
Amendments to Policy

From time to time amendments may be necessary to ensure that this policy is up to date. Below is a list of amendments made to sections since this policy was originally revised and launched.

| Amended Section | Date of amendment |
|---|-----------------------------|
| 1. Retiring Council Employees [Group F] – Section 6.17.1 | 24 th March 2016 |
| 2. Non-statutory Succession (Discretionary Tenancy) [Group F] – Section 6.24.2 | 19 th April 2016 |

THE LONDON BOROUGH OF NEWHAM'S ALLOCATION POLICY

General Introduction and Statement about Discretion

This Allocation Policy document sets out in detail the Council's general policies relating to the allocation of social housing and the procedures and processes used by officers to implement those policies.

To ensure fairness, the policies described in the document are applied consistently.

The individual circumstances of each applicant are considered in every case using the information provided by the applicant on their Housing Registration Form and subsequently upon any requests for additional information that may result from the answers that the applicant gives.

The policy allows for any provision to be considered and waived in exceptional circumstances and at the discretion of the appropriate senior officer with delegated authority (as stated in the Department's Scheme of Delegations). This would normally require a full report of the circumstances of the individual case to be prepared by a senior housing officer for the consideration of the delegated officer (currently the Head of Housing Needs).

| Section | Title | Page No |
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| Section B | Direct Offers Choice Based Lettings and Tenants Seeking Transfers | |
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| Section E | Void Process and Offers of Accommodation | |
| Section F | Compensation Payments Available on Re-Housing | |
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SECTION A: WHO QUALIFIES FOR HOUSING or RE-HOUSING

1. Who can register on the Allocation Scheme?

1.1 Persons over 18 years of age and who have been living in Newham for 2 years continuously prior to registration, or with a strong local connection with Newham (as described below) can normally be registered on the Housing Register, subject to some of the exceptions and restrictions listed below and other exceptions in paragraph 12 of Section B of this policy.

2. Local Connection Rules

2.1 People registering on the Housing Register who live outside Newham, where they have a strong local connection with Newham can be considered in the same way as applicants who live in the Newham.

2.2 'Local connection' applies when at least one of the following conditions is met:

- (a) The applicant has employment in Newham
- (b) The applicant has close relatives who presently live in Newham and who have lived in Newham for at least 5 years. (Close relatives are defined as parents, children, brothers and sisters.)
- (c) The applicant is a Newham tenant living in one of Newham's out of borough estates at Brentwood, Rainham or Aldersbrook.
- (d) The applicant is owed a duty by Newham under Part VII of the Housing Act 1996.
- (e) The applicant has been placed in a women's refuge outside Newham but was referred to that refuge by the Council or another organisation in Newham and who lived in Newham for two years immediately prior to occupying the temporary accommodation
- (f) The applicant has been placed in accommodation by the Council or the Newham Local Health Authority, and who are continuing to receive services from the Council or the Newham Local Health Authority.
- (g) Applicants nominated to the Council through the Pan London Mobility Scheme, Safe & Secure scheme and any other scheme to which the Council subscribes.

2.2.1 Where an applicant does not meet at least one of the above residency criteria, they cannot register and will be informed of the reasons in writing.

2.2.2 Where an existing applicant registered on the waiting list subsequently moves out of Newham, their applications will still be considered in the normal way as long as they continue to fulfil the local connection requirements.

2.2.3 The Local Connection rules above will not apply to applicants who are serving in the regular forces or who have served in the regular forces within five years of the date of their application.

2.2.4 The Local Connection rules above will also not apply to those applicants who have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that applicant's spouse or civil partner where—

- (a) The spouse or civil partner has served in the regular forces; and
- (b) Their death was attributable (wholly or partly) to that service; or
- (c) Is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.

3 Homeless households placed in Newham by other local authorities

3.1 A number of local authorities use temporary accommodation in Newham for their homeless households. Applicants who in the opinion of the Council are owed a duty under Part VII of the Housing Act 1996 by another local authority will be excluded from the Housing Register.

