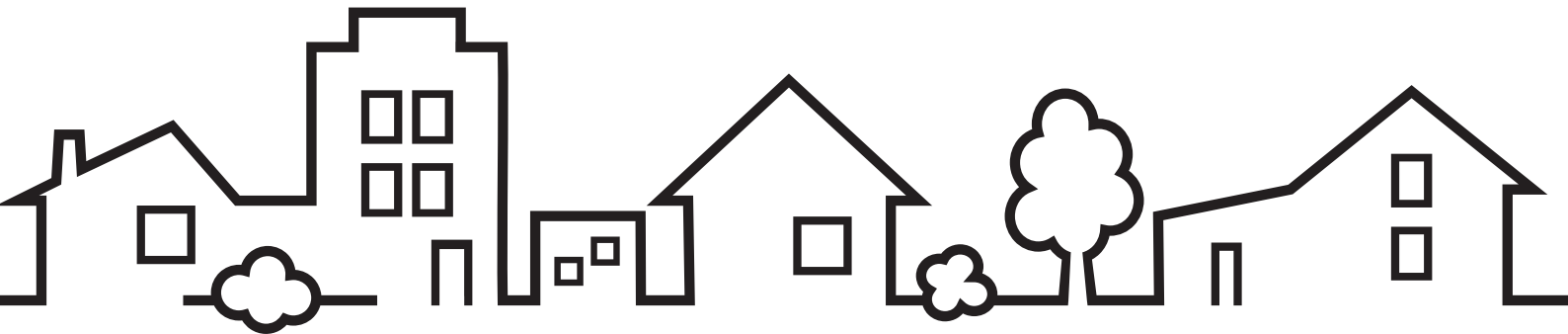


# HomeseekerPlus



## Common allocations policy document



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# 1. Introduction and policy statement

## Introduction

1.1 Homeseekerplus is a choice-based lettings (CBL) scheme run by the seven local authorities in partnership with social housing landlords and any other housing providers that are required to deliver affordable homes through section 106 affordable housing obligations within Gloucestershire and West Oxfordshire.

1.2 The seven local authorities are Tewkesbury Borough Council, Gloucester City Council, Cheltenham Borough Council, Stroud District Council, Forest of Dean District Council, Cotswold District Council and West Oxfordshire District Council.

1.3 Demand for affordable social housing within the Homeseekerplus area is very high and cannot be met from the available social housing resources. Only those in the highest housing need, with a local connection to the area are likely to obtain housing through the Homeseekerplus scheme. Each district's Housing Advice Service will be able to advise on a range of housing options including the private rented sector.

1.4 This policy explains who is eligible and qualifies to apply on Homeseekerplus and sets out how applications will be assessed based on housing need.

1.5 Homeseekerplus aims to allocate social housing in the partner council areas in a fair and transparent way while complying with all legal requirements.

## Overview of how the partnership functions

1.6 Homeseekerplus enables social housing landlords and other housing providers (as detailed in 1.1 above) to advertise their homes. Applicants are able to express an interest in them; this is known as placing a "bid" for a property. Once a bid is placed the system generates a shortlist, sorting applicants in order of band, band start date and whether they meet the criteria of the advert. Priority for properties goes to those who have a local connection with the local authority in which the property is located, then to those who have a local connection with any of the other Homeseekerplus districts and finally to anyone else.

1.7 All applicants seeking social housing across Gloucestershire and West Oxfordshire will complete the same application process and will be assessed against the same clear set of criteria. Depending on their circumstances, applicants will be placed into one of four bands: Emergency, Gold, Silver or Bronze subject to final verification by a Homeseekerplus partner.

1.8 Once an application has been made, applicants are advised of their banding and banding start date, together with details of how to access the system. This enables applicants to bid for suitable social housing vacancies being advertised across the whole of Gloucestershire and West Oxfordshire.

1.9 Once the bid deadline has passed, the successful applicant will normally be the highest priority household at the point of shortlisting. This is assessed against the criteria for the property, including where local connection applies, and taking into account any local letting plans.

1.10 Responsibility for letting each available property lies with the social housing landlord. The appropriate landlord must confirm that the details on the application are still correct and may undertake their own assessment to ensure the property is right for the applicant before making an offer. Incorrect information may result in the offer being withdrawn and the applicant's circumstances being re-assessed.

1.11 Applications for sheltered and extra care housing schemes may require an assessment of the household's support needs, prior to any offer being made.

## Policy statement

1.12 This policy aims to:

- Assist in building sustainable communities.
- Enable informed choice of housing/ housing options and improve levels of customer satisfaction.
- Operate a common selection system that offers realistic, informed choice for all applicants.
- Ensure that those who have the greatest need for housing have the greatest opportunity to secure it.
- Ensure that less able applicants are involved in the lettings process and have choices, offering equality of opportunity for all.
- Make best use of available housing resources to meet local need.
- Minimise the refusal of offers of accommodation and reduce rent loss by allowing people to choose where they live, thereby supporting sustainable communities.
- Where possible, give people with a local connection to a district priority in the letting of housing within that district.
- Enable mobility within social housing in Gloucestershire and West Oxfordshire.
- Enable the authorities to meet their statutory duties including where duties are owed to homeless Applicants under Part VII of the Housing Act 1996, as amended and the Homelessness Reduction Act 2017.
- Contribute towards tackling discrimination.
- Use a common eligibility criteria and housing application process.
- Ensure fairness, simplicity and transparency with a system that is easily understood.
- Promote a feeling of ownership and commitment to their area as they will have chosen to live there.
- Assess applications according to the applicant's needs under the framework of the policy.

## Equal opportunities and social inclusion

1.13 All partners of Homeseekerplus agree that applicants should be given every possible assistance to access the housing register and search for suitable properties. Applicants who are identified as being potentially disadvantaged by the scheme may be contacted to discuss alternative options.

1.14 All partners of Homeseekerplus are committed to the elimination of discrimination. They promote equality of opportunity for all and work towards this goal in the provision of services.

1.15 We are committed to:

- Eliminating discrimination, harassment, victimisation and any other conduct prohibited by the Equalities Act 2010
- Advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it
- Foster good relations between people who share a protected characteristic and those who do not share it
- Removing or minimising disadvantages suffered by people who share a relevant protected characteristic that are connected to that characteristic
- Taking steps to meet the needs of people who share a relevant protected characteristic that are different from the needs of people who do not share it
- Encouraging those people who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- Making the best possible use of the existing and potential workforce and resources by enabling cross boundary moves

1.16 Applicants potentially disadvantaged by the scheme will initially be identified from the application process and they may be offered a home visit or interview. Staff will seek to establish any support needs and identify ways of enabling the applicants to fully participate in Homeseekerplus. This may include sending copies of the adverts in large print to an applicant or simply providing advice. Translation services may be provided where appropriate.

