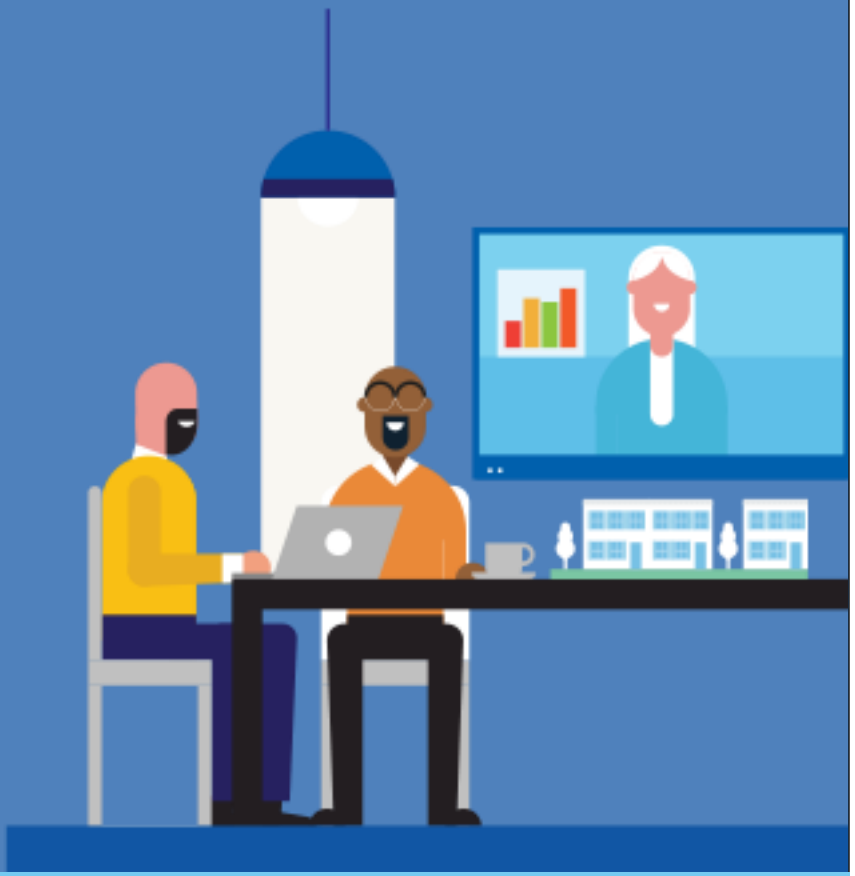
Select Move Sub Regional Common Allocation Policy

January 2025



Select Move Sub Regional Common Allocation Policy: January 2025

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Section 1: Introduction to the Select Move Common Housing Allocations Policy

This document is the revised Housing Allocation Policy for the Select Move Partnership (SMP).

Select Move is a sub-regional partnership between the 3 Local District Councils and 11 Registered Provider Housing Associations that own social housing stock across the 3 Council areas.

The following are members of the Select Move Partnership:

a) Chorley Borough Council
b) Preston City Council
c) South Ribble Borough Council

Plus, the following Registered Provider Housing Associations who use Select Move area to let all properties that the 3 Councils have access to via a nomination agreement:

- Accent Foundation
- Jigsaw Homes
- Onward Homes
- Great Places
- Your Housing Group
- Progress Housing Group
- Places for People
- Sage Housing
- Bolton at Home
- Together Housing
- Community Gateway Association
- L&Q Group

The three Councils transferred their housing stock to Registered Providers, more commonly known, and referred to in this policy, as Housing Associations. This means there is only a small number of housing stock in Preston, South Ribble and Chorley Council areas, which includes specialist extra care accommodation.

Each of these Housing Associations have voluntarily signed up to the partnership. Where any individual housing association is not a partner to the Select Move policy, they will continue to let vacant properties owed to each Council under a nominations arrangement, and this policy will apply to those nominations owed.

Governance of the Select Move Partnership

The 'Select Move Partnership' is overseen by a 'Sub Regional Project Board', which is governed by a partnership agreement. The membership consists of one senior officer representative from each organisation.

There is a Memorandum of Understanding (available electronically on request) that provides that the scheme is managed by a Steering Group that meets at least 6 times a year. Separately, there is an Operational Group meets at least 6 times a year which reports on operational and performance matters.

Legal Context

This document is formally the Social Housing Allocation Policy for the Councils of Chorley, Preston and South Ribble as required by Part 6 of the Housing Act 1996.

References in the policy to "the Council" are to be read as applying to all 3 of the Councils named.

References in the policy to "Select Move" are to be read as the 3 Councils discharging their legal responsibilities under Part 6 Housing Act 1996 plus the 11 Registered Provider Housing Associations listed who have agreed to join the Select Move Partnership.

In developing the policy, regard has been had to the law and regulatory requirements, including:

1. Housing Act 1985
2. Housing Act 1996, amended by the Homeless Reduction Act 2017
3. Homelessness Act 2002
4. Housing and Regeneration Act 2008
5. Localism Act 2011
6. Armed Forces Act 2006
7. Asylum and Immigration Act 1996
8. Immigration and Asylum Act 1999
9. Children Ac t2004
10. Equality Act 2010
11. Data Protection Act 2018
12. European Union (Withdrawal Agreement) Act 2020
13. Statutory guidance which is:
    a. Allocation of accommodation: guidance for local authorities, June 2012, updated, September 2021
    b. Providing social housing for local people, December 2013
    c. Right to Move and social housing allocations, March 2015
    d. Improving access to social housing for victims of domestic abuse, November 2018
    e. Improving access to social housing for members of the Armed Forces, June 2020

In framing the allocations scheme regard has also been had to the 3 Council's Current Housing and Homelessness Strategies, Tenancy Strategies, the Equality Act 2010, and relevant caselaw.

All references to statutory materials are by way of summary are not used as substitutes for the details within the original.

Each Council will provide an electronic copy of this policy to anyone who asks for one. Copies in alternative formats will be considered on an individual basis. The whole of this policy will be kept available for inspection by any person at the principal offices of the 3 Local Authority, if someone is unable to access the policy on-line.

It can be viewed or downloaded from the Select Move website (link below)

https://www.selectmove.co.uk/content/Information/LeafletsandBooklets

Any provision in this policy may be waived in exceptional circumstances at the discretion of the lead officer responsible for the housing service in each partner Council. The reasons why a provision has been waived will be documented.

This policy fully meets the legal requirements set by Part 6 Housing Act 1996 and it:

a) Explains how priority between applicants will be determined and the arrangements for nominating applicants to private registered providers of social housing.
b) Sets out who is, and who isn't, eligible for social housing in the 3 districts covered by the scheme and how this assessment will be made.
c) Details how applications to join the Housing Register can be made, the priority given, and how offers of social housing will be made.

This is the revised 'Housing Allocation Policy' for Select Move Sub Regional Scheme and will take effect on or after 5th November 2024. The assessment of need and qualifying criteria set out in the policy will be applied to all new and existing applicants from this date.

The key objectives set for the Policy

The key objectives for the policy are:

1. To meet the legal requirements placed on the 3 Select Move Councils to give appropriate priority to applicants who fall under the Housing Act *"reasonable preference groups".* This is to ensure that social rented housing is let to those in greatest need.

2. To allocate homes in a fair, transparent and effective way, that prioritises applicants who are most in need and makes best use of the homes available.

3. To contribute to building sustainable communities in line with the policies of the 3 Councils and the 11 participating housing associations.

Making changes to the Policy

The policy will be reviewed and revised as required in response to:

- Any national policy or legislative changes, or
- Policy changes instigated by Select Move Partnership, or
- To reflect the requirements of any leading and relevant case law.

Any significant changes to this policy will be approved by the relevant Committee or Portfolio holder for each participating local authority and by the relevant decision-making bodies of the Registered Providers as appropriate. The Select Move Steering Group shall be responsible for determining whether any proposed changes are significant and should therefore be the subject of a formal consultation process.

For minor changes to the policy, or changes to the procedures that administer the policy, decisions will be delegated to the Select Move Steering Group and once agreed by that group, will be signed off by the lead officer responsible for housing in each of the 3 Councils, and in each of the participating Housing Associations.

Formally, any major change to the Policy can only be made after a copy of the proposed amendments have been consulted on by sending to every Registered Provider Housing Association operating in the 3 Council areas covered by the scheme. This is a requirement under Section s166A (13) Housing Act 1996.

Select Move will take any steps as it considers reasonable (for example, by making contact via email, telephone, or letter, or by placing a notification on a Council's website, the Select Move Website, or via another suitable form of communication), within a reasonable period of time, to bring to the attention of those likely to be affected by it:

a. any alterations made to this policy
b. any subsequent alteration to this policy that would affect the relative priority of a large number of applicants; and
c. any significant alteration to any associated procedures for administering this policy.

Where a full review of the policy is undertaken, Select Move will adopt Government good practice guidelines and undertake a broad consultation that includes relevant statutory and voluntary sector organisations, tenant representatives and applicants to the scheme.

It has been agreed that changes should not be made locally by any partner without prior agreement and consultation.

Housing Associations and nominations: agreed arrangements

The Select Move Housing Association partners will use this scheme to allocate a minimum of 75% of its true voids in a financial year, and each Provider may use their discretion to advertise and allocate the other 25% using alternative platforms.

The local authorities and housing associations listed above have signed a 'Memorandum of Understanding' agreeing to participate in this scheme under a partnership arrangement.

When calculating the number of voids no account shall be taken of:

a) Mutual Exchanges
b) Successions
c) Decants to facilitate major works or improvements, where the tenant will be returning

The properties advertised through this policy will be a cross section of the quality, location, size, and type of property owned or managed by the Registered Provider that becomes vacant throughout the year. RSLs will work with the relevant Local Authority if a more specific type and size of property is required in order for the Local Authority to more effectively discharge their duty.

Once the property is placed on Select Move the Registered Provider cannot advertise it on another platform until one completed advert and shortlist has been exhausted and they have contacted the relevant Council for a direct nomination and no response has been received within 2 working days.

The Council in these circumstances is likely to make a direct nomination for a household owed a statutory homelessness duty and any offer made will be a final offer to end the homelessness duty owed.

Where the same type of property in the same area has been advertised within the last month and not be let then the relevant Council for the area where the property is situated will look to make a direct nomination for a household owed a statutory homelessness duty.

'Immediately Available Homes' adverts and platforms to let them will only be used once the property has been through the process outlined above.

Registered Providers with housing in the Chorley, Preston and South Ribble areas who are not Select Move partners will be subject to local nomination agreements with local authorities to allocate properties.

This policy will apply to all homes let through the scheme.

General Data Protection Regulations 2018

The 3 Councils will ensure that for any person accepted on the housing register their information will be stored lawfully and will act in a fair and transparent way in processing their data. Data will only be collected that is specific, explicit and legitimate for the purpose of the application and lettings processes set out in the policy. Data will be kept up to date and not held unnecessarily, or without appropriate security measures in place. Information will only be shared with other organisations or individuals in order to legitimately assess and progress a person's housing application, or for the prevention of fraud, or where there are safeguarding concerns, or with the person's explicit consent.

Where consent is not given, this may affect the ability of the SMP to process an application. The SMP may not be able to process an application if it is unable to make the necessary enquiries due to a refusal of consent.

A link to the Privacy Notice for the Select Move partners and compliance with the Data Protection Regulations 2018 can be accessed here for each Council.

https://www.selectmove.co.uk/content/Information/LeafletsandBooklets

a) Chorley Council – contact@chorley.gov.uk
b) Preston City Council – info@preston.gov.uk
c) South Ribble Council – info@southribble.gov.uk

Right to information

The 'Freedom of Information Act 2000' makes it a requirement for every public authority to produce a 'Publication Scheme' setting out the information it will make available to the public. A link to the 3 Select Move partner Council's data protection and freedom of information policies can be accessed here.

https://www.selectmove.co.uk/content/Information/DataProtectionandNationalFraud

Equality, accessibility and monitoring

Select Move is committed to ensuring that the policy, and the implementation of all associated guidance and procedures, are non-discriminatory taking into account the needs of groups protected by the Equality Act 2010; the Human Rights Act 1998, and for Children, Section 11 of the Children Act.

To help all partners to identify the needs of applicants the application form contains specific questions relating to vulnerability, ethnic origin, sexual orientation, disability and other relevant criteria. The information obtained will be used to monitor the impact of the policy to enable a better understanding of people's housing needs and to ensure that no one is discriminated against as a result of the way this policy has been framed, or during the administration of it.

Under the Equality Act 2010, and in particular section 149 of the Public Sector Equality Duty, a Council is required to give due regard to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, when exercising a public function such as implementing their legal 'Housing Allocation Policy'.

Select Move will ensure that the policy complies with current equality legislation and will be subject to a full 'Equality Impact Audit' before it is adopted. The EIA will be regularly reviewed as information regarding the impact of the policy is obtained and a copy can be requested directly from the SMP.

A copy of the Equality and Diversity Policy for each of the 3 partner Councils can be downloaded from each of the 3 Council's websites.

Complaints

Complaints are separate to the circumstances where an applicant is entitled to seek a review of a decision made on their housing application. A request for a review of a decision made on an application should be made under the review procedure set out in section 4 and not through a Select Move partner's complaints procedure.

Where an applicant wishes to make a complaint about poor service, or the way they have been treated, this should be made using the relevant partner's complaints procedure.

Where a complaint relates to how an applicant has been dealt with under this policy by one of the 3 Select Move Councils, an applicant has the right to continue with their complaint to the Local Government and Social Care Ombudsman Service if they are unhappy with the response to their complaint.

The Local Government Ombudsman is an independent service run by Central Government to make sure that Councils provide the required standard of service to their customers.

The Ombudsman can investigate complaints about how the Council has done something, but they cannot question what has been done simply because someone did not agree with it.

Local Government and Social Care Ombudsman Website: www.lgo.org.uk

Where a complaint relates to how an applicant has been dealt with under this policy by a Select Move Registered Housing Association partner, an applicant has the right to continue with their complaint to the The Housing Ombudsman

The Housing Ombudsman is an independent organisation which considers complaints about how a housing association dealt with an application or request for a service.

The Housing Ombudsman website is www.housing-ombudsman.org.uk

The Select Move Partners Statement on Choice

Introduction

A key aim of the policy is to, as far as possible, give choice to applicants who wish to obtain social housing. This is why the Select Move partners have taken the decision to let the majority of properties through a 'Choice Based Lettings' (CBL) scheme.

