommodation that is too small for their household).</p>
C2	<p>Homeless households where a duty has been accepted by Worthing Borough Council/Adur District Council.</p>
C3	<p>Households where there is an open prevention or relief duty under homelessness legislation.</p>

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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C4	<p>Households which are:</p> <ul style="list-style-type: none"> • Subject to a Care Plan which identifies that accommodation is required to assist in delivering the Care Plan or to relieve other social/welfare hardship (Must have been formally agreed between Adult Social Care, Children's Social Care or other relevant agency, e.g. mental health services, and the Housing Needs Team). • Living in housing where support is provided, or households who have previously lived in supported housing but have moved on to alternative accommodation in a planned way (Must be formally agreed between the support provider and the Housing Needs Team). <p><i>NB The Single Persons Pathway refers to those living in Supported Accommodation , associated move on housing with floating support and Private Sector Housing, as agreed by the Housing Needs Manager, where there is an arrangement with a named landlord to let affordable private sector accommodation to those who would not normally be able to secure a private sector let e.g. because of previous tenancy history.</i></p>
C5	<p>Applicants, or a member of their household who have a minor need to move due to limited mobility, for example someone who has difficulty using the stairs or using a bath where the property cannot be adapted to meet their needs.</p>
C6	<p>Applicants with a need for sheltered housing and where no higher need exists.</p>
C7	<p>Applicants who are:</p> <ul style="list-style-type: none"> • members of the Armed Forces or former Service personnel, where the application is made within five years of discharge • bereaved (or divorced or separated) spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of (or divorce or separation from) their spouse or partner • serving or former members of the Reserve Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service
C8	<p>Care leavers moving on from supported accommodation who are eligible to join the Housing Register in Worthing/Adur but who have not been formally deemed to be ready to manage an independent tenancy by the West Sussex Leaving Care Team.</p> <p>NB These applicants will be able to bid on suitable properties but will not be offered a property unless a Housing Needs manager is satisfied that they are tenancy ready.</p>
C9	<p>The Housing Needs Manager shall have discretion to award band C in exceptional circumstances arising from unsatisfactory housing conditions and needs not otherwise covered in this policy where it is deemed that inclusion on the register is warranted.</p>

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

5.4 What size properties can applicants bid for?

Table (T1) for assessing required bedroom provision for each household member (for the purpose of assessments on the Register of Housing Need). Bedroom provision is based on the severe shortage of accommodation and to ensure that best use is made of all available housing stock within Worthing Borough/Adur District:

A single independent adult (18+ years)	Bedsit/studio or 1 bedroom
Co-habiting couples	1 bedroom
A co-habiting couple or single parent/carers with a single dependent child or non-dependent adult	2 bedrooms
A co-habiting couple or single parent/carers with two dependent children, where one of the dependents is aged 10 years or over and of the opposite sex or non-dependent adult children of the opposite sex	3 bedrooms
A co-habiting couple or single parent/carers with two dependent children or non-dependent close relatives of the same sex NB Close relatives is defined as brothers, sisters, cousins, step brothers, step sisters. It can also include uncles and aunts where the age gap is deemed appropriate.	2 bedrooms

Dependent children are defined as those who are ordinarily resident with the applicant, who do not appear on another person's application or have an application in their own name (if 16 years and over), and who do not have accommodation elsewhere available to them.

Non dependent adults are defined as those who are 18 years of age and over who are ordinarily resident with the applicant and are reasonably expected to reside with the applicant, who do not appear on another person's application or have an application in their own name and who do not have accommodation elsewhere available to them.

Table (T2) illustrates the maximum property size applicants can bid for based on the composition of their household (for the purpose of assessments on the Register of Housing Need):

Table (T2) illustrates the MAXIMUM property size applicants can bid for based on the composition of their household (for the purpose of assessments on the Register of Housing Need):

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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Single person	Studio or one bedroom property
Couple	One bedroom property
Single person or Couple with a confirmed pregnancy	One bedroom property (until the baby is born)
One adult or a Couple with one child or adult family member	Two bedroom property
One adult or a Couple with with two children or two adult family members of the same sex	Two bedroom property
One adult or a Couple with two children of different sexes where neither of the children are aged 10 years or over	Two bedroom property
One adult or a Couple with two children or adult family members of different sexes where at least one child is aged 10 years or over	Three bedroom property
One adult or a Couple with three children or three adult family members	Three bedroom property
One adult or a Couple with four children or four adult family members	Three bedroom property where it has three double bedrooms and one child over 10 would not have to share with a child of the opposite sex or Four bedroom property
One adult or a Couple with more than four children or more than four adult family members	Four bedroom property (This could be a three bedroom house with two living rooms where one of the living rooms could reasonably be used as a bedroom)

Some exceptions may occur to the details in table T1 and T2. for example, where an additional bedroom is deemed essential on medical grounds or where a property has specific adaptations or a minimum age restriction applies.