1.17 Disadvantaged applicants are able to nominate a person (including family members, friends or a professional worker) to help them bid, or to bid on their behalf for suitable properties. Signed consent will be required if requests are made by a third party.

1.18 The local authority may bid for suitable vacancies on a vulnerable applicant's behalf if they are at risk of being disadvantaged by the scheme and have no support to enable them to make bids themselves. This may include the use of the 'Autobid' function.

1.19 Agencies providing support may be able to assist their client with help on housing issues.

# 2. Legal

## Legal Framework

2.1 Homeseekerplus complies with the local authorities' statutory duties under Part VI and VII of the Housing Act 1996 as amended, and the Homelessness Reduction Act 2017, in addition to any other relevant legal duties, and has regard to the following:

- Allocation of accommodation: guidance for local housing authorities in England 2020
- Equalities Act 2010
- Public Sector Equality Duty
- Data Protection Act 2018
- Localism Act 2011
- Immigration Act 2014
- Local letting plans
- S.106 agreements
- Armed Forces Act 2011

Furthermore, this policy will have due regard to any subsequent superseding acts and/or guidance.

## Data retention

2.2 As part of the application process, personal data is required to support any housing application. We will comply with all data protection legislation. This includes:

- For active applications, data is stored for as long as the application is active.
- For housed applications, data is stored for three years
- If Homeseekerplus is not accessed for a period of one year, then the case will be set to 'removed' and removed after six months.
- Homeless applications are stored for three years.

## Definition of social housing providers for Homeseekerplus

2.3 For the purposes of this policy, affordable housing is defined as being social rented and affordable rented housing provided to eligible households who otherwise would be unable to secure alternative provision, and who have been assessed under this policy. Housing providers who operate within the Homeseekerplus boundaries are defined as being registered providers, arm's length management organisations or stock owning Councils. Eligibility and qualifying criteria for providers is set by this policy.

2.4 All partners have a common goal to provide homes for local people in housing need with eligibility determined within this policy framework.

## Types of tenancies

2.5 Depending on the landlord and applicants' circumstances, an applicant may be offered either an introductory, secure, starter, assured, fixed term, assured short hold or flexible tenancy.

## Who is eligible to register?

2.6 Homeseekerplus is open to anyone in housing need who is not subject to immigration rules which would otherwise exclude them. Eligible households may include, but are not limited to, existing tenants looking to transfer to another property, homeless households looking for a permanent home and other households who might, for example, reside in the private sector or lodge with family and friends. A household includes anyone that may reasonably be expected to live together with them as part of their application.

## Who is not eligible to register?

2.7 Persons from Abroad:

Persons subject to immigration control who are eligible for an allocation of housing accommodation, the following classes of persons subject to immigration control are persons who are eligible for an allocation of housing accommodation under Part 6 of the 1996 Act:

Class A – a person who is recorded by the Secretary of State as a refugee within the definition in Article 1 of the Refugee Convention and who has leave to enter or remain in the United Kingdom;

Class B – a person:

- who has exceptional leave to enter or remain in the United Kingdom granted outside the provisions of the Immigration Rules; and
- who is not subject to a condition requiring him to maintain and accommodate himself, and any person who is dependent on him, without recourse to public funds;

Class C – a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and whose leave to enter or remain in the United Kingdom is not subject to any limitation or condition, other than a person—

- who has been given leave to enter or remain in the United Kingdom upon an undertaking given by his sponsor;
- who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which his sponsor gave the undertaking in respect of him, whichever date is the later; and
- whose sponsor or, where there is more than one sponsor, at least one of whose sponsors, is still alive; and

Class D – a person who left the territory of Montserrat after 1st November 1995 because of the effect on that territory of a volcanic eruption.



2.8 If the local authority decides that an applicant is not eligible to register for any of these reasons, they will notify the person of the decision in writing, including the reason.

2.9 Other:

- Applicants under 16 years of age at the date they apply are not eligible to register for Homeseekerplus.

2.10 Persons who are ineligible for a tenancy in their own right may still be included within a household application and for determining the number of bedrooms needed for the household.

# 3. Scheme conditions

## Who does not qualify?

3.1 Homeseekerplus has been established under the terms of the Housing Act 1996, as amended, and the Localism Act 2011. This gives local authorities the right to decide who will not qualify for social housing.

3.2 Applicants who may initially be eligible to register on Homeseekerplus but, following assessment, do not qualify, will be excluded from Homeseekerplus. Others may be eligible and qualify to be included but are subsequently suspended from bidding

3.3 The following are persons who do not qualify for Homeseekerplus:

- An applicant may not hold two tenancies at one time, applicants must be able to end their current tenancy within a reasonable period from being made an offer.
- An applicant will not qualify for social housing if the local authority has undertaken an affordability check which has shown that they have sufficient financial resources to adequately resolve their own particular housing need through outright purchase, lease or mortgage. This check will consider the type of accommodation needed to meet these needs to resolve their own housing need within their district.
- Homeowners who own or part own a property which is suitable for the household's needs or where those needs can be resolved through adaptation, and where it is safe to remain.

3.4 If the local authority decides that an applicant does not qualify, they will notify the applicant of their decision in writing and the reasons for it.

3.5 Applicants who do not qualify will need to reapply in full if they feel their circumstances have changed to the extent that they may now qualify.

## Suspending and demoting an application

Applications to Homeseekerplus may be suspended or demoted if any of the following circumstances are identified:

3.6 Tenancy Debts

If an applicant has rent arrears or other housing debt with a social landlord or any other housing provider (as detailed in 1.1 above), which accrued less than 6 years ago, the applicant will be given the opportunity to clear the debt before a decision to suspend the application is made. If the applicant is unable to do this, they may be suspended for a period sufficient to reduce the debt to

below the equivalent of eight weeks arrears, as well as having a repayment plan in place and payment being made before they can bid for properties.

Each case will be considered on its own merit, For example, an application would not be suspended if rent arrears arose as a result of domestic abuse.

