



**Solihull**  
Community Housing  
Shaping our neighbourhoods

# Housing Allocation Scheme

2014

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# 1. Introduction

## Housing Allocation Scheme

1.1 The Housing Act 1996 (Part 6), as amended, requires all local authorities to have a housing allocation scheme for determining qualification and priorities between applicants for housing, and for defining the procedures to be followed in allocating housing accommodation. Appendix A sets out the main housing law, guidance and circulars that have been used to develop this housing allocation scheme.

1.2 In developing its housing allocation scheme the Council has consulted with housing associations (Registered Providers) having social housing in its area and local voluntary and statutory agencies.

1.3 The Council's objectives for its housing allocation scheme are that it,

- Meets local need
- Helps the most vulnerable
- Provides an accessible, understandable and transparent scheme
- Makes best use of social housing
- Increases opportunities for social tenants in Solihull to transfer
- Helps assist the Council's safeguarding responsibilities
- Promotes the development of safe, sustainable communities.

1.4 The housing allocation scheme is consistent with the Council's Tenancy Strategy 2013 – 2018, the supporting Tenancy Policy and the Council's Homelessness Strategy 2015 -2018.

1.5 Solihull Council's housing allocation scheme is called 'Solihull Home Options' (SHO). Solihull Community Housing (SCH) manages SHO on behalf of Solihull Council.

1.6 All allocations (as defined in Part 6 of the 1996 Housing Act) are made in accordance with the SHO scheme.

1.7 Section 166A (2) of the 1996 Housing Act requires that a housing allocation scheme must include a statement as to the Council's policy on offering people a choice of accommodation or the opportunity for applicants to express preferences about the accommodation to be allocated to them. SHO does this by enabling applicants to apply for particular properties, which have been advertised as available to let.

1.8 Secure tenancies arising in the following circumstances are not covered by the allocation provisions of the 1996 Housing Act:

- a) succession to a tenancy on the death of the previous tenant;
- b) assignment of tenancies by way of mutual exchange;
- c) assignment of a tenancy to a person who would be qualified to succeed to the tenancy on the death of the current tenant;
- d) transfer of the tenancy pursuant to a Court Order under family law provisions, Children Act 1989 or the Civil Partnership Act 2004

These matters are covered in the Council's approved Tenancy Policy.

1.9 This document and an easy to read summary of the scheme are available on the Council and SCH web sites

([www.solihull.gov.uk](http://www.solihull.gov.uk); [www.solihullcommunityhousing.org.uk](http://www.solihullcommunityhousing.org.uk) and <http://www.solihullhomeoptions.org.uk/Data/ASPPages/1/30.aspx>). Paper copies are available free of charge on request.

1.10 The SHO scheme has three parts:

Section 1. Access to the housing allocation scheme. This defines eligibility and qualification to join the Scheme.

Section 2. Assessment and priority for housing. This sets out how applications will be assessed and priority awarded.

Section 3. Management of the housing allocation scheme. This covers the practical operation of SHO.

## **2. Access to the Housing Allocation Scheme**

### **Applications**

2.1 SCH will consider all applications made in accordance with the procedural requirements of the scheme. In considering applications, SCH will ascertain,

- If an applicant is eligible for an allocation of accommodation,
- and • If he or she qualifies for an allocation of accommodation.

2.2 All applicants will be required to provide evidence to verify their eligibility and qualification status at both the point of application and again at the point of allocation.

### **Eligibility**

2.3 The eligibility criteria defined in the Housing Act 1996, as amended, dictate that a Local Housing Authority will not allocate accommodation:

- (a) to a person or persons from abroad who are ineligible for an allocation of accommodation by virtue of section 160ZA, subsection 2 or 4, or to two or more persons jointly if any of them is a person defined as ineligible
- (b) to a person or persons subject to immigration control within the meaning of the Asylum and Immigration Act 1996 (unless they are of a class prescribed by regulations made by the Secretary of State)
- (c) to a person or persons who are excluded from entitlement to housing benefit by section 115 of the Immigration and Asylum Act 1999
- (d) to a person or persons whom the Secretary of State by regulation has prescribed as other classes of persons from abroad who are ineligible to be allocated housing accommodation by local housing authorities in England

### **Qualification**

2.4 Housing allocations are only made to people who are defined as 'qualifying persons'.

2.5 The Council has determined the classes of person deemed to be non-qualifying for social housing in its area.

2.6 The following classes of persons do not qualify to go on Solihull Council's Housing Register,

1. Applicants with no 'close association' to Solihull, with specified exceptions
2. Applicants assessed as having 'no housing need', except some Council housing tenants (see paragraphs 3.35 – 3.38)
3. Persons aged under 18, with exceptions (Appendix B)
4. Applicants whose behaviour, either current or in the past, is deemed to be unacceptable and which continues to make them unsuitable to be a tenant
5. Owner occupiers, with exceptions

Appendix B provides the detailed definitions of these classes.

2.7 The decision that a person does not qualify for an allocation may occur at the point of application or at any time during the life of the application.

2.8 Applicants who have been deemed not to qualify may make a new application if they consider they should now be treated as qualifying. It will be for the applicant to show that his or her circumstances have changed.

## 3. Assessment and Priority for Housing

### Housing Options

3.1 There is a significantly greater demand for social housing in Solihull than can be met by existing supply. SHO will therefore provide applicants with a range of information regarding their housing options. This will include information about, •

Accessing and using SCH's 'Self Help Housing Options' facility

- Arranging mutual exchanges with another council or housing association tenant
- Low cost home ownership options
- Renting in the private sector
- Options to remain in the current home. This includes advice on money and benefits, homeless prevention initiatives and home adaptations through Wellbeing service

### Initial Assessment

3.2 All applications will be assessed in accordance with the SHO scheme and this will involve assessing eligibility, qualification and priority. Should the assessment identify factors requiring further investigation, appropriate follow-up action will be taken. This may involve, for example, further investigation into medical or mobility needs (see paragraphs 3.3 – 3.9) or referral to other services provided by SCH, Solihull Council or other agencies.

### Medical Circumstances

3.3 Applicants indicating that they or anyone in their household has an illness or disability, which is affected by their current home, or who may be vulnerable on physical or mental health grounds and in need of settled accommodation, are requested to complete a Medical Self-Assessment form.

3.4 Designated staff within SCH's Housing Options Team will assess the Medical Self-Assessment form, together with any relevant supporting information provided by, for example, the applicant's general practitioner, hospital consultant or occupational therapist. Professional advice will be sought from SCH's Medical Advisor as appropriate.

3.5 Assessments are made as to the impact that the applicant's current housing has on the health of any member of the household. In reaching a decision consideration is given as to whether the overall impact on the household or any individual member of the household is sufficiently severe to warrant additional priority on medical grounds. If there is no indication that current housing circumstances may impact adversely on the health of the household, the applicant will be advised of such in writing. Professional input to the assessment may be sought by SCH's medical advisor and/or medical professionals.

3.6 There are three categories of medical need:

1. Exceptional medical need. This will be determined where the applicant or a member of the household has a life threatening condition, which is seriously affected by their current housing and which cannot be resolved within a reasonable time. Any applicant unable to leave hospital due to their current permanent housing being unsuitable to return to will be determined as having exceptional medical need. This will be reviewed after six months.

2. Urgent medical need. This will be recommended where the current housing conditions are having a major adverse affect on the medical condition of the applicant or a member of their household. This will be reviewed after twelve months.
3. Non urgent medical. This need will be recommended where the current housing conditions are having a minor affect on the medical condition of the applicant or a member of their household.

These categories are prioritised in accordance with the banding system described in Appendix C.

### **Mobility Needs**

3.7 Any specific requirements for adaptations and/or accessible features are recorded and taken into account when allocating accommodation. SCH may arrange advice from the Housing Occupational Therapist.

3.8 Where an applicant or member of the household requires adaptations and/or accessible features, a referral will be made by the Council's Adult Social Care department to the Wellbeing service. They will work directly with the applicant in assessing the needs for suitable accommodation and the application will be placed in one of the three mobility groups listed below.

3.9 Property information advertised will specify the mobility level of the accommodation (corresponding to the mobility groups) as follows:

1. Mobility 1. Full wheelchair access. Property will include ramped or level access in and out of the property. Accessible kitchen and level access to bathroom.
2. Mobility 2. Partial wheelchair access. Property will include ramped or level access. Accessible bathroom facilities.
3. Mobility 3. Assisted access. Property will include level access or shallow steps with handrail and accessible bathroom facilities.