For all applicants who are eligible to join the housing register, they will be able to express a preference for an area, or areas, they would like to live in and the type of property they would prefer. However, the ability to satisfy their preferences might be limited by the lack of available social housing in the area/s chosen.

The considerable housing pressures faced in the areas covered by Select Move limits the degree of choice that can be offered, along with the responsibility the 3 Councils have to offer housing to applicants in urgent housing need. The pressures include the need to reduce the financial impact on a partner Council for households placed into temporary accommodation under a homelessness duty.

Therefore, expressing a preference over where an applicant would prefer to live does not mean that preference can be met, or that an applicant won't be offered suitable accommodation outside of their preferred area. In certain circumstances a Select Move Partner Council will, or may, make a direct match offer or a nomination to a Housing Association partner and not use the 'choice based letting' system to let a property. Examples of these circumstances are set out in this policy.

An applicant will be asked at time of registration to state any area where they believe they cannot live due to fear of violence, harassment or domestic abuse. The assessment of their application will then consider the facts and decide whether the applicant is allowed to restrict areas.

Applicants who are considered by relevant agencies as high-risk ex-offenders will be required to have an appropriate risk assessment with a partner or multi agencies before an offer of accommodation is made. The aim of this risk assessment will be to

ensure that appropriate support and/or supervision is in place before the offer of accommodation is made. This may mean that restrictions will be placed on choice re the property type and/or location offered.

Select Move will also make available information about other affordable housing options: for example, to promote new affordable housing schemes through its website and a matching service is available through a nationwide internet site *'Homeswapper'* for social housing tenants wishing to explore the option of a mutual exchange.

Specific policies on choice adopted by the Select Move Partnership

1: When the Select Move Partnership may choose to make a direct offer outside of the choice based letting (CBL) system and, in exceptional circumstances, outside of the band and data order system

Not all properties that become available will be advertised and offered through the *'Select Move'* CBL system. There may be circumstances where for operational or financial reasons there is a need to make a direct offer of housing outside of CBL and, in exceptional circumstances, outside of the band and date order criteria set out in this policy.

Specifically, this would be where there are urgent operational or financial reasons to depart from the CBL system of lettings. Examples include but are not limited to:

a) Situations where urgent re-housing is required due to an applicant's existing property being uninhabitable, or where there are serious health and safety or personal protection issues that need to be addressed, or to discharge a statutory homelessness duty.

b) Urgent housing need situations where, given the applicant's circumstances, it would not be reasonable to wait for a successful bid through the CBL system to deliver an offer.

c) Where there is an evidenced threat to life in the area in which an applicant currently lives.

d) Direct offers to persons who a partner council has a duty to rehouse under section 39 of the Land Compensation Act 1973.

e) Where an applicant is homeless and in temporary accommodation and owed a section 189B (2) Relief duty or 193(2) Main duty under the Housing Act 1996 and a Council wish to make a direct let to move applicants out of temporary accommodation in order to manage any budgetary or legal impact on that Council.

f) Where an applicant is not being realistic in the areas they are bidding for and, as a result, may be occupying a temporary accommodation unit that is needed for a newly presenting homeless applicant.

g) Where a vacant adapted property, or a property designed to disability standards, becomes available and that property could be allocated to an applicant whose disability needs best match that property regardless of the date they were registered.

h) Where the decision of the SMP is that it is inappropriate for the applicant to participate in 'Choice Based Lettings'. For example, a vulnerable applicant nominated by Lancashire Council's Adult Social Care Department where the outcome of an assessment is that a direct let is the best letting solution for that applicant.

i) Other examples, including individual circumstances of some applicants subject to Multi Agency Public Protection Arrangements (MAPPA), or it is assessed presents a risk to themselves or others.

Furthermore, the SMP may decide to restrict the time an applicant is able to bid for accommodation for an area where they would prefer to live. In these circumstances a direct offer of accommodation may be made in any area that has been assessed as being suitable and safe for the applicant to live in.

2: The Select Move Partnership Policy on Choice: Penalty for refusing 2 suitable offers

Any applicant who refuses 2 reasonable offers within a 12-month period will be disqualified from the housing register and not allowed to reapply for a period of 6 months (see separate policy below for applicants owed a statutory homeless duty who refuse a suitable offer).

This adopted rule is intended to tackle the problem of some applicants making a successful bid and then refusing the property offered, which has the impact of increasing the time it takes to re-let those vacant homes.

The SMP will determine whether an offer was reasonable for an applicant to accept using the reasonable offer criteria set out at appendix 4.

3: The Select Move Partnership Policy on Choice: Offers of accommodation made to any applicant owed a statutory homelessness duty under Part 7 of Housing Act 1996

For applicants owed any statutory homelessness duty under Part 7 of the Housing Act 1996, the need to offer suitable housing is considered to be more important than allowing an applicant to wait for an offer of accommodation in a location where they would prefer to live. Therefore, there is therefore no minimum time set that an applicant owed a statutory homeless duty will be allowed to bid for social housing before a direct offer can be considered.

An offer of accommodation for an applicant owed a statutory homeless duty could be either a private rented property, or a social rented property. Should the applicant refuse an offer which is considered both suitable for their needs and reasonable then,

subject to the partner Council's homelessness review procedure, the homelessness duty owed will be discharged and they will lose any priority status granted to them based on the homelessness duty owed.

In these circumstances the SMP will then assess whether they have another housing need that means they should be awarded bands A-C. If they don't, they will be placed into Band D.

A statutory homeless duty is defined as:

a) The prevention of homelessness duty under Section 195(2)
b) The 'relief of homelessness duty under Section 189B(2)
c) Where the relief duty has come to an end and an applicant is then owed a section 190 Intentionally homeless temporary accommodation duty to provide them with a reasonable opportunity to secure alternative accommodation for occupation (section 190(2) duty),
d) The section 193(2) Main Homelessness duty or the section 193C(4) 'reduced' section 193 duty

Section 2: Who can apply to join the Select Move Housing Register and the criteria for assessing who is eligible to be included, and who can qualify to join the register

The Housing Register is open to anyone over the age of 16 years who has a housing need and has lived in a Select move Partner's district continuously for 2 years, unless they come within one of the 'ineligible' or 'non qualification' categories set out in the policy.

For current tenants of a Select Move partner, they will need to have been a tenant for a minimum of 12 months before being allowed to join the register unless there are exceptional circumstances (meaning they would be owed a statutory reasonable preference for their housing needs).

A person can apply to join the Housing Register if their current address is their only home, or sole residence, and they are not already registered through someone else's housing application.

If an applicant is under 18 years of age, they will not normally be offered a property by a Housing Association. If in exceptional circumstances a person who is 16 or 17 is granted a tenancy, this will normally be held in trust until they reach the age of 18. This means that another suitable person (such as a parent, legal guardian, social worker or relative) will normally be responsible for the tenancy.

The Select Move partner receiving the application will be responsible for investigating and determining the application, although transfer applications will be passed to the tenant's landlord for assessment.

Not all Housing Associations who are members of the partnership assess applications.

The eligibility 'persons from abroad' qualification rules

Everyone over the age of 16 can apply to join the register but there are some groups of people who by law cannot join the register regardless of their housing need or circumstances. These are people who:

- Come under a Government rule which means they cannot lawfully access social housing as they are not eligible.
- Do not live habitually in the 'Common Travel Area' (UK, Channel Islands, the Isle of Man or the Republic of Ireland).
- Do not have the right to live in the UK
- Plus, other categories of people who the Government may in the future, decide are not eligible for housing assistance.

Under sections 160ZA (1), (2) and (4) of the Housing Act 1996 a Select Move Council cannot nominate a person for housing, if they are a person who is ineligible for an allocation of housing accommodation by virtue of being a person subject to immigration control, or a person from abroad, who is prescribed as ineligible.

The key relevant regulations that apply to eligibility are:

- Regulations 3 and 4 Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294
- All subsequent amendments including 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)
- The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2020 (SI 2020/667) implemented from the 24 August 2020.

The above are not a complete list for all of the eligibility regulations. For example, there is significant legislation that relate to the UK's exit from the European Union and the implications for accessing housing assistance. These rules are complicated. Anyone who is impacted, or believe they may be impacted, can approach a Select Move partner for advice, or can seek independent legal advice.

The qualification and non-qualification rules that have been adopted under the policy

Under section 160ZA(7) of the Housing Act 1996 Part 6 a Council is allowed to set criteria for people who are, or are not, qualifying persons and the 3 partner Councils have chosen to adopt a number of rules. There are a number of defined exceptions that cover either all of the rules, or an individual rule.

The qualification rules adopted by the 3 partner Councils (and any exceptions to these rules) are set out below:

Qualification Rule 1: The need to demonstrate a local connection to a Select Move Council

To qualify for the Housing Register an applicant (or, alternatively a member of the applicant's household) must meet one of the following rules. They must have:

a) Lived in a Select Move Council's area continuously for the last 2 years and that residence was of their choice. This is 2 years in a single Borough and not 2 years living in area of the 3 SMP partner Council areas. Or

b) Are employed in permanent employment in Select Move Council's area and to travel to work by public transport would take them in excess of one hour each way. Employment is defined as paid employment for 16 hours or more per week for a continual period of at least 6 months and is not work that is considered to be temporary, casual or seasonal. Where there is a zero hours contract the assessment will consider if, on average over a 3-month period, the person is working for 16 hours a week or more and that zero hours contract is not a temporary contract. The applicant or household member must be working at the point an offer of a tenancy is made. Where an applicant is self-employed they must demonstrate that the self-employed work they perform is in a Select Move

Council area for a continual period of at least 6 months and is not work that is considered to be temporary or seasonal. The applicant or household member must be working self -employed at the point an offer of a tenancy is made. Or *Note: Employment must be their actual place of work in area and not employment based on a head office or regional office situated in the area but from which the applicant does not work. For people employed by a national company their actual place of work must be within the Select Move area.*

c) Have close family (normally considered to be a mother, father, brother, sister, or adult son or daughter) that have lived in the district for a minimum of the last 5 years and need to be in a Select Move partner's area to give or receive essential support from close family. *Note: it is for the Select Move assessing partner to assess and decide on whether an applicant meets this local connection qualification rule for close family.*

   Note 1: The SMP will consider whether there are exceptional circumstances whereby other family members may be considered to provide a local connection. For example, the circumstances where a person has been brought up by an extended family member, in the absence of their own parents and the applicant continues to receive essential support from this person.

   Note 2: The level of support required to qualify under c) must be significant and cannot be short term or low level such as to carry out shopping once a week, and there is no existing support package in place.

Once registered an applicant must continue to meet a local connection qualification rule. If the applicant no longer meets this rule they will be removed from the register as they will no longer qualify for inclusion on the housing register.

If an applicant has lived in a Select Move partner's district for 2 continuous years in the circumstances where they have been placed into temporary accommodation in the district by another local authority, they will not qualify to join the Housing Register. This rule is justified because a Council from outside of the Select Move Partner's area that has placed a household into temporary accommodation in a Select Move area will legally retain the responsibility for helping the applicant to obtain long term settled housing.

Persons who have been detained in the Local Authority area (e.g., in prison or hospital), will not be able to establish a local connection as this does not constitute being resident in an area by choice.

For the purposes of determining a local connection for residence, Select Move will accept the following circumstances as demonstrating 'normal residence':

a) Residency in a non-traditional dwelling, such as a mobile home that is placed on a residential site, or an official pitch.

b) People who are forced to sleep rough in a Select Move Council's area as long as they meet the 2-year qualification period for residency.

There are a few exceptions to the 2-year residency rule. These are:

1. Applicants owed a section 189B relief duty and likely to be owed the main section 193(2) homeless duty by one of the 3 participating Select Move Councils.

2. Where a Select Move Council has placed an applicant into temporary accommodation outside of an area covered by the 3 Councils.

3. Refugees who receive a positive decision on their asylum application whilst in s.95 Home Office accommodation in Preston, Chorley or South Ribble will be treated as having a local connection to the local housing authority where the s.95 accommodation is located for the purposes of Part 7 of the Housing Act 1996 only, regardless of time spent there. This local connection is awarded for homelessness duties under Part 7 and does not, in itself, establish a local connection for the purposes of qualification for an allocation of social housing under Part 6 of the Housing Act 1996.

4. Where a partner Council agrees that there are exceptional circumstances requiring a move into an area. This will be decided on a case-by-case basis. Examples where exceptional circumstances may be considered on a case-by-case basis include:

    - Reasons of safety, for example when an applicant is fleeing domestic abuse or hate crime from another area, or
    - An applicant is on a witness protection programme and the SMP has agreed that a move to a select Move Council's area is essential, or
    - Where a Select Move partner agrees there is a very exceptional need to live in an area to provide or receive essential support.

5. Select Move will consider any application from a gypsy or traveller household where the applicant may not meet the 2-year continuous period of residence rule, if the period has been broken by travelling. The facts of each case will be considered when deciding whether the rule should be waived.

6. Care Leavers below the age of 21 years who are owed a duty under section 23C of the Children Act 1989 will be given local connection to the area they are applying to. Priority banding specific for care leavers will be awarded to applicants who are Lancashire County Council care leavers only.

7. Applicants who satisfy the right to move criteria. The Right to Move qualification regulations 2015 states that local connection qualification rules must not be applied to existing social tenants who seek to move from another Council district in England, and who have a need to move for work related reasons to avoid hardship. However, the Select Move policy is to limit these moves to no more than 1%. of all lettings per year.
   See appendix 6 for details of how the 'right to move' criteria will be applied

8. Where at the date of application the applicant is not currently resident in a Select

Move area whilst:
a) receiving medical or respite care
b) serving a custodial sentence
In these circumstances the applicant must have been living in a Select Move area for 2 continuous years prior to their current accommodation circumstances

9. Applicants that satisfy the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012. These are:
   a) Applicants who are serving members of the regular armed forces
   b) Applicants who served in the regular armed forces
   c) Applicants who are serving or former serving members of the regular armed forces or reserve forces who suffer from a serious injury, illness or disability sustained as a result of their service
   d) Applicants who are a bereaved spouse/civil partner of a former serving member of the regular armed forces and have recently ceased (or will soon cease) to be entitled to reside in services accommodation following the death of their spouse/civil partner.
   e) The divorced or separated ex-spouse of a member of HM Armed Forces, who is currently serving or going through resettlement, will be exempt from the local connection criteria for a period of six months following the divorce or separation

Non Qualification Rule 2: Circumstances where an applicant has current or former social housing rent arrears or another relevant recoverable housing related debt

This section sets out the rules for when an applicant will not be allowed to qualify for the SMP Housing Register because of rent arrears or another recoverable housing related debt.