Existing social housing tenants who are suspended because of rent arrears will be considered as an exception on an individual basis if proved that they cannot afford to stay in their current tenancy as a result of Welfare Reform Act changes.

If a partner landlord becomes aware of such a debt they will inform the relevant local authority when arrears are reduced. The local authority may unsuspend the application or advise the applicant to submit a change of circumstances for their application to be reassessed.

### 3.7 Time Limited Bands

Applicants who have been awarded time limited bands are expected to bid on all suitable property types available within their local connection area. Failure to do so may result in suspension or demotion for a period the local authority deems appropriate.

### 3.8 Repeated Refusal of Properties

Whilst Homeseekerplus aims to give applicants choice, it also needs to help social landlords let their available homes in an efficient way. If an applicant refuses three properties that the local authority considers suitable, the application will be demoted or suspended for a period of 6 months from the time of their last offer. This provision does not apply to final offers of accommodation made in order to discharge homeless duties under part VII of the Housing Act 1996 (as amended) or Homelessness Reduction Act 2017.

### 3.9 Financial

Applicants who have unreasonably disposed of financial resources that could have enabled them to purchase/obtain their own accommodation will be suspended.

Financial Assessments of armed forces applicants will have due regard of statutory guidance to social housing for members of the armed forces.

### 3.10 Unreasonable behaviour/rent arrears

The applicant, or a member of their household, has been responsible for unacceptable behaviour serious enough to make them unsuitable to be a tenant of the local authority or a social housing landlord at the time of application.

Behaviour that may be regarded as unacceptable is as follows: -

- Criminal activity in the vicinity of the property
- History of anti-social behaviour or disruptive nuisance to neighbours
- Racial harassment
- Illegal drug use or dealing
- Any other breach of the tenancy agreement such that the landlord would be likely to apply for and obtain a possession order.

As part of the assessment, consideration will be given to the household's personal circumstances, the severity of the situation and any other factors that may be relevant.

Such applicants will be informed of the actions required from them to demonstrate that there has been a change in their behaviour such that they will become qualifying e.g. obtaining a satisfactory landlord reference for a period of six months- or where regular repayments are made without fail against an agreed repayment plan for a period of six months.

### 3.11 Deliberately worsening their circumstances

An immediate review of an application will be undertaken if an applicant is found to have acted (or failed to act) in a way which deliberately worsened their housing situation. This could lead to the applicant being suspended, or being demoted to a lower band, for a minimum of 6 months.

#### Exceptions

Exceptions to these qualifying criteria include:

- Those people fleeing harassment or violence where the Police, Independent Domestic Violence Advocates (IDVA) or Multi Agency Risk Assessment Conference (MARAC) support a move
- Proven social or medical/welfare needs

In exceptional circumstances where the applicant has an urgent need to move, the local authority may waive this qualification and suspension criteria.

### 3.12 Requesting a review of a suspension / demotion

Applicants will be advised as to what action/s will be necessary to lift the suspension or demotion.

Applicants who are suspended will need to contact their relevant local authority to ask for a review of this suspension if they feel their circumstances have changed. If agreed, their application will be reactivated and reassessed.

## Providing false information and change of circumstances

3.13 Any applicant who knowingly or recklessly gives false information or knowingly withholds information in order to secure a home to which they are not entitled may lose any home provided to them and may also be prosecuted. Where false information is given and the applicant becomes non-qualifying or ineligible, the application will be removed. Where false information is given and the applicant still qualifies, the application will be suspended for a period of 3 months and the applicant will have to reapply with correct information. The law imposes severe penalties, including substantial fines up to £5000 or imprisonment, when an offence is proven.

## Local Connections

3.14 Due to the exceptional demand for housing across the Homeseekerplus area and the difficulty in solving local housing need, preference will normally be given to applicants with a local connection to the appropriate district.

3.15 Homeseekerplus local connection is defined by any of the following:

- Those who are, or were in the past, normally resident in the local authority area, and that residence was of their own choice during six out of the past 12 months or during three out of the past five years.
- those who are employed in the local authority area
- Those who have immediate family connections in the local authority area for five years
- Members of the armed forces
- Other special circumstances

3.16 Local connection will be awarded by the lead authority only.

## Local connection clarification

3.17 Normal residence

‘Normal residence’ is to be understood as meaning ‘the place where, at the relevant time, the person in fact resides.’ Residence in temporary accommodation provided by a housing authority can constitute normal residence of choice and contribute towards a local connection. In the case of a person who is street homeless or insecurely accommodated (‘sofa surfing’) within their district, the housing authority will need to satisfy themselves that the applicant has no settled accommodation elsewhere, and if from inquiries the authority is satisfied that the applicant does in fact reside in the district, then the applicant will be considered as normally resident.

Where the applicant raises family associations, this may extend beyond partners, parents, adult children or siblings. They may include associations with other family members provided there are sufficiently close links in the form of frequent contact, commitment or dependency. Family associations should be determined with regard to the fact-specific circumstances of the individual case.

3.18 Employment

For the purposes of employment, a member of the application should work in the district they are applying too: it would not be sufficient if the employer’s head office is located in the relevant district, but their place of work is not. In the case of self-employment, local connection will be defined by the address at which their business is registered. For agency, casual or other types of employment, proof must be provided that the employment contract is not short-term, casual or ancillary.

3.19 Special Circumstances

Special circumstances include but are not limited to the need to be near special medical or support services which are available only in a particular district and where transport links are not sufficient to meet those needs. Special circumstances will be assessed on their own individual merits.

### 3.20 Care leavers

Care leavers who are owed a 'Leaving Care' duty, will have a local connection to all districts within the area of the Children's Services Authority. Care leavers who have been placed in accommodation in a different district to that of the Children's Services Authority, and they have lived in the other district for at least 2 years, including some time before they turned 16, they will also have the same local connection until they are 21. Any local care leavers protocol applies.

### 3.21 Armed Forces

Members of the armed forces will have a local connection to a district of their choice. This applies to:

- Those currently serving, or having served within the immediately preceding five years.
- Bereaved spouses or civil partners who have recently, or will cease to be, entitled to Ministry of Defence accommodation following the death of their service spouse and the death was wholly or partly attributable to their service.
- Existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.

Local connection will also be awarded to divorced or separated spouses or civil partners of Service personnel who are required to move out of accommodation provided by the Ministry of Defence.

