

LOCAL AUTHORITY HOUSING MANAGEMENT

www.portsmouth.gov.uk

ALLOCATIONS POLICY

For queries about allocations in general please contact Housing Options on:

Telephone **02392 834989**

Email **housing.options@portsmouthcc.gov.uk**

Housing Allocation Scheme

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1. Introduction

- 1.1. There is a huge demand for affordable rented homes in Portsmouth. The purpose of the allocation scheme is to define a consistent framework, which can be used to allocate the limited number of vacancies that are available.
- 1.2. The guiding principle is to make sure that homes are allocated fairly and efficiently; taking into account applicants' individual needs and expressed preferences.
- 1.3. As a general rule the council aims to avoid registering applications from households who stand very little or no chance of being rehoused.
- 1.4. The scheme applies to lettings of Portsmouth City Council housing and to lettings of homes owned by registered social landlords (RSLs) in Portsmouth for which the council has nomination rights. In practice, this means most RSL homes. It does not include exchanges arranged between existing council and RSL tenants.
- 1.5. The scheme is based on four key principles. These are:
 - 1.5.1. To give priority to applicants with the greatest housing need
 - 1.5.2. To make the best use of all the available social housing stock
 - 1.5.3. To enable applicants to make informed choices about their options
 - 1.5.4. To process applications fairly and confidentially, taking appropriate steps to avoid discriminating on grounds of ethnicity, religion, gender, sexual orientation, employment, marital status or age.

2. Eligibility

- 2.1. The allocation scheme is based on the assessment of applicants housing needs. Requests for housing will be assessed first for their eligibility for the scheme.
- 2.2. To be eligible, an applicant must be over 18 years old¹ and living in housing need. This means that applications will not be registered from households who are deemed to have adequate housing. The criteria, which we use to assess what constitutes adequate sizes of accommodation for different household sizes are set out in section 6.
- 2.3. Applicants will be deemed to be in housing need if the accommodation they occupy is unsuitable for them. This could include applicants who need to move on grounds of health or safety or who require more accessible accommodation because of their limited mobility.
- 2.4. There are some exceptions to 2.2 and 2.3 where, in order to make best use of social housing stock, existing social council and RSL tenants will be eligible for the scheme. This occurs when existing tenants give up accommodation which is in exceptionally high demand.
- 2.5. Existing council and RSL tenants who are adequately housed and ineligible for the scheme may still register interest in exchanges and will be provided with details of potential exchange partners.
- 2.6. Applicants for whom the council has accepted a duty under the homelessness legislation will automatically be eligible for the scheme, though this does not necessarily infer that they will be offered a council or RSL tenancy.

¹ In exceptional circumstances applications may be extended to applicants aged 16 or 17 years

3. Categories of ineligible applicants

- 3.1. Certain categories of applicant are excluded from being allocated social housing.
- 3.1.1. Applicants deemed ineligible for the scheme will be notified of the grounds of this in writing and have the right to seek a review (see section 15)
- 3.2. These restrictions relate primarily to persons who have limited rights to remain in the United Kingdom or have no access to public funding.
- 3.2.1. It is not practical to define precisely all the circumstances in which the restrictions apply. Applicants who are unsure about their status should seek detailed advice from Housing Options.
- 3.3. Some categories of ineligibility are:
 - 3.3.1. Applicants who are guilty of unacceptable behaviour in previous accommodation. Unacceptable behaviour is defined as behaviour that, if the person were a secure tenant, would constitute sufficient grounds for them to be evicted.
 - 3.3.2. Applicants who have a legal or financial interest in a property that can be sold to resolve their housing need.
 - 3.3.3. Applicants who have sufficient income or savings, which it would be reasonable for them to use to meet their housing need.
- 3.4. Applicants deemed ineligible for the scheme will be notified of the grounds of this in writing and have the right to seek a review (see section 15)

4. How applications are assessed

- 4.1. Requests to be considered through the allocation scheme should be made to Housing Options at the Civic Offices. Requests may be made in person, by telephone or by email.
- 4.2. There is no application form to complete
- 4.3. Anyone who is identified, or who identifies themselves as having a special need will be assisted appropriately. This may include:
 - 4.3.1. Interpretation
 - 4.3.2. Translation
 - 4.3.3. Lip speaking assistance
 - 4.3.4. Loop system
 - 4.3.5. Advocacy service
- 4.4. Housing Options staff will arrange a confidential discussion with anyone who wants to apply for social housing. The purpose of this will be to understand their housing need and to determine whether it is appropriate to register their application under the allocation scheme.
- 4.5. The purpose of the housing options interview is to explore a wide range of housing options. Because there is a very high demand for affordable housing in Portsmouth, many applicants find that the possibility of being allocated a social housing tenancy is unrealistic.
- 4.6. Applications will be assessed using the criteria for the banding scheme (see appendix 1).