3.2 Where this applies, the applicant will be informed of the decision in writing.

3.3 Where the particular local authority discharges its duty under Part VII of the Housing Act, and the applicant remains in Newham, or remains having a local connection with Newham, the application then will be re-assessed to determine their eligibility to join the Register.

4. Housing Association Tenants

4.1 Housing association tenants may be included on the Housing Register in the same way as other applicants. They should, however, be encouraged to apply to their own landlords for inclusion on their transfer schemes, where appropriate.

5. Home Owners

5.1 Unless exceptional circumstances apply, any applicants who own their homes, or own residential accommodation elsewhere, will not be considered for a housing allocation, these applicants will not be eligible to register. The applicant will be notified of this in writing and a copy retained on the file.

5.2 Where an owner-occupier requests permanent housing from the Council, they will be referred to one of Newham's local service centres for advice about how to resolve their housing need. They will also be referred to Newham's online advice and assessment tool HED (Housing and Employment Destination) where they can obtain information on a range of options to help resolve their particular housing need.

5.3 Applicants who have sold a property in the last 7 years will be required to provide the completion statement and proof of capital receipts to determine their priority. Applicants who have assets worth £60,000 and above will be directed to home-ownership options once they are registered, they will be given reduced priority in accordance with Section B of this policy.

5.4 Applicants who are owner-occupiers in need of temporary decanting whilst renovation for grant-aided works are being carried out, will be considered for assistance where they are able to demonstrate that they are unable to find their own temporary accommodation.

6. Persons from Abroad

6.1 A person will not be entitled to register on the Housing Register where they are subject to specific exclusion on the grounds of their immigration status, or persons from abroad, as defined in s160ZA of the Housing Act 1996 and associated statutory instruments.

6.2 The Housing Register Team Leader must endorse any exclusion on this basis.

7. Unacceptable Behaviour

7.1 Unless exceptional circumstances, apply, applicants will be excluded from the Housing Register if their previous behaviour as a tenant of the Council, or the behaviour of a member of their household, has not been acceptable and there are reasonable grounds to believe that the applicant will not be a suitable future tenant. An example of this might be where an

applicant was previously evicted from accommodation because of serious anti-social behaviour or rent arrears.

7.2 In exceptional circumstances, applicants will sometimes be allowed to register on the Housing Register but will be accorded reduced priority when bidding for properties in accordance with this policy.

8. Anti Social Behaviour

8.1 Where an applicant is the subject of actions being taken by the Council (or some other competent body) on grounds of alleged Anti Social Behaviour (ASB), the ASB case officer will notify the Lettings Agency Manager at each stage of the court proceedings. Notification will include full names (including aliases), date of birth, last known address(s) the date and stage of action taken and (where appropriate) the duration of the order or undertaking. If known, the iSYS person number will be included. The Council reserves the right to exclude an applicant from the Housing Register because of his or her alleged ASB but actions falling short of exclusion are listed in the table below.

8.1 The Lettings Agency Manager will arrange for agreed action, and a letter is sent to the applicant informing them of this decision. This letter will include their right to review.

8.2 The ASB Case Officer will keep lettings informed of changes in status.

8.3 The Enforcement & Safety Division will send complete lists every six months to the Lettings Agency Manager.

8.4 Reviews will be dealt with by the Housing Register Team Leader. Where a review is on the basis that behaviour is not likely to continue, the Lettings Agency will obtain a report on the current situation from the ASB team. Applicants who disagree with the outcome of a review can seek a judicial review of the decision.

8.5 The above applies to all applicants, including those who have been accepted as homeless.

8.6 Where the ASB team wishes the policy to apply to someone not in accommodation provided by the Council, an assessment of the evidence and the behaviour will be carried out jointly by the LO (Local Office) and EIM/SEO and a decision made.