When carrying out an assessment, the SMP will take into consideration all housing related debts, associated with either a current or former tenancy that relate to any social housing provider in the UK. Note the rules in this section only apply to social housing former or current rent arrears, occupation of temporary accommodation debts, and other forms of housing related debt listed. This section does not cover rent arrears for a private sector tenancy, or licence. This is covered under the unacceptable behaviour rules set out in qualification rule 3 below.

Note: the definition of a housing debt will not include debts that are statute barred. The debt will be considered statute barred where an applicant, or their representative or someone else they held the account with hasn't:

- Made a payment in the last 6 years
- Written to the creditor acknowledging the debt in the last 6 years defined as 6 years from date the debt was last acknowledged and 6 years from date rent arrears became due.
- Had a county court judgment (CCJ) relating to the debt in the last 6 years

For the purposes of this qualification rule housing related debts include:

a) Debts owed by a current or former tenant of a social housing tenancy. Note current social housing tenants seeking a transfer will not normally be allowed to transfer until they have repaid all outstanding housing related debts in full.
b) Outstanding re-chargeable repairs
c) Current and former housing related service charge arrears
d) Temporary accommodation charge arrears for a licence or a tenancy where that temporary accommodation was provided by a SMP Council
e) Failing to adhere to the terms of an agreed payment plan in relation to rent arrears or housing debt for a social housing tenancy, or temporary accommodation
f) Any court costs incurred by the Council or a Housing Association associated with any of the above debts
g) Current or former social housing-related debts included in a Debt Relief Order (DRO), bankruptcy declaration, or Individual Voluntary Arrangement (IVA) will be considered under the Select Move allocations policy. A minimum of 12 months must have passed from the insolvency declaration to the debt being cleared. A copy of the bankruptcy declaration and evidence of successfully managing a tenancy will be required before an applicant can qualify.

Housing related debts apply to both the applicant and to any members of their household that are included in their application.

The purpose of this qualification rule is:
1) To ensure any relevant debt owed to a social landlord or the Council is recovered and
2) To consider whether an applicant's current circumstances mean there is a risk of future non-payment of rent.

The following framework will be used to guide officers when applying this qualification rule. The SMP will consider:

- The reasons why the applicant accrued the housing related debt and whether there are exceptional circumstances that should be considered when applying the rule.
- Whether the debt has been caused by factors difficult for the applicant to control, for example a case where an applicant was unable to pay the full rent due to being impacted by the ‘spare room subsidy’ rule.
- Whether the applicant still owes that debt, and if they do, the extent of the arrears/debt as well as whether it is a recoverable debt, or a statute barred debt.
- Whether the applicant has taken debt advice, acted on it, and entered into an arrangement to clear the arrears/debt.
- If an arrangement has been made, the amount of arrears/debt paid off, any amount outstanding, and the regularity of payments made.

After considering the above the SMP will decide whether the applicant will or will not qualify for the housing register.

There is no time limit regarding when a person can make a new application following disqualification under this rule. Where a new application is made, the SMP will assess whether the applicant has taken appropriate action to address their rent

arrears/debt.

If disqualified an applicant will be informed of any action they need to take to resolve the debt in order to qualify.

How decisions for applicants with a housing related debt will be made

A decision whether the applicant qualifies for the Housing Register will be made using the following criteria:

(a) If the applicant/household is a current tenant of a Registered Provider and has any outstanding housing related debt will not qualify.
(b) If the applicant/household have a housing related debt as defined above in this policy of £1000.01 or more that can be proven by a social landlord will not qualify.
(c) Applicants/household with housing related debts of below £1000 will qualify provided that they have made and maintained a repayment plan in accordance with the criteria below:

- Housing related debt under £500, an agreed repayment plan must have been maintained for a minimum of 3 months before they can register.
- Housing related debt between £500.01 and £1000 an agreed repayment plan must have been maintained for a minimum of 6 months and the debt must be reduced to under £500 before they can register.
- If then registered payments must be maintained under the plan and debts repaid in full before any offer of accommodation is made.

The only exception to the rent arrears or housing related debt rule is where an applicant can demonstrate that their circumstances are exceptional, and they would therefore face serious hardship or risk through not being allowed to qualify.

An exception may be considered where for example, an applicant has a good payment history but has incurred a debt as a result of a ‘one off’ problem, or where a tenant had to flee domestic abuse and a subsequent debt has built up for the tenancy left.

Note 1: It is the responsibility of the applicant to make the case as to why their circumstances are exceptional. Once a request has been made for exceptional circumstances to be applied to their case their request will be considered under the statutory review procedure.

Note 2: This qualification rule also applies to applicants currently on the register. An applicant’s eligibility to remain on the register will be kept under review. An applicant may be rendered ineligible should the SMP become satisfied that there is new evidence, or a change of circumstances, meaning that this rule should be applied.

Non Qualification Rule 3: Unacceptable behaviour

The disqualification rule for unacceptable behaviour will apply where an applicant, or

any member of their current or prospective household, has demonstrated serious unacceptable behaviour that, in the view of the SMP makes them at the time of their application, or since their application, unsuitable to be a tenant.

In applying this qualification rule the SMP will decide on the facts of the case whether an applicant will not qualify to be included on the Housing Register due to their (or household member's) serious unacceptable behaviour.

The rule of non-qualification will apply where the SMP is satisfied that an applicant (or a member of their current or prospective household) has demonstrated a serious failure to adhere to the terms of a current or previous social housing or private rented tenancy agreement. This is defined as:

1) Failing to maintain any previous social rented or private sector rented property within the terms of their tenancy agreement, or committing acts causing or likely to cause nuisance or annoyance to neighbours or others in the area where they live or have previously lived. Non-qualification will apply until the applicant (or a member of their prospective household) has demonstrated, to the satisfaction of the SMP, their previous unacceptable conduct is unlikely to reoccur. This may include demonstrating cooperation with support agencies leading to a substantial improvement in behaviour.
2) Conduct likely to cause nuisance or annoyance if they were to be offered a tenancy. This is conduct or behaviour that does not only relate to a previous social housing or private rented sector tenancy. It may include the circumstances where an applicant, or a member of their current or prospective household, is the subject of actions being taken by any Council (or some other recognised body) on grounds of alleged antisocial behaviour (ASB).
3) Rent arrears for their last private rented tenancy in the circumstances where the SMP has obtained information that confirms on the balance of probabilities that a debt is owed. If there is a debt owed it will be for the assessing officer to decide on the facts gathered regarding the level of debt and the reasons for it, whether the applicant should be classified as a non-qualifying. Where it is established that a debt is owed the same rules will apply as per a social housing debt above.
4) Circumstances where the applicant, or any member of their household, has assaulted a member of the SMP's staff, whether or not an injunction is being sought, or has been obtained.

Other specific examples of serious unacceptable behaviour include:

a) Being subject to a court order (including an interim order) for breach of tenancy conditions
b) Conviction for illegal or immoral use of their current or former home
c) Causing nuisance and annoyance to neighbours or visitors
d) Committing criminal offences in or near the home and still posing a threat to neighbours or the community such as drug dealing
e) Being violent towards a partner or members of the family
f) Allowing the condition of the property to deteriorate
g) Paying money illegally to obtain a tenancy
h) Unlawfully subletting their tenancy
i) Applicants that have been convicted of housing or welfare benefit related fraud, where that conviction is unspent under the Rehabilitation Offenders Act 1974.

j) Having unspent convictions where the assessment concludes that the applicant is unsuitable to be a tenant due to a significant risk to potential neighbours and/or communities.
k) An applicant or any member of their household has been responsible for any racial harassment or other hate crime. Racial harassment and Hate Crimes is defined as racist, religiously aggravated, faith, gender, age, disability, and trans phobic or homophobic or gender re-assignment harassment or hate crime. A hate crime or racist incident is defined as any incident which is perceived to be racist or hate crime related by the complainant or any other person.

Note: The unacceptable behaviour disqualification rule will also apply to applicants currently on the register. An applicant's eligibility to remain on the Housing Register will be kept under review and an applicant may be rendered ineligible should the SMP be satisfied that the rule relating to unacceptable behaviour should be applied to their case.

Any new application will normally only be reconsidered where, as a guideline, the SMP will consider whether there has been no reasonable cause for complaint or concern against the applicant (or members of their prospective household) for a period of at least 12 months. Any SMP partner can consider a new application, and an assessment is not restricted to the partner Housing Association who had previously evicted the applicant.

Note: Where an applicant has resolved their behaviour to the satisfaction of the SMP it may still be the case that a Housing Association where the unacceptable behaviour occurred, might decide they will not rehouse their former tenant. This will not prevent an applicant from being considered for housing by another Housing Association. A decision of a Housing Association to refuse to consider a former tenant will be made only where there are exceptional circumstances relating to their eviction and all SMP partners agree that applicants will not be excluded routinely on the basis that they had previously evicted an applicant for rent arrears or another breach of tenancy condition.

The details for how the SMP assessing partner will apply the unacceptable behaviour test is set out in appendix 7.

Non Qualification Rule 4: Financial resources

Applicants who are considered to have sufficient financial resources to buy or rent suitable accommodation will not qualify for the Housing Register.

Sufficient financial resources

With regard to finances, single and joint applicants will not qualify to join the register if:

1) Applicant/s have a total household income of £60,000 gross per year, or
2) Have resources of over £30,000 from investments or savings.

This rule has been adopted because applicants with income, investments or savings at or above this level will mean that they do not qualify for charitable housing assistance from a partner Registered Provider that has charitable rules and objectives.

These financial limits will be reviewed every two years in line with the financial market.

Dependent children or non-dependent adult children’s income will not be considered as part of the household’s total income assessment.

'Sufficient financial resources' includes any assets or investments even if they are not immediately available to the applicant.

In applying this qualification rule the SMP will disregard any lump sum received by a member of the armed forces when leaving the armed forces or received as compensation for an injury or disability on active service.

Although this rule will mean applicants assessed as having sufficient financial resources cannot join the Housing Register, it does not prevent them being considered for any low-cost part ownership, or full ownership schemes. On request, information can be given as to which Housing Associations or developers are currently operating such schemes in the Select Move area and how applications can be made.

Non Qualification Rule 5: Homeownership or legal interest in home ownership

An applicant cannot qualify for the housing register if they or their partner own a residential property in the UK or elsewhere. Applicants who have been the owner of a residential property within the last 5 years will be required to provide proof of the proceeds from the sale and of the disposal of any proceeds. Where proceeds from any sale have been spent recklessly and, as a result, takes an applicant's financial resources below the disqualification level set, an applicant can still be determined as not qualifying for the housing register.

Exemptions to the financial resources and homeownership qualification rules

Applicants who do not qualify under the homeownership or financial resources rules may be considered as an exception if:

a) If as a result of a divorce settlement a Court has ordered that an applicant may not reside in the former matrimonial or civil partnership home in which they still have a legal interest for a period which is likely to exceed 5 years.
b) Where there are large families on benefits, including disability benefits, where their total household income exceeds £60,000 a year
c) Where someone is a homeowner and is statutory homeless due to domestic abuse and whose property has not yet been sold. A decision will be made as to whether to treat this as an exemption based on the facts and circumstances of the case.
d) The applicant has a substantial disability, and their current home is not suitable for their specific needs.
e) Applications from owner occupiers where a Select Move Council has a statutory duty to assist e.g. homelessness or where the applicants housing needs is able to be met through sheltered housing and there is a surplus of such accommodation in the Select Move area.

Exemption d) is intended to cover situations where a person owns their own home but where it is agreed that they are no longer able to manage in it due to their advancing years, or due to a substantial disability that makes living in their home impracticable and where selling is unlikely to provide sufficient funds to purchase alternative accommodation that would be suitable for their needs.

Non Qualification Rule 6: Fraud or providing false information

Applicants who are found to have withheld or given false information may be removed from the register and will not be able to reapply for a period of 12 months. Decisions to remove the person from the register will be made based on the seriousness of the attempted fraud or false information given including an assessment of why information was withheld.

How Select Move will apply this rule if it is suspected that false information has been provided, or important information has been withheld, is set out in appendix 8.

Disqualification Rule 7: Refusal of 2 offers in a 12-month period

Any applicant who refuses 2 reasonable offers within a 12-month period will be disqualified from the housing register and not allowed to reapply for a period of 6 months (Note: Applicants owed any of the statutory homeless duties will only be made one suitable offer and a refusal will mean that their priority for being owed a statutory homeless duty will be removed).

The 2 offer disqualification rule is intended to tackle the problem of some applicants making a successful bid and then reusing the property offered, which has the impact of increasing the time it takes to re-let times vacant homes. The SMP will determine whether an offer was reasonable for an applicant to accept using the reasonable offer criteria set out at appendix 4.

How exceptional circumstances will be considered for any of the qualification rules

Select Move retains the ability, in exceptional circumstances, to exercise its discretion when applying any of the qualification rules adopted. It is for the applicant to request that discretion should be applied to their case for exceptional circumstances. A request for a review of a decision that an applicant does not meet the qualification rule will be taken as a request for any exceptional circumstances to be considered. Where requested Select Move will consider whether the applicant's circumstances (or those of a member of the applicant's household) are so exceptional that a qualification rule should be waived.

The applicant will receive a written decision on their claim for exceptional circumstances to be applied and, where that decision is that the case is not considered to be exceptional, reasons will be given.

Select Move cannot waive the eligibility rules for any applicant who is not allowed to access social housing under the immigration and 'persons from abroad' rules set by Central Government.

In deciding whether an applicant's circumstances are exceptional Select Move will fully consider the Equality Act 2010 and Children Act 2004. With regard to the Equality Act the SMP will specifically consider:

a) Whether the person, or a member of their household, meets the definition for one or more of the 9 protected characteristics listed in the Equality Act 2010
b) If we agree that the applicant or a member of their household comes under the definition for a protected characteristic, Select Move will fully comply with section 149 of 2010 Equality Act and ensure that it has obtained all relevant information relating to the applicant's protected characteristic and will consider that if they were not able to qualify for the scheme, whether this would have an exceptionally detrimental impact on the person with that protected characteristic, and
c) Ensure that any decision that the applicant's circumstances are not exceptional will be a decision that is a proportionate means of achieving the legitimate objectives for the policy.