### 3.22 Persons from Abroad

If an applicant has been subject to immigration control where they would not have been deemed eligible and subsequently become eligible, the date of where a local connection would apply is the date they moved into the area. Refugees would have a local connection outside of these criteria to the last area they were housed in by the Home Office under asylum support.

Local connection will not be awarded if your accommodation was not of the applicant's own choice. This includes but is not limited to:

- Approved premises
- Rehabilitation units

3.23 Decisions on local connection will be made based on the facts at the date of the decision and not the date of application.

# 4. Assessment of applications

## How to register

4.1 Applicants are able to register for social housing through the Homeseekerplus website at [www.homeseekerplus.co.uk](http://www.homeseekerplus.co.uk). Homeseekerplus is an online application only and has been designed to be accessible to all with speech, reading and translation tools. Applicants needing advice and assistance with their application are advised to contact the authority they are applying to.

4.2 When an applicant applies through the Homeseekerplus website and has registered their household, they will complete an application for social housing, giving details of their housing situation. If, after completion of the application and provision of any necessary proof or further information, the applicant is assessed as being eligible, they will be given a band start date and placed in a local housing band.

Special rules are required for those in the armed forces to comply with The Localism Act recognising the services they have offered the country. On discharge members of the armed forces, with Homeless priority need (dependent children or vulnerable as a result of disability) will be awarded Gold band for 6 months from the discharge date. Homeless with a non - priority need are given Silver band from their discharge date. Should they become homeless again within 5 years of the discharge priority need or unintentionally homeless applicants will be awarded Gold band again for 6 months from Notice being received. Non-priority need or Intentional homeless will get Silver band backdated for 6 months from the Notice being received.

4.3 Applicants should make sure that they include all relevant details on the application so that proper consideration can be given to the application. Homeseekerplus may contact any of the applicants' previous landlords or agencies to check the details given.

4.4 All applicants will be given unique login details which can be updated from the account.

4.5 Applicants will be informed if further information or clarification is required. Failure to complete the online application form will result in it being deleted from the system.

## Assessment of an application

4.6 By registering to join Homeseekerplus, the applicant will need to freely give their consent for enquiries to be made to verify their circumstances. Applicants will need to confirm that the information they have given is true and accurate.

4.7 The information the applicant has provided will guide the decision on which band they will be placed in. Applicants will be required to provide the lead authority with documentation to evidence the stated housing need.

## Bedroom need assessment

4.8 The bedroom need for a household is assessed to match housing costs guidance to ensure suitability and affordability for low income households.

4.9 One bedroom is required for:

- An adult couple
- A person aged 16 or over
- 2 children aged up to 16 years of age of the same sex
- 2 children aged up to 10 years of age of different sexes

4.10 When a child is born, the applicant must provide evidence of the birth as soon as possible and the bedroom need will then be re-assessed. This may not change the bedroom need or banding and any additional award will not be given until evidence of the birth is provided.

4.11 Visiting children will not be counted in this assessment.

## Verification

4.12 Applicants will be able to bid for properties advertised, but no tenancy will be offered until verification has been completed by the relevant local authority. The purpose of this verification is to establish the accuracy or validity of the application.

4.13 Documents required for verification will depend upon individual circumstances. Documents must be provided to verify medical needs, eligibility and qualifying status etc.

4.14 Key documents will remain valid for 6 months or for the length of validity of the document, whichever is the longer or should your circumstances change then we may require further verification of your documents.

4.15 Key standard documents can include, but are not limited to:

- Identification for all household members on the application
- 2 months bank statements of all household members over the age of 18
- Proof of Child Benefit or an appropriate court order
- Proof of residency to support 'right to rent' checks

## Banding reasons

4.16 Applicants will be awarded a band appropriate to the household circumstances assessed from the information provided in their application.

4.17 To qualify for a particular band, applicants need to meet at least one of the criteria set out in the banding table below.

4.18 Applicants will be awarded two bands – one for their “local” band (lead authority) and one for their “global” band (other 6 authorities). In some cases, these may be with the same authority, depending on circumstances. However, having a local connection to another authority would not automatically deem a household to have a higher banding in that district.



4.19 An applicant's banding may be time- limited due to the type of housing need, therefore, the household would be expected to bid for and accept any suitable property offered within that time limit. Failure to do so may lead to a direct match or demotion.

## Right to move

4.20 Right to Move is for social housing tenants who need to move to another district in order to take up a job or live closer to employment or training. In order to qualify, social housing tenants must demonstrate that the job/apprenticeship will alleviate significant hardship and that there are no other options available to them.

4.21 To determine qualification, the following detail will need to be established:

- The distance and/or time taken to travel between work and home
- The availability of transport, taking into account level of earnings
- The nature of the work and whether similar opportunities are available closer to home
- Other personal factors, such as medical conditions and child care options, which would be affected if the tenant could not move
- Whether failure to move would result in the loss of an opportunity to improve employment circumstances or prospects, for example, by taking up a better job, a promotion or apprenticeship

4.22 Those who qualify for Right to Move will get a local banding preference of Silver, identifying that there is a "Significant welfare need that would be alleviated by a move to more suitable accommodation".

## Clarification of Band criteria

### Property size

#### 4.23 Emergency Band

Existing Gloucestershire and West Oxfordshire social housing tenants willing to move from family accommodation to non-family social housing property within the partnership area.

#### 4.24 Gold Band

Existing Gloucestershire and West Oxfordshire social housing tenants willing to move to smaller family sized accommodation if this has been agreed with the relevant local authority to release a property of higher demand or limited availability.

or

There is major overcrowding in the current property - lacking 2 or more bedrooms (this will not apply if the applicant has unreasonably allowed one or more people to move in to the property, as this is deliberately worsening the situation).

or

Environmental Health has inspected the property and has served a Prohibition Notice (or suspended Prohibition Licence) on the landlord due to overcrowding - subject also to the applicant not deliberately worsening the situation.

#### 4.25 Silver Band

There is overcrowding in the current property - lacking 1 bedroom - (this will not apply if the applicant has unreasonably allowed one or more people to move in to the property, this is deliberately worsening the situation).

### Property condition

#### 4.26 Emergency band

Where Environmental Health has inspected the property and requires immediate vacation of the property because of an imminent risk of harm due to disrepair, major defects or grossly inadequate facilities. An Emergency Prohibition Order can be served on the landlord in these circumstances.

This award is time limited for 1 month when it will be reviewed. It can be extended if no suitable properties have become available in this time scale, or a direct match can be made.

