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South Gloucestershire **Council**

HomeChoice Lettings **Policy and Procedure**

1 Introduction

The HomeChoice partnership was set up to let homes through a jointly operated choice based lettings scheme. The partnership includes South Gloucestershire Council and registered providers who have housing stock in the region.

All landlords signed up to the HomeChoice partnership will participate in a joint housing register of all applicants looking for a home managed by the partner landlords within the district. The partnership has been formed to provide a transparent application and letting service to those wishing to be housed in South Gloucestershire.

The Lettings Policy takes into account all legal requirements outlined in the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011), the Homelessness Reduction Act 2017 and regulations issued by government relating to allocations.

1.1 Aims of the HomeChoice Lettings Policy

The demand for social housing in South Gloucestershire exceeds the supply of properties available, so the scheme is designed to meet the following aims:

- To meet the Government objective of introducing choice into social housing.
- To ensure that those who have the greatest need for housing have the greatest opportunity to secure it.
- To enable the council to meet its statutory duties.
- To meet the objectives of South Gloucestershire Council's housing strategy.
- To assist the council in meeting other identified strategic aims - including the prevention of homelessness.
- To assist in achieving mobility for existing tenants.
- To maximise the use of available housing resources.
- To promote equality of opportunity in housing services.
- To build sustainable communities.

1.2 Statement on choice

South Gloucestershire Council and the partner landlords are committed to offering the greatest choice possible in the letting of housing in South Gloucestershire, whilst ensuring that housing goes to those with the greatest need.

1.3 Equalities

The partnership believes that it is a fundamental right for everyone to be treated equally and with respect and dignity. We aim to make every effort to ensure that all sectors of the community have equal access to services offered by the council and its partners. No person will be treated less favourably on the grounds of age, colour, physical or mental impairment, marital status, lifestyle and culture, religion or belief, nationality, race, gender, sexual orientation or gender identity.

Further information on the council's approach to equalities and diversity can be found on the [council's website](#).

1.4 Data protection

Everyone has rights under the Data Protection Act of 2018, which incorporates the General Data Protection Regulation (GDPR), to access personal information held about them by the council.

They also have other rights, some of which are conditional, relating to their personal information ranging from the right to be informed, to ask us to update incorrect or incomplete details, to object to or restrict processing of it, to ask us to delete your information, to ask us to share it with another party or to make a complaint.

We are committed to the objectives of the Data Protection Act and hereby declare our intention that all personal information held by the council will be treated in confidence and held and used only in accordance with the terms of the act and other applicable legislation.

Further information is available on the [council's website](#).

1.5 Provision of false information

Section 171 of the Housing Act 1996 makes it a criminal offence for anyone seeking assistance to knowingly, or recklessly give false information, or knowingly withhold information in connection with their application to the housing register. A person found guilty of these offences may be liable for a fine.

If an individual has been given a home using false information they will be liable for eviction.

1.6 Information about the lettings scheme

A copy of the full lettings policy (this document), as well a copy of 'A Guide to HomeChoice', a summary of the HomeChoice lettings scheme, are both available to read on the [council's website](#), or at the following council one stop shops,

Kingswood One Stop Shop: Civic Centre, High Street, Kingswood, BS15 9TR
Yate One Stop Shop (Access via West Walk): Kennedy Way, Yate, BS37 4DQ
Patchway Hub: Rodway Road, Patchway, BS34 5PE

Individuals may request a paper copy of the policy, however a small charge may be made for this.

Applicants to the housing register are entitled to request details from any of the partners about their application and how decisions affecting their application were reached.

Procedure

2 The housing register

The council maintains a list of people looking for a home in South Gloucestershire. The housing register includes the following types of applicant:

- Current tenants of one of the partner landlords wishing to move.
- Applicants looking for a home with a partner landlord for the first time.
- Homeless households.
- Applicants requiring supported housing.
- Applicants for adapted properties.
- Applicants for older persons housing.
- Gypsy/Travellers requiring a permanent plot.

By joining the housing register those in housing need can be considered for vacancies that occur in properties owned or managed by any of the partner landlords. They can also be referred to other landlords with suitable properties.

2.1 Joining the housing register

2.1.1 Qualification Criteria

In order to join the housing register, you must meet the age criteria and one of the other qualification criteria listed below,

- Applicant aged 18 years +.
- Applicant lives in South Gloucestershire and has lived in the district for the last two years.
- Applicant's mother, father, brother, sister or adult child live in South Gloucestershire and have lived continuously in the area for the last five years.
- Applicant is permanently employed in South Gloucestershire, or who need to move to take up a definite offer of paid work, or an apprenticeship and who are unable to commute and:
 - Have signed or have an offer of a contract for a minimum period of 12 months and
 - Work more than 16 hours per week on average and
 - Are based in the district for the majority of that time for the purposes of carrying out their employment (at least 70%)
- Households owed the main housing duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017).
- Some other special reason, e.g. Applicant receives specialist medical treatment in South Gloucestershire which they cannot receive elsewhere.

The following groups will not be disqualified,

- Members, or former members, of the regular armed forces, their bereaved spouses and civil partners and seriously injured reservists.
- Gypsy/Travellers applying for a pitch on a South Gloucestershire Traveller site only.

- Applicant living in a South Gloucestershire supported housing scheme accessed through the Single Access Service.
- Applicant living in a refuge or other form of safe temporary accommodation in South Gloucestershire, where the accommodation is either commissioned, or provided by South Gloucestershire Council, having escaped domestic abuse in another local authority area. This exemption will only apply where the household does not have access to any other suitable, settled accommodation.

2.1.2 Applicants Under 18 Years of Age

If an applicant is under 18 years of age their application will normally not be accepted onto the housing register. We will make exceptions in the following circumstances:

- Young people leaving South Gloucestershire Local Authority care and for whom there is a care leaving duty.
- Any person accepted as statutorily homeless (if they cease to be homeless they will become ineligible for the housing register until they reach the age of 18).

In these circumstances, the person under 18 will need a responsible adult to act as a guarantor before any housing can be offered (A guarantor is someone who commits to being responsible for any debts incurred by the person). If the person is housed, they will be offered a licence agreement (rather than a tenancy) until they turn 18.

2.1.3 Application Form

Every person wishing to join the housing register must complete an application form. Applicants may be asked to provide proof to support their application. The partners will make any other enquiries they deem necessary in order to assess the application.