- 4.7. The assessment will be based on the suitability of the applicant's current accommodation and specific needs. It will reflect additional information provided by or on the applicant's behalf.
- 4.8. Applicant's needs may be re-assessed from time to time, or as a result of a change of circumstances. This may result in applicants moving from one band to another.
- 4.9. Applications may **not** be prioritised in circumstances where an applicant is deemed to have **deliberately** worsened their housing circumstances in order to increase their priority within the allocation scheme. For example, this may apply where an applicant gives up settled accommodation in order to move into less settled, or overcrowded accommodation. See section 12 for further information.

5. The banding scheme

- 5.1. Applicants housing needs will be fully assessed according to the criteria set out in the banding scheme (appendix 1). Applicants who are eligible to be considered for housing and deemed to have a current housing need will be placed within one of the four bands listed.
- 5.2. Applicants who are deemed not to be in housing need will not be accorded any priority within the scheme and cannot be considered for housing.
- 5.3. The bands are as follows:
 - 5.3.1. **Band one** – applicants where **exceptional circumstances** have been identified. This could involve life-threatening situations, where an applicant has an overriding priority on medical or social grounds. It could also apply to transfers for existing council or RSL tenants who, by moving, will release homes for which there is an **exceptional need**.
 - 5.3.2. **Band two** – applicants who have an urgent housing need, and have been assessed as **high priority**.
 - 5.3.3. **Band three** – applicants who have a significant housing need, and have been assessed as **medium priority**.
 - 5.3.4. **Band four** – applicants who have an identified housing need and have been assessed as having a **low priority**.
- 5.4. A housing situation is deemed to be overcrowded if it fits one of the following situations:
 - 5.4.1. Two persons of opposite sex not living together as partners have to share a bedroom.
 - 5.4.2. Three or more people of any age are sharing a bedroom.
 - 5.4.3. Anyone sleeps in a room that is not a bedroom or could reasonably be used as a bedroom.
 - 5.4.4. Two persons of different generations (at least 15 years age difference is taken as a generation) are sharing a bedroom.
 - 5.4.5. Two persons of any age have to share a bedroom under 10.2 square metres.
- 5.5. Individual assessments will be required for households comprising more than two adults or for others that do not fit within the definitions in 5.4.

6. Allocation of vacant properties

- 6.1. Properties available for letting within the scheme will be offered to the applicant with the highest priority for each specific property. This means looking first at applicants in band one, then band two, and so on. Relative priority between applicants in the same band will be determined in date order, by the length of time applicants have been within that band.
- 6.2. Applicants can only be selected for property types that they have included in their application. The scheme is designed to enable applicants to exercise choice within the options that are available. Applicants will be asked to indicate the types of property they wish to be considered for in terms of location, property type, floor level and type of landlord (council or RSL).
- 6.3. The number of bedrooms a household requires will be determined according to the standard indicated in the table at 6.5.
- 6.4. Some types of property are designated for specific categories of applicant. The main examples of this are:
- 6.4.1. Designated sheltered housing schemes have age that applies to tenants and members of their households. Homes that have been purpose built, adapted or are considered accessible by people with mobility needs will be let in consultation with a specialist occupational therapist.
- 6.4.2. Houses will normally only be allocated to families with children under the age of 16 years.
- 6.4.3. Many flats and maisonettes have restrictions on the ownership of dogs and other pets. This will affect rehousing for applicants who have pets that they wish to keep.
- 6.5.

Household make up	No. of bedrooms
Single person	1 bedroom or bedsit
Single pregnant woman	1 or 2 bedrooms
Couple	1 bedroom
Single parent or couple with one child	2 bedrooms
Single parent or couple with two children of same sex	2 or 3 bedrooms
Single parent or couple with two children of opposite sex (if both children are under 5 years then they can be considered for 2 bed)	3 bedrooms
Single parent or couple with three children	3 bedrooms
Single parent or couple with four children	3 or 4 bedrooms
Single parent or couple with five children	4 bedrooms
Single parent or couple with more than children	4/5 bedrooms

7. The offer process

- 7.1. Applicants who have been selected for an offer of accommodation through the scheme will be contacted and invited to view the property they have been offered before deciding whether they wish to accept the tenancy. At this point applicants will have an opportunity to discuss any specific repairs that they feel are required.

- 7.2. Applicants have a choice as to whether to accept or refuse the property they have been offered. Where properties are refused, Housing Options will contact the applicant in order to discuss the reasons for this. If, as a result of several successive refusals, it is considered that the scheme cannot meet an applicant's individual requirements, an application may be cancelled.
- 7.3. Applicants who are being rehoused because of a duty under homelessness legislation, will be advised that a refusal of suitable housing may result in the council's duty to them being ended. This will result in the termination of temporary accommodation where this is being provided.

