

## **Appendix 3 - Summary of Proposed Changes to the Homeseeker Plus Policy**

Summary Report prepared by the HomeseekerPlus County Coordinator  
September 2021

### **Reason for policy change**

In 2009 the Gloucestershire Homeseeker partnership was formed, since then there have been tweaks to the policy and in 2016 the partnership and policy had a major change to include West Oxfordshire and changed names to HomeseekerPlus. Other than minor tweaks to include new legislation such as the Homelessness Reduction Act there has been no major rewrite and clarification of the policy undertaken.

This has led to the common allocation policy being interpreted differently across the partnership, therefore this new policy aims to remove ambiguity and add clarification.

### **Old policy**

I Introduction.

- I.1. HomeseekerPlus is a choice based lettings (CBL) scheme run by the seven local authorities in partnership with the majority of Social Housing Landlords operating within Gloucestershire and West Oxfordshire.
- I.2. It must be recognised that the demand for affordable social housing within the HomeseekerPlus area is very high and cannot be met from the available resources. Only those in the highest housing need, with a local connection to the area are likely to obtain housing through the scheme. Each district's Housing Advice Service will be able to discuss a range of housing options.
- I.3 The policy takes into account the Localism Act 2012, Welfare Reform Act 2012 and the Statutory Code of Guidance on the Allocation of Accommodation 2012. It also has regard to the Councils' Homelessness, Tenancy Strategies and Housing Policy.

### **Proposed change**

- I.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 operating within Gloucestershire and West Oxfordshire.
- I.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.
- I.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 give advice on a range of housing options including the private rented sector.

1.4 The policy explains who is eligible and qualifying 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 their area in a fair and transparent way while complying with all legal requirements.

#### Overview of how the partnership functions

2.1 HomeseekerPlus enables social housing landlords, and any other housing providers that are required to deliver affordable homes through section 106 affordable housing obligations to advertise their homes and applicants are able to express an interest in them. This is known as a "bid" for a property. Once a bid is placed the system will generate a shortlist placing 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.

#### Legal section

The current Policy only makes passing reference to the Legislation and Statutory Guidance which need to be complied with, with several of those mentioned now being superseded.

Due to this we have provided a separate section, adding in references to the Homelessness Reduction Act 2017 and the Data Protection Act 2018. The section on Data Retention clarifies our existing Policies which were designed alongside the Council's Audit and Compliance Team.

#### Old Policy

No current section

#### Proposed Change

5.1 The HomeseekerPlus complies with the local authority's 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 2012
- Equalities Act 2010
- Public Sector Equality Act 2010
- Data Protection Act 2018
- Localism Act 2011
- Immigration Act 2014

- Local Letting Plans
- S.106 agreements

### Data retention

- 6.1 As part of the application process, personal data is required to support any housing application. The Council will comply with all data protection legislation. This includes:
- For active applications, data is stored for as long as your application is active.
  - For housed applications, data is stored for 3 years
  - If you do not use HomeseekerPlus for a period of 1 year, then your case will be set to removed and removed after 6 months.
  - Homeless applications are kept for 3 years.

### Definition of social housing providers for HomeseekerPlus

- 7.1 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.

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

- 8.1 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 does not qualify?

This section was greatly expanded to provide clarity to existing homeowners facing hardship and where someone does not qualify due to being evicted for anti-social behaviour, they can be provided with defined actions/timescales for them to take before consideration would be made.

### Old policy

An applicant will not be accepted for social housing if we are satisfied that: -

- a) They have sufficient financial resources to resolve their own housing need.

- b) Where they have unreasonably disposed of financial resources that could have enabled them to purchase/obtain their own accommodation.
- c) They own or part own a property which is suitable for their needs, or where those needs can be resolved through adaptation, sale or where, if they sold it, they could afford to buy another property. We may make exceptions to this rule in the case of proven social or medical needs.
- d) 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 Authority or a Social Housing Landlord at the time of application. Each case would be considered upon its own merits and subject to the spirit of the Rehabilitation of Offenders Act 1974 according to individual circumstances.

### **Proposed change**

11.3 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.

### **Financial**

12.8 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.

### **Unreasonable behaviour/rent arrears**

12.9 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.

12.10 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.

12.11 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.

12.12 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.

### Suspending and demoting

Rewritten and expanded, some parts were moved from other areas of the Policy, this now means all the reasons for suspending or demoting are all in one place. This will make it easier for Customers and Staff to refer back to the Policy.

#### **Old policy**

9.1 If we become aware that a household has rent arrears or other housing debt accrued after an application has been registered the applicant will be given the opportunity to clear the debt before an offer proceeds. If the applicant is unable to do this, they may be suspended for a period as required to clear the debt before they can bid for other properties but each case will be considered upon its own merits. If a partner landlord becomes aware of such a debt they will advise the relevant local authority who may suspend or cancel the application as non-qualifying depending on the circumstances.

9.2 Applicants who have been awarded time limited bands are expected to bid on all suitable property types in a reasonably wide range of areas. Failure to do so may result in suspension or demotion for a period.

9.3 Whilst HomeseekerPlus aims to give applicants choice for good reason it also needs to help social landlords let their available homes in an efficient way. If an applicant refuses 3 properties that the local authority considers were suitable, the application may be demoted or suspended for a period.

9.4 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.