2.1.4 Change of Circumstances

Applicants must tell the Council of any change in circumstances that may affect their application for housing.

2.2 Exclusions from the housing register

Applicants will not be eligible to join the register if they are not entitled to public funds due to their immigration status. Applicants who will be excluded from joining the register include households who,

- Are subject to immigration control,
- Only have a right to reside in the UK because they (or a member of their household) are a jobseeker,
- Are not habitually resident in the UK,
- Have a right to reside in the UK of less than three months.

If a household member is eligible for housing, but their partner is not eligible because they fall into one of the above groups, they will be able to bid for accommodation, but if they are successful in securing a tenancy, they will not be able to have a joint tenancy with their partner.

The eligibility criteria does not apply to people who are already a secure, or introductory tenant of a housing authority, or an assured tenant of a Registered Provider.

2.3 Assessment of applications

Households will be assessed according to their level of housing need based on the information included on their application form. They will be placed in one of the following categories:

- Band A - For people who need to be rehoused urgently, for example, applicants where there is a serious risk to their safety, health or wellbeing if they remain in their current home.
- Band B - For people who are at risk of homelessness, or are considered to be living in housing circumstances that have an adverse impact on their health, safety or well-being.
- Band C - For people who have a housing need, such as overcrowding, or who are sharing a kitchen or bathroom, but who are not at urgent risk.
- Registered - For everyone else who is looking for housing in South Gloucestershire including those who are suitable housed, or are able to access alternative housing through their own resources.

If the household meets criteria in two different categories, they will be placed in the higher category. Please see 2.4 for further information on the criteria for each category.

Applicants with an exceptional and immediate need to move to affordable accommodation may be awarded a priority card (see 2.5).

After registering an application, the household will be notified of their banding, registration date and the type and size of property they can bid for.

An applicant also has the right to ask for information about the facts of their case, which the Council has taken into account when reaching a decision.

Moving up a band:

When an application is re-assessed and a higher priority is awarded, the registration date will change to the date that the priority was awarded. No-one moving up a band should overtake existing applicants within that band.

Moving down a band:

The registration date will stay the same.

2.4 The Banding Structure

Band A

- Applicants assessed under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017) and owed the main housing duty by South Gloucestershire Council.
- Urgent housing need due to health or welfare circumstances (as assessed by the HomeChoice panel (see 2.5.1)).
- Under-occupation: Where the applicant is the tenant of a partner member, lives in South Gloucestershire and
 1. Under occupies their property by 2 or more bedrooms and is looking to move to a smaller property and has registered for a mutual exchange, or
 2. Under occupies their property by 1 bedroom and is looking to move to a smaller property and has registered for a mutual exchange.
 3. Who occupies a general needs property and is looking to move to a designated older person's housing option, e.g. sheltered accommodation, or extra care housing.
- Applicants who are statutorily overcrowded as defined in part X of the Housing Act 1985, or where an actionable hazard for overcrowding has been identified by the Private Sector Housing team under the Housing Health and Safety Rating system (Housing Act 2004), which would be the equivalent of the definition in part X of the Housing Act 1985.
- Applicants who are lacking more than two bedrooms when assessed against the bedroom standard contained in the HomeChoice policy (see page 28).
- Applicants living in accommodation where assessment by the Private Sector Housing team under the Housing Health and Safety Rating system (Housing Act 2004) has identified significant hazards and/or that the property is uninhabitable and action cannot be taken to resolve (improve) the situation.
- Young parent households (aged 16-24) living in short term supported housing, accessed through the Single Access Service, who have been assessed as ready to move into independent accommodation by the housing provider. This banding will also require that arrangements have been made for post-tenancy support.
- Applicants living in a South Gloucestershire supported housing scheme, accessed through the Single Access Service, assessed as ready to move into independent accommodation by the housing provider. The applicant's vulnerability should be such that accommodation in any alternative tenure, such as the private rented sector, would by its nature have a detrimental effect on their vulnerability. This banding will also require that arrangements have been made for post-tenancy support.
- Applicants, aged 16-24, who have been looked after, fostered or accommodated by South Gloucestershire Council's Children and Young Peoples' Services and are ready for independent living.
- Applicants who have the right to succeed to a tenancy on the death of a tenant, but who require rehousing in more suitable accommodation.
- Applicants who have been approved by South Gloucestershire Council's Family Placement Team to provide long term foster care, or long term special guardianship, or who are progressing through adoption and whose current housing would be statutory overcrowded by one of these situations.

- Applicants who have multiple needs and meet several of the criteria in Band B, or where different members of the household have composite housing needs that meet criteria in Band B.
- Services personnel, who have received confirmation that they will be discharged from the armed forces. This band will be awarded for 12 months from the discharge date unless any of the following applies,
 - They are already suitably housed.
 - They are financially capable.
 - They do not have a local connection with South Gloucestershire.
- Ex-services personnel with an urgent housing need, who fall within one of the following categories:
 - Are in the regular forces and suffering from a serious injury, illness or disability linked to their service.
 - Have served in the regular forces.
 - Have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of a spouse or civil partner who have served in the regular forces and whose death was linked to that service.
 - Are serving/have served in the reserve forces and are suffering from a serious injury, illness or disability linked to their service.

Band B

- Housing need due to health or welfare circumstances.
- Applicants who are threatened with homelessness under s195 Housing Act 1996 as amended by the Homelessness Reduction Act 2017) and owed a prevention duty by South Gloucestershire Council.
- Applicants who are homeless and:
 - Are being considered under s189b of the Housing Act 1996 (am. HRA 2017) by South Gloucestershire Council, i.e. those who are owed a relief duty; or
 - Those under final assessment of a homeless decision by South Gloucestershire Council; or
 - Those who have been fully assessed under homelessness where no duty to accommodate is found and we are still satisfied that they are homeless.
- Applicants who are lacking two bedrooms when assessed against the bedroom standard contained in the HomeChoice policy (see page 28).
- Applicants who need to move to a particular area to give or receive support where failure to meet that need would cause one of the parties to require a package of health, or care support.