8.7 Schedule of Possible Action

| Stage of Action | C&ASB | Lettings Agency | Duration |
|-----------------------------|----------------------|------------------------|---|
| NOSP served | No action | No action | No action |
| Proceedings issued to Court | LO notifies lettings | Suspended from bidding | Until final court hearing |
| Undertaking to Court | No further action | No further action | No further action |
| Interim injunction | No further action | No further action | No further action |
| Final Injunction | LO notifies lettings | Suspended from bidding | For duration of injunction (up to 2 years maximum) |
| Suspended PO | LO notifies lettings | Suspended from bidding | For the duration of suspension, but no more than 2 years) |

| | | | |
|---------------------------|----------------------|------------------------------------|---|
| Demoted tenancy | LO notifies lettings | Suspended from bidding | For duration of demotion (usually one year) |
| Outright Possession Order | LO notifies lettings | Suspended from bidding | Until eviction |
| Eviction/conviction | LO notifies lettings | Excluded from the Housing Register | Excluded from the Register for 5 years |

8.8 Where applicants are excluded from registration, the Housing Register Team enters the appropriate not suspension code on the iSYS computer system.

9. Private sector applicants who are subject to a court order for breach of tenancy conditions

9.1 Applicants who are not existing tenants of the Council and who are subject to a court order or an interlocutory order for breach of tenancy conditions in their present dwelling are not entitled to register on the Housing Register.

9.2 Checks will normally be carried out at the visit stage but can be carried out at any time if this matter comes to light. The Housing Register Officer will ask the applicant directly if there are any court orders outstanding against them, and record any details given.

9.3 Where the applicant states they there is an outstanding court or interlocutory order against them for breach of tenancy, the Housing Register Officer will refer the case to the Housing Register Team Leader who will then judge whether it is reasonable to suspend the applicant from bidding in accordance with this policy.

9.4 If the Housing Register Team Leader is satisfied that the applicant is wilfully at fault they will exclude the applicant from the Housing Register using the appropriate code. .

9.5 The applicant must be informed in writing. A copy of the letter is kept on the applicant's file.

10. Other circumstances where applicants may be excluded from the Register

10.1 In Section B this policy sets out certain circumstances where applicant's will be the subject of investigation in circumstances where the Council has reason to believe that they have provided misleading information in support of their application or have failed to provide information which should otherwise have been provided. As explained in para 12.8 of Section B the Council reserves the right to exclude an applicant from the Housing Register. This is without prejudice to the Council's right to otherwise suspend applicants from bidding in accordance with the terms of the policy.

11. Exercise of Discretion

11.1 The Council will, in exceptional circumstances and in accordance with relevant government guidance, exercise its discretion when making decisions regarding applications to register on the Housing Register and in the conduct of reviews of decisions made in accordance with this policy.

12. Right of Review

12.1 Applicants excluded from the Housing Register have a statutory right to have the decision reviewed. See Section I: Rights of Review, of this policy for further details.



SECTION B: DIRECT OFFERS, CHOICE BASED LETTINGS AND TENANTS SEEKING TRANSFERS

1. Introduction

1.1 The Council operates within a choice based allocation scheme called ELLC Choice Homes. The Council and other housing providers including registered social landlords have joined together to increase applicant choice wherever possible, while continuing to meet housing need. The Council's policy is to offer the majority of applicants a choice of accommodation by way of this choice based lettings scheme. The remaining allocations will be made to those in the direct offer groups set out below in this section B. These applicants may express some preferences as to the properties they are offered and will be able, in accordance with the Enhanced Bidding rules set out below, to bid for properties through the choice based lettings scheme.

1.2 The decision to designate a property as suitable to be used as a direct offer property will depend on the supply of property available to the Council at any one time. When designating a property for a direct offer, the Council will take into account the supply available to it as well as the urgency with which certain applicants in the decant categories (as defined below) need to be re-housed as well as the applicants' housing needs.

2. Initial Assessment of Applications

2.1 For the purposes of CBL applications are placed into the applicant groups set out on this section by the Housing Register Officer. The placement is based on information supplied by the applicant.

3 Priority Homeseeker (PH)

3.1 This group contains those applicants whose circumstances are such that they fulfil one or more of the 'reasonable preference' (RP) criteria defined in s166A Housing Act 1996.