### **Housing for the Elderly**

3.10 There is a range of Council and housing association housing in Solihull available for the elderly.

3.11 This includes accommodation specifically designated for elderly people who can live independently and in supported accommodation that provides additional support services to residents.

3.12 Most people over the age of 50 can be considered for Council owned homes previously designated for elderly persons only, including bedsit and studio accommodation. Any exceptions will be specified within the letting criteria for individual properties.

### **Priority for Allocation**



3.13 The Housing Act 1996, (as amended) requires local authorities to give reasonable preference in their allocation schemes to people with high levels of assessed housing need. This is defined as:

- All homeless people as defined in Part 7 of the Housing Act 1996, including people who are intentionally homeless, and those who are not in priority need.
- People who are owed a duty by any housing authority under section 190 (2), 193 (2) or 195 (2) of the 1996 Act (or under section 65 (2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section (192 (3).
- People occupying unsanitary, overcrowded or otherwise unsatisfactory housing;
- People who need to move on medical or welfare grounds (including grounds relating to a disability);
- People who need to move to a particular locality within the district where failure to meet that need would cause hardship to themselves or to others.

3.14 The Council will grant additional preference to applicants who fall within the reasonable preference categories and who have urgent housing needs. This is represented by Band A priority in this scheme.

3.15 Social tenants who under occupy their home by two bedrooms or more are considered to be in unsatisfactory housing and the Council has therefore included them in the statutory reasonable preference criteria.

### **The Banding System**

3.16 SHO gives priority to applicants assessed as having housing need. This is done by a banding system whereby households are placed into different priority categories. This ensures that priority for the allocation of housing is given to applicants with the greatest housing need.

3.17 The banding system and the detailed housing circumstances that qualify an applicant for housing priority within SHO are set out in Appendix C.

3.18 Applications will be placed in Bands A to E with Band A cases assessed as having the most urgent housing need, descending to Band E containing applications from households in housing need deemed to have the least priority for accommodation.

3.19 Bands A and B are time-limited bands with either a six-month or twelve-month review for each case awarded the band. Any new information will be taken into account at this stage. The applicant's engagement with Solihull Home Options will be assessed. If the applicant has failed to engage, their priority may be reduced.

3.20 The review will be carried out by a member of the Housing Options team and the applicant will be informed of the outcome in writing. The applicant may appeal against any such decision in accordance with the procedure set out in Section 4 of this Scheme.

3.21 Applicants who fall within more than one of the categories in Band B will be placed in Band A for six months. At the end of that period, their case will be reviewed.

3.22 Applicants who fall within more than one of the categories in Band D and E will be placed in Band C according to the number of cumulative factors.

3.23 Housing priority will be reassessed:

1. Upon receipt of relevant new information or a change in circumstances;
2. In the case of applicants placed in Band A or Band B, every six months or twelve months as set out in Appendix C.

3.24 In order to differentiate between households who have been placed in the same band as another household, the date that the household was placed in that band will determine relative priority.

3.25 Applications from households assessed as having cumulative or multiple housing needs but not so serious as to warrant the priority afforded to cases in Bands A or B, will be placed in Band C.

### **Social Tenants and SHO**

3.26 The Council wants to increase the opportunities for social tenants in Solihull to transfer.

3.27 Outside of this scheme, the Council and partner social landlords will help tenants move through 'mutual exchanges'. This includes promoting mutual exchanges through local, regional and national initiatives.

#### Social tenants in need

3.28 Within the SHO scheme, social tenants with a housing need will be allocated to one of Bands A-E depending on their housing circumstances.

3.29 The housing allocation scheme provides for the operation of an Annual Lettings Plan that sets broad targets for the allocation of homes.

3.30 Under this Plan, 25% of two and three bedroom houses and low-rise flats available annually shall be allocated to Council and housing association tenants transferring within the stock.

3.31 The Plan sets to achieve an appropriate balance in meeting a range of housing needs, helping to achieve a wide variety of housing management and policy objectives. Lettings outcomes will be closely monitored to ensure that, in overall terms, the scheme continues to give preference to those in greatest housing need.

#### West Midlands Best Use of Stock (WMBUS)

3.32 Solihull Council and Solihull Community Housing work in partnership across the regional group known as WMBUS which aims to make the best use of the social housing stock across the region. The partnerships priorities include developing a regional approach that cuts across barriers to housing mobility. This scheme makes provision for the possibility of facilitating social tenant transfers between local authority boundaries.

#### Nil need Council tenants

3.33 Council tenants who want to move but who do not have a housing need will have opportunity to transfer in certain circumstances. Providing tenants with greater opportunities to move within the social sector promotes good housing management and can help strengthen local communities.

3.34 A separate 'T' band applies for existing Council tenants not in housing need but who wish to transfer. Council tenants who can demonstrate a good tenancy record will be allocated to Band T.

3.35 For the purpose of this scheme, a good tenancy record is defined as,

- No investigations in the last 6 months of anti-social behaviour or criminal activities
- No other proven breaches of tenancy within the last 6 months
- No outstanding recoverable housing-related debt over £100

Applicants must have a good tenancy record at both the point of application and at the time of offer.

3.36 The number of allocations to households in Band T shall be set annually by the Council and publicised on the SHO website. Properties will be advertised specifically to people in this band.

### **Non-Successors**

3.37 There is discretion to allocate tenancies to:

- a) persons residing with a tenant at the time of the death of the former tenant who are not entitled to succeed to that tenancy;
- b) former joint tenants who remain in occupation of a property after the termination of the joint tenancy.

3.38 In circumstances where a tenant dies and another household member (who does not have succession rights to the tenancy) has:

- a) been living with the tenant for the year prior to the previous tenant's death and the property was their sole or principal residence for a year before the previous tenant's death; or
- b) been providing care for the tenant and the property was their sole or principal residence for a year before the previous tenant's death;
- c) accepted responsibility for the tenant's dependants and needs to live with them in order to do so.

3.39 Where the tenancy of the property is not granted to the non-successor but it is agreed to offer alternative accommodation, the person shall be placed in Band B, as set out in Appendix C.

3.40 The Chief of Operations and Head of Housing Options each has delegated authority to make these decisions.

### **Former Joint Tenants**

3.41 Former joint tenants who can demonstrate a long term commitment to the property as their home (for example, adults who have shared accommodation as partners, friends or unpaid carers) will be considered for the tenancy of the property. Cases will be reviewed in relation to former joint tenants whether the property will not be significantly under-occupied by the grant of the tenancy and the allocation has no other adverse implications for the good use of the housing stock.

3.42 In either case, consideration will be given to the conduct of the applicant in relation to the matters contained in paragraphs 3.56 – 3.57 of this scheme.

3.43 The Chief of Operations and Head of Housing Options each has delegated authority to make decisions.

### **Moving Between Priority Bands**

3.44 There will be occasions where applicants' circumstances change resulting in their application moving up or down the priority bandings. In these circumstances the following will apply:

#### **1. Moving up a band**

The date the higher priority band was awarded will be the start date for the application in the new band. This is to ensure that applicants who are awarded a higher band and move up do not overtake other applicants already placed within that band awaiting housing.

#### **2. Moving down a band**

The new priority date reverts to the date that applied when the applicant was previously in that band or any earlier date when they were in a higher band. This is to ensure that applicants who move down the bands are not penalised in terms of waiting time.

<b>Example</b>	<b>Priority date</b>
Applicant applied to register in January and is awarded Band D	January
In February applicant is awarded Band C	February
In March applicant is awarded Band A	March
In April applicant is down-graded to Band C	February

### **Changes of Circumstances**

3.45 Applicants whose circumstances change are required to notify the Council as soon as possible. Examples of a change in circumstance where notification should be given would include:

- Any confirmed pregnancy
- Any member of the family or any other person on the application form who has left the accommodation currently in occupation • Any changes of name or address
- Any additions to the household (proof of residence and identification will be required)
- A change in status of accommodation (e.g. Notice to Quit)
- A change in an applicant's medical situation
- A change in immigration status

### **Deliberately Worsening Circumstances**

3.46 Where there is evidence that an applicant has deliberately worsened their circumstances in order to qualify for higher priority under the scheme, no additional priority will be given.

3.47 This is where an applicant moves from accommodation that was available for their occupation; that was suitable or more suitable for them than the accommodation they have moved to; and which it was reasonable for them to have continued to occupy.

3.48 For an applicant to have deliberately worsened their circumstances there must be evidence that it would have been reasonable for the applicant to have remained in their original accommodation.