Band C

- Applicants who need to move to take up a definite offer of paid work, or an apprenticeship and who are unable to commute and:
 - Have signed, or have an offer of a contract for a minimum of 12 months and
 - Work more than 16 hours per week on average and
 - Are based in the district for the majority of that time for the purposes of carrying out their employment (at least 70%).
- Applicants lacking facilities, or sharing facilities with non-household members.

- Applicants living in a South Gloucestershire supported housing scheme where applicants are not deemed to have a particular vulnerability such that accommodation in any alternative tenure, such as the private rented sector, would by its nature, have a detrimental effect on their vulnerability. This will only apply where the Council and the housing provider have a service level agreement in place.
- Applicants who are lacking one bedroom when assessed against the bedroom standard contained in the HomeChoice policy (see page 28).

Registered Category

- Applicants with a health or welfare need that is unlikely to be improved by alternative housing.
- Applicants who have the financial capability to afford suitable alternative accommodation for their needs, including the market price of a property, or the market rent for a private let other than applicants owed a main homelessness duty by South Gloucestershire Council following an assessment under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017). This will override all other priorities that would place applicants in higher bands (see 2.6).
- Applicants living in accommodation where assessment by the Private Sector Housing team under the Housing Health and Safety Rating system (Housing Act 2004) has identified an actionable hazard, but action can be taken to resolve (improve) the situation.
- Other applicants wishing to move, but who do not fall in to any other category.

2.5 Priority cards

Priority card holders will have preference over all banded applicants. Priority cards will only be awarded to applicants who have been assessed by the HomeChoice Panel as having an emergency need to move. Please see the [HomeChoice Panel criteria](#) for further information about the criteria for awarding a priority card.

Priority cards will normally be valid for 12 weeks from the date of the award, as notified to the applicant. All applicants awarded a priority card will receive advice about the size and the type of property they may bid for.

If accommodation has not been secured during the initial 12 week period, a review will be carried out by the panel. If no suitable properties have become available, or if the applicant has been bidding for suitable properties, but has not been successful, the panel may agree to extend the priority card status for a further period (usually a further 12 weeks). If the applicant has failed to bid for available properties, or has been bidding for unsuitable properties, priority status will be removed where there are insufficient reasons for extension and the panel will reassess the banding priority of the applicant.

2.5.1 HomeChoice Panel

The Panel meets every month to consider cases where there is an urgent need to move on health or welfare grounds. In particular, they will consider cases where the applicant is likely to qualify for the award of a Priority Card, or whose application may need special consideration to be awarded Band A and this cannot be assessed solely by the HomeChoice team through application of the usual guidance and procedures. In some cases the Panel will recommend the type and size of accommodation that an applicant will be eligible to bid for if this is outside the usual criteria.

The Panel is made up of the following core representatives:

- A senior HomeChoice officer
- A housing manager from a partner Landlord
- A children's Social Services team manager
- A senior housing occupational therapist

Qualified medical opinion from a practicing GP or practice nurse will be sought where required. The Council accepts its responsibility to pay for this under the agreed professional fees structure.

A quorum of at least 4 of the above representatives are required to attend any one panel in order for the decisions made to be considered consistent and objective. Where housing access needs are being considered, one of the representatives must be an Occupational Therapist.

2.6 Applicants' financial resources

In principle, homes provided through the partnership are for letting to people on low incomes who have limited savings or assets, as this group may find it difficult to meet their housing needs in the private sector.

Applicants will be restricted to the registered applicant category if,

- A combination of their income, equity and savings means they are not eligible for means tested benefits (with the exception of households in receipt of working tax credit where they have no savings or equity) and/or,
- They have equity in a property exceeding the current savings limit for housing benefit, which is £16,000.

The following groups will not be subject to an assessment of their financial resources,

- Applicants owed a main homelessness duty by South Gloucestershire Council following an assessment under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017).
- Applicants, aged 16-24, who have been looked after, fostered or accommodated by South Gloucestershire Council's Children and Young Peoples' Services.
- ['Shared lives'](#) carers: The applicant agrees for someone to move in with them under a 'shared lives' agreement. Due to the payments received in order to carry out the care for this person, the household would otherwise be considered financially capable.

2.7 Housing Priority on health grounds

Applicants who indicate that they or anyone in their household has an illness, impairment or disability which is affected by their current housing, or who may be vulnerable on physical and mental health grounds and in need of settled accommodation, will be assessed by the HomeChoice Team.

Assessments are made on the effect of present housing on the state of health of the applicant or anyone in the household. Households with medical needs will be prioritised into the following bands:

- Band A: High housing need on health grounds

This will be recommended where the current housing conditions are having a major adverse effect on the medical condition of the applicant or one of the household members and rehousing would relieve it. All recommendations for Band A should be referred to the HomeChoice Panel.

- Band B: Medium housing need on health grounds

This will be recommended where the current housing conditions are having some adverse effect on the medical condition of the applicant or one of the household and rehousing would relieve it. Recommendations for Band B will not normally be referred to the HomeChoice Panel and will be assessed by the HomeChoice team.

Priority will be reviewed and may change if any of the following circumstances apply:

- The applicant moves to alternative accommodation.
- There is a change to the composition of the household.
- There is a change in the medical condition or diagnosis of the applicant or affected member of the household.
- The condition is pregnancy-related following the birth of the child.
- The applicant has been awaiting treatment and the treatment has been completed.
- The applicant, or affected member of the household, refuses to comply with recommended treatment of their medical condition.

2.8 Housing priority on welfare grounds

Priority on welfare grounds will only be awarded where there is a specific welfare problem related to their housing circumstances, which is detrimental to their wellbeing. Priority will only be given if rehousing would alleviate these difficulties.

Households with welfare needs will be placed in the appropriate band as follows:

- Band A: High housing need on welfare grounds

This will be awarded where an urgent need to move is agreed following consultation with services, such as social care, the police or other welfare agency. All recommendations for Band A must be referred to the HomeChoice Panel.

- Band B: Medium housing need on welfare grounds

This will be agreed where a move would alleviate significant social or welfare hardship. Recommendations for Band B will not normally be referred to the HomeChoice Panel and will be assessed by the HomeChoice team.

2.9 Criteria for Assessing the Composite Housing Needs that may Confer Band A

Band A can be awarded to households who have multiple needs and meet two, or more of the criteria in Band B, or where different members of the household have composite housing needs that meet criteria in Band B. This includes the needs of residential and non-residential carers.