3.1.1 An adult applicant with his or her own room in their parental home will be deemed by the Council to be adequately housed.

4. Homeseeker (H)

4.1 This group contains those applicants who do not fulfil any of the RP and who are not Tenants Seeking Transfers.

5. Tenants Seeking Transfers (T)

5.1 This group contains Newham Council tenants who are applying for a transfer who do not fulfil any of the RP criteria.

6. Direct Offers

6.1 The direct offer groups are:

- (a) Additional Preference (Emergency Re-housing) [Group A]
- (b) Additional Preference (Multiple Needs) [Group B]
- (c) Under-occupation Transfers [Group C]
- (d) Transfer from adapted properties [Group D]
- (e) Decants [Group E]

(f) Special Schemes [Group F]

6.2 Additional Preference Group (emergency re-housing) [Group A]

6.2.1 This group contains applicants with exceptional circumstances and who need to move urgently on harassment, medical or social/welfare grounds.

6.2. Harassment grounds [Group A]

6.2.1 Applicants with a potential emergency re-housing need on harassment grounds are, in the case of Newham Council tenants, referred to the Lettings Agency by one of the housing management contractors (Swan Housing & Pinnacle) or by one of the Tenant Management Organisations (Carpenters, TMO or CTR Triangle TMO.) or by Housing Management Service. Emergency re-housing status is decided by a panel consisting of the Lettings Agency Manager, a senior manager from the Housing Management services and a senior manager from the Enforcement Safety Division. In all cases decisions are based on the criteria contained in the ASB staff casework manual and would normally apply to people who would be in serious danger by remaining at their current address where the risk will be reduced by moving and where applicants have co-operated to take to take enforcement action against the perpetrator.

6.2.2 Transfers under this heading, if agreed, will be on a like for like basis in terms of property type and size, unless the transferee is under-occupying the property from which he or she is moving.

6.3 Medical grounds [Group A]

6.3.1 Applicants who have been assessed by the Council as having a medical condition that is so severe that it is impossible for them to live in their current home. They may be in hospital or other residential care and can be discharged only if they are re-housed to more suitable accommodation. They may also be living in accommodation that requires adaptation but such adaptations either cannot be carried out at all, or where they are technically feasible but not within reasonable cost limits as determined by the Council in comparison with the average cost for adaptations. More information is given in Section G: Medical Assessments of this policy.

6.4 Social / welfare need grounds [Group A]

6.4.1 Emergency re-housing status on social/welfare grounds is authorised by a joint Housing/Children & Young people and Adult Services panel, containing senior officers from both departments. The panel considers referrals from social workers, and the Social Services Department have their own procedures for referrals to the panel. The criteria (one or more must apply) for emergency awards in this category are:

- (a) Likelihood of admission to residential care of a family member if re-housing is not made.
- (b) Likelihood of a child being accommodated by the local authority if re-housing is not made.
- (c) Discharge from hospital or residential care is required and is prevented by the housing situation.
- (d) A child experiencing abuse needs to be moved away from the perpetrator.
- (e) The applicant, or member of their household, is at serious risk of harm either to themselves or to other people in their present accommodation.

6.4.2 In addition, the following conditions also have to be met:

- (a) The applicant is receiving significant support from the Social Services Department.
- (b) The applicant's wellbeing is seriously affected by their housing situation.
- (c) The applicant cannot reasonably be expected to find accommodation for themselves

6.5 **Multiple Needs Group [Group B]**

6.5.1 This group comprises applicants whose households are entitled to reasonable preference in the allocation of housing on more than one of the Reasonable Preference grounds. The Lettings Agency will conduct an additional assessment of the needs of these applicants in order to determine whether the household should be accorded any additional preference to that already being given because of their position in the PH group.

6.5.2 The mechanism for carrying out the assessment is the completion of a pro-forma (see page 8 below) by a Housing Register Officer either at the initial assessment stage or after an applicant's circumstances have changed in such a way that they should be afforded a reasonable preference within the allocation scheme on more than one ground. The assessment is endorsed by a senior manager within the Lettings Agency.