3.49 An applicant is entitled to request a review of a decision that they have deliberately worsened their circumstances.

### **Property Size**

3.50 Different sizes and types of households are eligible for different sizes of property  
e.g. a single person will be allocated a one-bedroom property and will not normally be considered for larger accommodation. The size of accommodation a household will be eligible for is shown in Appendix D.

3.51 All properties advertised in the scheme will detail the household size that can bid for it.

### **Non-Eligibility, Removal from the Housing Register and Reduction of Priority**

3.52 An applicant may become ineligible for an offer of accommodation if there is a change in their immigration status.

3.53 An applicant will be removed from the Housing Register if a change in their circumstances means that they no longer qualify (paragraphs 2.4–2.8 & Appendix B).

3.54 Applicants and/or any members of their household who are included in the housing application whose behaviour, either current or in the past, is deemed to be unacceptable and which continues to make them unsuitable to be a tenant will not qualify to join the Scheme. These decisions are made under delegated responsibility to SCH.

Such disqualifying behaviour includes;

- Using a property for immoral or illegal purposes leading to successful Court action being taken
- Committing an act of fraud, withholding, falsifying or misrepresenting any information pertaining to access to public funds and/or services
- Rent arrears which includes eviction from a former tenancy due to rent arrears and/or a wilful non-payment of rent arrears
- Other unacceptable behaviour which may include but is not limited to circumstances where the applicant or a member of their household has,
  - used or threatened violence or used abusive behaviour towards any employee or agent of Solihull Council, Solihull Community Housing, or a Registered Provider
  - been convicted, or cautioned, of any offence including any violence, dishonesty, sexual, anti-social behaviour and any drugs related
  - been evicted from a tenancy of any landlord due to a breach of any tenancy condition

- a civil injunction or restraining order made against them, including domestic violence.

3.55 In determining whether an applicant does not qualify, or is disqualified, SCH will consider the seriousness of the offence, its location, frequency, how recently it has occurred, its relevance, the nature of the offence and what type of action has been previously taken, which may include formal intervention by other parties including Police, Probation, other Council services and support providers, and the SCH Anti- Social Behaviour Service. SCH will consult with these and any other organisations in determining qualification.

3.56 Where the Council has reason to believe that unacceptable behaviour is due to a physical, mental or learning disability, or as a result of abuse, the person will not be determined as non-qualifying without first consulting as appropriate with any relevant agencies, including Social Services, the Council's independent medical adviser and local providers of support services.

3.57 An applicant who refuses two suitable offers will be suspended from bidding for a period of three months.

3.58 For the purpose of this Scheme, providing an offer:

- Is of the right size, affordable, having regard to the bedroom entitlement definition in Appendix D
- Has not been made in error by the Council
- Is accepted by the Council as not presenting a risk to the applicant in offering accommodation in the area the offer was made.

Then the offer will be regarded by the Council as a suitable offer.

3.59 An applicant will normally be suspended from bidding as long as they have,

- Any current rent arrears in excess of two weeks rent and failed to maintain payments agreed with the Council on a payment plan to reduce their arrears
- Former tenancy arrears in excess of £150

3.60 Where the Council has reason to believe that tenancy debts are due to a physical, mental or learning disability, or as a result of abuse, the person will not have their priority reduced until SCH have consulted as appropriate with any relevant agencies, including Social Services, and local providers of support services.

3.61 These decisions are made under delegated responsibility to the Head of Housing Options and the Housing Options Manager.

3.62 Applicants have the right to request a review of the decision as set out at paragraphs 4.53 – 4.60.

## 4. Management of the Scheme

4.1 All allocations will be made in accordance with the provisions of the SHO scheme.

4.2 All applicants will need to make an application. This should be completed online at <http://www.solihullhomeoptions.org.uk/Data/ASPPages/1/30.aspx>. Exceptionally a paper application can be completed. This can be obtained by contacting SCH on 0121 717 1515, from a Housing Office or Solihull Connect. Appendix E provides these addresses.

4.3 Where an applicant is likely to have difficulty making an application without assistance, SCH will secure that the necessary assistance is available free of charge.

4.4 All applicants registered with SHO will be able to access information on properties advertised as available for allocation and express an interest in those properties for which they are eligible to be considered.

### Property Adverts

4.5 Properties available to let will be advertised on a weekly basis.

4.6 The weekly advertising cycle will run from 12.00am Wednesdays until the following Tuesday up to 11.59pm. No expressions of interest ('bids') will be accepted on properties advertised in that week after the 11.59pm Tuesday deadline.

4.7 Information on the properties advertised can be accessed in the following ways:

- Solihull Home Options website **[www.solihullhomeoptions.org.uk](http://www.solihullhomeoptions.org.uk)**. Applicants can access the website at a range of locations see Appendix E
- A newsletter will be circulated to agencies across the borough working with vulnerable groups and applicants requiring rehousing
- SCH and Solihull Connect offices
- Offices of partner housing associations
- General advice and support on accessing and using the scheme can be obtained from SCH's Contact Centre on telephone number 0121 717 1515.

### Advertisement Information

4.8 The property advertisement will include the following information,

- the landlord
- how the applicant or tenant can show an expression of interest for the property
- the closing date for the advertisement
- weekly rent and service charges if applicable
- number of bedrooms
- floor level
- special features/adaptations, including 'Extra Care' housing
- other restrictions (for e.g. where a Local Letting Plan is in place)
- location
- mobility group (if applicable)
- the preferred household size that is best suited to the property
- if pets are not allowed

- if the accommodation is accommodation for older people
- any age restrictions applicable, for example, over 60+ • neighbourhood information.

Housing association landlords may specify additional criteria.

Properties are generally advertised during the notice period of the exiting tenant.

### **Expressions of Interest**

4.9 Applicants can express interest in the properties advertised ('bids') in one of the following ways:

- Solihull Home Options website [www.solihullhomeoptions.org.uk](http://www.solihullhomeoptions.org.uk) (using their unique PIN number)
- touch tone telephone on 0845 270 1602
- SMS text on 07781 486932
- visits to Solihull Connect and SCH offices, offices of partner housing associations.

4.10 Applicants may make up to two bids for properties advertised in any one advertising cycle.

4.11 At the end of each advertising cycle, bids will be checked to confirm that they match the letting criteria for the properties in question. Ineligible bids will not be considered.

### **Shortlisting and Selection**

4.12 At the end of each advertising cycle, eligible bids will be shortlisted according to the priority of applicants under the banding scheme. This will determine which applicants are invited to view the accommodation. The property will then generally be offered to the household in the highest priority band for the longest length of time.

4.13 However, there will be limited exceptions to this e.g. when preference is given on mobility criteria and the property is offered to the applicant whose specific needs are best met by the adaptations within the accommodation or for example where larger households who require large family accommodation.

4.14 In addition, where cases have circumstances including homelessness or regeneration and there is an urgent requirement to provide accommodation, allocations may be made to cases who are not the highest band for the longest length of time.

4.15 Lettings outcomes will be closely monitored to ensure that in overall terms the scheme continues to give preference to those in the greatest housing need.

4.16 In most instances applicants will be notified within 5 working days of the advertisement closing if they have been shortlisted as case one to have first viewing of the property.

4.17 If no interest is shown in a particular property, the landlord may:

- make a direct allocation (paragraphs 4.26 - 4.30)
- re-advertise the property
- advertise the property as an immediate let (paragraphs 4.31 – 4.32).



## **Verification Process**

4.18 Offers of accommodation will be contingent on provision of proof of identity and appropriate evidence to verify housing circumstances. Acceptable forms of proof and verification are listed at Appendix F.

4.19 Failure to produce appropriate evidence may result in an investigation into the eligibility or priority of the application concerned.

## **Viewing Arrangements**

4.20 Applicants shortlisted for offer will be contacted to arrange a viewing of the property. Viewing may be conducted during repair works to the property. Applicants will be notified of their place in the shortlisting and will be given the opportunity to decide whether to take up the invitation to view.

4.21 In order to minimise delays, multiple viewing arrangements may be made for no more than six applicants per property. Specific appointments will be agreed to enable each applicant to view the property separately.

4.22 SCH staff will accompany applicants viewing Council-owned accommodation.

## **Decisions Not to Make an Offer**

4.23 Designated officers of SCH or partner housing associations may decide not to proceed with an offer of accommodation if:

1. Any of the circumstances relating to non-eligibility, non-qualifying status, reduction of priority listed under paragraphs 3.54 - 3.56 are found to apply at the point of offer;
2. Personal or household circumstances have changed resulting in reduced priority for offer due to changed circumstances
3. Where it has been assessed that the applicant or member of their household has mobility needs that cannot reasonably be met by the property in question;
4. There is reasonable evidence that to do so might endanger the health, safety or well-being of neighbouring residents.