When considering whether Band A should be awarded, each case will be assessed on its own merits.

2.10 Suspension From Bidding

The following applicants will be suspended from bidding:

- Where we are waiting for details of a change of address/circumstances.
- Care leavers not ready for independent living.
- Young parent households (aged 16-24) living in short term supported housing, accessed through the Single Access Service not ready for independent living.
- Applicants who have former tenant arrears, or other housing-related debts with a partner landlord, or South Gloucestershire Council. Housing-related debts refer to legal/court costs and re-charges for repairs and/or decorations (see 2.11).
- Applicants who are tenants of a partner landlord, or South Gloucestershire Council and have current rent arrears, legal/court costs and charges for repairs and/or decorations (see 2.11).
- Where there is evidence that the applicant is unable, or does not intend to occupy the property as their only or principal home.
- Applicants who are considered to have deliberately worsened their housing circumstances as a result of which they have gained a higher priority on the housing register.
- Applicants who have supplied false, or misleading information on their application for housing (see 1.5).
- Offenders in custody. The suspension will be removed three months prior to release. In order to activate the application, proof of an offender's release date and a copy of their risk assessment will be required.

2.11 Rent arrears and other housing related debts

Applications will be suspended if the applicant, or anyone in the household (including anyone not currently living with you) owes rent arrears, or any other housing related debt from a current or former tenancy with South Gloucestershire Council, or any partner landlord. An exception to this rule may be made if:

- The applicant has a repayment plan in place and the applicant has demonstrated sufficient commitment to keeping to that
- The outstanding debt is more than £250, but the applicant has been keeping to a repayment agreement for the last 13 weeks.
- The outstanding debt is over three years old, but there are no arrears from tenancies held within the last 3 years, although the applicant will be expected to establish a repayment schedule for this debt.

Please note that each partner landlord may also have their own policy on rent arrears & housing related debts. This means that applicants may be bypassed for a property if,

- The applicant has rent arrears on a property.
- They have not kept to a repayment agreement.
- The landlord believes the applicant cannot afford the tenancy, for example due to a high level of spending, or personal debt.

If an applicant is bypassed for a property, the partner landlord will explain the reason why they have not been offered the home.

Further advice, information and support on debt and welfare advice can be found on the [council's website](#).

3 Letting properties

The following target will be used to ensure that the following percentages of vacant properties are let to each band:

- 60% lettings to applicants in Band A
- 30% lettings to applicants in Band B
- 10% lettings to applicants in Band C

3.1 Advertising

Details of vacant properties will be advertised in the following ways:

- HomeChoice website (www.homechoice.southglos.gov.uk).
- HomeChoice advert sheets available in Council One Stop Shops, partner Landlord offices and public libraries. Advert sheets can be posted or e-mailed to applicants on request if the Council is satisfied that applicants cannot access adverts in any other way.

Each property advert will contain detailed information about the property including,

- Landlord's details.
- Property type, location, size (including number of bedrooms) and heating type.
- Details of any adaptations and relevant access information - e.g. number of steps.
- Rent level and service charges where applicable.
- Any services provided - e.g. support from staff and access to schools/local services.
- Whether tenants are able to have pets
- Closing date for bidding.

The advertisement will also explain how to bid for the property and any restrictions on bidding such as:

- Minimum and maximum number of persons allowed in the household.
- Age limits of applicants.
- Mobility classification.
- Preference band.
- Requirement for local connection to the village.

3.2 Bidding

Applicants must be registered in order to bid for properties. Bidding means letting the Council know that you want to be considered for a property that is being advertised.

Applicants can bid for a maximum of three properties in any one advertising cycle and can change their bids at any time during the cycle. An advertising cycle lasts for one week and begins on a Friday. Bidding will close at midnight on Thursday.

Applicants must have placed bids for properties they are interested in by the closing date on the advert and they will be unable to bid for a property, or change their bids once the closing date has passed.

Bids can be made in the following ways:

- On-line by using the HomeChoice website, <https://homechoice.southglos.gov.uk/>.
- Telephone - 01454 868005.
- In person at partner landlord and council offices.
- By post, using a bidding coupon (available on property advert sheets).

To register a bid, applicants will need the following information:

- Registration number.
- Memorable date & password.
- Property reference number.

At the end of the advertising period all bids will be compiled in a shortlist.

3.3 Assisted bidding

Staff in Council One Stop Shops and partner landlord offices are available to help customers with the bidding process as and when necessary.

Close working between departments within the Council and other agencies will help to identify people who are vulnerable, or have special needs. Vulnerable applicants will be identified from the application form and HomeChoice staff will establish if applicants need extra help in order to participate in the bidding process.

If the applicant agrees, staff will contact any professional or voluntary worker with whom the applicant is involved to ensure that they understand choice based lettings procedures and to ensure that they are able to provide the necessary support.

Applicants can nominate a support worker or agency to receive correspondence or make bids on their behalf, or a family member or friend.

3.4 Assessment of bids

Following the close of bidding, a shortlist will be produced and eligible applicants will be placed in priority order. Priority will be decided firstly by preference band and secondly by earliest registration date with the exception of Extra Care housing lets (see 3.4.1 & 2).

Unless otherwise specified in the advertisement, applicants with priority cards who have bid will be given preference above applicants from other bands.

In the rare instance that there is more than one applicant with the same application date and banding, preference will be given to the application with a specific connection to the district and/or the Partnership will look into the applicants' circumstances to decide which household is most suitable for the property.

3.4.1 Extra Care Housing

Extra Care housing is usually a group of homes built on the same site, sometimes a mixture of flats and bungalows, providing specialised accommodation and planned care and support services delivered 24 hours a day.

To be eligible applicants must:

- Meet the qualification criteria to join the housing register (see 2.1.1)
- Be over 55 years of age. Where a home is occupied by two occupants in the same household, one person may be aged under 55 providing that they are 50 years and above and are living in the same residence as another occupant who is over 55.
- Have care and support needs assessed against nationally agreed criteria set out in the Care Act. The assessment must also identify Extra Care housing as a suitable option for meeting the identified care and support needs.

In order to meet the aims and objectives of individual ExtraCare schemes, it is important to maintain a balanced community. This means having tenants with different levels of care and support. The guideline for such a balanced community is 30% of tenants with high needs, 50% with medium and 20% with low needs. (Please note that the balance of tenants with different care needs is meant as a guide only).