8. Circumstances in which allocations may be deferred or withheld

- 8.1. There are some circumstances in which offers of housing may be deferred or withheld, irrespective of an applicant's priority under the scheme. They are:
 - 8.1.1. Applicants who have rent arrears owing to a current or previous landlord.
 - 8.1.2. Applicants who are in breach of their tenancy conditions or have failed to maintain their existing home to a satisfactory standard.
 - 8.1.3. Applicants whose previous conduct suggests that they pose a risk of anti-social or criminal behaviour may be restricted from receiving offers of accommodation through the scheme. Such restrictions may apply to specific accommodation or in general. Applicants will be notified as and when restrictions are being applied.
 - 8.1.4. Rehousing of some applicants with an offending background may be subject to Multi Agency Public Protection Agreements (MAPPA). In such circumstances housing allocation arrangements will be based on appropriate risk assessment criteria and agreed with the relevant agencies concerned.

9. Applications with exceptional circumstances

- 9.1. It is not possible for the banding scheme to adequately reflect every possible combination of housing needs. The purpose of the **Priority Housing Panel** is to assess and make recommendations in relation to exceptional cases that do not fit easily within the banding scheme.
- 9.2. The panel will be drawn from managers within Housing Options as well as officers nominated by the head of safeguarding and the primary care trust.
- 9.3. The panel will decide the appropriate degree of priority to be given to cases which are referred to it.

10. Applications from people with support needs

- 10.1. Several supported housing panels have been established to provide a more co-ordinated approach to housing for people with care and support needs. The five panels cover:
 - 10.1.1. Vulnerable families
 - 10.1.2. People with mental health issues
 - 10.1.3. Single homeless people
 - 10.1.4. Learning disabilities
 - 10.1.5. Young people

- 10.2. The banding scheme provides the means for panels to prioritise specific applicants who are ready to move from supported housing to more independent accommodation.
- 10.3. Separate arrangements have been agreed with the head of safeguarding to prioritise the needs of foster parents and young people leaving care. Applicants within these groups will be nominated by the head of safeguarding, subject to a pre-agreed quota of tenancies.

11. Special letting arrangements

- 11.1. Special lettings arrangements may be applied for new developments or where a large number of homes are being let in one location. For example as a result of a major refurbishment.
- 11.2. Any special lettings arrangements will follow the general principles of the allocations scheme, but may incorporate variations in order to create a more balanced community.
- 11.3. Special lettings arrangements will only apply to first lettings. Any subsequent lettings will be subject to the normal allocation scheme conditions.

12. Under occupation - releasing desirable properties

- 12.1. The banding scheme provides for priority to be given to existing social housing tenants who, by moving, will be giving up desirable that are in demand. In general this will apply to applicants giving up disabled persons units (DPUs), houses and ground floor accommodation with two bedrooms or more.
- 12.2. Under occupation status will only be agreed if the occupier is giving up a high demand property to move to a property or area where there is less demand.

13. Confidentiality and access to information

- 13.1. The council will take reasonable steps to verify information provided by applicants in support of their application. This may include undertaking a home visit and making enquiries of third parties such as health professionals or previous landlords.
- 13.2. The council will retain information provided by applicants securely and confidentially.
- 13.3. Applicants may request a copy of information held by the council on their application. This may not include information provided by third parties.
- 13.4. The council will share relevant information with housing associations prior to an offer of rehousing.
- 13.5. Applicants who give false or misleading information may have their application rejected or their tenancy terminated. In some cases this may also result in a criminal prosecution.

14. Annual review of the allocation scheme

- 14.1. The allocation scheme will be reviewed annually. Where appropriate, recommendations will be made to the executive member for housing to authorise changes to the scheme.
- 14.2. This version is based on a review of the February 2008 report.

- 14.3. Because of changes announced by the government in 2009, primarily the Fair and Flexible report and subsequent guidance, the housing service will undertake a major review and consultation of the allocations service, including a full equality impact assessment. This review will take place in the Spring of 2011.

15. Review of decisions

- 15.1. Applicants have the right to ask for a review of decisions regarding their application. This includes decisions in relation to:
- 15.1.1. Exclusion from the allocations scheme (section 2)
 - 15.1.2. Housing needs assessment (sections 3 and 4)
 - 15.1.3. Ineligibility for an offer of housing (section 7)
 - 15.1.4. Decisions made by the priority housing panel (section 9)
- 15.2. Reviews will be conducted by a senior officer who was not involved in the original decision. The applicant will be notified of the decision in writing. This will also outline applicants' legal rights and the time scale for taking further action.