## **Exceptions to Bidding**

4.24 'Extra Care' housing will be advertised as part of the SHO scheme but an additional process involving other agencies may apply. This recognises the specialist nature of Extra Care housing and the need to ensure that applicants fulfil the scheme-specific eligibility and allocations criteria agreed jointly by the parties to Extra Care commissioning agreements.

4.25 Available properties which are adapted or which are suitable for adaptation or which are otherwise potentially suitable for applicants with a substantial disability or other special or support needs may also be allocated outside strict banding and date order priority set out in this scheme.

## **Direct Offers**

4.26 In certain limited circumstances it may be necessary to make a direct offer of accommodation to an applicant. Applicants will be encouraged to seek accommodation through the SHO process with a view to keeping the number of direct offers down to a minimum.

4.27 To ensure consistency and fairness all direct offers of accommodation will be monitored by senior officers of SCH.

4.28 Where a statutory duty to provide accommodation is owed, the Council reserves the right to offer suitable accommodation to discharge any such duty at any time during the household's housing registration.

4.29 In addition to this, other circumstances where a direct offer of accommodation may be made include:

- To discharge the Council's statutory homeless duties
- To meet the specific needs of an applicant who is required to move under decanting arrangements
- People moving from designated supported accommodation
- Households who may not be able to engage in the SHO bidding process due to vulnerability or urgency
- Multi Agency Public Protection Arrangement cases – where there is a need to control where a person is placed
- Where the applicant has a serious offending history and there is a need to consider a managed allocation • Households left in occupation
- Family Intervention Project cases – where strict control is needed on where applicants are placed
- Low demand properties allocated for a specific initiative or purpose provided that, overall, reasonable preference is given to those in most housing need.
- Other, exceptional, circumstances as directed by the Head of Housing Options or the Housing Options Manager.

4.30 In order to manage expectations, where possible, the household will be made aware of the likely availability of properties by both type and location.

### **Immediate Lettings**

4.31. Low demand properties, including two bedroom high rise flats and three bedroom low rise flats may be considered for immediate letting.

4.32 This means that these properties can be advertised outside of the normal advertising cycle. Applicants with a housing need will be given first consideration but other applicants maybe selected for an offer provided that they have a close association with Solihull

### **Feedback on Lettings**

4.33 SHO will publish weekly feedback on lettings outcomes via the website and newsletter. In addition, information will be available at Solihull Connect, SCH offices and partner housing associations. Feedback information will include:

- The number of expressions of interest for each property advertised.
- What band the property was advertised as and the band of the successful applicant; and
- The registration date of the successful applicant.

## **Housing Register Management - Re-registration**

4.34 Applicants registered with Solihull Home Options will be responsible for ensuring that their application details are up to date and correct.

4.35 Applications will automatically lapse unless renewed by the applicant every twelve months. This will be confirmed in writing to the applicant.

4.36 The SHO system will prompt applicants when they access the scheme, for example to look at advertised properties or to make bids.

4.37 Where applicants are unable to manage self-registration, or are unable to access the internet, support will be available from SCH officers.

## **Removing applications from the Housing Register**

4.38 Applications will be removed from the Housing Register in the following circumstances:

- It is found that the applicant has never been, or ceases to be, an eligible or qualifying person (as defined in legislation and in Appendix B);
- Failure to re-register their application annually;
- Fail to respond to formal communication concerning the application; or
- The applicant requests removal
- Fail to place a bid within a twelve month period from the date of their registration or re-registration
- Where a bid is successful and a tenancy is secured, the applicant will have their registration details and registration number removed from the Register.

4.39 Once removed from the register, applicants may register again in the normal way and will be awarded a registration date at the point that the new application is received. Applicants will be made aware of this procedure at initial registration.

## **Housing Management Delegations**

4.40 Authority for managing and operating Solihull Council's housing allocation scheme is delegated to SCH.

4.41 Officers acting under these delegated powers take operational decisions: Chief Executive, Chief of Operations, Head of Service, Housing Options Manager and Housing Options staff.

4.42 The Chief Executive or Chief of Operations can designate additional delegations in the absence of officers defined in this section.

4.43 Decisions on disqualification from the Housing Register and reduction of priority are delegated to the Head of Service and the Housing Options Manager. This includes delegated authority to grant exceptions to the residence and poor behavior criteria in relation to the move-on provisions agreed for designated supported housing schemes, where this is within the existing quota arrangements and where it is demonstrated that:

- The applicant is now suitable for independent living, and
- Has established links with the area, and
- There is no reasonable alternative option available.

4.44 The authority to grant Special Need priority for a move to a specific property type and/or area in circumstances that warrant an urgent move but which are not adequately reflected by standard housing need (bands). These decisions are made under delegated responsibility by the Head of Service or the Housing Options Manager.

4.45 The authority to grant priority where the applicant is releasing Council accommodation that is particularly important for meeting housing need, will be delegated to the responsibility of the Chief of Operations and the Head of Service.

4.46 The authority to grant priority where the applicant needs to move to Solihull, where failure to meet that need would cause hardship (to themselves or to others) will be delegated to the responsibility of the Head of Service or the Housing Options Manager.

4.47 Varying letting criteria, including bedroom entitlement relating to low demand properties in order to make best use of council stock, is delegated to the responsibility of the Chief of Operations and the Head of Service.

4.48 Waiver of age restrictions on the letting of properties designated for elderly persons is delegated to the responsibility of the Chief Executive, Chief of Operations and the Head of Service.

4.49 The Chief of Operations and Head of Service each have delegated authority to make decisions in relation to non-successors.

4.50 Chief of Operations and Head of Service each have delegated authority to make decisions in relation to former joint tenants.

4.51 Racial Harassment, hate crimes and domestic violence in circumstances where the applicant or a member of their household has been the victim of racial harassment or other hate crime including homophobic attacks or domestic violence and urgently needs to be re-housed to avoid further risk of violence will be additional preference and awarded Band A. Decisions will be delegated to the responsibility of the Head of Service or the Housing Options Manager.

4.52 Authority to amend the designated supported housing providers and the annual quotas is delegated to the Chief Executive and Chief of Operations

## **Rights and Obligations**

4.53 Applicants have the right to receive information and to request reviews of decisions.

4.54 Sections 166 and 167 of the Housing Act 1996 contain provisions relating to the rights of applicants to receive advice and information, as well as rights to request reviews of decisions made in respect of their applications. In operating the scheme, officers of SCH will ensure that these obligations are met.

4.55 Applicants have the right to request a review of the following decisions made in respect of their request for housing:

a) that a person is ineligible for housing because of his/her immigration status b) to remove qualification status under the scheme because of unacceptable behaviour serious enough to make them unsuitable to be a tenant of Solihull Council

c) any decision about the facts of his/her case which is likely to be, or has been taken into account in considering whether to allocate housing accommodation to him/her.

4.56 Any such request for a review of a decision should be made in writing to the Head of Housing Options within 21 calendar days of notification of the decision. A representative of the applicant may do this on their behalf.

Head of Housing Options  
Freeport RLSSUEBARTUZ  
Solihull Community Housing  
Endeavour House Meriden  
Drive  
Solihull B37 6BX

4.57 Applicants will be given the opportunity to provide any further information that the Council may be previously unaware of and to put forward the reasons why they believe that the decision is incorrect.

4.58 The Head of Housing Options, or another delegated officer who is in more senior position to the officer who made the original decision, will then consider the request for a review alongside the decision that had been previously made.

4.59 The applicant will be informed of the decision, in writing, within 56 calendar days of the request for a review being received. The applicant has the right to be informed of the decision on the review and the reasons why the decision has been made.

4.60 If an applicant receives a negative decision regarding their review they will be advised to seek independent advice. The only right to challenge the decision would be through Judicial Review, which will require specialist legal assistance. Applicants will be provided with information on local Citizens Advice Offices, Solicitors or Shelter, who will be able to assist further.

## **Other Matters**

### Nominations

4.61 All housing associations lettings made through this Scheme will be counted as local authority nominations.

4.62 The Council shall agree specific nomination agreements with housing associations where this is requested. This will define the number, type, size and location of properties, administrative arrangements and monitoring.