6.5.3 For the purposes of the assessment, the test used for determining overcrowding is non-permissible statutory overcrowding as defined in the Housing Act 1985 (sections 324-326). If an applicant's overcrowding was brought about through natural growth during the period of their tenancy (e.g. through the birth of children), this is 'permissible' overcrowding as defined in the Act and is not taken into account in the assessment.

6.5.4 Following the assessment, applicants will be notified of the decision in writing.

6.6 **Multiple Needs Assessment**

6.6.1 This assessment of Additional Preference (AP) is to be conducted following an initial assessment that a household's housing needs fall into more than one Reasonable preference category. If there is a positive response to any of checks 1 or 2 the AP assessment is not required.

6.6.2 Multiple Needs Assessment of Additional Preference Form

| | If Yes | If No |
|---|--|--|
| <p>1) Current Housing Prospects</p> <p>Could the household currently secure suitable housing through the East London Lettings Company (ELLC) Choice Homes service?</p> | <p>Advise households of East London Lettings Company (ELLC) Choice Homes service & check household know how to use it.</p> | <p>Continue</p> |
| <p>2) Homelessness</p> <p>Is the household homeless or owed a duty of homelessness?</p> | <p>Liaise with Homeless Persons Unit to ensure circumstances have been properly assessed and that suitable accommodation is available.</p> | <p>If no suitable accommodation is available, score 1 in box below and continue</p> <div style="border: 1px solid black; width: 40px; height: 20px; margin-left: auto; margin-right: auto;"></div> |
| <p>Assessment</p> | | |
| <p>1) Unsatisfactory Accommodation</p> <p>Is the household's current accommodation statutorily overcrowded or subject to Environmental Health abatement action?</p> | <p>Score 1 in box below and continue</p> | <p>Continue</p> |
| <p>2) Housing Related Health/Welfare</p> <p>Does two or more members of the household have reasonable preference to move on medical ground? If yes score one for each additional member of the household.</p> | <p>Score 1 in box below and continue</p> | <p>Continue</p> |
| <p>3) Hardship</p> <p>Has the household a need to move to another part of the Borough to avoid hardship?</p> | <p>Advise of transport services. If transport services not appropriate score 1 in box below and continue</p> | <p>Continue</p> |
| <p>Assessment</p> <p>Total score from assessment questions 1,2 and 3 and check question 2</p> <p>1/2/3 = No Additional Preference 4 or more = One direct offer of a suitable property</p> | | |

Signed:

Position:

Date: _____

6.7 Under-Occupation Transfers [Group C]

6.7.1 These are transfers for Council tenants who are occupying accommodation larger than their needs and who are willing to move to smaller accommodation. They will be allowed to under-occupy by one bedroom.

6.7.2 This may include tenants of registered providers who wish to transfer to a smaller property via the Council's scheme if the landlord is willing to give the resulting void to the Council outside the nomination agreement.

6.8 Transfer from adapted properties [Group D]

6.8.1 This is for Council tenants who are willing to move and are living in accommodation that has been extensively adapted to wheelchair standard (or purpose-built) to meet the needs of a disabled person and these features are no longer needed. The suitability of non purpose built properties for another applicant needing these facilities will be assessed by the Occupational Therapist in consultation with the Lettings Agency manager to determine the applicant's eligibility and priority to move.

6.8.2 Tenants of registered providers may be included in the scheme in line with paragraph 6.7.2 above.

6.9 Decants [Group E]

6.9.1 The decant group includes those where a household must be re-housed as a result of Council action, such as major repairs, rehabilitation or improvement works or Environmental Health enforcement action. Re-housing may be either on a permanent or temporary basis. Council tenants made homeless as a result of fire or flood are also dealt with as an emergency decant.

6.10 Individual decants [Group E]

6.10.1 Decants are prioritised by date order in which re-housing is required.

6.10.2 A monthly report listing all outstanding decant cases is available on the iSYS reporting service. The Allocation Team will monitor all cases listed to check the progress of decant cases on a regular basis.