#### 4.27 Gold band

Where Environmental Health has inspected the property and has served a Prohibition Order or a Suspended Prohibition Order on the landlord that repairs have to be undertaken but the landlord is unable/unwilling to comply. In most cases the landlord will be required to undertake repairs to remedy the problem and when completed this should resolve the issue. These only apply to the Local band so only when bidding for properties in the home/lead local authority area.

### Homelessness

4.28 Homelessness is defined by Part 7 of the Housing Act 1996 but was significantly updated by the Homelessness Reduction Act 2017. The Homelessness Reduction Act set out new duties to local authorities to, amongst other things, prevent or relieve homeless.

4.29 Therefore applications to Homeseekerplus from those who are homeless or threatened with homelessness will fall into the following categories:

- A Prevention of Homelessness duty is ongoing or
- A Relief of Homelessness duty is ongoing or
- A Main Duty of Homelessness is ongoing or
- The applicant has made a homeless application to one of the Homeseeker Plus Local Authorities and remains assessed as eligible for assistance and homeless after the homelessness duties have ended.

4.30 More information on these duties can be found here:

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities>

For the purpose of this policy and how banding will be assessed should the local authority owe you a duty under this legislation, banding will fall into either:

4.31 Gold banding (Main Duty)

The applicant has made a homelessness application under part VII of the housing act 1996, (as amended) to one of the Homeseekerplus local authorities, the 56 days of the Relief Duty have expired and the full s193 statutory homeless duty to secure accommodation for the applicant has been accepted by that authority. If this duty applies to an applicant, the applicant will receive a letter from the relevant local authority advising of this.

This is time limited for 1 month when it will be reviewed. It can be extended if no suitable properties have become available in this time scale. A suitable tenancy in the private sector or a direct match into social housing may be made to end the homelessness duty at any time.

4.32 Silver banding (Prevention or Relief Duties)

The applicant has made a homeless application to one of the Homeseekerplus local authorities and either:

- A Prevention of Homelessness duty has been accepted
- A Relief of Homelessness duty has been accepted

or

The applicant has made a homeless application under part VII of the housing act 1996, as amended to one of the Homeseekerplus local authorities and remains assessed as eligible for assistance and homeless but has been found either non-priority or intentionally homeless.

## Medical Need

4.33 None of the below refer to having a medical condition in its own right. It is only when the current housing is directly affecting that medical condition that priority is awarded. In other words, even if a member of the applicant's household has a very severe set of medical conditions, if their housing has little or no bearing on their health then no priority will be awarded.

4.34 Emergency band

The applicant is assessed as in immediate need of re-housing on medical grounds. This may be when they have had a major incident, are in hospital or another emergency provision and unable to return

to the existing home because of their medical condition and immediate adaptations are not available.

This award is time limited for 1 month when it will be reviewed. It can be extended if no suitable properties have become available in this time scale or a direct match can be made.

#### 4.35 Gold band

Urgent medical need or long-term disability that would be alleviated by a move to more suitable accommodation. This would apply when the situation is so serious that it would not be reasonable to expect the applicant to continue to live at the property for any length of time, given their particular medical circumstances but not a life-threatening emergency.

Proof of the situation would be required from Social Care services, NHS or other medical specialists.

For example, a member of the household seeking accommodation is disabled and re-housing will enable that person to overcome urgent physical barriers created by current accommodation and it has been established that the home cannot be adapted to meet needs e.g. steps and stairs.

#### 4.36 Silver band

Significant medical need that would be alleviated by a move to more suitable accommodation. This could be situations/medical conditions that could apply to one or more members of the household which because of the particular household circumstances significant distress is caused. Proof of the situation would be required from Social Care services, NHS or other medical specialists.

Depression and asthma are the most commonly quoted medical conditions. Where these are mild and not directly related to the current property, priority is unlikely to be awarded.

### Welfare Need

#### 4.37 Emergency band

The applicant assessed as in immediate need of re-housing on welfare grounds where there has been a major incident and there is proven threat to life or limb. This would normally be based on information provided by the Police or other specialists.

#### 4.38 Gold banding

Exceptional circumstances where the current property has a critical long-term detrimental effect on their welfare. This would normally be based on information provided by multi agency meetings or Social Care services.

#### 4.39 Silver banding

Significant welfare need that would be alleviated by a move to more suitable accommodation. Proof of the situation would be required from Social Care services, housing association or other specialists to establish that a management move would not be appropriate.

This banding would only be used if the housing provider is unable to provide a suitable resolution.

## Move on/care leavers

### 4.40 Gold band

A young person owed leaving care duties under section 23C of the Children Act 1989 and in a housing need will be awarded gold banding to the area of the Children Services Authority that owes them the duties. Homeseekerplus comprises of Gloucestershire and West Oxfordshire which have different Children Services Authorities, therefore gold will only be awarded to housing authority districts falling within the area of the Children Services Authority.

Move-on from supported accommodation funded County Council commissioned services and where a local connection was agreed at point of referral by the relevant local housing authority.

When someone is placed in accommodation based supported housing and is not in their home/lead authority area there is a presumption that they will be reconnected back to their home area when ready to move-on from the supported accommodation.

The requirements for this priority are:

- that the supported accommodation provider has confirmed that the resident is ready for independent living by completing the standard move- on form detailing the work they have completed with the resident and assessment of any remaining support needs;
- that the local authority has been involved in the move-on planning and accepts that they are the appropriate local authority to re-house this applicant by awarding this priority;
- The accommodation is not low support, temporary or emergency provision or intensive housing management (unless subject to local individual arrangements).

## Multi-Agency

### 4.41 Gold band

As a result of a multi-agency decision agreed by the relevant housing authority. Where multi agencies including the local housing authority are involved with a particular household and agree on a way forward to resolve an urgent housing situation, this priority can be awarded to better protect the public or local neighbourhood.