The level of need is determined by the amount of care & support hours required;

Low needs	= 1hr - 11hrs
Medium	= 11hrs - 17.30hrs
High	= 17.30hrs - 30hrs

Dependency over 30 hours

Where an individual is assessed as having needs that can be appropriately met within an ExtraCare scheme, but whose needs are unpredictable and/or likely to be over 30 hours per week, a nomination may be made and accepted with the agreement from all parties.

Maximum dependency

A tenant will not normally be accepted into the scheme if any of the following apply upon entering the scheme.

- A requirement for frequent nursing care beyond the level available from the community nursing service
- A requirement for specialist health services which cannot be provided in a community setting
- A level of physical or mental illness which is likely to cause serious disruption or risk to themselves and other tenants If a tenant's care and support needs change and their needs cannot be adequately or safely met in ExtraCare accommodation.

Vacancies for the schemes will be dealt with in the following way:

First Lets

First lets will not be advertised through HomeChoice. Instead, all households, who have expressed an interest in one of the new ExtraCare Housing schemes will be referred to the Extra Care Housing Panel. The panel will consist of at least four members including,

- South Gloucestershire Children, Adults & Health Service Manager (Chair)
- South Gloucestershire HomeChoice representative
- Care & Support Provider Service representative
- Housing representative

All applicants must be registered on the Council’s housing register and they will have a current care plan.

Households will be prioritised using a dual assessment process. Firstly, applicants will be prioritised against a set of care criteria set out in the matrix below. Where more than one household has the same care needs, priority will be decided by the household’s HomeChoice band and then by earliest registration date.

Priority 1
Receiving a South Gloucestershire Council funded home care service.
In a South Gloucestershire residential care scheme, where the scheme is due to close.
South Gloucestershire resident - in hospital, ready for discharge (and cannot return home).
South Gloucestershire resident - more than 2 emergency admissions into hospital in the last 6 months (which may have been prevented if applicant was living in Extra Care housing).
South Gloucestershire resident - Safeguarding adults: Suffering abuse, or at high risk of abuse.
South Gloucestershire resident - critical risk of carer/agency breakdown.

Priority 2
South Gloucestershire resident - more than 2 emergency admissions into hospital in the last 12 months (which may have been prevented if applicant was living in Extra Care housing).
South Gloucestershire resident - historic safeguarding issues (i.e.: past history of neglect, or abuse and potentially at risk).
South Gloucestershire resident - risk of carer/agency breakdown.
South Gloucestershire resident - experiencing anxieties to care and/or housing problems that would only be resolved by a move to Extra Care housing. Need for support/security.

Priority 3
All other applicants.

Re-lets

All re-lets will be advertised through HomeChoice. The property advert will state whether the property will be prioritised for a household with high, medium or low care needs. Shortlisted applicants will be prioritised using the matrix listed under the first lets procedure.

3.4.2 Priority Card Holders Requiring Extra Care Housing

In a case where two priority card holders bid for an Extra Care housing vacancy, priority will be given to any household awarded a priority card for the following reason,

‘Hospital discharge: Where the applicant, or a member of their household, has a progressive or chronic health condition and is unable to meet their own housing needs and where their existing accommodation cannot meet or be made to meet their housing needs. A care plan for the relevant person must have been devised’.

While all priority card holders have an urgent need to move, it is important that the council helps other services like the NHS make the best use of their resources.

3.5 Annual Review of Housing Application

Every year, we ask households to review their application to ensure the information we hold on file is correct. Where information has changed, applicants will be expected to update their application.

If a household does not review their application within 28 days, we will presume they no longer wish to remain on the register and their application will be cancelled. If the application is cancelled, the household will have to complete a new application if they want to bid for properties in the future.

3.6 Direct offers

The following groups will be considered for direct offers.

- Homeless households where the Local Authority has accepted the ‘main housing duty’: For applicants subject to a direct offer.

This property could be a bedsit, flat, maisonette or house depending on the size of the household and it could be located anywhere within the South Gloucestershire district.

No applicant will be considered for an area where the HomeChoice Team accepts that they would be at risk of violence or harassment, or may pose a risk of violence, or harassment to others.

See section 3.8 for any implications of refusing a direct offer.

- Permanent decants

Where the applicant is the tenant of a partner landlord and requires a permanent move to enable redevelopment or major refurbishment.

If the household has not bid within three months, the case will be referred back to the HomeChoice Panel as per section 2.5 to assess whether the priority card should remain. If the household has not bid after six months, they will be made a direct offer of the next suitable offer of accommodation. If this offer is refused, the Landlord may start possession proceedings.

- Housing Dangerous Offenders

Under the Criminal Justice and Court Services Act 2003 (as amended), the Police, Probation and Prison services must work together under the Multi Agency Public Protection Arrangements (MAPPA) to protect the public from the risk posed by “MAPPA eligible offenders.” Under the legislation, other organisations, including local authorities and housing providers are also directed to cooperate in public protection arrangements.

Access to housing for dangerous offenders is set out under the, ‘MAPPA - Accommodation for Dangerous Offenders’ protocol. South Gloucestershire Council is a signatory to this protocol. The aim of the protocol is to ensure inter-agency work which enables all relevant service providers to consider the needs of an offender and take into account the level of risk they may present to the community with the aim of securing stable accommodation where appropriate.

South Gloucestershire Council will make a direct offer of accommodation to applicants referred under this protocol. When identifying a suitable property, the council will take into account the referral information supplied by the police or probation service setting out the type of accommodation that should be considered and what restrictions, if any, should be placed on location.

3.7 Offering a property

The partner landlord will contact the successful applicant shortly after the closing date to arrange a viewing of the property. Properties will be let in line with the landlord’s own lettings process. As part of this process, the landlord may take up a reference from the successful applicant’s current/former landlord covering the way in which the applicants has managed their previous tenancy before deciding whether to offer the property.

Following the viewing the applicant must confirm whether or not they wish to accept the property within the landlord’s own timescales. If they do not contact the landlord, it will normally be assumed that the applicant has refused the property.

Unsuccessful applicants will not usually be contacted. However, there will be general feedback available on all lettings to help applicants make more informed expressions of interest in the future. Details can be found on the HomeChoice website at, <https://homechoice.southglos.gov.uk>.