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

6. Reasonable Preference

6.1 Do certain applicants get preference over others?

Local Authorities have to give 'reasonable preference' to certain types of applicant in accordance with the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017). However, each Local Authority can exercise discretion to decide the priority between applicants.

Housing applicants are placed into the most appropriate band, which represents their housing need. The band indicates the 'reasonable preference' they are given. Their priority within the band in which they have been placed is determined by length of time in that band.

Applicants are able to move from one band to another if their circumstances change and the new circumstances place them into a different band. If any change of circumstances results in a band change, the Housing Needs Team will write to inform the applicant of the new band and their new priority date if applicable.

The principle of the scheme is that no one should overtake existing applicants in a band. If an applicant moves into a higher band, their priority date is the date they entered that higher band. If an applicant moves into a lower band, their priority date reverts to the date that applied when the applicant was previously in that band, or an earlier date they had from being in a higher band.

The Housing Needs Manager (or equivalent) may authorise a change of band where an applicant has severe multiple needs that mean exceptional circumstances and/or multiple needs warrant emergency priority.

7: Lettings

7.1 How available properties are advertised

Available properties are advertised on the Homemove website.

Any applicants who are unable to access the internet can contact the Housing Needs Team either in person or by telephone to obtain details of properties advertised.

7.2 The eligibility criteria for each property

The eligibility criteria for each property are stated in the property advert and are likely include:

- The minimum and maximum number of persons in the household.
- If there is an age limit or a requirement for a household without young children.
- The mobility group, if applicable (see definition in section 22).
- If applications are restricted to special cases such as a priority transfer.
- If pets are allowed.
- Whether it is sheltered housing.
- Whether a local lettings policy applies.

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The advert also specifies:

- The Registered Provider which owns the property.
- The weekly rent, including any other charges.
- Whether the rent must be paid in advance and whether a deposit is required.
- The tenure type of the property being advertised and whether the tenancy is being offered on a fixed term basis.
- The date the property is expected to be ready for occupation (in some cases).

All adapted properties are advertised with a description of who the property might be suitable for, for example those who use a wheelchair, cannot manage steps or need a level access shower. Those who need these adaptations are likely to be prioritised for such properties.

If a property is advertised but there are no suitable applicants who have bid, the property may be offered as a direct let to applicants in band A, B or C.

Where there have been no eligible bidders on a property which has an age restriction, applicants without children may be considered.

In cases where the Council has accepted a full homeless duty under the Housing Act 1996, Part VII, and have awarded the relevant band, a direct let will constitute a final offer to bring the Council's duty under the homelessness legislation to an end.

If there are no suitable applicants for a property with adaptations, the property may be used to provide temporary accommodation to a homeless household in accordance with Part VII of the Housing Act 1996.

In addition:

- No applicants can bid for properties that would result in overcrowding or under-occupation.
- The Council may occasionally allocate properties to larger households outside the usual size criteria.

The Council aims to maximise the use of available social housing and so priority may be given to existing tenants of Registered Providers who are downsizing or transferring from a property with adaptations that are no longer needed by them. The property advert will clearly state if priority will be given to existing Registered Provider tenants.

8. Bidding for Properties

8.1 The bidding process

Applicants can bid for properties online via the website.

Any applicants who are unable to access the internet or who have difficulty with written English, can contact the Housing Needs Team either in person or by telephone to be signposted to support for bidding.

Full details of how to bid are set out in a Scheme User Guide, which is sent out to all new applicants.

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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Applicants who urgently need to move and who do not bid for properties may receive a direct allocation of a property or be removed or suspended from the register in line with the time limits section.

All bids for a property are checked against the eligibility rules. Ineligible bids are excluded from consideration. Applicants who regularly bid for properties for which they are not eligible will be contacted and offered support.

Applicants can bid for up to three properties they are eligible for each cycle. Once an offer has been made the applicant has the choice to refuse the property.

9. Selection of Applicants

9.1 The selection process

All eligible bids for each property are placed in priority order which is decided by:

- band, then by
- Priority date within the band.