BAND	Property size etc	Property conditions (this only applies to the district where the Notice is made)	Homelessness (this only applies to the district where any duty is owed)	Medical needs	Welfare needs	General
<b>EMERGENCY</b>	Existing Gloucestershire and West Oxfordshire social housing tenants willing to move from family accommodation to non-family social housing property within the partnership area.	Where Environmental Health has inspected the property and requires immediate vacation of the property because of an imminent risk of harm due to disrepair, major defects or grossly inadequate facilities.		The applicant assessed as immediate need of re-housing on medical grounds.	The applicant assessed as immediate need of re-housing on welfare grounds where there has been a major incident and there is proven threat to life or limb.	
<b>GOLD</b>	Existing Gloucestershire and West Oxfordshire social housing tenants willing to move to smaller family sized accommodation if this has been agreed with your local authority to release a property of higher demand or limited availability. Or:  There is major overcrowding in the current property - lacking two or more bedrooms. Or:  Environmental Health has inspected the property and has served a Prohibition Notice	Where Environmental Health has inspected the property and has served a Prohibition Order or Suspended Prohibition Order on the landlord that repairs have to be undertaken but the landlord is unable/unwilling to comply.	The applicant has made a homelessness application under part VII of the housing act 1996, as amended to one of the Homeseekerplus local authorities and the full s193 statutory homeless duty to secure accommodation for the applicant has been accepted by that authority.	Urgent medical need or long-term disability that would be alleviated by a move to more suitable accommodation.	Exceptional circumstances where the current property has a critical long-term detrimental effect on their welfare.	A young person owed leaving care duties under section 23C of the Children Act 1989 and in a housing need. Or:  Move-on from supported accommodation funded County Council commissioned services and where a local connection was agreed at point of referral
<b>SILVER</b>	There is overcrowding in the current property - lacking one bedroom		A Prevention or relief duty has been accepted. Or:  The applicant remains assessed as eligible for assistance and homeless but has either: has been found either Non-priority Intentionally homeless.	Significant medical need that would be alleviated by a move to more suitable accommodation.	Significant welfare need that would be alleviated by a move to more suitable accommodation.	Right to move
<b>BRONZE</b>	All other applicants					

## Additional bedroom needs criteria

4.42 Households will also be assessed to consider the need for one additional bedroom for each of the following, if they are assessed as being included as part of the household:

- A tenant requiring a non-resident overnight carer
- Disabled child who cannot share a bedroom with their sibling due to their disability
- An adult child who is serving away with the armed forces
- A room for a foster child or children

4.43 Households can include someone on the application if there is a need for them to live with the household in order to give or receive care or support, where no one in the immediate household is able to provide that care. Evidence will be required to demonstrate:

- That the household is dependent upon this care or support and that other satisfactory arrangements cannot be made
- that the arrangement is 'permanent'

4.44 We will also require evidence that the person requires your support or care; for example, proof that you/they are providing care, are in receipt of care allowances and are able to meet any costs associated with the additional bedroom either through benefits, income or savings.

4.45 We will usually only include members of the household that are currently living with you or that the Council can be satisfied will be reasonably expected to reside (if not currently residing) with you on your application.

4.46 In cases where two parents or guardians have joint access to children, bedroom eligibility will be awarded to the main care provider. Applicants will need to demonstrate that:

- they are the main care provider (children live with you for more than half the week -four nights or more) and are in receipt of child benefit and, if applicable, child tax credits
- that the arrangement is 'permanent'

4.47 Please note the protections afforded by the Equality Act 2010 are intended to be available to all, including children and adolescents. Any required additional bedroom need will be awarded on a case by case basis in line with housing benefit rules and an assessment of affordability.

## Time limited bands

4.48 Certain categories have a time limit of one month or more. This is given to recognise an urgent need. It is therefore important that applicants in this category are bidding for all suitable properties each week and in a wide range of locations.

4.49 At the end of the period the case will be reviewed by the Lead Authority.

4.50 If the applicant is in a time limited band and has either not bid for suitable properties advertised within one month or has been unsuccessful in obtaining an offer of a tenancy within the limit, a direct match of a property may be considered. Where a private sector tenancy is available, suitable and affordable at the time the Local authority or its agents may look to secure a tenancy in the private rented sector.

## Demotion

4.51 The Lead Authority may decide to demote an applicant to the band below at the end of the time-limited period if it is apparent that the applicant is choosing to wait for a particular type of property or location, and not treating their circumstances as being urgent.

4.52 Applicants are encouraged to make full use of their bids and seek all housing options available to them. Applicants will be assessed by a senior officer if they have unreasonably refused a property or to bid in a reasonable time if the following criteria have been met:

- they deliberately do or fail to do anything and as a consequence they miss out on suitable properties
- it would have been reasonable for them to do so, and there is no other good reason why they have not

4.53 The demotion period will be what the local authority deems reasonable up to 12 months and will be considered on a case by case basis.

## Global banding criteria

4.54 Applications will be awarded a global band equal to that of their local banding in all but the below cases:

- Where the lead authority has accepted a full statutory homeless duty to secure accommodation for the applicant. The global banding in this circumstance will be silver.
- Where the lead authority has a gold move on agreement from supported accommodation, the global banding will be bronze.
- Where the lead authority has assessed the property as having a prohibition notice, the global band will be bronze.
- Where the lead authority has awarded a downsizing band, the global band will be silver.



# 5. Scheme Details

## Completed applications

5.1 Once the applicant has been assessed and accepted on to the Homeseekerplus scheme, a notification will be sent, where possible within 28 days, confirming the application details.

This will include:

- a) The band in which the applicant has been placed
- b) The property size for which the applicant is eligible
- c) The registration date
- d) Band start date
- e) Reminder about the importance of notifying any change in circumstances
- f) A unique reference
- g) Details of the verification documents required
- h) Details of the appeal procedure

## Annual Review process

5.2 Where an applicant has not made any bid on any property, nor updated their application in any way within the previous twelve months, they will be contacted to see if they still wish to remain on the Homeseekerplus Register. If there is no response within 28 days from the date of notification, the application will be closed. If the applicant contacts the Local Authority within 28 days of their application being closed and indicates that they still wish to be considered for housing, the application will be reinstated.

Applicants must renew their application if requested to do so by Homeseekerplus.

## Removing applications

5.3 An application will be removed from Homeseekerplus:-

- At the request of the applicant
- Where an applicant does not respond to an application review within the specified time limit
- Where the applicant moves and does not provide a contact address
- Where the applicant has died
- Where an applicant ceases to be eligible

## Bidding

5.4 Once applicants have been registered as live on Homeseekerplus and notified of banding and log in details, they can start to look and bid for a suitable property of their choice subject to their banding criteria.

5.5 Applicants may bid for eligible properties at any time before the deadline. It makes no difference to the final shortlist what time during the week the bid was placed. Property details and information should be carefully read as some properties may have additional requirements that make the property unsuitable for the applicant; for example the number of people the property is suitable for – some have only single bedrooms.