6.10.3 The decision to award decant status, and whether re-housing is to be temporary or permanent, is taken by the Lettings Agency Manager in consultation with the appropriate management contractor/TMO following referral to the Lettings Agency using a standard pro forma.

6.10.4 All decant cases are registered using the following re-housing codes on iSYS:

| | |
|------------|--|
| (a) EMERGE | Decant 3 Months (Referred to below as Urgent Decants) |
| (b) HIGH | Decant 6 Months (Referred to below as Non-Urgent Decants) |
| (c) MEDIUM | Decant 9 Months (Referred to below as Non-Urgent Decants) |
| (d) LOW | Decant 12 Months (Referred to below as Non-Urgent Decants) |

6.11 Block / area decant schemes [Group E]

6.11.1 This group includes Council tenants within larger scale decant schemes, such as those within designated regeneration areas, are prioritised according to the relative urgency of the scheme at any given time as determined by the appropriate service managers. In terms of CBL bids,

bids between tenants within the same decant scheme (or phase within that scheme) are prioritized according to the length of tenancy.

6.12 Temporary or Permanent Re-housing [Group E]

6.12.1 With the exception of decants due to Closing or Demolition Orders, private sector applicants are offered only temporary re-housing by the Council until their property has been reinstated.

6.12.2 Decisions about whether a Council tenant is to be temporarily or permanently re-housed will depend on a number of factors. In all cases, temporary re-housing must be considered as the first option. However, permanent re-housing may be provided where:

- (a) the tenant is unable to manage two moves on medical grounds or because of their age. This must be confirmed by the opinion of the Council's Medical Adviser (see Section G: Medical Assessments, of this policy), provided that no confirmation is required if the tenant is over 70 years old; or
- (b) the property is being reduced in bedroom size and the tenant's household would be too large for the improved dwelling; or
- (c) the tenant is being decanted because of major repairs and these repairs will take an excessively long time; or
- (d) the tenant is already registered for a transfer, and it is considered preferable to accelerate their re-housing instead of temporary decanting.

6.12.3 Where temporary re-housing is required, and the tenant is unable to find their own alternative accommodation with family or friends, the Council will provide:

- (a) bed and breakfast for decants less than 4 weeks in duration; or
- (b) non-secure Council stock for decants lasting more than 4 weeks.

6.12.4 Compensation payments [Group E sub-group]

6.12.5 Details of the various types of compensation payments, the level of payment, and method of administration for processing payments made to applicants who are either decanted on a temporary or permanent basis are given in Section F: Compensation Payments Available on Re-Housing, of this policy.

6.13 Special Schemes [Group F]

6.13.1 There are a number of individual schemes which the Council operates which are administered by the Lettings Team. These applicants will receive only one direct offer of accommodation and are not able to bid for properties. Special Scheme applicants will be prioritised according to the date they accepted on to the relevant scheme. Any medical requirements must be investigated at the time of the application and not at the offer stage. If no medical conditions are stated on the registration form then they can be offered any type of accommodation and any floor level.

6.14 Fostering and Adoption Scheme [Group F]

6.14.1 The housing departments and the social services department of the Council will co-operate by providing a small quota of two & three bedroom units to enable families to foster children on a short-term basis, thereby overcoming the need to place children in residential care.

6.14.2 The Fostering & Adoption team in CYPS decides which cases to nominate. They send an email requesting that the case be considered through the Fostering & Adoption Scheme.

6.14.3 Upon receipt of the nomination the case is given the category "FOSTAD", Where a nominee is not an existing Newham Council tenant, an investigation visit is then arranged in order to confirm the nominee's general eligibility for re-housing.

6.14.4 Any medical requirements must be declared at the time of the application and not at the offer stage.

6.15 Leaving Care Scheme [Group F]

6.15.1 The housing and the social services departments of the Council will co-operate by providing a quota of units for young adults who are either leaving long-term care, be that a residential or foster home environment, or any other child for whom the Local Authority has a responsibility under the Children Act 1989. These are mainly one bedroom units, but a small quota of 2 bed units is available for sibling sharers and young parents.