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

#### **Proposed change**

##### **Tenancy Debts**

12.2 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.

12.3 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.

12.4 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.

12.5 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.

### **Time Limited Bands**

12.6 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.

### **Repeated Refusal of Properties**

12.7 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.

### **Financial**

12.8 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.

### **Deliberately worsening their circumstances**

12.13 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

12.14 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

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

## Requesting a review of a suspension / demotion

12.16 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.

## Local connection

This is one of the key sections of the Policy, it was felt the old Policy was unnecessarily wordy which had the potential for confusion. A section has been added going into more detail on how this will be considered, it also provides specific advice covering Care Leavers, those in or have left the Armed Forces and people who have recently travelled from Abroad (including refugees and asylum seekers).

## Old policy

Local Connection is defined in Part VII of the Housing Act 1996 as:

- Those who are normally resident in the local authority area, and that residence is or was of their own choice. (Local Authority Agreement guidelines suggest this as having resided in the area for six of the last twelve months, or three of the last five years, where residence has been out of choice);
- Those who are employed in the local authority area. (Local Authority Agreement guidelines suggest this as employment other than of a casual nature);
- Those that have family connections in the local authority area. (Local Authority Agreement guidelines suggest this as immediate family members who have themselves lived in the area for five years).
- Members of the armed forces have a local connection to the district of their choice (Those currently serving, served within the immediate preceding 5 years; bereaved spouse or civil partner who has 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).

- Other special circumstances.

## **Proposed change**

### **Local Connections**

14.1 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.

14.2 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

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

### **Local connection clarification**

15.1 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.

15.2 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.

15.3 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.

#### 15.4 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.

#### 15.5 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.

#### 15.6 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.

15.7 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.

#### 15.8 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.

15.9 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

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

## Verification

This section was vague, and each council verified in different ways and at different times. To have a more comprehensive verification we have added in what documents are needed and what verification is. This also works in with the functions on the HomeseekerPlus website so applicants can upload these when they apply which they previously couldn't do.

### Old policy

Applicants will be able to bid for properties advertised, but no tenancy will be offered until verification has been completed.

### Proposed change

19.1 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.

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

19.3 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.

19.4 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

## Medical and welfare banding

This section is mostly the same, but we have split medical and welfare into two new bands instead of a joint band. The wording has stayed mostly the same. This will be the only change that will affect people as they will need to be rebanded into separate bands, this shouldn't change their bands unless their circumstance have changed.

The reason for this change is to better highlight the types of situations people are being banded for. Medical/Welfare is at present a big category and this will allow a more fine-tuned consideration of households being awarded these bandings.

### Old policy

#### Emergency Band

The applicant assessed as immediate need of re-housing on medical grounds. This is most likely to be when they have had a major incident, are in hospital or other emergency provision and unable to return to the existing home because of changed medical condition.

Or

Exceptional circumstances where there is proven threat to life or limb. This would normally be based on information provided by the Police or Emergency services.

Or

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

These are time limited for 1 month when they 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.

#### Gold Band

Urgent medical/welfare 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/welfare circumstances but not a life threatening emergency.

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

#### Silver Band

Significant medical or welfare 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.

## **Proposed change**

### **Medical Need**

#### **Emergency band**

22.14 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.

#### **Gold band**

22.15 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.

#### **Silver band**

22.16 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**

### **Emergency band**

22.17 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.

### **Gold banding**

22.18 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.

### **Silver banding**

22.19 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**

This section was expanded to include the new care leaver duty.

### **Old policy**

Move-on from supported accommodation where a planned move is agreed 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 support provider will also discuss other housing options before putting them forward for social housing.

There are 2 requirements for this priority:-

1. 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.;
2. 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.

### **Proposed change**

## 22.20 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).

## Bedroom need criteria

This section was tweaked to include clarification of shared custody and the reasons for an extra bedroom to be awarded.

### **Old policy**

The bedroom need for a household is assessed to match Housing Benefit rules because from April 2013 the same rules apply to all renting households including social housing.

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.

19.2 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 to ensure it is still correct.

19.3 An extra bedroom will be considered where the following applies:

- A carer who provides the applicant or their partner with regular overnight care, who is not normally living with you. Evidence will be required to substantiate any claim which may include the care component of DLA (Disability Living Allowance), PIP (Personal Independent Payment) or attendance allowance, or details of a care package from a care providing agency funded by Social Services.
- An independent medical adviser has confirmed the need for an extra bedroom.

In all cases an assessment of affordability will be undertaken, with discretion for the final decision being with the relevant local authority and social housing landlord.

19.4 Potential children of foster or adoptive carers will be considered in the bedroom need assessment on an individual basis once they have been accepted by the appropriate Social Care Panel.

19.5. No visiting children should be included on the application and they will not be included in the bed room need assessment.

### **Proposed change**

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

18.2 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

18.3 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.

18.4 Visiting children will not be counted in this assessment.

### **Additional bedroom needs criteria**

24.1 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

24.2 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'

24.3 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.

24.4 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.

24.5 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'

24.6 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.

## Demotion

New section not previously clarified. It was only written in general terms.

### Old policy

No current section

### Proposed change



26.1 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.

26.2 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

26.3 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

This section has always been missing from the policy even though we have always had a global band.

#### **Old policy**

No current section

#### **Proposed change**

27.1 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.