If there is a tie, a Panel of Housing Officers will consider the applications and decide which bid will be given priority.

If there are no eligible bidders for a property, a direct allocation may be made or the property may be re-advertised.

9.2 Viewings by successful bidders

- The Council sends details of prospective nominees to the Registered Provider or Local Authority, advising of the priority order.
- To minimise delays multiple viewings may be carried out. Applicants are required to take proof of identity to the viewing.
- Subject to their own affordability checks and verification processes, the Registered Provider or Local Authority will offer the applicant with the highest priority the option to accept the property.
- If the applicant chooses to refuse the property, the Council will note the reasons for refusal and the Registered Provider will offer the tenancy to the next person on the priority list, and so on.

Note: Being nominated for a property to a Register Provider does not guarantee that a tenancy offer will be made. The final decision on whether to make an offer is for the Registered Provider.

Applicants who have bid for properties are not penalised for reasonably refusing an offer of tenancy. However, applicants who are deemed to have unreasonably refused offers of suitable accommodation will be removed or suspended from the Housing Register. For most applicants on the Housing Register this will be after three unreasonable refusals.

For some band categories, however, this will be one unreasonable refusal. These are:

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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- A2: Successors, non-statutory successors with a priority need and lawful tenants of registered providers who are approved for an offer of smaller or more suitable accommodation who have been made a direct offer because they have not placed a bid on a suitable property for three months.
- A7: Applicants leaving supported housing, where there is an overriding need for social housing and the Council will have nomination rights to a supported housing property following the vacancy arising, who have been made a direct offer because they have not placed a bid on a suitable property for three months.
- A8: Care leavers moving on from supported accommodation who have been made a direct offer because they have failed to bid successfully or have an urgent need to move.
- A9: Applicants where a priority transfer has been agreed due to imminent personal risk to the household who have been made a direct offer.
- A10: Former tenants of Registered Providers or temporary accommodation in Adur/Worthing, who have been given an undertaking to accommodate at the time their tenancy was relinquished, who have been made a direct offer because they have not placed a bid on a suitable property for three months.
- A12: Applicants who are afforded protected person status. These applicants will be made a direct offer of suitable accommodation.
- A13: Applicants living in a refuge or other form of safe temporary accommodation having escaped domestic abuse who have been made a direct offer because they have not placed a bid on a suitable property for three months.

Homeless households who have been accepted onto the Register will only be made one offer of accommodation and, if unreasonably refused, the Council will discharge its duty under homelessness legislation.

- A1: Homeless households owed the main housing duty by the Council who are placed in emergency temporary accommodation. These applicants will be made a direct offer of suitable accommodation.
- B2: Households threatened with homelessness who would be owed the main housing duty but where the household is making their own arrangements in unsettled accommodation. These applicants will be expected to bid on all suitable properties and accept the first offer, or alternatively they will be made a direct offer if they have not placed a bid on a suitable property for six months.

If the previous tenant of a property has reported that he or she was a victim of racial or other harassment, the Registered Provider will advise a prospective tenant of this fact before they formally offer the tenancy.

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

10. Shortlisting of Applicants

10.1 How shortlisting takes place

Offers are made to applicants who match the property type (including any priority given to specific household types) in the order they appear on the shortlist.

In some circumstances, an applicant on the shortlist for a particular property may be by-passed for the following reasons:

- To ensure that wider objectives are met as set out in the next section (local lettings plans and sensitive lets).
- If the property is withdrawn by the Registered Provider at short notice, for example, the existing tenant has not moved or the property is damaged and requires major works.
- If the property is required to meet an applicant who has specific needs or an urgent need and the property on offer matches those needs.
- If the applicant has rent arrears or a housing related debt owed to the Council or another housing authority.
- If the applicant is transferring from a social housing tenancy and their current social landlord anticipates significant recharges will apply due to the condition of the property or the tenant has been asked to rectify non standard work or poor decoration in the property and has failed to do so.
- When the circumstances of the applicant have changed and the change is likely to result in them moving into a lower band or requiring a different size property.
- If further investigation is required into the circumstances of the applicant or a member of their household, which were not apparent at the time of the application.
- When an applicant cannot reasonably be contacted or is not available to take up an offer of accommodation.
- When an applicant has bid for a property that does not meet their housing needs (for example, they have a mobility recommendation and have bid on a property that is unsuitable and cannot be adapted to meet their needs).

11. Local Lettings Plans and Sensitive Lets

The majority of available properties will be advertised and applicants will be shortlisted in priority order within their band. However, there are times when exceptions need to be made to ensure the best use of social housing, and that communities are balanced. These exceptions are set out below.