3.8 Refusals

If an applicant bid for a property and then refuses it, the next applicant will be selected. The following penalties apply if applicants refuse a reasonable offer.

- Applicant with a Priority Card

The application will be reviewed by the HomeChoice panel to decide whether the priority card should be removed and the application should be placed in Band A. If Band A is awarded, the application date will remain the same.

- Applicants in Band A, B, C or the Registered Category

If applicants refuse two reasonable offers, their application will be suspended for six months. When the suspension is lifted, their application date will remain the same.

If an applicant refuses their first suitable offer, the HomeChoice team will write to them to explain the consequences of refusing a second offer.

- Homeless households where the Local Authority has accepted the 'main housing duty'.

If the household refuses either a suitable offer made following a successful 'bid' through HomeChoice, or a direct offer, the council will discharge its homeless duty. This means that the council will no longer have a duty to provide the household with temporary accommodation.

- Permanent decants

See 3.5

3.9 Feedback - Recent Lets

A summary of properties let will be listed on the Council's [HomeChoice website](#). From the home page, click on property search/recent lets.

3.10 Hard to let properties

If a property has been advertised and the initial bidding list has been exhausted, the following options will be considered:

- Re-advertising the property.
- Relaxing the criteria needed to be able to bid.

3.11 Service Level Agreements

The Council has Service Level Agreements in place with partner landlords (Registered Providers) who own housing stock within South Gloucestershire. These agreements give the Council the right to nominate applicants from the Housing Register for vacancies arising within the partner landlord's housing stock.

All vacancies offered for nomination will be advertised (see 3.1) with the exception of properties used for a direct offer (see 3.7). Applicants will be shortlisted according to the procedure outlined in 3.4 and the shortlist will be available to the partner landlord when the bidding round closes.

The partner landlord will offer the property in accordance with their own lettings criteria. However, at least up to the agreed nomination percentage, the Council would expect the applicant with the highest priority to be offered the property first. If the partner landlord wishes to make an offer to an applicant who is not at the top of the shortlist, they will provide the applicant and the Council with a written reason for this action if requested. The partner landlord will carry out checks to confirm the status of the successful applicant and to verify that the circumstances at the time of application still apply.

For certain vacancies that fall outside of the agreed nomination percentage, landlords may wish to specify certain eligibility restrictions in order to meet their Organisation's internal lettings policy, or for housing management reasons. These restrictions will be clearly labelled when the property is advertised.

South Gloucestershire Council will monitor all Service Level Agreements.

3.12 Excluded properties

Occasionally, a partner landlord may exclude properties from the choice based lettings system in order to make a direct allocation. This will be on the following occasions:

- A particular vacancy is required to enable South Gloucestershire Council to discharge its duty to a statutorily homeless household.
- A vacancy is needed in order to carry out a temporary, or permanent decant.
- A vacancy is required under the high risk offenders' protocol.
- A vacant property has been designated part of a specific housing project, e.g. the Keyring scheme.

3.13 Sustainable lettings agreements

Sustainable lettings have an important role in widening housing choices for local people and ensuring good housing contributes to longer-term sustainability of the local area. Local lettings agreements may give a preference to certain specific groups of people for specific types of properties, or properties in a specific locality.

In negotiating local lettings plans the Partnership will aim to strike a balance which meets housing need, whilst making the best use of housing stock in that area to benefit individuals, the community and create sustainable neighbourhoods. The focus on any local lettings plan will be the applicant's history of, induction to and preparedness to manage a tenancy successfully.

Subject to agreement from the partner landlord's housing management, local lettings plans will be used:

- On first lets of large new schemes of over 15 homes;
- In existing schemes where there are severe and persistent problems;
- To meet a policy objective determined by the Council, for example housing for keyworkers.

All local lettings schemes will need to have received approval from the Council and in the case of new schemes, have been agreed at the developmental stage.

4. Appeals and reviews

4.1 Statutory right to a review

Under sections 166 and 167 of the Housing Act 1996 (as amended), an applicant has the legal right to a review if they are dissatisfied, because the Council has decided:

- They are ineligible to join the housing register.
- They are not a qualifying person.

4.2 Discretionary reviews

An applicant may request a review on the following grounds:

- They consider that they have not been awarded the correct banding.
- They consider that their date of registration is incorrect.
- They have been denied priority status, or the extension of priority status has been denied.
- To suspend their housing register application.

In these cases, the Council has the discretion to decide whether or not to carry out a review.

4.3 Review procedure

A senior HomeChoice officer who has not been involved with the original decision will carry out the review. A request for a review must be made in writing within 21 days from the date on which the applicant was notified of the decision and the reasons for it. The partnership has discretion to extend the time limit in particular cases if it considers this would be reasonable.

The officer carrying out the review will carry out an investigation in accordance with this Lettings policy, the relevant legislation and Codes of Guidance. If not already received they will invite the applicant to make written representations or, if they are unable to do this, or would be disadvantaged by this method, the reviewing officer may hear oral representation.

If the reviewing officer finds that the officer who made the decision did not take relevant information into account they will refer the file back to that officer for re-consideration of their original decision as part of the review process.

The reviewing officer will notify the applicant of their decision within 21 days of the request for a review (although this time limit may be extended by agreement with the applicant).

If within 28 days of receiving the decision the applicant is still not satisfied, then they can ask, in writing, for their complaint to be considered as part of the Council's complaints process. Further information and a copy of the Council's complaints procedure can be obtained from the Council's One Stop Shops, or on the [Council's website](#).

5. Monitoring

The partnership will monitor the allocations and lettings scheme to ensure that it is operating equitably and fairly. This will include, but not necessarily be limited to:

- Number of applications received.
- Number of properties advertised by type, area and landlord.
- Number of bids and method of bidding.
- Number of bids for each property by band.
- Profile of bids, i.e. by age of applicant, ethnicity, transfer, homelessness.
- Number of accepted offers by band.
- Number of offers refused.
- Number of properties advertised more than once (hard to let).
- Number of complaints.

The partnership will review the policy regularly. Should any significant amendments be required, consultation will be undertaken with relevant stakeholders prior to a decision being made.

6 Types of tenancy

An applicant can be offered a lifetime, or a fixed term tenancy. All new tenancies can be expected to have a one year introductory tenancy.