5.6 Applicants may have up to a maximum of three active bids at any one time. Until a decision has been made as to who will receive the offer, a bid will remain live. The applicant can withdraw their bid if they wish to bid for another property during the same cycle.

5.7 At the time the bid is placed, the applicant will be given their current position on the shortlist. This is only an indication, as the position can change, as other people bid, or bids are withdrawn. All shortlists are live and subject to change.

## Advertisements

5.8 All partner landlords are committed to advertising their available properties as widely as possible. Properties will be advertised in several ways on daily basis.

- A dedicated website for Homeseekerplus is accessible to anyone with internet access. The website will allow applicants to view all available properties across the whole of Gloucestershire and West Oxfordshire and bid 'on-line' for properties of their choice.
- Adverts displayed in a number of localities across the Homeseekerplus partnership including local authority offices.
- In any other format on request to aid those with particular needs, in line with the public sector equality duty.

## Property descriptions

5.9 Properties advertised will carry (where possible) a photograph of the property location and a full description which will include the following details if applicable:

- Type of property and eligibility criteria
- Number of bedrooms and eligible household size appropriate
- Location of property
- Any adaptations and therefore restrictions on who may apply
- Services provided
- Heating type
- Rent/service charges
- Local connection requirement
- Additional features, marketing information and pet restrictions
- Details on those who will be given priority
- Where rural settlement or local letting policies apply

- If a Social Housing Landlord's allocation policy applies
- Void start date or, for new build, when it is expected to be ready for occupation
- Any rent in advance payable
- Floor level of property

### Rural settlements and local letting plans

5.10 Additional local connection criteria will apply for properties in rural villages where there are particular shortages of housing sites with planning conditions (Section 106 agreements, Local Letting Plans, affordable housing and rural exception sites) attached to them. In these cases, priority will be given to Applicants who are unable to live in their community due to the lack of affordable housing, who have a local connection to the parish or surrounding parishes by means of living in the parish, working in the parish or having immediate family connections to the parish. Where this applies the details will be explained in the property advertisement.

5.11 The Homeseekerplus Partnership is committed to creating balanced communities. For new developments and in areas where there are known problems, such as antisocial behaviour or abandoned properties, a local lettings plan may be applied. The plan will take into account the needs of the current and new residents and the makeup of the block, street or cluster of streets, to ensure a responsible letting is made. The local authorities will review each letting plan periodically with landlords.

# 6. Allocations

## Shortlisting

6.1 Once the advert deadline has passed, a shortlist will be produced for each advertised property showing all the applicants who have bid. For each property advertised, the successful applicant will generally be the applicant who has the highest band and the oldest band start date that is eligible to bid (i.e. who best meets the criteria in the advert and the policy)

6.2 The system will produce a shortlist based on the applicant's banding, banding start date, local connection and any other criteria stipulated in the advert.

6.3 Each Social Housing Landlord is responsible for checking to ensure there has been no change of circumstances including eligibility for social housing to the housing need assessment of the applicant since originally verified. This is to ensure that social housing is not allocated incorrectly to applicants who no longer match the criteria.

6.4 Each applicant will be given the opportunity to view the property before signing for a tenancy.

6.5 Should an applicant be at the top of the shortlist for more than one property, one of the Social Housing Landlords of the properties will contact the applicant as quickly as possible to ask them to decide which property they wish to be considered for. Once they have made their decision, their other bids will become invalid. In this circumstance, viewing of any of the properties before a decision is taken is unlikely to be available and will be at the Social Housing Landlord's discretion.

6.6 If an applicant is direct matched for a property, any other bids they have made will become invalid.

6.7 Any applicant who has a propriety interest in a property must be able and willing to dispose of that interest in a reasonable period.

## By-passing

6.8 A by-pass is where an applicant has bid for a property but is not offered the tenancy.

6.9 The appropriate Social Housing Landlord will inform the household of the reason for the by-pass and of any steps needed to prevent further by-passes for the same reason.

6.10 By-passing will be carried out in line with the Social Housing Landlord's lettings policy, local letting plans and Homeseekerplus policy and applicant's will be informed where reasonable.

6.11 Applicants will be required to match the requirements of this policy and match the criteria of the individual property as detailed in the advert. The advert includes details of both the type of applicant that is eligible for the property and any further restriction due to the Social Housing Landlord's own published allocation policy. If the applicant is at the top of the shortlist but does not meet all these criteria, the Social Housing Landlord may not consider the applicant.

6.12 Where an offer is being made to a current tenant of a Social Housing Landlord within the partnership, it is made subject to the satisfactory conduct of the present tenancy and approval of that Social Housing Landlord (which may include a home inspection).

### Withdrawal

6.14 A property shortlist may be withdrawn at any stage during advertising or shortlisting or an offer of a tenancy may be withdrawn at any stage up to the signing of the tenancy agreement.

6.15 This may happen in certain circumstances, such as the tenant of that particular property has failed to vacate the property or the property has been incorrectly labelled on the advert.

6.16 If this happens, the Social Housing Landlord will inform the successful applicant that the property is no longer available. If the property is not ready for occupation following a successful bid and the applicant is likely to wait some considerable time before being able to sign the tenancy agreement, the Social Housing Landlord will inform the applicant and give them the option to withdraw their bid so they can bid for any other suitable properties. If the property was mis-labelled on the advert it will be re-advertised.

### Refusals

6.17 Applicants are expected to take reasonable care when bidding for a property to ensure it meets their needs. If however an applicant decides to refuse an offer of accommodation, the property will be offered to the next suitable applicant on the shortlist. An application will be reviewed if an applicant refuses three offers of accommodation which the local authority or its agents deem suitable. This could lead to the applicant being suspended for a minimum of six months or being placed in a lower band.

6.18 If an applicant in a time limited band refuses an offer of accommodation the application will be reviewed and may be suspended for a minimum of six months or placed in a lower band.

### Homelessness

6.19 The local authority or its agents will normally expect an applicant to whom it has accepted a full homeless duty to bid for a wide range of suitable properties within the time limit in the Gold Band.

6.20 If the main homeless duty is accepted, the applicant will be placed onto autobid from the start of this duty.

6.21 At the same time the local authority or its agents may look to discharge the homeless duty into an affordable and suitable private sector tenancy. If one is identified, the Homeseekerplus application will be reviewed and any homeless banding priority awarded will be removed whether or not the applicant accepts the private sector property found. This will still be subject to the statutory review process.