### Local Lettings Plans

4.63 Special allocation arrangements may apply in respect of newly built or refurbished properties, or in defined areas.

4.64 A local lettings plan will define lettings priorities for a clearly defined area of properties.

4.65 Local lettings plans (LLP) may be applied in the following circumstances,

#### Local Lettings Plans

4.63 Special allocation arrangements may apply in respect of newly built or refurbished properties, or in defined areas.

4.64 A local lettings plan will define lettings priorities for a clearly defined area of properties.

4.65 Local lettings plans (LLP) may be applied in the following circumstances,

- Where there are estate management problems or issues affecting the sustainability of an area. A local lettings plan may be used where steps are needed to prevent or reverse social conditions that are threatening the housing rights of most residents or the value of the stock. In this circumstance, the local lettings plan must have clear objectives aimed at tackling demonstrable social problems in a specific area.
- On a new housing development or modernisation/refurbishment scheme where the Council wants to promote particular objectives including the promotion of a balanced and sustainable community. Any local lettings plan will be agreed with the social housing landlord concerned.
- On housing schemes developed in rural areas, where planning permission specifically relates to the housing being provided to meet local housing need in a Parish or neighbourhood area. Properties will be offered firstly to those applicants in the greatest need who have a close association to the parish or neighbourhood area. In all cases, the LLP shall be jointly agreed with the relevant Parish Council, Village or Neighbourhood Plan.

4.66 Authority for approving local lettings plans is delegated to the Director of Managed Growth and Policy Lead Advisor - Housing

#### Move on from Supported Accommodation

4.67 The Council will ensure that designated supported housing providers have the opportunity to help people into permanent accommodation and thereby create vacancies in supported housing to meet priority cases.

4.68 Residents of designated supported accommodation in Solihull and funded by the Council will be placed in Band D. Each provider will receive a quota of additional priority allocations, which will allow them to nominate a set number of residents per year for promotion to Band B when they are ready to move on to permanent accommodation.

4.69 The Council will require supported housing providers to confirm that the applicant has engaged with them to acquire the skills needed to live independently. The designated providers and the annual number of additional priority awards is defined in Appendix C, note 12.

4.70 Applicants will have a four week period in Band B to bid for available properties and officers in the supported provider organisations will be expected to work with applicants to help them make realistic bids.

4.71 If the applicant has not been successful in bidding by the end of the four week period they will receive an extension to the priority banding if they have been bidding appropriately or a direct offer of accommodation if they have not been bidding appropriately.

4.72 Authority to amend the designated supported housing providers and the annual quotas is delegated to the Chief Executive and Chief of Operations

#### Movement Incentive Scheme

4.73 A movement incentive scheme is available to Council tenants who are willing to release under-occupied properties and move to smaller accommodation as set out in the terms of the scheme. A financial payment may be paid, based on the number of bedrooms and type of property released. More information is available from SCH.

#### Service Standards

4.74 Applicants will be given clear information on the service standards that they can expect.

4.75 Service standards are available on the SCH website

#### Equal Opportunities

4.76 Solihull Council is committed to promoting equality of opportunity and equality of access that is free from discrimination, prejudice, harm, stereotyping, harassment, victimisation, and any other form of discrimination.

4.77 The Equality Act 2010 defines 'protected characteristics' which are,

- age,
- disability,
- gender reassignment,
- marriage and civil partnership,
- pregnancy and maternity,
- race,
- religion and belief • sex
- sexual orientation.

4.78 The Council has carried out a Fair Treatment Assessment of the housing allocation scheme. SHO aims to ensure that all sections of the community have equal access to services and that such services are non-discriminatory, culturally sensitive and are delivered in a way that takes into account the specific needs of people with protected characteristics.

4.79 SHO aims to meet the needs of disabled applicants requiring adaptations by seeking to facilitate the most appropriate match between individual applicants' needs and the adapted, or partially adapted, properties that become available to let. The wellbeing service works jointly with the SHO service to meet these requirements.

4.80 A wide range of translation services will be made available to applicants from ethnic minority groups and material is also available in other formats.

4.81 Council staff and Members and their relatives are treated as any other applicant and must be seen not to be gaining any advantage, disadvantage or any preferential treatment in the course of their application.

4.82 Accordingly, the aforementioned persons must have no direct input into any decisions regarding their re-housing.

4.83 Applications should be clearly marked on the housing management system that the application is that of a staff member, council member, or relative'.

#### Data Protection and Freedom of Information

4.84 Information regarding a person's application for housing may be shared with other Council services and partner organisations to ensure our records are kept accurate and to help us to identify services you may be entitled to or interested in. It will not ordinarily be disclosed to third parties unless the law allows or requires so. By signing the housing application form an applicant gives consent for Solihull Council to make relevant enquiries with regard to their housing need and their potential ability to manage a future tenancy. The declaration also gives express consent to share such information with housing associations participating in SHO and other partners. The Council also reserves the right to check information provided by customers with a data matching service.

#### Confidentiality

4.85 All applications for housing accommodation will be dealt with in a confidential manner. Information held under the scheme will not be disclosed to any third party except where:

- a) The individual who is the subject of such confidential information has consented to disclosure to a third party; or
- b) It is permissible to disclose the information under data protection legislation; or
- c) There is a requirement in law to make such disclosures; or
- d) It is considered that the customer has given consent for any information held on an application to be shared with other social housing landlords and other agencies.

#### False information or Withholding Information

4.86 Under Section 171 of the Housing Act 1996, it is a criminal offence for applicants to knowingly or recklessly give false information or to withhold information relevant to their housing application. An offence may be committed if an applicant knowingly or recklessly gives false information, or withholds information which the Council has reasonably requested on the housing application form. An offence is also committed if the applicant allows a third party to provide false information on their behalf or at their instigation. The Council may prosecute under these circumstances.

4.87 Where evidence is obtained that an applicant has gained a tenancy through providing false information or by withholding relevant information the Council will in all cases, consider prosecuting the tenant and taking possession proceedings

4.88 Applicants who fail to provide information that they would have been reasonably expected to provide (or where the Council obtains information that would affect their housing application) or who provide false information may be removed from the Housing Register or have their priority reduced.



4.89 The Council will, in all cases, consider prosecution if there is evidence that the applicant (or a person acting on the applicants' request) has knowingly or recklessly made a false statement, or withheld information in connection with their housing application which has been reasonably requested.

#### Monitoring and Reviewing the Scheme

4.90 The Council recognises that it is important for applicants for housing and the wider community to understand how social housing is allocated and who is getting social housing. Information on the Housing Register and lettings outcomes will therefore be published on the SCH and SHO web site and by the Council.

4.91 Monitoring reports will be produced to assess whether or not the scheme:

1. Delivers its objectives (paragraph 1.3)
2. Continues to give reasonable preference to those in greatest housing need and that the scheme is not dominated in any way by applicants who fall outside of the categories of need outlined in this scheme.

4.92 Reviews of this policy will be undertaken by the Council and reported to the Council's Scrutiny Board when required and in response to any,

1. Policy related issues identified in the monitoring reports referred to in paragraph 4.90 and 4.91 above
2. Changes in legislation that affect the policy
3. Changes in national guidance.

## **Appendix A: Legal Background**

In setting its Housing Allocation Scheme the Council has had regard to legislation, government guidance, regulations and ministerial letters and this has included:

- The Housing Act 1996 as amended by the Homelessness Act 2002, Housing and Regeneration Act 2008 and Localism Act 2011
- Allocation of Accommodation: guidance for Local Housing Authorities in England, June 2012
- The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2012 (SI 2012/2588)
- The Allocation of Housing (Qualification Criteria for Armed Forces Personnel) (England) Regulations (SI 1869/2012)
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 (SI 2989/2012)
- Existing case law
- Equality Act 2010
- The Armed Forces Covenant, 2011
- Localism Act 2011
- Welfare Reform Act 2012
- The Regulatory Framework for Social Housing in England from 2012 (Homes and Communities Agency)

- Letter from the Department of Communities and Local Government to all Chief Housing Officers (England) concerning eligibility regulations (17 October 2012)
- Letter from Department of Communities and Local Government to all Chief Housing Officers (England) concerning new eligibility regulations (17 October 2012)
- Providing Social Housing for Local People, December 2013

This is not an exhaustive list and the Council will review the need to amend its Scheme in the light of legislative change and new guidance and regulations that may be issued from time to time.

Solihull Council considers that the provisions of this Housing Allocations Scheme comply with the provisions of the Human Rights Act 1998 and the European Convention on Human Rights.

## **APPENDIX B: Qualification Criteria**

The decision that a person does not qualify for an allocation of accommodation may occur at the point of application or at any time during the life of the application.