11.1 To ensure that communities are as balanced as possible

A Local Lettings Plan may be adopted for specific areas. This plan would take into account the needs of the local area and would consider any evidence of problems that need addressing. A Local Lettings Plan may be adopted when a new build development is being let for the first time to

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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ensure a balanced community, and to ensure the area is not over or under populated from the outset. Properties subject to Local Lettings Plans would be clearly advertised and priorities given to those that meet the agreed criteria.

11.2 To ensure that allocations are sensitively made

There are occasions when particular problems may occur in relation to a property or properties within a specific area. To avoid ongoing problems or a recurrence of similar problems, an allocation may need to be made sensitively, for example, it may not be suitable to allocate a property to a particular group based on age, gender or race. Therefore, in exceptional cases, the person at the top of the shortlist may not be offered the property when a sensitive allocation is required. Some properties may be subject to maximum and minimum age restrictions and these are clearly labelled in the property advert.

11.3 To make the best use of social housing and to reduce under-occupation

From time to time a property may be advertised for those who are releasing larger social housing properties or reserved for those who need to move urgently where a social housing vacancy will arise.

12. Time Limits

12.1 Time limits for bidding on properties

The Council may advise applicants of a time limit for bidding. This will occur where an applicant has a housing need (in band A, B or C) and they have not bid for properties that have been suitable for them or there is a need for them to move quickly. The categories of applicants who will be given time limits for bidding are:

- A2: Successors, non-statutory successors with a priority need and lawful tenants of registered providers who are approved for an offer of smaller or more suitable accommodation will be expected to bid on all suitable properties - if they do not bid for three months, subject to a suitable property being advertised, they will be made a direct offer.
- A7: Applicants leaving supported housing, where there is an overriding need for social housing and the Council will have nomination rights to a supported housing property following the vacancy arising, will be expected to bid on all suitable properties - if they do not bid for three months, subject to a suitable property being advertised, they will be made a direct offer.
- A10: Former tenants of Registered Providers or temporary accommodation in Adur/Worthing, who have been given an undertaking to accommodate at the time their tenancy was relinquished, will be expected to bid on all suitable properties - if they do not bid for three months, subject to a suitable property being advertised, they will be made a direct offer.
- A13: Applicants living in a refuge or other form of safe temporary accommodation having escaped domestic abuse will be expected to bid on all suitable properties - if they do not bid

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for three months, subject to a suitable property being advertised, they will be made a direct offer.

- B2: Households threatened with homelessness who would be owed the main housing duty but where the household is making their own arrangements in unsettled accommodation. are expected to bid on all suitable properties and accept the first offer; If they do not bid for three months, subject to a suitable property being advertised, they will be made a direct offer.

The applicant will be notified of the time limit and it will be made clear to the applicant when the time limit will start and end.

13. Properties Not Advertised – Direct Lettings

13.1 Direct lettings

In limited circumstances the Council will allocate properties directly as set out below:

- A12: Applicants who are witnesses or otherwise vulnerable people who are afforded protected person status due to a real and immediate risk to their lives will be made a direct offer. If refused the applicant will be suspended or removed from the Housing Register.
- A1: Homeless households owed the main housing duty by the Council who are placed in emergency temporary accommodation. These applicants will be made a direct offer of suitable accommodation.
- B2: Households threatened with homelessness who would be owed the main housing duty but where the household is making their own arrangements in unsettled accommodation will be made a direct offer if they have not placed a bid on a suitable property for six months.
- A2: Successors, non-statutory successors with a priority need and lawful tenants of registered providers who are approved for an offer of smaller or more suitable accommodation will be made a direct offer if they have not placed a bid on a suitable property for three months.
- A10: Former tenants of Registered Providers or temporary accommodation in Adur/Worthing, who have been given an undertaking to accommodate at the time their tenancy was relinquished, will be made a direct offer if they have not placed a bid on a suitable property for three months.
- A9: Applicants where a priority transfer has been agreed due to imminent personal risk to the household will be made a direct offer
- A7: Applicants leaving supported housing, where there is an overriding need for social housing and the Council will have nomination rights to a supported housing property following the vacancy arising, will be made a direct offer if they have not placed a bid on a suitable property for three months.
- A8: Care leavers moving on from supported accommodation who fail to bid successfully or have an urgent need to move may be made a direct offer.