6.22 If a homeless applicant has not been actively bidding for all suitable properties or a suitable private sector property is not available at the end of the one month time limit, the local authority or its agents will secure an offer of suitable, affordable settled accommodation for the household, subject to availability.

6.23 Due to limited resources, high demand, and duties to provide accommodation to some groups of applicants in urgent housing need the degree of choice that the local authority is able to offer may be limited.

6.24 Applicants will be able to express a preference regarding the area in which they would like to live and the property type they would like, but should be aware that the local authority ability to satisfy a preference is limited. Expressing a preference over where an applicant would like to live does not mean that this preference can be met, or that the local authority will not offer suitable accommodation outside of a preferred area. The local authority will consider whether the property is suitable and is a reasonable offer in order to meet its duties under Section 189B (2) relief of homelessness duty or the main section 193 (2) duty under Part VII of the Housing Act 1996.

6.25 Not all properties that become available will be advertised and offered through the Band and date order procedure

### Direct matching

6.26 A direct match is a property which is not available through Homeseekerplus. All the partner social housing landlords are committed to advertising as many of their vacant properties as possible through Homeseekerplus. There will be occasions when certain properties will not be advertised and the reasons for these exclusions will be monitored. Some examples are: -

- Over-riding social reason to move the household for safety reasons, as recommended by the Police, partner organisations, or as agreed through multiagency need and risk assessment panels.
- Those let to discharge statutory duties to Homeless applicants in certain circumstances.
- Properties required for existing tenants whose properties are subject to major works requiring them to vacate their own properties (either on a temporary or permanent basis).
- Extra-care vacancies and any supported accommodation where there is an applicant with a Care package that needs a specific property.
- Applicants who have succeeded to a tenancy or, in certain circumstances such as following the death of a family member, left in occupation but who need to move to alternative accommodation.
- Where a property has been adapted and meets the specific needs of a client.
- Applications subject to the Rent (Agriculture) Act 1976.

6.27 There will be circumstances where for urgent operational reasons there is a need to make direct offers of housing outside of the normal policy banding and date order criteria.

6.28 This may also restrict the time an applicant is able to bid for accommodation. The offer of accommodation would be in any area of the district that is considered reasonable and the property is suitable and safe for the applicant to live in.

A decision to make a direct match offer could be where:

- An applicant is not being realistic in the areas they are bidding for accommodation and as a result they may be occupying accommodation provided as homeless longer than they need to.

or

- To assist the local authority in effective management (including financial) of its homeless accommodation

# 7. Monitoring and review

## Review/appeal procedure

7.1 All applicants have the right to request a review of any Homeseekerplus decisions. The review/appeal should include the reason why the applicant believes the decision is incorrect, together with any additional information.

### 7.2 Stage One – Internal Review

If you disagree with the way we have assessed your application for housing, or with the housing need band in which we have placed your application, you may request a review which will be decided by a senior housing officer who was not involved in the original decision from the local authority or the agent dealing with your application. To request a review:

- You must complete a Stage 1 - Internal Review Request Form which can be downloaded from the Homeseekerplus website [www.homeseekerplus.co.uk](http://www.homeseekerplus.co.uk) and when completed in full, send to the council you applied to within 14 days of receiving your letter or notification.
- We will deal with your request within 14 days or let you know if we will require additional time.
- We will write to you with the outcome of the review within a further seven days of being determined.

### 7.3 Stage Two – Homeseekerplus Appeal Panel

If you disagree with the outcome of the stage 1 internal review, you can request that your case be taken to the Homeseekerplus Appeal Panel. This Panel is made up of three or more Senior Housing Officers from three of the Partner Councils. These Officers will not have been involved in the original decision or the Officer decision on internal review. The applicant must submit a request for an appeal in writing and send to the Homeseekerplus Co-ordinator within 14 days of the review notification letter. The local authority or its agent will acknowledge receipt of the request for an appeal within 14 days and provide the applicant with contact details of the officer dealing with the request and the time it will take to reply to the applicant. If the review cannot be completed within 56 days, the applicant will be informed and the timescales for the review set out.

The panel will be made up of senior housing officers from three or more of the other local authorities. The appeal will consider the facts surrounding the case and your request should specify whether there are additional facts the Panel should take into consideration or whether you feel that the original facts you submitted with your application have not been fully taken into account. If you have additional evidence, such as additional medical reports, then these should also be submitted up to one week before the panel meet.

The Panel will consider the review on the papers submitted by the applicant and the housing officer from the local authority involved in the case. If determined by the Homeseekerplus Co-ordinator the applicant or the relevant Housing Officer may be asked to attend this review hearing in person if additional information from either party is required. The applicant can bring a representative.



The Homeseekerplus Co-ordinator will chair this panel and a nominated representative for the applicant will be present at the Hearing to ensure that all relevant information has been presented and is dealt with correctly.

The panel must come to a majority decision, should this not be the case, the Homeseekerplus Co-ordinator and chair of the panel will arbitrate.

Once the appeal has been determined, or if the Panel require the applicant to attend a further Hearing, the Homeseekerplus Co-ordinator will write to the applicant giving full details within 14 days or as soon as reasonably practicable thereafter.

#### 7.4 Local Authority Complaints Procedure

If you feel that you have been treated unfairly or you believe the process has not been carried out as described above you can use your Local Authority's (or its agents) Complaints Procedure to make a formal complaint.

The complaint must be made in writing to the appropriate authority within 14 days of the date of the written notification of the decision of the Homeseekerplus Appeal Panel.

If the applicant is still dissatisfied, they may complain directly to the Local Government Ombudsman.

#### Subject access requests

7.5 Applicants are entitled under the Data Protection Act 2018 or any superseding legislation to request details of their personal data held by the seven local authorities.

#### Use of statistical information

7.6 The information supplied by Applicants on their housing application may also be used for housing management and research purposes within legal guidelines (such as identifying what size and where new housing is required). No individual will be identified in collating such information.

#### Policy management

7.7 The Homeseekerplus Co-ordinator will run regular reports to monitor performance of the scheme in meeting the aims of the policy.

The Homeseekerplus policy will be regularly reviewed and at least annually to ensure that it takes into account change in demand and need within the district, that it continues to meet its aims and objectives and that it complies with any legislative changes.

Any changes to the Homeseekerplus Policy will be implemented only with the majority agreement of the members of the Partnership. An interested party may contact any of the local authority partners to make observations to be considered at the next review.