SCH will consider an applicant's qualifying status at the time of initial application and also when considering making an allocation to them.

### Close Association with Solihull

A close association with Solihull will be established if one of the following circumstances exist,

The applicant or a member of their household:

- Is currently resident in the borough and has been for the two years immediately prior to their application in accommodation that was of their own choice;
- Has lived in the borough of Solihull for at least three of the last five years in accommodation that was of their own choice;
- Has close relatives who have been living in the borough for at least five years (close relatives means parents, adult children or brothers and sisters);
- Has employment in the borough (meaning the actual physical place of work rather than, for example, the location of the employer's head office) and which is ongoing and regular and has been for at least the last 6 months;

- e) Special circumstances – a close association established on these grounds is likely to be exceptional e.g. the need to be near special medical or support services which are available only in the Solihull area; able to demonstrate that they or their family face life threatening crisis and require immediate rehousing as a consequence of fire, flood or a child protection emergency
- f) A child leaving the care of Solihull Council will have a close association to Solihull

The applicant must be able to prove that they meet at least one of these circumstances.

### Exemptions

The following classes of persons are exempt from the close association qualifying criteria:

- a) Persons who are serving in the regular forces or have done so in the five years preceding their application for an allocation of housing accommodation
- b) Bereaved spouses or civil partners of those serving in the regular forces where their spouse or partner's death is attributable (wholly or partly) to their service and the bereaved spouse or civil partner's entitlement to reside in Ministry of Defence accommodation then ceases
- c) Seriously injured, ill or disabled reservists (or former reservists) whose injury, illness or disability is attributable wholly or partly to their service
- d) Persons owed the main homelessness duty under Part 7 of the Housing Act 1996 (subject to consideration of the disqualifying behaviours defined in paragraph 3.56).
- e) Social housing tenants identified as requesting a transfer that is consistent with any local, regional or national initiative to make best use of social housing stock and tackle under occupation, for example, WMBUS (see paragraph 3.34).  
Decisions on cross boundary transfers will be made by the Head of Service or the Housing Options Manager, subject to the overall consideration that there should be no adverse implications for meeting the priority housing needs of applicants with a close association to Solihull.
- f) Persons exempted under the delegated authority given to the Housing Options Manager and Head of Service in relation to the agreed move –on arrangements for residents of designated supported accommodation (paragraphs 4.43 and 4.67 to 4.72)

### Proof of Close Association

Though not exhaustive, the following documentation may be used to prove close association:

- Electoral Register
- Housing Benefit records
- Council Tax Benefit records
- Council Tax records
- Tenancy agreement
- Utility bills (gas, electric, water)

- Television license
- Full bank statements showing name, address and date of issue
- Credit card statements
- Department for Work and Pensions benefit notification letters
- Educational establishment records
- Employer records
- Confirmation provided by relevant statutory bodies and support organisations
  - Any Council records which can legally be used for this purpose

The following will not be considered under any circumstances:

- Medical cards
- Mobile telephone bills/statements
- Catalogue bills/statements

### Definition of Housing Need

Persons/Households will be assessed as having 'no housing need' if they do not have any of the housing need criteria defined in the 'Housing Circumstances' of the Priority Bands set out in Appendix C, and will not qualify to join the Scheme.

### Age Restriction

Persons under the age of 18 will not qualify to join the Scheme.

Exceptions to this will be:

- (a) Young people leaving care who are assessed as having a need for, and being capable of maintaining, independent accommodation (see Appendix C, note 8)
- (b) Homeless young people aged 16 or 17 who are owed the main homelessness duty under Part 7 of the Housing Act 1996.

### Behaviour

Applicants and/or any members of their household who are included in the housing application whose behaviour, either current or in the past, is deemed to be unacceptable and which continues to make them unsuitable to be a tenant will not qualify to join the Scheme.

These decisions are made under delegated responsibility to SCH.

Such disqualifying behaviour includes;

- Using a property for immoral or illegal purposes leading to successful Court action being taken
- Committing an act of fraud, withholding, falsifying or misrepresenting any information pertaining to access to public funds and/or services
- Rent arrears which includes eviction from a former tenancy due to rent arrears and/or a wilful non-payment of rent arrears
- Other unacceptable behaviour which may include but is not limited to circumstances where the applicant or a member of their household has,

- used or threatened violence or used abusive behaviour towards any employee or agent of Solihull Council, Solihull Community Housing, or a Registered Provider.
- been convicted, or cautioned, of any offence including any violence, dishonesty, sexual, anti-social behaviour and any drugs related offence. - been evicted from a tenancy of any landlord due to a breach of any tenancy condition
- a civil injunction or restraining order made against them, including domestic violence.

### Consideration in determining whether or not a person qualifies for the Scheme

(all applicants)

In determining whether an applicant does not qualify, or is disqualified, SCH will consider the seriousness of the offence, its location, frequency, how recently it has occurred, its relevance, the nature of the offence and what type of action has been previously taken, which may include formal intervention by other parties including Police, Probation, other Council services and support providers, and the SCH Anti- Social Behaviour Service. SCH will consult with these and any other organisations in determining qualification.

The Housing Options Manager and Head of Service have delegated authority to grant exceptions to the poor behavior qualifying criteria in relation to the agreed move-on arrangements for residents of designated supported accommodation (paragraphs 4.43 and 4.67 to 4.72).

### Owner occupiers

The SHO scheme does not intend that social housing is provided to people who already own their own homes. There may be exceptional circumstances where a social housing allocation to a home owner may be considered. Home owners will only be permitted to join the Scheme where,

- The Council has completed a care needs assessment and the applicant is eligible for publicly funded services as defined by eligibility frameworks or
- They do not have access to the financial resources to resolve their own housing difficulties.

## Appendix C: Banding & Housing Circumstances

(Bands A – E; Band A highest priority; this relates to Part 6 allocations) T

Band - Council tenants only, allocations through the annual letting plan.

Housing Circumstances	Priority
<b>Exceptional medical need</b> as defined in paragraph 3.6	<b>A</b> 6 months time-limited review
<b>Acute overcrowding</b> Where the applicant and their household are living in accommodation which is acutely overcrowded according to the bedroom standard (3 or more bedrooms too few) Note 1	<b>A</b> 6 months time-limited review
<b>Hazardous accommodation</b> Where the applicant and their household are living in accommodation which the Council's Public Protection Officers confirm as a Category 1 hazard under the Housing Health and Safety Rating System and where,  (i) the Council is satisfied that the property condition cannot be resolved by the landlord within a reasonable time period and (ii) as a result continuing to occupy the property will pose a considerable risk to the applicants health. Note 2	<b>A</b> 6 months time-limited review
<b>Racial harassment / hate crimes / domestic violence</b> Where the applicant or a member of their household has been the victim of racial harassment or other hate crime (including homophobic attacks) or violence/domestic violence and urgently needs to be re-housed to avoid further risk of violence they will be awarded additional preference.  Decisions on this will be taken by the Head of Service or the Housing Options Manager where the level of risk involved is assessed as requiring a higher priority response than the Band B awarded to persons owed the main (statutory) homelessness duty. Note 3	<b>A</b> 6 months time-limited review
<b>Vulnerable persons / witness protection tier 1</b> The applicant or a member of their household is vulnerable by reason of a real threat of violence or an attempt on the life of the person / witness giving evidence and the police have recommended that the applicant be urgently re-housed Note 4	<b>A</b> 6 months time-limited review
<b>Releasing particular Council accommodation important for meeting housing need</b> Decisions on this are delegated to SCH's Chief of Operations or the Head of Service	<b>A</b> 6 months time-limited review
<b>Releasing 2 or more bedrooms in a house or ground-floor flat / maisonette in Council or partner housing association properties in Solihull</b>	<b>A</b> 6 months time-limited review