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- Applicants living in the Borough/District and who qualify to be on the Adur/Worthing Housing Register and where there is no suitable accommodation available to meet their needs in the area but there is suitable accommodation in another Housing Authority areas. In these circumstances a reciprocal arrangement may be agreed and approved by the Housing Needs Manager and the applicant may be made one direct offer.

All properties which are the subject of a direct offer will be assessed as to suitability for the needs of the applicant's household before the offer is made.

14. Refusals

14.1 Refusals following direct lettings

In the categories set out in section 13 of this policy, the Council will make one reasonable offer which, as far as possible, matches the size and type of property for which the applicant is eligible and that is not in an area known to be unsafe for the household. The applicant must give the reasons for refusing the offer. If refused the property will not be held empty while the refusal is reviewed but will be let to another applicant.

NB: Applicants can accept an offer and ask for a review of suitability after the tenancy has started.

If the offer is to a homeless household where the Council has accepted the full housing duty, a manager will review the case to consider whether the refusal is reasonable, and whether the offer constitutes a final offer in accordance with the homelessness legislation.

14.2 Reasonable offers and refusals

When considering the types of property that are suitable for applicants, it is important to remember that more flats become available than houses and bungalows. Generally, single people and couples are considered for studio/one bedroom properties respectively.

Properties with 2 bedrooms are normally let to a couple or single person with one child or two children of the same sex.

Properties with 3 bedrooms are normally let to a couple or single person with three or more children.

There are very few four bedroom properties and these are almost always let to a couple or single person that has four or more children.

If an additional bedroom is required on health grounds, supporting information must be provided to enable an assessment to be carried out. A decision is made by the Housing Needs Manager (or equivalent) in consultation with the Council's Medical Adviser to decide whether an additional bedroom is essential on medical grounds.

Applicants will not be allowed a bedroom to accommodate children who do not live with them permanently, for example children who visit regularly as part of custody arrangements.

The definition of the age children can share rooms is different in Housing legislation than in Housing Benefit legislation. Applicants should note that, whereas Housing Benefit may be claimed

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a larger property in the private sector, the applicant may only be entitled to bid on smaller Register Provider properties under Housing legislation.

15. Feedback

15.1 Feedback on let properties

All properties let are listed in a future copy of the electronic Homemove magazine (available on the Sussex Homemove website) showing the number of bidders for each property and the band and priority date of the successful applicant.

16. Homelessness

If an applicant has been accepted as homeless under the prevention or the relief duty (as set out in the Homelessness Reduction Act 2017) and, in particular, if the applicant is living in temporary accommodation arranged by the Council, they cannot wait indefinitely to bid for properties. This is because the property that they have been placed in will be needed for another homeless household. When an applicant is accepted as homeless they are told that the Council will cease to be under a duty to assist them if they refuse an offer of reasonable and suitable accommodation. Applicants in these categories will be given a time limit in which to bid and if an applicant does not bid within the time specified, a direct letting will be made.

If a household that has been accepted as being owed the full homelessness duty refuses an offer of accommodation, the Council no longer has a duty to accommodate the applicant in temporary accommodation or to offer alternative permanent accommodation. If the applicant does not consider the accommodation suitable, they may ask for a review of the decision even though they may have accepted the offer. If, however, the applicant does not accept the offer and the review is unsuccessful, the Council will not be able to provide any further assistance with accommodation.

17. Other Housing Solutions

17.1 Private sector housing options

The Council provides advice to applicants seeking alternative accommodation in the private rented sector.

In exceptional circumstances, discretionary assistance may be offered to households we are working with to prevent homelessness. This assistance can be matching the household with a suitable private landlord or occasionally be a loan to cover for rent in advance or a deposit or deposit guarantee. Priority for discretionary assistance may be given to people moving on from supported housing when this will release a vacancy in a supported housing project that is needed for another person nominated by the Council.

17.2 Help for home owners

The Council provides advice to homeowners who may be at risk of losing their homes due to repossession or other financial problems.

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There are a number of options that can assist homeowners. These range from negotiation with lenders and exploring the lenders hardship tools to contacting the Department of Work and Pensions about help that may be available to benefit claimants. It is not always possible to prevent someone's home from being repossessed but it is important for applicants to seek advice at an early stage so the maximum options are available to them.

17.3 Supported housing schemes

Supported Housing is commissioned by West Sussex County Council and referrals are made by the Housing Needs Team. Applicants can apply to be considered for particular supported housing schemes that would meet their needs. These schemes are usually for specific groups of people, such as supported housing for young people, or housing for adults with support needs.