Section 3: Applying to join the Housing Register

How to apply

A shared web-based IT system, (the Select Move website) allows the partners to operate a common housing application form, housing register and allocations policy.

The Select Move website provides an online housing application form, with registered applicants able to place expressions of interest or bids for properties advertised on the website.

People wishing to join the register must apply on-line through:
https://www.selectmove.co.uk/HouseholdRegistrationForm

Any applicant who may need help in completing their on-line application can call the partner assessing their application where they will be guided through the process of making their application on-line. Select Move partners can be contacted on 0800 655 6785

There is free access to the 'internet' at libraries, and at some community facilities. A home visit or office appointment can be offered when an applicant has no access to the 'internet' or is unable to use the 'internet'. Alternatively, an applicant can be signposted to other services, or other departments, that can support the person to complete their application.

The partner assessing the application will help any person who is likely to have difficulty in making an application to join the Scheme. This assistance will include:

1. Help to complete the application form
2. Explaining what evidence might be required to determine any eligibility and qualification rules
3. Explaining what evidence might be required to determine the degree of priority to be given to an application

The Select Move housing application webpages contain a list of the supporting documents that an applicant must provide in order to progress an application.

Once the application has been received there may be a need for additional information. If so, an applicant will receive a phone call, email or letter asking for the additional information needed and explaining how it can be provided.

Any application forms that are not fully completed or where verification evidence has not been provided, cannot be processed meaning that an applicant will not be able to access the housing register until the information is fully completed and assessed.

Select move will make enquiries it considers necessary in order to verify and assess an application for housing. This may involve contacting previous landlords, health or medical advisors, police etc.

The partner processing the application will do so within a reasonable period of time (relative to the particulars facts given in the application) after all documentation has been received from an applicant.

If accepted onto the register the applicant will be informed of:

1) The band they have been placed in (this determines priority)
2) The date of application (may be used to determine priority within the band allocated)
3) The size and type of properties for which they can bid
4) Their application reference number (applicants will need this to bid)
5) How to seek a review against their banding if they think it is wrong.

If an application to join the housing register is refused the applicant will be informed in writing and will have a right to review the decision made.

Copies of all adverse decisions will be made available for a reasonable period of time for collection by the applicant, or by someone on their behalf, at the assessing Select Move partner's main office where an applicant has not provided either an email address or postal address.

Prisoners can register in the 6-month period prior to their date of release if they meet the qualification rules but will not be able to bid for a property until 1 month prior to release.

The date a band will be allocated

The band start date is the date that the housing register application was received for assessment, unless an applicant's housing need and/or circumstances changes and any reassessment results in the applicant being placed in a higher band. In these circumstances they will not retain the date they were awarded the lower band as the higher band reflects a higher level of housing need, therefore their date for the higher band will be the date they were awarded that band for that higher assessed housing need.

Note for eligible homeless applicants who meet the qualification rules to join the Housing Register the following will apply with regard to their band start date:

a) Owed a section 195(2) Prevention of homelessness duty – Band date is the date the duty was owed and not the date of the homelessness application
b) Owed a section 189B (2) Relief of homelessness duty – If an applicant has not been owed a prevention duty then the band date is the date the relief duty is owed and not the date of the homelessness application. If the applicant was owed a prevention duty which ended because they became homeless and they are then owed a relief duty, the effective date is the date the prevention duty was owed.
c) Owed the Main section 193(2) duty – Band date is the date the Relief of homelessness duty was owed and not the date the Main duty was owed. This is because to start the date at the date the Main duty was owed would

disadvantage an applicant by 56 days who has been found to be in priority need and unintentionally homeless

d) Circumstances where the relief duty has ended, and the applicant is assessed at this point as not being in priority need - Band date is the date the Relief of homelessness duty is owed (or the date the prevention duty was owed if the applicant had been owed a prevention duty before being owed the relief duty) and not the date that the Relief duty is brought to an end.
e) Circumstances where the relief duty has ended, and the applicant is assessed at that point as not being owed a main duty due to being intentionally homeless - Band date is the date the Relief of homelessness duty is owed (or the date the prevention duty was owed if the applicant had been owed a prevention duty before being owed the relief duty) and not the date that the Relief duty is brought to an end.
f) Where the applicant becomes homeless unintentionally within 2 years of accepting a private rented sector offer (PRSO), offered to bring the main section 193 homelessness duty to an end, the effective date will be the date of the new application.

Assessing Applications

In order to assess an applicant's housing need and their place on the Housing Register the policy has adopted a 'needs based' banding system detailed in section 4 below.

Any band awarded reflects an applicant's housing need with the higher the band awarded reflecting the greater level of assessed housing need.

Applicants will be required to sign a declaration, or to give informed consent, to confirm their understanding that:

a. The information given is correct and that they will notify SMP of any change in their circumstances.
b. Enquiries will be made concerning their eligibility for housing and level of priority.
c. Information will be provided to other partner organisations that are part of the scheme.

Once an applicant provides information, the SMP will process that information under Article 6 GDPR. The processing is necessary under the 'Public Task' purpose and is necessary for the SMP to perform a task in the public interest or for its official functions, in this case to meet its legal responsibility to assess housing applications, and we are satisfied that the task or function has a clear basis in law.

It is the responsibility of the applicant to provide all the information requested to assess their circumstances, and to provide any supporting information or documents that are requested. Incomplete applications will not be made active until such time as the SMP is satisfied that it has in its possession all of the information it requires to complete its assessment.

All incomplete applications will be cancelled after a period of 28 days measured from the date further information has been requested. If cancelled this does not prevent the applicant making a subsequent application at a later date, although in such cases the applicant's effective date of registration would not be backdated to the date of the earlier application.

SMP may request information or a reference from an applicant's current or previous social landlord and may, depending on whether the application gives rise to any concern, request a reference from the most recent private sector landlord (or any other recent private sector landlord) if the applicant is or has been a private sector tenancy.

Where a social or private landlord does not reply within 28 days a reminder will be sent, and if still not forthcoming within 14 days of the reminder being sent any other information or records available will be checked to try to determine whether there are any concerns regarding the way an applicant may have conducted their tenancy. An applicant should not be disadvantaged if, despite every effort, it is not possible to obtain a reference from their current or previous landlord.

All applications are subject to verification checks and these may be applied:

- At the point of initial application
- Following any change of circumstance notified to the SMP by the applicant
- Following any routine validation audits
- Following an annual review of the application
- At the point of an offer of accommodation
- At the point of letting

Where considered relevant, and based on an applicant's circumstances, an affordability assessment may be undertaken based on an applicant's household income and expenditure. This is to determine their ability to sustain a tenancy financially. The SMP aims to agree a common definition for assessing affordability across the partnership to ensure consistency in decision making.

Checks into any court cases or unspent criminal convictions

All applicants and members of their prospective household will be requested to disclose any pending court cases or unspent criminal convictions.

SMP may use any information disclosed (or any other information obtained during the assessment or following registration) to ascertain whether the applicant should be disqualified from joining, or from remaining on the housing register, after applying the serious unacceptable behaviour rule.

Spent convictions are not required to be disclosed and will not be taken into account in assessing a person's eligibility to join the register. The assessment will consider whether there is evidence of any current serious unacceptable behaviour regardless of whether a person has been convicted in the past for that behaviour.

If the SMP decide that, on the information obtained during the assessment process, there is a real pressing need for a Disclosure and Barring Service (DBS) check, or further information from the Probation Service, a supplementary request for information and declaration will be sent to the applicant asking for more details and for permission from the applicant for the SMP to make the relevant checks. Failure to give permission may result in the application not being made live whilst the SMP consider the information available to it.

Information gained will not automatically exclude an applicant from the register. Information received may also be used to make informed decisions about the suitability of any property that may be offered.

All assessments will be carried out in accordance with data protection and information sharing policies and other legal requirements.

Who can be included in the application?

Joint applications will be accepted and will be treated as one application. The housing need of the full household will be considered in assessing housing need. However, in relation to the Housing Associations that are part of this policy the individual association will decide whether to allow a joint tenancy depending on their own adopted rules.

Applicants should only include persons on their application who will be a permanent member of their household and who will be occupying the accommodation offered as their only or principal home.

Anyone who might usually live with an applicant, or who might reasonably be expected to live with an applicant, can feature as part of the application. A usual household member is a person who normally lives with an applicant. People who usually live with the applicant but are temporarily absent due to circumstances beyond their control (for example, they are in prison, care of a local authority, staying in hospital, away serving in the armed forces), can also be considered as a usual household member at the discretion of the SMP partnership and depending on the facts presented. People who do not currently live with the applicant may only be included if the applicant satisfies the SMP that they might reasonably be expected to do so.

Specifically, a person's housing application can include the following household members:

a) Spouses or Civil Partners where the applicant lives with and/or intends to live with their Spouse or Civil Partner.

b) Partners where the applicant is currently cohabiting with a member of the same or opposite sex.

c) Children who reside with and are dependent upon the applicant. Children are defined as under 18 for these purposes. Where there is any dispute as to whether children reside with and are dependent upon the applicant, the SMP will apply the

test in Section 189(1)(b) of Part 7 of the Housing Act 1996 to decide this question (see below).

d) A Carer where the assessing officer has agreed that on the evidence there is a need for a live in Carer. The Carer is a person who provides or intends to provide care for another adult. It is either a relative or friend who assists another person in their day-to-day life. This is different from someone who offers care professionally, or through a voluntary organisation. Note, even if a carer is in receipt of Carer's Allowance this does not necessarily mean that it is necessary for them to reside with the person who is being cared for. An application to include a carer will be assessed based on whether there is a need to provide overnight support. In these circumstances the applicant must provide supporting evidence from other agencies e.g., Social Care or a Health professional.

e) Any other household member such as adult sons or daughters who are currently living with the applicant. Decisions on whether any other adult relative can be included will be at the discretion of the appropriate senior officer acting for the SMP.

f) Note: Individuals can only be included on 1 application. Where someone has an application in their own name (or with a partner) they cannot also be included as a household member (for example, a non-dependent child) on another application unless for example, if they are a victim of domestic abuse. In these circumstances they should remove themselves from their previous application.

g) Family members who do not currently reside in the UK cannot be added to a Housing Register application

Joint tenancies are normally granted by a Housing Association where applicants have a long-term commitment, for example, married, or unmarried couples, or civil partners. This decision is for the relevant Housing Association offering accommodation, who will decide whether to allow a joint tenancy depending on their tenancy management rules.

Households with access to children/shared residency order or Child Arrangement Orders

As part of the assessment process the SMP will record whether the applicant claims to have children that live with them part of the week and whether or not this arrangement is set by the court or not.

The SMP will adopt the test set out in Section 189(1)(b) of Part 7 of the Housing Act 1996 to decide whether any child both lives with and is dependent on the applicant. Unless this test is passed an applicant will only be able to be considered for the size of accommodation relevant to their circumstances.

Following this assessment there will be cases where it is agreed that children live with the applicant on a 'shared arrangement' even though they do not exclusively live with the applicant.

In these cases, even though the child/children can be included as part of the application there will be a number of factors that will be considered when deciding what size accommodation can be offered. These factors include:

a) The ability of the applicant to afford the rent with or without help from benefits

b) The availability and popularity of family housing in any area that an applicant expresses a preference to live in. For example, a partner housing association may be willing to be more flexible where a vacancy relates to a flat than a house as long as the rent is assessed as being affordable.

The requirement to inform the SMP of any change of circumstances

Applicants are required to inform the SMP of any changes in their circumstances, which may affect their housing application.

Examples of a change in circumstances include but are not limited to:

a. A change of address or contact details, for either themselves or members of their household.

b. A change in their medical condition or disability (either existing or newly acquired).

c. Additional family members or other people they wish to add to their application (It will be for the SMP to decide whether they will allow additional people to join the application).

d. Any family member or any other person on the application who has left the accommodation, and

e. Any significant changes in income, savings or assets, which may require a reassessment under the income and savings qualification rule.

Where following a change in an applicants circumstances this results in a change to the applicant's application or banding, they will be informed in writing. The onus is on applicants to inform the SMP when there is a relevant change in their circumstances.

Note, on allocation of accommodation, verification checks into the applicant's current circumstances are likely to be carried out again by the Housing Association that own the property being advertised. This is to ensure that the allocation is being made in accordance with the applicant's current housing circumstances and needs at the time of a prospective offer. Therefore, a failure to notify the SMP of changes in circumstances may lead to an offer of housing being withdrawn and the application suspended whilst changes that were not notified to the SMP are assessed.

Applications from elected council members, or staff of a Council's housing service, or SMP Housing Association Board Members and staff

Elected Councillors, or Housing Association Board Members, cannot be involved in assessing housing applications or the allocation of housing. However, this does not prevent elected Councillors seeking or providing information on behalf of applicants.

In order to ensure that SMP is treating all applicants fairly, any application for housing from a Councillor, Board Member, or employee of any of the 3 Council`s Housing Departments or SMP partner Housing Associations will be assessed in the normal way, but an offer of housing must be approved by the lead housing officer for the Council where the advertised home is located, and the lead officer for the social housing partner advertising the vacant home.

Canvassing is not allowed in any circumstances by, or on behalf of a Councillor, or member of staff.

Reviewing the register

Every applicant on the Register will have their application reviewed annually, or more frequently, as decided by the SMP, in order to manage the administration of the register. An annual review (renewal), message will be sent to an applicant prompting them to renew their application. Each applicant will be asked to agree to renewing their application and to check that their circumstances have not changed. If an applicant has not responded after 28 days a second reminder will be sent by email (or by letter, if the applicant does not have an email account). If no response is received to the renewal reminder, then the application will be cancelled.

Cancelling applications

An application will be cancelled in the following circumstances:

- At the request of an applicant
- Where an applicant does not respond to an application review, within the specified time set out in any correspondence sent to them
- Where any Housing Association (or Council outside of the Select Move area) has housed the applicant (unless it is assessed that the applicants' housing circumstances would still qualify for a priority band award based on their housing need, but this is unlikely to be the case).
- When a tenant of social housing completes a mutual exchange.
- Where the applicant moves and does not provide a contact address
- Where the applicant has died
- Where, at the housing application or renewal stage, an applicant has not supplied information requested within 28 days.
- Where an applicant already registered becomes ineligible or is disqualified under the rules adopted for this policy.

- Where the applicant buys a property either through the Right to Buy or through the open market or inherits a property.
- Where an applicant has refused 2 reasonable offers within the past 12 months their application may be closed and will not be allowed to re-apply to the register for a 6-month period. In this case the applicant will be required to re-register and will lose their time on the register.