<b>Foster Carers</b> Those approved by Solihull Council to adopt who need to move to a larger home in order to accommodate a looked after child Note 5	<b>A</b> 6 months time-limited review
<b>British Armed Forces</b> Applicants from serving and ex-members of the BAF (including reserve forces) if they fall within the reasonable preference categories, have urgent housing needs and meet one or more of the criteria in note 6 Note 6	<b>A</b> 6 months time-limited review
<b>Overcrowding</b> Applicants overcrowded by 2 bedrooms according to the bedroom standard for overcrowding (assessed using the Bedroom Assessment table in note 1).	<b>B</b> 12 months review then direct offer
<b>Regeneration / clearance</b> Where the applicant is the current tenant of accommodation which is subject to clearance and is required to move , and there is no other urgent housing need such as would entitle the applicant to be placed in Band A	<b>B</b> 12 months review then direct offer
<b>Statutory homeless</b> Where the applicant is owed the full housing duty under section 193 of the Housing Act 1996 and there is no other urgent housing need such as would entitle the applicant to be placed in Band A Note 7	<b>B</b> 4 advertising cycles – review then direct offer
<b>Urgent medical need</b> as defined in paragraph 3.6	<b>B</b> 12 months review
<b>Hardship</b> Where the applicant needs to move to Solihull where failure to meet that need would cause hardship (to themselves or others). Decisions on this will be taken by the Chief Executive and Chief of Operations of SCH	<b>B</b> 12 months review
<b>Children Leaving Care</b> Children leaving care under Section 23 of the Children Act 1989, as amended by the Children Leaving Care Act 2000 and homeless 16 or 17 year olds owed the main homelessness duty under Part 7 of the Housing Act 1996 Note 8	<b>B</b> 12 months review
<b>Solihull Council – tied accommodation</b> Where the applicant occupies accommodation by reason of their employment with Solihull Council and is retiring	<b>B</b> 12 months review
<b>Families in need</b> Note 9	<b>B</b> 12 months review
<b>Non-successors</b> See paragraphs 3.39-3.42	<b>B</b> 12 months review then direct offer
<b>Special need</b> Note 10	<b>B</b> 12 months review
<b>Releasing 1 bedroom in a house or 1 or more bedrooms in a flat or maisonette in Council or partner housing association properties</b>	<b>B</b>
<b>4 need factors</b> – cumulative need: see Note 11	<b>C4</b>

<b>3 need factors</b> – cumulative need: see Note 11	<b>C3</b>
<b>2 need factors</b> – cumulative need: see Note 11	<b>C2</b>
<b>Persons in designated supported accommodation</b> Note 12	<b>D</b>
<b>Vulnerable persons / witness protection tier 2</b>	<b>D</b>
The applicant or a member of their household is vulnerable by reason of violence made against a person / witness giving evidence but is not considered life threatening and the police have recommended the person be re-housed (tier 2);	
<b>Homeless persons other than those who are currently owed the full housing duty under section 193</b>	<b>D</b>
<b>Ex-offenders</b> Applies where applicant has given up a Council or partner housing association tenancy upon entering prison or who have been made the subject of a referral by MAPPA (subject to agreement from the Landlord)	<b>D</b>
<b>Households 1 bedroom short of bedroom assessment as defined in note 1</b>	<b>D</b>
<b>Sharing bathroom and / or kitchen with another household and 1 bedroom short</b>	<b>D</b>
<b>Vulnerable persons / witness protection tier 3</b> The applicant or a member of their household is vulnerable where there is only a perceived threat by the person / witness giving evidence and other crime prevention techniques will be considered with the need for re-housing not urgent (tier 3)	<b>E</b>
<b>Children in flats</b> Where the applicant has a household including one or more children and occupies a high or low-rise flat which is above the ground floor	<b>E</b>
<b>Sharing bathroom and / or kitchen with another household or no inside WC</b>	<b>E</b>
<b>Non urgent medical</b> as defined in paragraph 3.6	<b>E</b>
<b>Couples without children living separately</b>	<b>E</b>
<b>Owner occupiers – exceptional circumstances</b> Note 13	<b>E</b>
<b>Council housing tenants</b> Council housing tenants who do not have housing need but wish to transfer. Applicants must demonstrate a good tenancy history.  A good tenancy history is defined as,  <ul style="list-style-type: none"> <li>• No investigations in the last 6 months of anti-social behaviour or criminal activities</li> <li>• No other breaches of tenancy within the last 6 months •</li> <li>• No outstanding recoverable housing-related debt over £100</li> </ul>	<b>T</b>



## **Notes**

### Note 1

#### **Bedroom Standard**

The bedroom standard is based on the ages and composition of the family. Under this standard a separate bedroom is allocated to each:

- Married or cohabiting couple
- Adult aged 21 or over
- pair of adolescents aged 10-20 years of the same sex
- pair of children aged under 10 years regardless of sex

### Note 2

#### **Hazardous Accommodation**

Applicants who occupy a privately owned property where the Council has determined that the property poses a Category 1 hazard (excluding overcrowding) under the Housing Health and Safety Rating system and the Council is satisfied that the property condition cannot be resolved by the landlord within a reasonable time period and as a result continuing to occupy the property will pose a considerable risk to the applicants health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the conditions being remedied with a reasonable time period and the applicant is unable to resolve their own housing circumstances by moving to alternative private sector accommodation.

Applicants occupying private sector property which is subject to a prohibition or demolition order related to disrepair and the effect of that order is likely to mean that the applicant will lose the use of the property on a permanent basis. Additionally the relevant conditions of the property must present an immediate threat of serious injury to the occupants or is life threatening.

### Note 3

#### **Harassment/Violence**

Additional (Band A) priority will be awarded at the discretion of the Head of Housing Options or the Housing Options Manager where:

- there is an immediate threat to life or of very significant harm; and
- it is not safe for the applicant / household to remain in their present housing situation.

Decisions will be based upon all the relevant information available, including any information obtained as a result of enquiries made to, or representations received from, the police and / or other multi-agency partner(s).

Harassment includes racial harassment, hate crimes which include homophobia, sexual harassment, threats of violence or intimidation. Actual violence including domestic violence, criminality linked to housing, drug production and associated crimes linked to harassment

Note 4

### **Witness Protection tiers 1, 2, 3**

In order to protect witnesses the Council has adopted the West Midlands Witness Protection Protocol, which outlines three levels of support that are available to witnesses.

This is managed by SCH in conjunction with the Police and other agencies and recognises the need at times to address the re-housing of applicants in circumstances of urgency specified

Note 5

### **Foster carers and those approved by the Council to adopt.**

Priority will be given to foster carers and those approved by the Council to adopt who need to move to a larger home in order to accommodate a looked after child. This priority will only be awarded where the family/household has been approved to adopt or foster and the child/children concerned is/are waiting to be placed pending the provision of appropriate housing.

This priority will also be given to special guardians, holders of a residence order or family and friends carers who are not foster carers but who have taken on the care of a child because the parents are unable to provide care and the child/children concerned is/are waiting to be placed pending the provision of appropriate housing

Special guardians, holders of a residence order and family and friends carers who are not foster carers but who have taken on the care of a child because the parents are unable to provide care and need to move to a larger home in order to accommodate the child.

Note 6

### **British Armed Forces**

Applicants from serving and ex-members of the BAF (including reserve forces) will be given Band A if they fall within the reasonable preference categories, have urgent housing needs and who meet one or more of the following criteria:

- the person is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service;
- the person formerly served in the regular forces;
- the person has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service; or
- the person is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

Note 7

### **Homelessness**

Statutory homeless may also be discharged by a suitable private rented property as set out in homeless legislation and guidance.

Note 8

### **Young People leaving care and applicants who are 16 or 17 years old.**

#### Care Leavers

The Council has a duty to assess and meet the needs of young people who are in care or care leavers.

Solihull Council, acting as a 'corporate parent', aims to ensure care leavers have a smooth transition into independent living. A joint housing / children's services protocol exists to facilitate the transition from care into an independent social housing tenancy, where this is assessed as being the appropriate pathway for the young person concerned

#### Homeless 16 or 17 year olds

16 or 17 year olds who approach as homeless or threatened with homelessness will be assessed jointly by Solihull Community Housing and Children's Services under a separate protocol to establish the extent of any duty under the Housing Act 1996 or the Children Act 1989.

Note 9

### **Families in need**

Priority will be awarded to applicants where families need to be housed either:

- to maintain families living together where there is family breakdown
- to support 'Family Plans' developed by the Solihull Family Intervention Project
- to maintain a child support network
- as a consequence of child protection issues

Cases of this nature will be discussed with partner agencies and organisations which include Council services such as Education and Children services, Families First team, Adult Social Care and multi-agency panels who will inform decisions if the family in need category will be awarded.

Note 10

### **Special need**

The housing allocation scheme is intended to cover the vast majority of applications so that they can be assessed in a consistent, equitable and accountable way. The banding system takes into account a wide range of circumstances that many applicants detail in their housing applications.

However there is discretion to award additional preference to applicants where it is not sufficiently recognised by the allocation scheme or it is in the Council financial or strategic interest to award additional preference. For example where a child or public protection issue creates an urgent need for housing.