Partner landlords are required to take account of South Gloucestershire Council's [Strategic Tenancy policy](#).

6.1. Lifetime Tenancies

Lifetime tenancies remain available to a tenant for as long as the terms of the tenancy agreement are upheld. These are offered on an Assured Tenancy basis.

6.1.2 Fixed Term Tenancies

Fixed term (flexible) tenancies are offered for a fixed period of time and the tenancy ends on the last day of that period or term. Landlords will decide on the length of tenancy to be offered, but the council recommends that tenancies should be granted for a minimum of five years.

6.2 Rent Levels

Both lifetime and fixed term tenancies can be offered on a social rent or affordable rent basis.

6.2.1 Social Rent

Social rent is based on a formula set by government. It is usually less than an affordable, or market rent.

6.2.2 Affordable Rent

Affordable rents are set at 80% of the market rent in the private sector.

6.3 Transfer Tenants

Transfers take place where an existing tenant moves to another property owned or managed by a partner landlord. Applications for transfer are considered in the same way as new applications. Priority is decided based on housing need.

6.3.1 Mutual exchanges

The following tenants have the right to exchange:

- Assured tenants of a Registered Provider.
- Assured tenants of a Charitable Housing Trust.
- Secure Council tenants.

Tenants wishing to exchange should speak to their landlord. Landlords must give permission before any exchange can take place.

6.4 Joint tenancies

The partner landlords encourage joint tenancies of properties. Both tenants are then jointly and individually responsible for ensuring the tenancy agreement is kept to. Both parties to a joint tenancy must individually qualify to join the Housing Register and to be eligible to receive an offer of a property.

If a partner landlord refuses to grant a joint tenancy, it will provide the applicants with clear reasons for its refusal in writing. When one of two joint tenants gives notice to terminate a tenancy, the partner landlord may use discretion when deciding to offer the property, or an alternative property, as a sole tenancy to the other joint tenant.

In certain circumstances joint tenancies may be granted to more than two people.

6.5 Successions and assignments

Succession

If the lead tenant in a household dies, the tenancy may pass to their partner or close family member. This is called succession and can usually only happen if they have been living in the property, as their main home for more than 12 months before the lead tenant's death and can prove this.

There is only one right to succession; so if a tenancy has already been passed to someone, there will not be a further right to succeed to the tenancy in the event of their death.

If the home is too large for the successor and they would not normally be eligible for it, the landlord may ask them to move to a smaller property. This only applies to other family members and not to spouses or civil partners, who will be able to stay in the same home.

If the home is specially designed for someone who has a disability, but they no longer live there, the landlord may ask them to move. In these cases, the landlord may offer the household another home.

Assignment

When a tenancy is assigned or 'signed over', all the rights and responsibilities of the tenancy pass from the original tenant to the new tenant. Someone's right to assign a tenancy depends on the type of tenancy they have. You will need the landlord's permission to sign over your tenancy.

7 Older persons' housing

Older persons' housing is flats or bungalows only for older applicants, but with no extra services.

Sheltered housing is for older people, who can live independently, but would benefit from the services of a Scheme Manager to provide support and assistance. This includes people who can live independently with the aid of a care package. Such applications will automatically be registered for sheltered housing.

Extra care housing is purpose built housing schemes for older people, who are physically, or mentally frail and need extra help to manage and who might otherwise need residential or nursing care (see 3.4.1 for further information).

Applicants for all types of older persons' housing will not be listed separately on the housing register, but will be assessed in accordance with their housing need and placed within the appropriate band.

Each partner landlord may have a specific age criteria for tenants of older persons' housing and these criteria will be clearly stated in the property advertisement.

If an applicant bids for older persons' housing as part of a couple, one partner must normally meet the age criteria. If a tenancy of older persons' housing is offered in these circumstances, the tenancy will be offered in the sole name of the partner who meets the criteria. In the event of the subsequent death of the tenant it is possible the surviving partner may no longer be able to remain in the property and will have to seek alternative housing.

8 Adapted homes

An adapted home, has aids fitted, or adaptations made to help a person with illness or mobility issues to live there.

8.1 Applying for adapted homes

Where an applicant, or member of their household, has mobility issues and they would like to be considered for adapted properties, an Occupational Therapy assessment will be required. The case will then be referred to the HomeChoice Panel (see 2.5.1) to determine whether the applicant can bid for adapted properties.

Should aids and adaptations be required, the OT will refer this to the council's Private Sector Housing team to consider a Disabled Facilities Grant.

8.2 Letting adapted homes

When advertised, properties suitable for applicants with mobility problems will be clearly labelled and as much detail as possible will be included about the type of adaptations made or aids fitted. Bids will normally only be accepted from households with a recognisable need. Bids will be assessed according to the lettings procedure (see 3.4), however the Landlord may decide not to make an offer to the applicant with the highest priority if a bid has been submitted by an applicant whose needs more closely match the adaptations made to the property.

9 Travellers' sites

Any applicant for a pitch on a travellers' site must have an active application on the Housing Register. Applications will be assessed according to the HomeChoice Lettings Policy (see 2.3).

When a pitch becomes vacant it will be advertised alongside other vacant properties. Bids will only be accepted from gypsy/travellers and will be assessed in accordance with the Traveller Unit's lettings policy. In exceptional circumstances the Traveller Unit may decide not to make an offer to the applicant with the highest priority. The applicant may request a review of this decision (see 4.2).

10 Affordable Home Ownership

First Homes

First Homes (FH) are a form of discount market sale product for new-build properties. On initial sale developers/housebuilders will market the FH to purchasers and refer applicants to the Council, they would not form part of the Affordable Housing provision delivered with our Registered Provider partners. The Council's role is to set local eligibility criteria and negotiate a s106 agreement to secure the First Homes in perpetuity, verify purchasers' eligibility and issue the required authorisations.

The main criteria of First Homes, as set out in national guidance, are:

- a) First Home must be discounted by minimum of 30% against the market value;
- b) After the discount has been applied, the first sale must be at a price no higher than £250,000. This does not apply to subsequent sales, and
- c) The discount is passed on to future purchasers, secured through a section 106 agreement.
- d) The home is sold to a person who meets the First Homes eligibility criteria.