Some housing that has support linked to the accommodation, such as sheltered housing, is advertised in accordance with this policy. Other housing where the criteria are more specific, such as extra care housing, is not advertised under the Choice Based Lettings scheme and places are allocated by West Sussex County Council Social Care. .

To contact the Housing Needs Team about supported accommodation:

 **01903 221063**

@ [Email this service](mailto:housing-needs@adur-worthing.gov.uk) housing-needs@adur-worthing.gov.uk

 [Full contact details](#)

For information about Extra Care Housing: [West Sussex County Council Housing Options](#)

West Sussex County Council contact details:

socialcare@westsussex.gov.uk or 01243 642121

If you have a hearing impairment, textphone: 18001 01243 642121.

Phone lines are open Monday-Friday, 9.00am-5.00pm.

18. Registered Provider partners and policies

18.1 Registered Providers in Worthing/Adur

The following Local Authority and Registered Providers (RPs) operate in Worthing/Adur:

Adur:

Adur Homes

Ability Housing

Clarion (Affinity Sutton)

Crown Simmons

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Guinness Partnership

Home Group

Hyde Martlet

Optivo

Sanctuary Housing

Southern Housing Group

Stone Water

Worthing Homes

Worthing:

Ability Housing

Clarion (Affinity Sutton)

Crown Simmons

Guinness Partnership

Home Group

Hyde Martley

Optivo

Sanctuary Housing

Southern Housing Group

Stonewater

Sanctuary Housing

Worthing Homes

18.2 Registered Providers' policies

Registered Providers may have individual policies which prevent them making an offer of a tenancy even when an applicant has successfully bid for a property. Common policies, which exclude people from being offered a tenancy, are:

- Applicants under 18 years, unless they have a guarantor;
- Applicants with outstanding rent arrears in their current accommodation or with a housing related debt owed to them or another Registered Provider or local housing authority;
- Applicants who have demonstrated anti social behaviour;

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- Applicants who have previously held a tenancy with a local authority or Registered Provider and been evicted from that tenancy or voluntarily left it;
- Applicants who have a tenancy (either solely or jointly) with another Registered Provider and the applicant does not live there or the joint tenant is remaining in the property;
- Applicants who own a property (either solely or jointly), or have an interest in a property;
- Applicants with substantial savings, investments or other assets;
- Applicants with significant levels of debt and the Registered Provider has assessed them as not being able to meet their rental liability;
- Applicants with high support needs who are assessed by the Registered Provider as not being able to manage a tenancy.

When a Local Authority (LA) or Registered Provider (RP) does not make an offer of a tenancy to an applicant who has successfully bid for a property, the LA or RP will provide the applicant with full details of the reason for refusal. Any right of review or appeal regarding the refusal by the LA or RP is dealt with by the LA or RP in accordance with their policies and procedures. There is no right of review or appeal to the Council Housing Needs Team as the decision to refuse the applicant is not a decision of the Council Housing Needs Team. .

19. Other Information and Review

19.1 Rights to information and review

Applicants have the right to request general information to enable them to assess how their application is likely to be treated, for example, whether housing accommodation appropriate to their needs is likely to be made available. This information includes whether an applicant is likely to be regarded as a member of a group which has been awarded reasonable preference.

The Register of Housing Need and Choice Based Lettings Scheme give applicants the following rights about decisions which are taken in respect of their applications:

- The right to be notified in writing of any decision to: a) suspend or exclude an applicant from the Register of Housing Need (see section 3) b) make a direct offer (see section 13)
- The right to request a review of any decision made in accordance with a) or b), above.

A request for a review must be made within 21 days of the date of the letter which notifies the applicant of the Council's decision. The Council has discretion to extend the time limit if it considers this is reasonable.

A review request must be submitted in writing. If a person has difficulty writing, the Housing Needs Team can complete a written request on behalf of the applicant which the applicant must then sign.

The review will be carried out by a Manager or officer within the Housing Needs team at an equivalent or higher level than the original decision maker. Further enquiries may be necessary and the person carrying out the review may ask an officer at a lower level to carry out these enquiries.

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The applicant will be advised of the review decision and the reasons for the decision, in writing, within eight weeks of receiving the review request. This time limit may be extended by mutual agreement if further enquiries need to be made before a decision can be given.

The decision made on review is the final decision of the Council. There is no further right of review and no right to appeal against the decision on review.

If there is a change in the applicant's circumstances following the review decision, the applicant may submit a fresh application for consideration in accordance with sections 3, 6 and 13 of this policy.