Any applicant whose application has been cancelled has the right to ask for a review of that decision.

Where an application has been cancelled, consideration will be given to reinstating the application where the applicant contacts Select Move within three months of the cancellation date; and the applicant is able to provide evidence of good reason for not responding within the required timescales.

Deliberate worsening of circumstances

Where there is evidence that an applicant has deliberately made their housing situation worse in order to gain a higher priority on the register, the assessment of their needs will be based on the circumstances before the change in their situation brought about by their actions to deliberately worsen their circumstances.

Examples of deliberately worsening circumstances are:

- Applicants who have allowed family members or others to move into their property, who previously had suitable accommodation or the financial means to secure their own accommodation, and this has resulted in the property being overcrowded.
- Applicants who have moved from previously suitable, or more suitable accommodation, which was affordable and reasonable for them to continue to occupy, into a less suitable property which would result in a band A, B or C award.
- Homeowners who have transferred their property to another family member within the last 5 years from the date they make their application to the housing register.
- Applicants who have given up affordable and suitable private rented accommodation which they are able to maintain, to move in with other relatives or friends, creating a situation of overcrowding.
- Requesting or colluding with a landlord or family member to issue them with a notice to leave their accommodation.

These are examples only. There may be other circumstances where the SMP decide that an applicant has deliberately worsened their circumstances

The Review Procedure

Under the housing legislation an applicant has a legal right to request a review of any of the following decisions reached by a Council or partner:

a) A decision that an applicant is ineligible, or not a qualifying person to join the Housing Register.

b) A decision regarding which band an applicant has been awarded.

c) The priority date granted for the band awarded.

d) To remove an applicant from the Housing Register.

e) Any decision about the facts of the case that has been used to assess their application including the decision the SMP has made on who can be included in the application.

f) Where an applicant considers that a decision has been reached based on incorrect information.

How a request for a review will be dealt with

The applicant or someone authorised to act on their behalf must notify in writing the Select Move partner dealing with their application within 28 days of the date on which the applicant is notified of the decision. The notification must set out the grounds for the review. For decisions about the refusal of a suitable offer made to end a homelessness duty the relevant local authority will deal with any such decisions.

1) A review must be requested within 28 days of the date of the letter advising the applicant of the decision on their application.

2) The request for review should be made in writing by email or letter addressed to the Council for the area which you have been registered. The addresses are:

   The Review Officer
   Housing Applications and Lettings Team
   Chorley Council
   Civic Offices, Union St, Chorley PR7 1AL

   The Review Officer
   Housing Applications and Lettings Team
   Preston Council
   Town Hall, Lancaster Rd, Preston PR1 2RL

   The Review Officer
   Housing Applications and Lettings Team
   South Ribble Council
   Civic Centre, W Paddock, Leyland PR25 1DH

3) The applicant should give reasons why they wish to have the decision reviewed so that the SMP can ensure that the request falls under the statutory review request criteria.

4) Upon receipt of a request for a review the Reviewing Officer will send an acknowledgement letter explaining the review process and procedure to be followed.

5) The review decision will be carried out by an officer who is more senior to the person who made the original decision.

6) An applicant may be asked to attend an interview and, if so, can be accompanied by an advisor or friend.

7) The review is a reconsideration of the case and is not limited to the facts at the date of the original decision and will be made on the relevant information available at the time of the review decision. In addition to any information provided by the applicant, the reviewing officer may ask for further information that is reasonably required to make a decision. The merits of each case will be considered on an individual basis.

8) Select Move partners will aim to complete all reviews within 28 days of receiving all relevant unless a longer period has been agreed with the applicant. However, this is a target timescale and may be longer depending on operational pressures.

9) There is no right to request a review of a review decision.

Section 4: How an applicant's housing needs and circumstances will be assessed

The banding system

The demand for social housing exceeds supply in the SMP area and therefore this policy prioritises the housing of applicants assessed as being in the greatest need. Once registered many applicants will still unfortunately not have sufficient housing need to be offered a property.

A banding system will normally be used to decide when to make an offer of accommodation and to whom, unless the SMP applies the direct lets procedure as set out in this policy.

The SMP has chosen to adopt a simple and transparent system creating 4 queues where people will be ranked by date order in each queue as long as they qualify to join the housing register.

Band A – Urgent housing need to move: these are applicants that are owed a statutory award of 'reasonable preference' but whom the SMP believes should also be awarded 'additional preference' based on their urgent housing need.

Band B – High priority statutory housing need to move: these are applicants that are owed a statutory award of 'reasonable preference' under the policy and have been awarded band B priority based on their assessed high housing need.

Band C – Identified statutory housing need to move: these are applicants that are owed a statutory award of 'reasonable preference' under the policy and have been awarded band C priority based on their assessed statutory housing need.

Band D - Applicants who do not meet an identified statutory housing need as defined in Bands A-C will be able to qualify for Band D.

The following section provides details for the 4 bands an applicant may be awarded based on the SMP's assessment of their housing need. How the policy defines and assesses housing need is described below. Where there are further details, beyond the details set out below for how the housing need criteria will be assessed, these are set out in appendices. For example, the detail for how the SMP will assess applications where it is claimed there is a housing need based on the impact of an applicant's current housing on their physical or mental health, is detailed in appendix 5.

It is important to note that applicants will be placed in the appropriate band following an assessment that their housing need meets the threshold for that band. An applicant who qualifies under more than one of the housing need criteria will be awarded the highest priority they are entitled to under the criteria. They will not be awarded a higher band just because they meet more than one housing need criteria. For example, an applicant who meets 2 Housing Need criteria for Band B will still only be awarded band B and not Band A.

The banding system and the adopted housing need criteria for each of the 3 adopted bands

BAND A: EXCEPTIONALLY URGENT NEED TO MOVE

1: Exceptional or medical impact with an immediate need to move

Where an applicant (or a member of their household) is unable to continue to occupy their current accommodation due to exceptional medical need or disability. *(See appendix 5 for how band A medical will be assessed and awarded)*

2: Exceptionally urgent need to move due to violence, harassment, or protection issues

In regard to assessments under the criteria the SMP Council will assess private sector residents and SMP Housing Association will assess their own current tenants.

Not every circumstance that may present can be captured under this category therefore the list below set out examples for when an award may be considered. This category is intended to cover exceptional need to move for Domestic Abuse, MARAC, Racial, Homophobic or Transgender Harassment, witness or child protection, private rented or social housing management transfers. The circumstances, however, must be assessed as exceptional with an immediate/critical need to move:

a) Applicants who the SMP agree need to move immediately due to domestic violence or threats of violence or abuse threats from an ex-partner or family member they do not live with, or extreme threats of violence, extreme harassment, or other extreme circumstances deemed to significantly affect a household's welfare and wellbeing. Note applicants would be encouraged to present as homeless where the SMP is of the view that it isn't safe for them to remain in their home. If an SMP Council accept a homelessness duty an applicant will be banded according to the homelessness banding criteria.

   For any Housing Association tenant, the expectation is that, where it is safe to do so, a like for like management transfer would be granted or an emergency decant provided whilst a suitable transfer can be arranged.

b) Exceptional circumstances due to significant problems associated with the tenant's occupation of a dwelling in the social or private rented sector and there is an extreme risk to the tenant or their family's safety if they remain in the dwelling or area.

c) For applications in circumstances where there is a critical and serious threat to the well-being of a child and their accommodation is a major contributory factor to that risk. This will be in circumstances where the relevant manager in Children's Services or equivalent assesses the level of risk exposure in relation to the child or children remaining in the current property as being so critical that no other reasonable options in relation to accommodation are available to protect the child.

3: Unfit or unsatisfactory housing – exceptionally urgent cases

There are 9 circumstances where Band A may be awarded:

1) Band A for applicants without access at all to any of the following facilities:

No access to:

a) A bath or shower
b) A toilet
c) Cooking facilities
d) Running hot water supplies
e) Electric/gas needed for essential activities

Applicants who have access to shared facilities re cooking; bathroom and toilet will not qualify under these criteria.

This banding award does not include applicants sleeping rough or with no fixed abode. They will be dealt with under the homelessness criteria in this banding policy.

Any decision to award Band A for this category will take into account the reasons why the applicant does not have access to these facilities and whether this is a temporary or long-term situation.

2) Band A for applicants where unsatisfactory housing is having an exceptional impact.

Applicants who currently occupy a private sector property which has at least one Category 1 Hazard notification from a partner Council's Environmental Health Service (excluding overcrowding) under the Housing Health and Safety Rating System (HHSRS) and where a Prohibition Order has been served or is intended to be served under the Housing Act 2004 and the effect of the Prohibition Order is likely to mean that the applicant(s) will lose the use of their home on a permanent basis. The relevant conditions at the property must be life threatening, or in the assessing Council's view present an immediate threat of serious injury to the occupant(s)

This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a period considered to be reasonable by the SMP, and the household are not able to afford to resolve their own housing problem by moving to alternative private sector accommodation.

Note - this category will not include Housing Association tenancies because there is a legal requirement on social landlords to urgently remedy defects that pose a risk to their tenants

3) Band A due to demolition or Compulsory Purchase Order (CPO) cases.

Where the applicant's property is subject to demolition or subject to a Compulsory Purchase Order for redevelopment

4) Band A: Severe Overcrowding - People currently living in severely overcrowded accommodation defined as needing three or more bedrooms as defined by the bedroom standard set out in this policy.

Where an applicant's household is severely overcrowded which is defined as requiring 3 or more additional bedrooms to reach the bedroom standard and where an SMP Council has either:

a) In the case of a private sector has issued a prohibition order due to an assessed significant risk to the household's safety if they were to remain, or
b) Intend to issue a prohibition order due to an assessed significant risk to the household's safety, or
c) In the case of a Housing Association tenancy where a prohibition order is not likely to be issued this will be assessed by the Manager responsible for the Allocation policy who will decide whether Band A should be awarded because of the significant risk to the household's safety if they were to remain.

5) Armed Forces who meet the following criteria

Applicants with urgent housing need and have access to no other accommodation who meet criteria c as listed below as well as either a *or* b:

a) Are serving (and will soon leave) the regular forces and are suffering from serious injury, illness, mental ill health, or disability which is attributable to the person's service
b) Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the MOD following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service or
c) Is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service

6) Applicants owed a main section 193(2) homelessness duty by a SMP partner Council, or are owed a section 189(B) relief duty and would be likely to be owed a main duty if that relief duty were to end unsuccessfully

7) To release a specially adapted property

Where a partner tenant does not require a specially adapted property for disabled use, and there is demand for its use. This would not include cases where the property to be released contains minor adaptations. Note a Housing Association SMP partner may decide to facilitate a transfer through a managed move outside of the SMP policy.

8) Care Leavers

Care leavers aged 18 – 21 whose care placement is coming to an end and they are assessed as being able to manage a tenancy providing they have been looked after and accommodated by Lancashire County Council either within the County Council's area or out of area, and the County Council has a duty of care accepted under the Children Act.

Applicants are awarded this category in accordance with protocols between the partner SMP Council's Housing and County Council Children Services Department. An applicant must be a former relevant child as defined by the Children Leaving Care Act 2002. They must have vulnerability and urgent housing need that is best met by the provision of long term settled housing.

9) Move on from Supported Housing

Applicants living in a short-term commissioned Supported Housing project that come under an SMP approved list of 'move on partners' who are assessed as ready to move on and where there is no other suitable option for meeting their housing need other than social housing**.**

Note: Any applicant in band A may be subject to a direct offer at any time in order to resolve the very exceptional housing need to move that has resulted in the Band A award. Where a direct offer hasn't been made after 10 weeks the applicant will have their application reviewed to ensure that the applicant is expressing an interest on suitable vacancies advertised. Where the applicant fails to express an interest (and suitable properties have been advertised in that period) their band placement will be formally reviewed and may be removed, or in appropriate circumstances, expressions of interest will be placed on their behalf.

For homeless duty applicants awarded band A the Local Authority has the discretion to make a suitable offer at any time.

BAND B – MODERATELY URGENT/HIGH NEED TO MOVE

1: **Overcrowded by 2 bedrooms** as defined by the bedroom standard set out in this policy

2: **Severe impact medical need**

Where an applicant (or a member of their household) is living in accommodation with a severe, long term, medical conditions (chronic or progressive) or severe disability that means they urgently need to move because their home is assessed as being highly unsuitable and is directly detrimental to the applicants' physical or mental health.

(See appendix 5 for how band B medical will be assessed and awarded)

3: **Unsatisfactory housing conditions or fitness**

Private sector tenants that the relevant Council has determined, following an inspection and report from a partner Council's Environmental Health Service, that the property poses a category 1 hazard under the Health and Safety fitness rating and the assessing officer is satisfied that the problem cannot be resolved by the landlord within 6 months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a 6-month time period, and the household are not able to resolve their own housing problem by moving to alternative private sector accommodation

4: Former Regular Armed Forces Applicants

Members of the Armed Forces persons who meet the following criteria:

a) They are serving in the regular forces and will be discharged within 6 months and have served for 5 years or more, or
b) They were serving in the regular forces and they apply to join the housing register within 1 year of discharge, and
c) Had been previously living in the SMP district immediately before joining the armed forces or since leaving

And d and e below must also apply

d) They did not leave the armed forces as a result of a dishonourable discharge, and
e) They do not own or have a legal interest in any other property

5: Band B for a statutory homeless duty defined as:

1) Applicants owed a section 195 (2) prevention of homelessness duty and the applicant is, at the point of that duty being accepted, considered likely to be in priority need and unintentionally homeless if the prevention duty and any subsequent relief duty were to end unsuccessfully.

6: Insecurity that risks homelessness

A pregnant woman or applicant with a child or children who are sharing a home with family who are not part of their household and where:

a) They have no ownership or tenancy rights, and the arrangement is short term and very insecure and only available whilst the applicant is actively seeking an offer of social housing or alternative accommodation with friends or in the private rented sector, and

b) They were owed a prevention of homelessness duty as they were assessed as likely to become homeless within 56 days, and that duty has ended because they have been allowed to remain at home whilst they bid for social housing with their Band B priority and it is likely that they can remain for at least a year, and

c) The family member with the interest in the home has agreed to allow the applicant to remain for at least a year.

7: To provide or receive essential care

Band B will be awarded in the following circumstances:

a) The household includes a person who receives/provides or needs to receive/provide essential long-term care to someone in any part of the Select Move area and they cannot deliver that care effectively from their current location.
b) Approved foster carers and adopters who require larger accommodation on the recommendation of children's services.