6.15.2 The aim of the scheme is to provide independent living for vulnerable teenagers. The Leaving Care Team in Children services decides which cases to nominate. Applicants must meet the following criteria:

(a) The young person has been looked after or placed on a residence order with a family member other than parent, by Newham Social Services for a minimum of six months.

(b) The young person must be at least 18 years old. In exceptional circumstances, under 18's will be re-housed when approved by the Service Manager, Young People's Team.

(c) A satisfactory assessment is carried out by the social worker and young person, to ensure that the young person has adequate basic skills to live independently.

(d) There is an after-care agreement in place for the young person.

6.15.3 The Leaving Care Team helps the care leaver to apply on the Housing Register and sends the nomination (including details of the name and contact number of the applicant's social worker) to the Lettings Agency. Upon receipt of the necessary documentation, the case is given the category "LEAVEC".

6.15.4 Any medical requirements must be declared at the time of the application and not at the offer stage.

6.16 Hostel Move-On [Group F]

6.16.1 A quota of 1-bed units is given to various organisations that provide hostel accommodation for single homeless people in Newham that have a move-on requirement. The quota is distributed on the basis of 'notional' turnover of residents and performance in terms of successful referrals from the Council's Housing Options Centre.

6.16.2 Hostel residents may be nominated under this scheme by these organisations where the applicant is in need of settled accommodation and unable to secure it for themselves. If this does not apply, they cannot be accepted through the Hostel Move-On Scheme, but are advised to register on the housing list in the normal way.

6.16.3 Where the resident is eligible for nomination through the Hostel Move-On Scheme, they must register and a nomination sent to the Lettings Agency. The applicant is then registered on the

iSYS computer system, using application category "HOSTEL". An investigation visit is then arranged in order to confirm the nominee's general eligibility for re-housing.

6.16.4 Hostel Move-On applicants will receive one direct offer of accommodation. Any medical requirements must be declared at the time of the application and not at the offer stage. Hostel Move-On applicants can be offered any type of property and any floor level unless specific medical recommendations are made in advance.

6.16.5 The number of units allocated to organisations under the special schemes will be reviewed annually by the Lettings Agency and recommendation to increase, decrease or cease the provision of units to the organisation will depend on the performance of the organisation in terms of giving access to nomination from the Housing Options Centre, those with strong local connections and whether they still support the delivery of the Council's priorities. The decision to increase, reduce or cease access to quota will be made by the Head of Housing Needs in consultation with the Director responsible for Housing. The organisation will be notified of the decision and the reason for the decision.

6.17 Retiring Council Employees [Group F]

6.17.1 This scheme provides alternative permanent re-housing to Council employees, with service tenancies that commenced before September 2010 on termination of employment through retirement, redundancy or resignation. In addition, where a caretaker dies in service, their partner is re-housed in accordance with the caretaker's entitlement under this scheme.

6.17.2 Retiring Council Employees have a range of entitlements depending on their level of service as a caretaker and employing department these are:

(a) Caretakers who were in service at the 31st December 1989 and have been in post for:

- (i) more than 15 years if less than 50 years old, or
- (ii) more than 10 years if 50 years or older,

on the 31st December 1989 do not have to move. In these circumstances, the Head of Housing Management in consultation with Head of Housing Needs has authority to make the tenancy secure. This policy is almost absolute because of the time factor. Therefore anyone new applying would only qualify under c, d, or e.

6.17.3 The only exceptions to this are where:

- (a) the property is designated as a caretaker unit and required by a successor; or
- (b) the person is currently occupying a 4-bed unit, and is under-occupying by 3 bedrooms,

in these cases the entitlements outlined in (b) below apply.

6.17.4 Where the exceptions outlined in paragraph 7.8.18 apply, the applicant will be re-housed according to the following:

- (a) caretakers who need a one or two bedroom property, as determined by the reasonable offer policy, will be entitled to an extra bedroom;
- (b) caretakers who need a 3 bedroom property or larger, as determined by the reasonable offer policy, will not be entitled to an extra bedroom.