20. Data Protection and False Information

20.1 Data protection

Adur District/Worthing Borough Council collect personal data about all persons applying for housing. This information is asked for on the Housing Register Self Assessment Form and supporting information, such as medical reports, may also be requested where they will have an impact on decisions. This data is processed and held on a database. The purpose of processing your personal data is to identify housing needs and administer the Choice Based Letting Scheme

All applicants are asked to sign a declaration, which acknowledges that their data is processed in accordance with data protection legislation. In addition, applicants must provide consent to allow their details to be verified and shared with other statutory bodies and other agencies working in partnership with the Council.

Records are kept in accordance with the Council's disposal schedule and we will not keep your information for longer than necessary.

More detailed information about what we collect and the legal basis for collecting this information can be found in the Housing Privacy Notice which is available on the Adur and Worthing Councils website.

20.2 False information

Section 171 of the Housing Act 1996 (as amended) makes it an offence to withhold information that is reasonably required to assess an application or to provide false or misleading information to obtain a tenancy.

Appropriate action will be taken against anyone who obtains a social housing tenancy by knowingly providing false information. This action can result in a fine and / or the termination of the tenancy that has been granted as a result of the false information given.

21. Consultation and Equality Impact Assessment

21.1 Consultation regarding changes in relation to qualification criteria

Consultation was carried out between November 2019 and December 2019, prior to the implementation of this revised policy.

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The responses to the consultation carried out in relation to the qualification criteria is summarized below:

To be added post consultation

21.2 Equality Impact Assessment

An Equality Impact Assessment was carried out prior to the adoption of this Policy.

To be added post consultation

22. Terms and Definitions

22.1 The terms referred to in this policy are defined below

Term	Definition
Anti-Social Behaviour	Any intimidating or threatening activity that scares you or damages your quality of life. Examples include rowdy/noisy behaviour, vandalism, graffiti, fly-tipping, aggressive begging and street drinking.
Applicant(s)	A person applying to join or who is already on the Register of Housing Need. Within Sussex Homemove, applicants are divided into two categories; Transfers (existing social housing tenants living in Worthing) and Homeseekers (all other applicants who are not transfers).
Band	Each Band has a number of categories which reflect housing need. The band is used to prioritise applicants according to their level of housing need.
Bidding / Bid Successful bid	Expressing an interest in an available property. A successful bid is a bid placed by an applicant, which results in the applicant being invited to view that property.
Choice Based Lettings	The allocation and lettings of properties that enables applicants to have choice or express a preference in relation to the accommodation they want.
Direct Lets	A property offered directly to an applicant. The property may not have been advertised.

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Homeless households	Applicants who have been assessed by the Council as homeless in accordance with Section 175 of the Housing Act 1996 (as amended by the Homelessness Act 2002).
Homeowner	A person who owns a property, either on their own or with other persons
Housing Related Debt	A sum of money owed to the Council or a Registered Provider related to housing, for example, rent arrears, contributions to service charges, Housing Benefit overpayment, removal expenses, loans for rent in advance or a deposit, payments made following a deposit guarantee claim.
Local Connection	<p>The applicant or their partner with whom they would normally reside are currently living in the District/Borough and have lived there permanently for at least 5 years out of the previous 6 years immediately prior to the application date;</p> <p>The applicant or their partner has been in employment which is based permanently in the District/Borough for at least five years on a full or part time basis (at least 24 hours per week) and remains in that employment. This can include zero hours contracts, in which case average hours over the last year will be taken into account); or</p> <p>The applicant or their partner needs to be in the District/Borough to give or receive regular daily support from or for a close relative (parents, adult children, brother and/or sister). The carer must be eligible for Carer's Allowance or able to demonstrate that this level of support is required. The support must be required on an ongoing long term basis and be unable to be provided by other family members or available support agencies. The family member must be permanently resident in the District/Borough and have lived here permanently for at least 5 years immediately prior to the application date.</p> <p>The applicant is a young person who is owed 'leaving care' duties by West Sussex County Council (WSCC) under section 23C of the Children Act 1989, is under the age of 21, lived in the District/Borough for at least two years before they were 16.</p>
Local Lettings Plan	A plan to allocate particular properties to people of a particular description, whether or not they fall into the reasonable preference categories.