BAND C – ALL OTHER APPLICANTS ASSESSED AS HAVING A STATUTORY REASONABLE PREFERENCE BASED ON THEIR ASSESSED HOUSING NEED

1: Band C for a statutory homeless duty defined as:

1) Applicants where the section 189(B) Relief duty has been brought to an end and an applicant has been assessed at that point as being intentionally homeless (and hasn't been disqualified under the unacceptable behaviour disqualification rule).

2) Applicants owed the 193 C (4) Main duty where the Prevention or Relief duty was ended by the Council due to their deliberate non-cooperation

3) Applicants owed a section 189B (2) Relief duty by one of the 3 SMP partner Councils and the applicant is, at the point of that 189B duty being accepted, considered unlikely to be in priority need, or likely to be intentionally homeless.

4) Applicants owed a section 195 (2) Prevention of homelessness duty and unlikely to be owed a main duty if the prevention or relief duty is unsuccessful.

5) Applicants where the section 189(B) Relief of homelessness duty has been brought to an end and the applicant is determined to be homeless but not in priority need and therefore not owed a Main homeless duty.

Note: For an award of Band C for Homelessness

Any band C banding for applicants found to be not in priority need or band C for being intentionally homeless when a relief of homelessness duty have been brought to an unsuccessful conclusion, is dependent on the applicant remaining homeless. If their circumstances change and they are no longer homeless the banding will be removed. If an offer of accommodation is made and, upon verification, the assessment is that the applicant is no longer homeless that offer would be withdrawn.

2: 'Right to move applicants'

Existing social tenants of accommodation in England who the SMP have assessed as qualifying under the Government's Right to Move regulations. Allocation to applicants who qualify for this award is limited to a maximum of 1% of all lettings.

3: Overcrowded and deficient by one bedroom

Where an applicant's household is overcrowded defined as requiring 1 additional bedroom to reach the bedroom standard

4: Under-occupying SMP tenants

a) A tenant of a SMP partner housing association under occupying family housing by two or more bedrooms in accordance with the criteria in this policy for measuring over and under occupying.

b) A tenant of a SMP partner housing association seeking a move to non-family housing that will free up a house to enable use by a family.

5: Applicants with dependent children living in accommodation that lacks level access

An applicant without ground level access or in upper floor accommodation who lives with at least one child under the age of 3, including pregnant women once their Mat B1 has been received. Applicants in this category who are housed into Social Housing will not be eligible to join the housing register for 12 months from the date their tenancy commences unless their circumstances have changed since they moved in, for example if they accepted an upper floor flat but their circumstances have changed because they have become pregnant.

6. New category - Hardship / Welfare band – those who qualify for DHP to help with rent

Applicants who are currently in receipt of DHP to assist with payment of rent, this will be reviewed every three months, if DHP payment is stopped banding will be reduced.

BAND D - APPLICANTS WHO DO NOT MEET AN IDENTIFIED STATUTORY HOUSING NEED AS DEFINED IN BANDS A-C

This band will contain all other applicants who meet the rules to qualify for the Housing Register but do not have an assessed statutory housing need for being owed a statutory reasonable preference as defined in the criteria set out for an award of bands A-C.

Applicants in Band D will be able to bid for advertised properties, but it is not expected that many will be successful given the shortage of social housing and the number of applicant's bidding from a higher band.

The exception is for Band D applicant who qualify for sheltered or older person's housing who will be allowed to bid on sheltered properties and not general needs properties. There is likely to be a reasonable number of low demand sheltered or older person homes available to applicants in Band D.

The verification and assessment for Band D applicants is intended to be 'light touch' at the point of application but if an applicant is successful in bidding full checks and verification will be undertaken before an offer of accommodation is made.

Quota system

When advertising properties on the Select Move scheme, partners will use the following quota system:

Band A	50%
Band B	30%
Band C	20%

Employed preference can be applied for up to 10% of annual properties advertised by each social housing partner across Band A-C.

This will be reviewed after 12 months of the new policy.

Advertising Properties

Choice based lettings is about the applicants being given more choice over where they would like to live. Properties will be advertised, and applicants will be able to indicate the properties for which they want to be considered by 'bidding'. Once the bidding process closes a shortlist will be compiled and the property allocated will be based on the banding priority of the applications and the time they have waited as long as they meet the criteria set out in the advertisement.

It should be noted that in certain circumstances a Registered Provider Housing Association might apply their own additional rules regarding the allocation of accommodation but the aim of the SMP is to minimize the number of circumstances where a Housing Association would wish to apply its own rules. With this in mind the SMP will endeavour to agree a definition for affordability based on an applicant's income and expenditure.

Adverts will clearly indicate any restrictions on bidding (e.g., where properties have been adapted and/or are specifically for people with disabilities) and will detail any particular criteria that apply (e.g., any affordability criteria).

An applicant for sheltered housing must normally be aged 55 or over or have a need for sheltered accommodation due to a disability or some other vulnerability (the age criteria will depend on the adopted rule of each SMP partner Housing Association). An assessment of the applicants need for sheltered housing will be undertaken. It is a condition of all tenancies in sheltered housing schemes that tenants agree to accept the services offered. Separate charges are made for these services in addition to the rent. Further details are available from each sheltered scheme.

The bidding and selection process

Properties are advertised as and when a notice is received and therefore will be uploaded at any time between a Monday and Friday to the SMP website. Each listed property will have a closing date within which the customers will need to register their bid.

All other properties advertised on Select Move will be advertised for a minimum of 5 days including weekends and bank holidays. An applicant may express an interest through bidding on any advertised property that meets their needs and are able to place an unlimited number of bids in each weekly each bid cycle.

In the circumstances where there are two households with the same band and registration date that bid for a property a decision to offer the property will be based on the household who is assessed as being most suitable for that property.

Offers of accommodation

This section sets out the procedure that will apply to making an offer of accommodation once an applicant has been selected from a shortlist of successful applicants bidding for that property.

For the purpose of this policy an “allocation” is defined as occurring when the Council nominates a person to be an assured tenant (encompassing fixed term and affordable tenancies) of social rented housing held by a Registered Provider operating in the SMP area.

The law requires Registered Providers to publish rules and policies about how housing allocations will be made. Applicants should consult individual Registered Providers about their rules and policies concerning allocation of social rented housing if they have any questions concerning an individual registered provider’s rules.

The size of a home that an applicant may be entitled to is set out in this policy although some housing associations may adopt their own rules on the size of property an applicant is entitled to which may not use the same criteria set out in this policy.

Once selected and, prior to an offer being made, the Housing Register and Allocations Team will carry out a further verification of their eligibility and priority. In certain situations, the offer will not be made, or if made may be withdrawn if:

- Since joining the scheme an applicant has become ineligible.
- On verification of the applicants’ details, the priority band has been incorrectly awarded due to the information received by the applicant, or due to mistakes in the assessment of the application itself.
- The applicants’ circumstances have changed since the priority band was awarded and the applicant is no longer entitled to the same level of priority.

- The Housing Association landlord for the property being advertised has evidenced housing management reason not to offer the property to the person selected.

The Housing Association who owns or manages the vacant property that has been advertised will be responsible for contacting the successful applicant. They should, where possible, provide the applicant with additional detail of the property, a potential tenancy commencement date and details of how to view the property.

The Housing Association may undertake an affordability assessment before making a formal offer of a tenancy.

If an applicant does not reply to an invitation in writing, by letter or email or text, to view a property within 2 working days the offer will be deemed to have been refused and the property will be offered to the next applicant on the shortlist who qualifies for that offer. This will then count as one of the applicant's 2 reasonable offers unless a satisfactory explanation for the applicant's failure to respond is accepted by the SMP.

Where the offer is to an applicant owed a statutory homeless duty a property will not be reoffered until the SMP Council who owe the applicant that duty, have been informed of the applicant's refusal, or failure to attend the appointment to view, and have made a decision whether or not to enforce the offer to end the homeless duty owed.

A suitable and reasonable offer of accommodation is defined in appendix 4 of the policy.

Planning requirements may restrict which applicants can be considered for a particular property. Any restrictions will be clearly set out in the advertisement by the partner and short-listing decisions will only be made by the partner in accordance with the requirements of the planning consent.

There may, unfortunately, be exceptional circumstances where, following a viewing or notification of offer an offer may still be withdrawn. This can be done up to the point before a tenancy is signed. Examples of reasons when a property offer may be withdrawn are:

- The property is not suitable for the households needs
- The property fails to become available
- There is an issue and concern for community safety
- It comes to light that information has been withheld
- It comes to light that that the household or member of the household has a property related debt
- The offer has been made in error
- The household's circumstances changed
- The property is required for an emergency
- It transpires that the rent would not be affordable

There must be clear grounds recorded by the partner Housing Association for refusing or bypassing applicants who are top of any shortlist. Where an applicant has been refused or bypassed because they have failed a verification check or that their circumstances have changed, the applicant should be informed by the Housing Association of the reason and in the case of a homeless applicant the Local Authority Housing Team should also be informed.

For all other reasons for example, issues of public safety, risk, or sustainability of the tenancy, an applicant, upon request, will be informed of the reason behind the decision to refuse or bypass them.

Shortlisting Criteria

Local connection and then the Band allocated followed by date order in that Band will normally be used to decide when to make an offer of accommodation and to whom, unless the SMP apply the policy of making an offer outside of band and date order as set out in section 1 of this policy.

When short listing those applicants who have expressed an interest in a property advertised on the Select Move scheme the following criteria will be followed in descending order:

1: A local connection to one of the 3 partner Councils

Where an applicant has a local connection with more than one Council in the SMP area (based on the local connection rules set under this policy) they will be required to select a Council where they would prefer to be housed.

Applicants will be shortlisted first by their assessed local connection to one of the 3 Councils.

2: Bedroom Need

The criteria which will be used to shortlist applicants who have expressed an interest in a property whose minimum bedroom need matches the number of bedrooms in the property.

An applicant whose minimum need is higher than the number of bedrooms in a property will not normally be able to bid on the property as they would be over-occupying accommodation.

Applicants who are assessed as being able to manage in smaller properties will have their bedroom need over-ridden providing this does not go over the space standard.

Applicants/households that have a desire to live in a larger home will be allowed to bid on a larger property providing they can demonstrate that they are financially able to sustain the larger home. These applicants/households will be shortlisted below applicants that have the actual bedroom need requirement.

3: Banding
Shortlisting will then be based on the higher the band for the applicants who have bid for a particular property.

4: Effective date in Band
Within each band and after taking into account local connection, an applicant will be short listed in order of the earliest effective banding date.

Note: Although under-occupying applicants will be shortlisted there is no obligation on a partner to offer a property to an applicant who will under-occupy if this is not effective use of their housing stock. An applicant who would be under occupying a property would only be offered the property if they can demonstrate it is economically viable.

An applicant deemed to be under-occupying will be required to sign a disclaimer acknowledging that housing benefit (or equivalent state benefit) may not cover the full housing cost of their property. All applicants will need to demonstrate their ability to sustain a tenancy.

Unless a property is advertised with restrictions, applicants who are members of the scheme can bid for any property in SMP area regardless of where they live. However, when drawing up the shortlist applicants will be ranked first by local connection to the Council area where the property is advertised (using the local connection criteria set out in Qualification rule 2, Section 2 of the Policy) then by band and date order. There are 3 examples set out below to help explain this rule.

The exception to this rule will be where a bid is made by a victim of domestic abuse or severe harassment or other severe threats, where it has been assessed and agreed that they cannot remain in the local authority area where they are at risk.

Example 1 - Applicant X has a local connection to Chorley and this is the area where the advertised vacant property is located. Applicant X is in Band B. An applicant living in Preston (applicant Y) bids for the property and is in Band A but has no local connection to Chorley. Applicant X and any other applicants with a local connection to Chorley from bands B-C will be shortlisted above applicant Y as they have a local connection with the area where the property is located.

Example 2 - Applicant T has a local connection to Preston and this is the area where the advertised vacant property is located. Applicant T is in Band C. An applicant living in South Ribble (applicant U) bids for the property and is in Band A but has no local connection to Preston. Applicant T will be shortlisted above applicant U as they have a local connection with the area where the property is located.

Example 3 – Applicant C is from South Ribble and has been assessed as being at extreme risk in South Ribble due to fleeing domestic abuse but would not be at risk in Preston. If it is assessed that Applicant C would be safe in Preston, she will be granted a ‘local connection’ exception to Preston and would be able to bid for properties in Preston and would be shortlisted based on her band and date in band.

In the circumstances where two households have bid with the same local connection, the same band and the same registration date a decision for who the property will be offered to will be based on the household who is assessed as being most suitable for that property.

Where the property advert has indicated specific requirements such as age or accessibility, only applicants meeting those requirements will be eligible for an offer.

Assessing overcrowding and the bedroom size that will be allocated to applicants

For the purpose of assessing overcrowding and the bedroom size to be allocated to a household for rehousing purposes the following criteria will be used:

A separate bedroom is required for the following:

- Every adult couple married or cohabiting
- Any other adult aged 18 or over
- Any 2 children of the same sex aged 10 -16
- Any 2 children regardless of sex aged under 10
- Any other child

Local Lettings Policies

Select Move partners may draw up local lettings policies that are time limited and have been consulted on within the Select Move partnership and agreed with the Steering Group.

Local lettings policies may be applied to meet the particular needs of a local ward or area or to address sustainability and community issues to ensure that the housing allocation scheme is able to contribute to building sustainable communities. Appendix 2 gives full details for how local lettings policies will be assessed and applied.

Applicants may as part of a local lettings plan be required to attend training to demonstrate their ability to sustain a tenancy. This training is not currently available at the time of adopting this policy but may be available in the future. Where training is identified as being necessary, the applicant will need to successfully complete this training before an offer of accommodation is confirmed.

Local lettings policies must be formally publicised by the partner implementing the policy and must also carry out an equality impact assessment.

Section 5: Appendices

Appendix 1 – Definition of Terms

Accessibility – Used here the term refers to how 'user friendly' the service is to all people who may want to use it.

Adapted Property – Property that is suitable for those with a physical disability i.e., where a stair lift has been fitted.

Automatic Bidding – Within the ICT system a means of expressing an interest in a property for someone, without making the bid themselves.

Banding Scheme – The method by which customers are prioritised for social housing (previously 'points schemes').