Appendix One

The Banding Scheme

BAND ONE

This band is for applicants where exceptional circumstances have been identified, this would involve life-threatening situations, where there is an over-riding priority on medical or social grounds, and in circumstances where it is necessary to enable someone to move to release a very desirable property.

- (a) Applicants awaiting accessible or sheltered housing before they can be discharged from hospital.
- (b) Applicants whose household includes someone who has been assessed by the Council's occupational therapist as having an exceptional need to move into an accessible property.
- (c) Applicants whose household includes someone with a life-threatening medical condition, which is directly linked to unsuitable housing conditions.
- (d) City Council and Registered Social Landlord (RSL) tenants who wish to move from disabled persons or mobility units which they no longer require.
- (e) Any case agreed by the Priority Housing Panel to have an exceptional need to move. The panel will review the priority given to cases on a regular basis and in some circumstances may restrict the priority to certain property types and areas.
- (f) Applicants whose household includes someone with a medical condition, which is directly linked to unsuitable housing conditions, and has been given a high priority medical assessment and is also living in a seriously overcrowded situation, i.e. lacking 3+ bedrooms or lacking 2 bedrooms with inadequate facilities.

BAND TWO

This Band is for those applicants with an urgent need to move, and have been assessed as high priority.

- (a) Tenants who need to move because their home is about to be demolished, redeveloped or subject to major works.²
- (b) Portsmouth City Council tenants and RSL tenants within the city for whom management transfers have been approved. Such cases will be reviewed on a regular basis and priority may be restricted to certain property types and floor levels.
- (c) Current or former employees of Portsmouth City Council who have been given notice to vacate accommodation let as a service tenancy in circumstances where the council has a contractual obligation to re-house them.
- (d) Vulnerable applicants who are ready to move on to independent living and who have been given priority by a Supported Housing Panel.
- (e) Applicants who have been assessed by the council's occupational therapist (OT) as having an urgent need to move to an accessible property.
- (f) Tenants of 3, 4 or 5 bedroom council or RSL houses who wish to move to a smaller property giving up 2 bedrooms or more and who qualify for priority within the under-occupation scheme.
- (g) Applicants living in Portsmouth City Council properties and RSL properties in Portsmouth who are entitled to succeed to a tenancy under the relevant landlord's succession policy.

² In both (a) and (h) applicants may be moved from band two to band one subject to restrictions on the type and location of properties for which they are considered

- (h) Applicants who are accepted as homeless under the homelessness legislation where no other housing option is available.³
- (i) Applicants who are accepted under the homelessness legislation and placed in either short-stay accommodation or accommodation that is not of an adequate size to meet immediate needs, and a duty is still owed.
- (j) Applicants recommended by the Head of Safeguarding who wish to foster or adopt children and whose current accommodation is not large enough.
- (k) Applicants who are care leavers and have been recommended for housing by the Head of Safeguarding.
- (l) Applicants living in seriously overcrowded accommodation where they lack *either* three or more bedrooms *or* they lack two bedrooms and have inadequate facilities.⁴
- (m) Applicants whose household includes someone with a medical condition, which is directly linked to unsuitable housing conditions who have been given a high priority medical assessment.
- (n) Applicants whose household includes someone with a medical condition, which is directly linked to unsuitable housing conditions, who has been given a medium priority medical assessment and whose current accommodation is inadequate, lacking either two bedrooms or lacking one bedroom and having inadequate facilities.⁵

BAND THREE

This band is for applicants who have an identified housing need, and have been assessed as medium priority.

- (a) Applicants whose household includes someone who has been assessed by the Council's occupational therapist as needing to move to an accessible property.
- (b) Applicants living in overcrowded accommodation where they lack *either* two bedrooms *or* they lack one bedroom and have inadequate facilities.⁶
- (c) Applicants whose household includes someone with a medical condition, which is directly linked to unsuitable housing conditions, and has been given a medium priority medical assessment.
- (d) Tenants of council or RSL properties who wish to move to a smaller property and who qualify for priority within the under-occupation scheme.

BAND FOUR

This band is for applicants who have an identified housing need and have been assessed as having a low priority.

- (a) Applicants living in overcrowded accommodation where they lack one bedroom.
- (b) Applicants living in accommodation with inadequate facilities.⁷
- (c) Applicants whose household includes anyone with a medical condition, which is directly linked to unsuitable housing conditions, who has been given a low priority medical assessment.

³ See 2 above.

⁴ Inadequate facilities means accommodation which lacks a kitchen, bathroom or toilet, or where such facilities are shared with non related occupiers who are not part of the applicant's household.

⁵ See 4 above

⁶ See 4 above

⁷ See 4 above

- (d) Applicants over the age of 60 who wish to move to category one sheltered housing but who are currently adequately housed. Priority may be restricted to certain areas and property types.