It is impossible to anticipate every eventuality and therefore designated officers within SCH have discretion in exceptional circumstances to award special need priority. The award of special need priority will be subject to periodic review.

Note 11

### **Cumulative Need**

Applicants who fall within more than one of the categories in Bands D and E will be placed in Band C according to the number of cumulative factors.

Note 12

### **Supported Accommodation**

The designated supported accommodation covered by the move-on provisions are shown below,

<b>Designated Provider</b>	<b>Number of Annual Promotions to Band B</b>
Birmingham and Solihull Women's Aid	No quota – applicants placed in Band B when assessed ready to move-on
Bromford Young Parent schemes	No quota - applicants placed in Band B when assessed ready to move-on
Bromford Pathways (young people)	6
Home Group (young people)	12
St. Basils (young people)	6
Fry Housing (ex-offenders)	7
Changes UK (drug/substance misuse)	4
Midland Heart (drug/substance misuse)	6
Bromford (learning disability)	3

Note 13

### **Owner Occupiers**

Owner occupiers will only qualify to join the Scheme in exceptional circumstances. Home owners will only qualify to join the Scheme where,

- The Council has completed a care needs assessment and the applicant is eligible for publicly funded services as defined by the eligibility frameworks or
- They do not have access to the financial resources to resolve their own housing difficulties.

Community care assessment: SCH will refer to the Council's Adult Social Care Directorate to confirm the applicant's position in respect of this.

### Financial Resources to resolve own housing difficulties:

The first option for an existing home owner would be to stay in their current home. This may be achieved through,

- Money and debt advice (including negotiation with any lenders on the property)
- Advice on funding repairs and maintenance and accessing reputable workman
- Advice on home adaptations, including possible grant assistance (referral to Wellbeing service)

Where SCH conclude that it is not possible for the applicant to remain in their current home there will be an assessment of whether they can resolve their own housing difficulties by moving to alternative market housing in the borough. Home owners with sufficient income, assets or savings that would enable them to resolve their own housing difficulties will not qualify to join the Scheme.

This will be determined by assessing whether the applicants' borrowing potential, savings, assets and income are sufficient for them to purchase a property in the borough. An applicant who is able to afford a property at the 'lower quartile' that meets their needs will not qualify to join the Scheme.

The lower quartile shall be defined annually by the Council on the basis of Land Registry data (DCLG statistical table 583). The current lower quartile figure is £220,00 (Dec 20)

## **Appendix D: Bedroom Entitlement**

One bedroom is allowed for,

- Head of household (Single adult or couple)
- Two children of the same sex under the age of 16
- Two children regardless of sex under the age of 10
- Any other person aged 16 or over
- A carer (or team of carers) which provides regular care to a resident disabled person

## **Appendix E: Contact Points**

### **Solihull Home Options**

**[www.solihullhomeoptions.org.uk](http://www.solihullhomeoptions.org.uk)**

### **Solihull Community Housing**

**[www.solihullcommunityhousing.org.uk](http://www.solihullcommunityhousing.org.uk)**

Phone 0121 717 1515

Send a text message to 07781 474 722

SCHs call centre is open Monday to Friday from 8am to 6pm

### **Solihull Connect**

SCH walk-in services are provided by Solihull Connect.

Solihull Connect provides information and advice about Council services, in person at the walk-in by telephone, email or fax at the Contact Centre.

### **Walk-in Centre locations**

Further information is available at <http://www.solihull.gov.uk/connect/walkincentre.htm>

#### **Solihull Connect at The Core,**

Theatre Square,  
Solihull, B91 3RG

#### **Solihull Connect at the Bluebell Centre,**

Ground Floor West Mall, Chelmsley  
Wood, Solihull, B37 5TN

## **Appendix F: Verification Requirements for Council Housing**

Applicants must provide a minimum level of information to enable their application to be verified. This will include proof of identification. If the applicant is not already a tenant of Solihull Council it will be mandatory to provide information relating to current tenancy/residence.

- Birth certificate
- Pregnancy confirmation (16 weeks)
- Divorce or separation papers
- Completion of sale document for the last property sold
- Proof of employment. We need this if the applicant works in Solihull but does not live here
- Child residence/custody papers
- Parental Responsibility Agreement

- If you are a property owner, please provide proof of savings and investments. If you have a recent valuation please enclose this too
- Child Benefit Book
- Passport
- Family Tax Credit
- Income Support & Housing Benefit
- British Armed Forces discharge papers
- Photo driving licence

Applicants will be required to provide one or more of these forms of identification, together with confirmation of circumstances as requested.

This is not an exhaustive list and other supportive evidence may be requested.

Failure to produce evidence to support the verification of the applicant's circumstances may result in the offer of accommodation being withdrawn and/or the suspension of their housing application



# Appendix G: Glossary of Terms

## Allocation

A local authority makes an allocation of accommodation under the 1996 Housing Act (Part 6) where it,

- Selects a person to be a secure or introductory tenant of accommodation held by the local authority
- Nominates a person to be a secure or introductory tenant of accommodation held by another housing authority
- Nominates a person to be an assured tenant of accommodation held by a housing association

## Applicants

This term is used to refer to all household members seeking to register for housing in the scheme.

## Band

When the applicant applies for housing, they will be placed in a priority band, which reflects the current housing circumstances. There are six. Bands A – E are housing need bands and band T is for social tenants who want to move. The advertisement for each property shows the band(s) that will be given preference.

## Bid

An applicant's way of showing interest in a property that is advertised. Up to two bids are allowed in each weekly advertising cycle.

## Bidding deadline

The deadline for placing bids each week. This is 11.59pm every Tuesday.

## Decant

The process of moving residents from their homes, for example while work to the property is carried out or the property is demolished.

## Extra Care Housing

The aim of extra care is to meet the housing, care and support needs of older people, while helping them to maintain their independence and privacy.

## Fair Access to Care Services (FACS)

The national eligibility framework in England for prioritising the use of adult social care resources. There are four bands: Critical, Substantial, Moderate and Low.

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### **Family Intervention Project**

Solihull's programme is called 'Families First'. It is a service that works with families with complex and multiple issues.

### **Feedback**

This tells applicants how properties have been let in the weeks before. The feedback also informs applicants on the priority (band) of the offer made and how long that person had been on the housing register.

### **Housing Allocation Scheme**

This sets out the rules for qualifying to go on the Housing Register, how applicants are prioritised and how Solihull manages the allocation of available properties.

### **Housing Association (also known as Registered Provider)**

Housing providers, who also provide housing for rent and shared ownership at affordable prices.

### **Housing Register**

A list of people seeking accommodation from the Council and housing associations.

### **Multi Agency Public Protection Arrangements (MAPPA)**

The aim of MAPPA is to ensure that a risk management plan drawn up for the most serious offenders benefits from the information, skills and resources provided by individual agencies including the police, prison and probation services is coordinated through MAPPA.

### **Partner Housing Association**

Housing providers who are part of the Solihull Home Options scheme and operate the allocation of housing in Solihull by means of one allocation system and one housing register managed by Solihull Community Housing.

## **Self-Help Housing Options**

Part of Solihull Home Options. Self-help is a computerised system that applicants can access on-line and which helps them to make an assessment of their housing options.

## **Shortlisting**

This is the list of applicants who have shown an interest in the property (placed a bid). This list is used to offer the property to the applicant with the highest priority according to the allocation policy.

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## **Solihull Community Housing (SCH)**

SCH is the Arm's Length Management Organisation (ALMO) responsible for the running the housing service on behalf of Solihull Council since April 2004. The Council owns the properties and is the landlord.

## **Solihull Home Options**

The name of the Solihull's Housing Allocation Scheme. The SHO service advertises available homes, enables customers to place bids for properties they are interested in, provides feedback on bids made and provides advice and support to applicants who wish to be housed in Solihull.

## **Wellbeing**

A service provided by Solihull Community Housing that offers people who are older, disabled or on a low income an affordable way to repair, improve or adapt their homes.

## **Transfer**

This is where a tenant of a local authority or housing association moves to another rented property. This may be with the same, or a different, social landlord.

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# Get in touch

## Join us on social media:

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Solihull Community Housing



@solihullhousing



solihullcommunityhousing



Solihull Community Housing

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### Freepost RLSS-UEBA-RTUZ

Solihull Community Housing  
Endeavour House  
Meriden Drive  
Solihull  
B37 6BX

**Phone:** 0121 717 1515

**Typetalk:** 18001 0121 717 1515

**Text:** 07781 474 722

**Website:** [www.solihullcommunityhousing.org.uk](http://www.solihullcommunityhousing.org.uk)



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