The First Homes eligibility criteria require the purchaser (or all purchasers if a joint purchase):

- a) To be a first-time buyer, as defined by [paragraph 6 of Schedule 6ZA of the Finance Act 2003](#).
- b) To have a household annual income of no more than £80,000, and
- c) Should have a mortgage or home purchase plan to fund a minimum of 50% of the discounted purchase price.

Subsequent sales must also be to a person or persons who meet the First Homes eligibility criteria.

In addition to the national eligibility criteria for First Homes owners, the Council will require all applicants and purchasers of First Homes to have a local connection to South Gloucestershire, as defined in paragraph 2.1.1 of this document.

This local connection requirement is subject to the time limit of 3 months from when the home is first marketed, after which it will revert to national eligibility criteria, as set out in paragraph 008 [NPPG: First Homes](#).

Prospective purchasers will need to complete an application pack available from the developer. The developer will check the application meets eligibility criteria and send the application pack and to the Council. The Council will upload the purchaser's application to the Councils Housing Register for First Homes so their eligibility can be verified, approval issued and the Council can ensure appropriate monitoring of each FH sale.

Shared Ownership

Shared ownership properties are not advertised on HomeChoice. An applicant who is interested in exploring shared ownership opportunities should refer to the advice and search service provided by Homes England at www.gov.uk/shared-ownership-scheme. This website also includes details of Registered Providers operating in South Gloucestershire. Homes England can also be contacted by e-mail at Sharedownership@homesengland.gov.uk, or by phone on 0300 1234 500.

Guidance for Registered Providers and potential purchasers of shared ownership units delivered through s106 without government subsidy is set out in the following paragraphs.

This paragraph sets out the eligibility, qualification and priority criteria for Registered Providers when approving an applicant for a shared ownership property in South Gloucestershire that has been secured as part of planning gain and which has not received government subsidy or is not part of contracted provision with Homes England.

Providers must undertake appropriate checks on the applicant to ensure that they are eligible to purchase a shared ownership property in South Gloucestershire. All applicants for initial and subsequent sale are required to be qualified to apply to South Gloucestershire Council for housing under the published qualification criteria as set out in 2.1.1.

For some properties, additional criteria are in place through, for example planning permissions, covenants or funding approvals, applying a local connection to a particular locality, for instance some rural exception sites where a connection is required to a parish or village. Where this is the case, this will be applied as a first filter ahead of housing applicants whose connection is to the whole district of South Gloucestershire.

Income and Assets

In line with Homes England's Capital Funding Guidance the threshold on maximum household income per application is £80,000 and applicants must be otherwise unable to purchase a property suitable to meet their housing needs on the open market. Applicants will be expected to liquidate any capital assets which may include savings, bonds, shares, land and any other financial investments. All applicants need to satisfy this criteria to proceed with the purchase of a shared ownership property. The Provider selling the share of the property may have further qualification conditions.

Priority will be given to:

- Household size meeting number of bedrooms cascading to 1 then 2 spare bedrooms. Providers may require documentary evidence to confirm applicant is principle carer for dependent child(ren)
- Households who can demonstrate that they are less able to buy an appropriate property locally on the open market
- Households with income less than £60,000 In the event that after the Provider has marketed the shared ownership property for four months prior to it being ready for occupation and is unable to identify an applicant with a local connection to South Gloucestershire, the shared ownership property can be offered to an applicant without a local connection. All other criteria and priority order will remain the same as for an applicant with a local connection.

11 Housing overcrowding standards

The primary legislation which the Council applies to overcrowding is the Housing Act 2004. Under this Act, the crowding and space hazard is one of 29 hazards which are assessed using the Housing Health and Safety Rating System. The Crowding and Space hazard is associated with a lack of space within a dwelling for living, sleeping and normal family/household life and therefore reflects a modern day standard. Factors such as number and size of bedrooms, size of living area and availability of a secure external play area are taken into account. In addition the assessment will include references to the acceptable room and bedroom sizes which are detailed below.

As a guide, a bedroom of minimum floor area 6.5 m² – 9.5 m² is suitable as a single bedroom and a bedroom of 9.5 m² or more is suitable as a double

bedroom. Wardrobe space can be included in the floor area assessment. This is a guide only and is not a statutory minimum in single family dwellings. Different rules apply to Houses in Multiple Occupation.

The secondary legislation which the Council applies to overcrowding is:

The Housing Act 1985 defined standards for overcrowding which councils can still choose to apply to overcrowding. There are two tests, one that relates to persons of the opposite sex sharing a bedroom (other than as a couple) and a second test that deals with room sizes. The Act requires that living rooms and dining rooms are also considered as available for sleeping. This often means that houses that seem overcrowded meet the standard, but are not statutorily overcrowded.

12. The room standard

The room standard is contravened when the number of persons sleeping in a dwelling and the number of rooms available is such that two persons of opposite sexes, who are not living together as husband and wife, must sleep in the same room.

Children under the age of ten will not be taken into account.

A room is available as sleeping accommodation if it is of a type normally used in the locality either as a bedroom or as a living room.

13 The space standard

The space standard is contravened when the number of persons sleeping in a dwelling is in excess of the permitted number taking into account the number and floor area of the rooms available as sleeping accommodation.

No account is taken of children under the age of one, while children over one, but under 10 years of age count as $\frac{1}{2}$ a person.

A room is available as sleeping accommodation if it is of a type normally used in the locality either as a bedroom or as a living room'.

Bedroom Eligibility

The Table below sets out the property size that households are eligible for based on the number of people in a household.

	1 bed	2 bed	3 bed	4 bed	5 bed
Single person	✓				
Childless couple (under 60)	✓				
Childless couple (over 60) * only eligible for two bedroom older persons housing	✓	✓ *			
Household with 1 child		✓			
Household with 2 children of the same gender under 16, or opposite gender under 10		✓			
Household with 2 children of opposite gender where one is over 10			✓		
Household with 3 children			✓		
Household with 4 children			✓	✓	
Household with 5 children *Depending on age/sex of children				✓	✓*
Household with 6+ children				✓	✓

- Household = applicant/joint applicants.
- Adult = someone who is 16+. Adults are entitled to their own bedroom. Couples are expected to share a bedroom.
- If someone in the household is pregnant, the household can only bid for a larger property after the sixth month of pregnancy (subject to eligibility).
- Some properties are only available to certain age groups, or people with specific support needs. This will be explained in the property advert.