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Medical Priority	<p>Medical priority is given when an applicant or a member of their household has an illness or disability that is affected by their current housing situation or when they are in need of settled accommodation on physical or mental health grounds or due to overriding social and welfare (including financial hardship) circumstances. There are three categories of medical priority:</p> <p>High – the applicant or a member of their household has a serious (including life threatening) medical condition and their current housing is having a major adverse affect on the medical condition, which warrants emergency priority for housing being given.</p> <p>Medium – the current housing conditions are having a major adverse affect on the medical condition of the applicant or a member of their household.</p> <p>Low – the current housing conditions are having an adverse affect on the medical condition of the applicant or a member of their household which creates a particular need for them to move</p>
Mobility Levels / Codes	<p>Codes to identify the suitability of properties that are advertised for people with mobility problems.</p> <p>Mobility Level 1 – suitable for someone who needs a wheelchair indoors and outdoors.</p> <p>Mobility Level 2 – suitable for someone who may need a wheelchair outdoors but does not need to use a wheelchair indoors.</p> <p>Mobility Level 3 – suitable for someone with restricted mobility who may not be able to manage steep gradients or several steps.</p>
Priority Date	<p>The date given when an applicant enters a Band or when a local connection is acquired. The priority date (along with local connection) determines an applicant's priority over other applicants within the same Band.</p>
Private Sector Housing	<p>Housing owned by private individuals or companies that you rent or own.</p>
Protected Person	<p>Intimidated witnesses include Protected Persons as specified in Section 82 and schedule 5 of the Serious Organised Crime and Police Act 2005</p>

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Qualification Criteria	Criteria that sets out who does and who does not qualify to be included on the Register of Housing Need as set out in section 3.3.3 of this policy.
Reasonable Preference	Certain categories of people set out in Section 166A of the Housing Act 1996, who must be given reasonable preference when determining priority for housing.
Register of Housing Need	A register holding details of applicants who are eligible for social housing, prioritised according to housing need.
Registered Provider (previously referred to as Registered Providers)	Government regulated not-for-profit organisations that provide affordable housing. These include Housing Associations, Trusts and Co-operatives. Registered Providers work with local authorities to provide homes for people on the Register of Housing Need. They develop land, build homes and manage accommodation including maintaining properties and collecting rent.
Re-registration	The requirement for existing applicants to confirm that they still wish to remain on the Register of Housing Need. Applicants who do not re-register have their applications cancelled but can reapply in the future.
Sensitive Allocations	Allocations which need to be made to people of a particular description to balance the community, or where there have been problems in the surrounding area. For example, a property advert may specify that priority will be given to applicants over a certain age.
Social Housing	Housing provided by Registered Providers or Local Authorities.
Supported Housing	A project or scheme that provides accommodation and housing related support for people who need some help with housing matters, such as budgeting, form filling and understanding tenancy conditions or a project or scheme that provides support for issues such as addiction

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23. Legal Background and Papers

In framing the Housing Allocation Scheme, the Council has had regard to the following:

- Section 8 Housing Act 1985 continues to place a duty on every local Housing Authority to consider housing conditions in their District/Borough and the needs of the District/Borough with respect to the provision of further housing accommodation. Further, part 7 Housing Act 1996 (as amended) places an obligation on Local Authorities to promote the prevention of homelessness.
- Housing Act 1996 as amended Section 166A(1) requires every local housing authority to have an allocation policy and section 166A(13): requirement for consultation of an Allocations Policy is to send a draft to all Private Registered Providers and Social Housing landlords to which we have nomination rights and ensure they have reasonable opportunity to comment.
- Localism Act 2011
- Homelessness Reduction Act 2017 placed additional responsibility on Local Authorities in the form of Prevention and Relief Duties and the proposed changes to the policy supports these functions.
- Allocation of accommodation: Guidance for local housing authorities in England (DCLG 2012) as amended
- Housing Allocations - Members of the armed forces (circular 04/2009), April 2009
- Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 (SI 1869/2012)
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 (SI 2989/2012)
- Providing Social Housing for Local People: Supplementary Guidance DCLG 2013
- Right to Move. Statutory guidance on social housing allocations for local authorities in England March 2015
- The Public Sector Equality Duty within the Equality Act 2010

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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- Human Rights Act 1998
- Freedom of Information Act 2000
- Data Protection Act 2018 and General Data Protection Regulation
- Welfare Reform Act 2012
- Existing case law
- Adur and Worthing Community Homelessness Prevention Strategy 2017-2022
- Adur and Worthing Councils' - Housing Strategy 2017-2020
- Adur and Worthing Councils' - Platform for our Places

¹ Section 166A(1) of the Housing Act 1996 as amended Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

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