Bidding – The term used to describe people who register an interest in a property (no money is involved in making the bid).

Choice Based Lettings (CBL) – The system of letting property that gives customers choice in where they live through advertising property.

Housing Register – A list of people applying for social housing (commonly referred to as a 'housing waiting list').

Applicants – Those people applying to the scheme for housing.

Effective Date – The date used to decide between customers in the same Band to establish who has waited longest.

Hard to Let – Low demand property where it takes longer to find a tenant.

Letting Policy – The means by which it is decided how a property will be offered to applicants.

Local Lettings – Short term policy made in local areas (to tackle specific, identified housing management issues) on how property will be offered that differs in some part from the overall scheme policy.

Appendix 2: How any local lettings policy will be applied and reviewed

Local lettings initiatives may be applied to meet the particular needs of a local ward or area or to address sustainability and community issues to ensure that the housing allocation scheme is able to contribute to building sustainable communities.

They will be tailored to fit local situations in well-defined communities (such as a particular block of flats, an individual street, or new housing development, or may be applied to a parish or a village in a rural area). Each local lettings policy will be based on a detailed analysis of relevant information gathered from a variety of sources and may include, for example, evidence from internal departments, partner Housing Associations, local Councillors, and the community itself. (Evidence may include information such as tenant profiling, the incidence of anti-social behaviour, and stock turnover in a particular block, street or area, a neighbourhood plan or the need to provide housing for local people in rural villages and parishes).

The following are examples of local lettings policies that may be deployed under this policy. The list is for illustrative purposes and is not exhaustive.

1) Age restrictions.
2) Prioritising applicants who are key workers, as defined by SMP.
3) Restrictions on lettings to vulnerable households where there are already a concentration of supported tenants/residents in a street or block.
4) Lettings to childless households where there are high concentrations of children and young people living on a specific estate, street or block.
5) Disregarding household type or property matching rules to allow, for example, under-occupation to reduce child density or to account for future family growth.
6) Ensuring that there is a balance of working and non-working households allocated to a scheme.

New developments will normally have local lettings policies (usually only applies to first lettings) regardless of whether the new development is subject to a Section 106 agreement or affordable housing statement. Where a new development is subject to a Section 106 planning agreement the criteria set will be followed.

In order to ensure a reasonable mix of household sizes and types, and families with children of different ages, a local lettings policy will normally be used for new developments larger than four properties. This may set restrictions on the number of lettings, which can be made to families with young children, for example, or the number of families who are not working.

How will a local lettings policy be assessed and agreed?

The SMP will decide when a local lettings policy may be appropriate and why.

There must be a clear evidence base for adopting a local lettings policy. The following framework will be used by the SMP to decide whether a local lettings policy is appropriate:

1) That there is a clear definition of the objective to be achieved by that particular local lettings policy.
2) That there is a clear evidence base to back up the need for a local lettings policy.
3) That any potential equality impact has been considered.
4) How long the local lettings policy is intended to operate.
5) When the local lettings policy should be reviewed.

A written record of each policy adopted or rejected should be kept.

It is the intention that local lettings policies will be fluid with new policies being added as are required and existing policies being deleted once the objective for that policy has been met.

Any property advert will state whether there are any local lettings restrictions or criteria.

Appendix 3: Definition of a reasonable offer

A refusal of an offer of the correct size and type will normally be considered unreasonable.

Guidance on reasonable and unreasonable refusals:

1) Property size

The property must be the appropriate size for the household's needs at the time of making the offer. Where the family composition has changed, so that the property offered is too small or large for the applicant's needs, the refusal will be recorded as reasonable.

It is the applicant's responsibility to ensure that they register any change in their circumstances that will affect the number of bedrooms to which they are entitled.

Where the applicant refuses a property because it is too small on grounds of the need for an additional or larger bedroom(s) due to medical/mobility factors, but it meets the lettings standard, this will normally be considered to be an unreasonable refusal unless the applicant provides new medical information at the offer stage that is accepted by the SMP.

2) Property type

It will not be considered to be a reasonable refusal due to a dislike of the property type. Therefore, an applicant cannot reasonably refuse an offer because for example, it is in a tower block, it does not have a garden or a particular heating system, it is on a wrong floor or does not have a lift. If the applicant states medical grounds for refusing the property, these should already have been disclosed and considered as part of the assessment of their application, unless new information is submitted that is accepted by the SMP.

Where specialist accommodation is offered to a household inappropriately, this is considered to be a reasonable refusal. This may be for example:

a) Offers of wheelchair standard housing to households which do not have wheelchair users
b) Offers made to disabled applicants which are unsuitable for their needs, for example where they are unable to open a door entry system because the doors are too heavy
c) Offers of sheltered housing where the applicant is not of the appropriate age.

3) Property condition

Where a property is refused on grounds of repair/decoration, this will be considered an unreasonable refusal unless the voids team decides to withdraw the property from letting for further works to be carried out.

4) Area of choice

An offer will still be considered reasonable even if it is not within an applicant's area of choice. This is regardless of whether an applicant has bid for a property outside their area of choice or has been allocated a property directly. It should also be noted that where an applicant is made a direct offer such as: where the applicant has been assessed as being statutory homeless and are owed a statutory homeless duty, area of choice will not apply.

5) Racial harassment

Where an applicant from a black or ethnic minority household refuses the property prior to viewing because the previous tenant was rehoused as a result of racial harassment, or there is a known problem of racial harassment in the vicinity of the property, the refusal is considered reasonable.

6) Choice of landlord

An applicant cannot choose whether they are rehoused by a specific Housing Association. Therefore, any refusal for example by an applicant of a property because it is a Housing Association property with no 'Right to Buy', or 'Right to Acquire', or the rent is higher than another social landlord will not be considered to be reasonable (unless in the example of the rent level the assessment is that the offer is unaffordable for the applicant in question).

7) Pets

One of the conditions of the tenancy agreement is that a tenant must obtain the written consent of the landlord before keeping domestic pets.

Any intention to keep a pet must comply with the Housing Association's tenancy terms and conditions, which means that permission must be sought and agreed prior to signing the tenancy agreement for the property. Therefore, any refusal on the basis that permission has not been granted to keep a pet is not reasonable.

Appendix 4: Assessing whether an applicant qualifies for a priority Band A or B on the basis of medical priority

The assessment: Awarding Medical Priority for significant Medical Conditions that are being made worse by an applicant's housing circumstances

Medical priority can be awarded under 2 of the adopted bands. These are:

Band A: Emergency Medical - Applicants who are suffering sudden or severe progressive life-threatening medical conditions and need an immediate move (e.g., to facilitate hospital discharge) because their current home is unsuitable (as it does not meet their medical needs and/or cannot be adapted) and poses an immediate and serious danger to the individual.

Band B: Severe Medical Need - Applicants who are suffering severe, long term, medical conditions (chronic or progressive) or severe disability that need to move urgently because their home is deemed unsuitable and is directly detrimental to the applicants' health condition

The framework that will be applied to assess medical impact cases

The detail for the operational guidance that used to assess medical cases

The following operational guidance framework has been developed to help officers to make their decisions on whether medical priority should be awarded.

1) The applicant will be asked to indicate on their on-line application form whether they or anyone in their household has an illness or disability that is affected by their current accommodation.
2) Applicants will be asked for information and any supporting documentary evidence, regarding how their health or welfare are affected by their current home, or why the applicant's health cannot be managed in their current accommodation.
3) If the applicant indicates in their on-line that they have a medical problem but do not clearly address the relevant question of impact of their current housing on their condition, the assessing officer should contact the applicant to ask them specifically to describe how the current housing is impacting on the condition described (a standard letter/form will be used).
4) The on-line application form and any follow up email will explain that where supporting information from a health professional is available, the applicant should provide this information to support their application, but that we do not, as a matter of course, require an applicant to submit a medical report, or obtain letters from their GP before an assessment will be progressed. We do not wish to create further work or costs for doctors or applicants by insisting that medical reports are produced before an application can be considered.
5) On receipt, of all of the information the assessing officer will consider whether any supplementary information is needed from any other relevant professional, who may be able to explain the impact the applicant's current accommodation is having on their medical condition or disability.

6) The assessing officer should take into consideration any recommendations from the applicants GP, hospital consultant, or Occupational Therapy, Social Worker as applicable. The applicant should be informed that the processing partner is not responsible for chasing up requests made by the applicant to health professionals for further information.
7) While this information is being provided, and pending the assessment of medical priority, eligible and qualifying applicants who have another statutory housing need should be registered (if they meet the qualifying rules) and placed in a band according to that need. Where no other housing need exists, the application will remain as pending until any medical priority is determined.
8) The assessing officer supported, where necessary, by a senior officer, will normally make a decision whether or not to award a priority based upon the information provided. They will use these guidance notes and assessment framework contained here to help them make a decision.
9) If the assessing officer is of the view that it would be beneficial to obtain an opinion from an independent Medical Advisor or will advise the applicant to make a referral to an Occupational Therapist for an assessment. They should be asked to provide advice on the possible impact of any medical or disability condition to help address the impact of the applicant's current accommodation on that condition. A Medical Advisor will not normally be asked to carry out a medical examination and their opinion will be based on the information provided by the applicant and any supporting information from a medical professional and any information submitted by any organization supporting the applicant.
10) Some applicants may have a serious and debilitating health condition which requires specialist housing adaptations; however, a 'medical priority' award can only be given if their current home is unable to meet their needs. The assessing officer should consider whether the applicant already has the necessary adaptations in their current home before a 'medical priority' band is awarded to help them move. Also, consideration will be given as to whether the applicant could remain in their current home with further adaptations being put into place. A referral to the Occupational Health Service may be requested to determine the full options available before a 'medical priority' can be awarded.
11) In the circumstances where the assessing officer believes there may be an urgent and immediate need, due to the severity of the impact of their current housing on an applicant's disability, the case can (with a senior officer's approval) be submitted to the Occupational Therapy Team (OTT) for a more detailed assessment. In order to do this the OTT may visit the home of the applicant and consider any supporting information and may recommend whether Band A or B priority should be awarded, based upon the severity of the case and the urgency of the need for re-housing.
12) The OT may also make recommendations re the type of housing that the applicant may need.
13) Where priority is awarded, applicants will only be considered for the type of accommodation assessed as being required. For example, if it is assessed that an applicant needs to move to a bungalow because due to their condition, they need to use a wheelchair, they will only be considered for suitable properties that meet this need.
14) If an existing social housing tenant applies to the scheme due to their current property being medically unsuitable for their needs, that landlord will assess whether a medical banding should be awarded using this framework set out in the

policy. This is to ensure that the property could not be adapted to meet the needs of the applicant rather than seek a move to alternative social housing.

15) The assessment officer in considering evidence to support a medical impact banding should consider evidence submitted by a relevant medical professional. A relevant medical professional is defined as:
    - Occupational Therapist
    - Specialist medical advisor
    - Community / mental health nurse
    - Hospital / discharge liaison
    - Social Worker
    - GP
    - Health visitor
16) Applicants are not required to obtain any supporting medical evidence in support of their application before an assessment is made although where this is already available, they should be asked to provide it in support of their case.
17) Whilst GP's provide the most likely source of medical opinion for most housing applicants, it is not uncommon for GP surgeries to refuse a request from a patient or a processing partner for supporting medical information. This is due to GP surgeries facing increasing demand on their services and GP's time for 'non-clinical' matters. If an applicant is unable to gain supporting information from their GP, advise the applicant to try other agencies or professionals who may be involved with their case. In the absence of any medical professional being able to verify and support an applicant's health needs, the assessing officer should consider all other supporting information available including the applicants own self-assessment of their needs. The Council will not pay for the release of medical information from a GP.
18) Where the assessing officer believes that further medical information is required before they can complete the assessment the assessing officer should ask the applicant to obtain relevant information from their GP or medical professional dealing with them.
19) The assessing officer should not as a matter of routine ask the applicant to obtain further medical information. In the majority of cases, it can be expected that from the information provided by the applicant in answering the questions set that the assessing officer should be able to decide on whether the medical problem has such an impact to meet the criteria set out for an award of a Band A or B using the examples set out in this procedure for each of those Bands.
20) Further medical reports or information on the impact may be required where the officer is considering a Band A award and less likely when an officer is considering a Band B award.
21) There will be occasions when advice, or clarification, from a GP or hospital consultant may need to be sought by the applicant. For example, where it is claimed that an applicant's housing circumstances is severely affecting their mental health.
22) It is important to note that the assessing officer is not making a medical opinion. The role of the officer is to consider evidence re the impact of an applicant's current housing circumstances on any medical condition or disability.
23) Applicants who require support to live independently with their medical condition will be placed in a priority band for their medical need but may be suspended from bidding until an appropriate package of support has been agreed. If no appropriate

support package has been agreed the applicant will not be offered accommodation whilst a support plan/package is pursued.

24) Each individual on the application with a health or welfare problem will be assessed. If there is more than 1 member of the household whose health and/or welfare is being affected by their housing, their application will be awarded the need relating to the severest problem.
25) Where an applicant has been placed in bands A or B as a result of a medical need this may be reviewed on a regular basis to ensure the award is still relevant and will be reviewed at the point an applicant receives an offer.
26) The review will determine whether the level of priority is still appropriate. The review may involve a phone-call to the applicant and/ or support agency, an email, or a home visit.
27) Where an applicant already registered notifies a change of medical circumstances that are impacted by their current housing the applicant's priority will be re-assessed using the same process.
28) Applicants should be are informed in writing by email/letter of the outcome of their health and wellbeing assessment, and brief reasons explaining why the decision was made. If they disagree with the assessment there is a right to review but they should be informed that they must state the reasons for review in writing and provide any additional health and wellbeing evidence so the case can be reconsidered. (There are template letters for this purpose).
29) In addition to medical banding the assessing officer may also decide (but is not required to decide) to give a property recommendation or location recommendation upon which the banding award is conditional. The property recommendation or location would normally be due to clear evidence from an appropriate health professional or OT which is accepted by the officer.

Making the decision on what banding if any should be awarded

When medical priority will not normally be awarded

Medical priority will not normally be awarded in the following circumstances:

a) Where the applicant has a health issue, however severe, that is not impacted by the accommodation occupied
b) Health problems that are not affected by housing or cannot be improved by moving
c) Where a move would only make a marginal improvement to the applicant's condition
d) Medical impacts caused by housing defects that are likely to be rectified in a reasonable time frame.
e) Where another reasonable course of action is available to the applicant to resolve their difficulties.
f) Time-related medical problems (e.g., pregnancy-related problems or a broken leg)
g) Disrepair problems not impacting significantly on the applicant's medical condition. *(Note under the policy an applicant may receive priority separately for living in unfit or unsatisfactory housing depending on the assessment made of their circumstances and impact).*
h) Overcrowding not impacting significantly on the applicant's medical condition. *(Note under the policy an applicant may receive priority separately for being overcrowded).*

i) If the situation can be resolved by equipment or minor adaptations which can be implemented in a reasonable period of time.

The assessing officer should follow the 5 - stage process below

When assessing whether to award band A or B or no priority, the assessing officer will follow the 5-stage process set out below:

1. Is the medical/disability issue serious enough for a priority banding to be considered?

2. If the medical condition is serious enough for a priority banding to be considered the assessing officer should then decide if there is a direct link between the identified medical problem and the applicant's current housing accommodation/situation, i.e. on the facts obtained (from the applicant and any medical information or reports submitted including any advice from an independent medical advisor or OTT) is the officer accept that the applicant's current housing accommodation/circumstances is making their medical condition substantially worse, or will make it worse.

3. In practical terms the officer should consider the adverse effect this has on the applicant's ability to manage day-to-day tasks in their current home. The applicant's current housing accommodation/circumstances may be impacting on their medical condition or disability but not to the extent that an award of band A or B priority should be granted under the criteria adopted for the policy. The examples listed for an award of band A or B are used to guide the officer when making their decision.

4. Before making an award the assessing officer needs to be satisfied that there is a realistic expectation that the impact on the identified medical condition/disability would be removed or significantly improved through the provision of alternative accommodation.

5. If the officer is satisfied that the impact on the identified medical condition/disability would be removed or significantly improved they would then decide whether to award band A or B depending on the severity of the impact and using the examples below to guide them.

Examples of circumstances to help the assessing officer to decide when Band A (Emergency) should be awarded on medical or disability grounds

The following Band A examples are intended to guide the assessing officer on the threshold set for a Band A award. They can also serve to help an applicant understand the threshold for a priority award to be granted. A band A award is for *"Applicants who are **suffering sudden or severe progressive life-threatening** medical conditions and **need an immediate move** (e.g., to facilitate hospital discharge) because their current home is unsuitable (as it does not meet their medical needs and/or cannot be adapted) and **poses an immediate and serious danger** to the individual."*

1. Applicants who have a progressive, chronic or life-threatening medical condition and cannot be discharged from hospital because they do not have any accommodation, or their accommodation is unsuitable for example, because they cannot access toilet and/or bathing facilities in the property. This will include cases that cannot be discharged from hospital because their home is, and will remain, permanently entirely unsuitable or entirely inaccessible to live in.

2. Where the assessing officer accepts that the evidence from a relevant health professional indicates that there is a significant risk of serious and permanent injury and/or permanent disability.

3. Applicants who have a progressive, chronic or life-threatening medical condition and urgently need to move to accommodation with significant disabled adaptations, such as accommodation suitable for a wheelchair user.

4. A serious illness, where an applicant is receiving palliative care and urgently requires rehousing to facilitate the on-going provision of that care

5. The applicant's health is so severely affected by the accommodation that it is likely to become life threatening, e.g., applicant has severe mental health problems that are significantly exacerbated by their accommodation and that opinion is fully evidenced by the applicant's consultant or mental health services

6. Due to limited mobility a person is unable to access essential parts of the property e.g., bathroom/toilet and no adaptation is possible

7. A member of the household is elderly or disabled or has a progressive illness and is likely to require admission to hospital or residential/nursing care in the immediate future and re-housing would enable the person to remain at home.

8. Where the applicant is prevented from having access to kidney dialysis, respiratory, or other similar essential equipment. This will normally apply where these circumstances are likely to prevent someone from remaining in their home for all or most of the time. Such a condition would be likely to be ongoing, rather than a temporary condition

Examples of circumstances to help the assessing officer to decide when Band B should be awarded on medical or disability grounds

1. A life-threatening condition which is seriously affected by the current housing and where re-housing would make that condition significantly easier to manage

2. A life limiting condition and their current accommodation is affecting their ability to retain independence or enable adequate care

3. A new and life-changing condition that severely impairs their mobility, meaning they are unable to carry out day-to-day activities, or have difficulty accessing facilities inside and outside of their accommodation and require housing into suitable accommodation

4. An applicant or member of his/her household usually has a chronic condition examples might include a respiratory condition, severe asthma or emphysema – and that the condition is being made worse by the current accommodation.

5. Where their current property leaves a person at risk of infection, e.g., where an applicant is suffering from late-stage or advanced AIDs

6. People who have a severe mental health or learning disability which significantly affects their ability to lead a normal life and which puts them at risk of admission to hospital or residential care. Evidence would normally need to be provided from a specialist consultant psychiatrist or a certified paediatric nurse that their current accommodation is having a significant detrimental impact on the mental health of any member of the household

7. People living in a mobile home, caravan or converted vehicle which, due to medical conditions, the vehicle cannot meet their essential needs

8. Where remaining in the current accommodation poses a significant risk of serious and permanent injury and/or permanent severe disability

9. Someone with a medical or disability who's housing has rendered them housebound

10. Where a move would avoid the need for another service (e.g., Social Services) from having to provide a significant level of support. This might include for example residential care, overnight care provision, or other support with similar resource implications

11. Where someone suffers with epilepsy or other conditions that cause frequent and unpredictable falls and all medical interventions to prevent them have been investigated. This will involve an assessment of the layout of their current accommodation, for example the number and nature of steps, stairs or other hazards that may increase the risk of serious injury

12. The applicant or household member requires significant disabled adaptations to meet their needs and this is not possible in their current accommodation or would not be cost effective.

13. Armed forces personnel who need to move to suitable adapted accommodation because of a serious injury, medical condition or disability that he or she has sustained as a result of service.

14. Veterans who have actively served in the armed forces and are suffering from severe post-traumatic stress disorder or serious illness directly related to service in the forces

15. An occupational therapist has identified that the current accommodation is partially suitable but:
    - The applicant or member of his/her household needs a major adaptation, such as a level access shower; or
    - The applicant or member of his/her household has significant difficulty managing stairs or difficulty accessing the property owing to stairs or slopes leading to doorways and the occupational therapist recommends a lift, ramped access or ground floor living; and
    - The adaptations are unlikely to be completed in a reasonable period of time

16. Applicants who have significant mobility issues and would benefit from a move to ground floor or level access accommodation

17. Applicants who have significant mobility issues and would benefit from a move to accommodation that has level access showering facilities

18. Children with severe conditions such as autism, or cerebral palsy or ADHD where their long-term needs cannot be met without long term settled accommodation.

19. A person with a severe disability requiring some adaptations to their property that cannot be provided for in their current accommodation.

20. Where an applicant can access their home but struggles to access normal day-to-day facilities within it (e.g., bath/shower/toilet) without experiencing significant difficulty, pain or other discomfort. This would include cases where an adaptation is possible but cannot be undertaken in a reasonable period of time. *(Note: any priority would be removed if an adaptation is completed, or work started)*

Reference points to help the assessing officer consider the medical condition and how it should be managed

Use the BNF – National Institute for Health and Care Excellence (NICE) website to help you obtain advice on any medical condition, treatment and drugs taken by the applicant

a) Treatment summaries for every condition – very useful in that it covers how the condition needs to be managed and what is considered a serious level of medication
https://bnf.nice.org.uk/treatment-summary/

b) Drugs – description of every drug and information relevant to dosage and side effects
https://bnf.nice.org.uk/drug/

Appendix 5 - Right to Move Qualifying Criteria

Right to Move – Statutory guidance on social housing allocations for local housing authorities in England

An existing social housing tenant (living outside the Select Move area) will not be disqualified on the grounds of no local connection if they: have reasonable preference under s166(3)(e) because of a need to move to the districts of Chorley, Preston or South Ribble to avoid hardship, and need to move because the tenant works in the districts of Chorley, Preston or South Ribble or need to move to take up an offer of work in the districts of Chorley, Preston or South Ribble.

If the criteria above are met then the applicant will be awarded local band B to the relevant district for:

“An applicant who needs to move to a particular locality and otherwise would suffer significant hardship to themselves or a member of their household and where a financial assessment into that hardship has been undertaken”.

Whether or not the applicant meets the above criteria isn’t solely determined by the need to move for work, but that it would cause them hardship if they were able to do so.

Definition of Work

- Work should be a permanent contract or one with a minimum term of 12 months.
- Work should be of 16 or more hours a week (unless it can be demonstrated that the earnings are substantial).
- Work should not be voluntary.
- Work can include apprenticeships.
- The relevant district should be the main place of work.
- In the case of self-employed tenants, work should be regular as opposed to intermittent

Distance, time and travel costs

When determining hardship, the time taken to travel to work and the cost of the travel should be taken into account. The Select Move partnership considers the following criteria could suggest hardship:

Travel time to get to work is in excess of an hour each way (personal or public depending on circumstances). Travel costs are more than £15 per day or 25% of net income from the employment. There is no transport available at all.

Other factors

These factors are all considered on a case by case basis as to whether hardship would be faced by the applicant if they could not move:

- Would failure to move mean the applicant would lose an opportunity to gain a better job/promotion, an apprenticeship, increase hours/pay or move from unemployment to employment.

- If the nature of work likely to be available closer to the applicant's home.

- Personal factors including care responsibilities and medical conditions affected by the tenant not being able to move closer to work.

- Any other situation where hardship would be demonstrable if the tenant could not move.

Discretion

Every application will be dealt with on a case by case basis allowing all circumstances and variables to be considered.

Proof of Work

- A combination of the following can used as to prove that work or a job offer is genuine:

- Contract of employment (particularly if stating main place of work).

- Wage slips showing hours worked (particularly if zero hours contract) but they are unlikely to evidence the location of work.

- A letter offering employment (it is likely that the employer will be contacted to confirm acceptance).

- A letter from an employer to prove the work and location.

Right to Move Quota

1% of a Partner Landlords lets will be prioritised for Right to Move applicants based on the total of the previous year's lettings by the landlord in each district. The number of Right to Move lets will be rounded up to the nearest whole figure, and prioritised for Band B with the advert stating that 'applicants from outside the Select Move area who need to move for work and have been awarded Band B for Hardship will be prioritised'. The quota level will be reviewed annually based on demand.

Appendix 6: How the SMP will apply the unacceptable behaviour qualification test

The assessing officer will be guided using the following framework:

1. The behaviour need not have led to possession, prosecution or other enforcement action by a statutory agency, provided that, on the balance of probability, the household is responsible

2. In normal circumstances the behaviour concerned should have occurred within the last two years. In cases of a more serious nature, for example, those involving criminal prosecution, a longer timescale may be appropriate.

3. There must be reasonable grounds for believing that the behaviour could continue or be repeated. For example, the applicant may have issued threats, or there might be a history of repeat offending.

The assessing officer will specifically consider:

a) The seriousness of the applicant's behaviour
b) The duration of the behaviour and/or the number and frequency of incidents
c) The length of time that has elapsed since the behaviour took place
d) Any relevant vulnerability or support needs that may explain the behaviour
e) Whether there is meaningful engagement with support agencies
f) Critically, whether there has been a significant and sustained change in the applicant's behaviour
g) Whether they believe on the evidence that the behaviour is likely to still reoccur now or at the point a tenancy was offered or commenced
h) Whether the circumstances that caused the behaviour have changed. For example, whether nuisance was caused by drug or alcohol problems that the applicant has since successfully resolved
i) Whether the member of the household responsible for the behaviour is still a member of the household
j) Whether the SMP can accept any assurances from the applicant as to future behaviour.
k) If the unacceptable behaviour is believed to be due to physical, mental or learning difficulties, whether, with appropriate support, the applicant could maintain a tenancy
l) The applicant's current circumstances. For example, health needs, dependents and any other relevant factors.

Applicants to whom the rule is applied will be written to and informed that:

a) That the unacceptable behaviour rule has been applied to their case and either they do not qualify, or that they qualify but cannot bid until the behaviour has been resolved
b) What they must do to resolve the problem
c) That for either decision i.e., disqualification or qualification but not allowed to bid, it is the applicant's responsibility to notify the SMP when they have, in their view, resolved the issue and that they will need to present evidence to back up their view.
d) Where an applicant is disqualified for unacceptable behaviour, they will have a right to ask for a review of the decision made to disqualify them.

Note: where an applicant is disqualified, any new application will normally only be reconsidered at the request of the applicant and only where there has been no reasonable cause for complaint or concern against the applicant (or members of their prospective household) for a continuous period of 12 months.

Appendix 7: How the SMP will apply the disqualification rule where it is suspected that false information has been provided, or important information has been withheld.

Section 171(1) of the Housing Act 1996 makes it an offence for anyone, in connection with the exercise by a local housing authority of their functions under Part VI of the Housing Act 1996 (and therefore in seeking an allocation of accommodation) to:

a) Knowingly or recklessly make a materially false statement or

b) Knowingly withhold information that the SMP reasonably required him/her to give in connection with the exercise of those functions.

c) A person guilty of this offence is liable on summary conviction to a fine at the date of this scheme document of up to £5,000.

d) The circumstances in which an offence is committed could include:

e) Any false information given on an application form for housing/accommodation (including transfer applications).

f) Any false information given in response to subsequent correspondence.

In addition, making a fraudulent application for housing may constitute an offence under the Theft Act 1968 and/or the Fraud Act 2006.

In many cases, applicants will have provided incorrect or inadequate information on their application form, but the assessment concludes that there was no deliberate intention.

It will be for the assessing officer in the first instance to decide if any errors contained in an application were deliberately made or not. If the officer is satisfied that the errors were not deliberate, or that it had no impact on the application, then no action will be taken though the applicant may be warned about the need to provide accurate information and the consequences for not doing so.

However, if the assessing officer has concerns, these will be discussed with their Manager who will decide if they:

1) Are satisfied that there is insufficient evidence to disqualify the application on these grounds.

2) Want more information to be gathered before a decision can be made.

3) Feel that there is insufficient evidence at the moment but want a more detailed investigation.

4) Are satisfied that the applicant has provided fraudulent information or withheld important information.

In serious cases the SMP will notify the Police.

If the decision is that applicant has given false information or withheld information they will not qualify for the register, or where information emerges after they have been placed on the register, they will be disqualified. In these circumstances a letter will be sent to the applicant to notify them of the decision, and they will have a right to seek a review of that decision.