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- 6.17.5 Caretakers with more than 2 years' service but less than 15 years if under 50 years of age or less than 10 years if over 50 years old as at the 31st December 1989 are only entitled to their needs.
- 6.17.6 Caretakers who were not in service at 31st December 1989, but have two or more years' service, are only entitled to an offer in accordance with Council policy, regardless of age/length of service.
- 6.17.7 Caretakers with less than 2 years' service are not entitled to any permanent re-housing assistance through this Scheme. They may, however, apply for re-housing via the housing register.
- 6.17.8 All caretakers re-housed through the Retiring Council Employees Special Scheme are entitled to offers of low-rise accommodation of no more than 8 storeys.
- 6.17.9 The employing department will notify the Special Schemes Officer of any employee who qualifies for re-housing through this scheme at least 6 months before the termination date, giving details of:
- (a) the date of termination of employment
 - (b) employment history with Newham including relevant dates
- 6.17.10 The applicant must complete a housing application.
- 6.17.11 The case is registered using application category "RETIREM". A copy of any subsequent offers must be sent to the contact officer in the relevant department.

6.18 Travellers Move-On [Group F]

- 6.18.1 The Housing Department provides permanent re-housing assistance on a yearly basis for two families who want to move from the official travellers' site in the borough. The officer responsible for managing the site informs Lettings of any applicants requesting re-housing. The application is given the category "TRAVEL".

6.19 KeyRing Scheme [Group F]

- 6.19.1 This scheme provides for up to 8 one bedroom units in the Maryland area of Stratford for persons with learning difficulties who are able to live independently with nearby support. A one bedroom unit is also provided to the KeyRing Volunteer appointed by the KeyRing Organisation who supports the tenants in the scheme (the KeyRing network). Referrals are made to Lettings from the KeyRing Organization (a registered charity).

6.20 Properties Held On Long Leases [Group F]

- 6.20.1 The Council may use its discretion on the expiry or surrender of long term leases taken to assist it in providing temporary accommodation for the homeless to arrange a direct offer of accommodation to any of its non-secure tenants occupying such properties.
- 6.20.2 The offer will be for the same or a similar property to the one occupied as a non-secure tenant. In making the offer the Council will take into account the following factors:-
- 6.20.3 The size of accommodation relative to the current need of the household and the prevailing housing situation in the borough;

-
- (a) The length of time the applicant has been on the housing register and their relative priority;
 - (b) Suitability of the offer taking into account all relevant factors;
 - (c) Applicant's tenancy history including rental payment(those in rent arrears will not normally be offered accommodation);
 - (d) Financial consequences of such decision;
 - (e) Other matters in the Council's interest.

6.20.4 Acceptance of an offer made to the applicant under this section will result in any duties owed by the Council under homeless or other legislation being discharged.

6.20.5 Where the offer is in respect of a property subject to nomination to a Registered Provider (Housing Association) the process described in respect of nominations to Registered Providers in this policy will not apply.

6.21 National Witness Mobility Scheme (NWMS) [Group F]

6.21.1 The Council participates in the government-funded National Witness Mobility Scheme, which gives local authorities, other social landlords and the police services access to a nationally co-ordinated fast track witness relocation scheme.

6.21.2 Witnesses who are intending to give evidence in civil and criminal cases such as domestic violence, hate crimes, antisocial behaviour, gun crimes, sexual assault, child abuse and other serious crimes and consider that it is unsafe to remain in their home, will be assessed by their local authority and a designated police officer.

6.21.3 If there is a serious risk to the witness, and it is unsafe for them to pursue normal homelessness routes, they can be offered the opportunity to relocate quickly away from the unsafe area. Referrals are made to/from the NWMS office.

6.22 Safe & Secure [Group F]

6.22.1 The Council participates in Safe & Secure to assist in the delivery of Crime & Disorder Reduction Partnership. Applicants eligible for the scheme will be assessed in line with the scheme guidelines.

6.23 Pan London Mobility Scheme [Group F]

6.23.1 The Council will make available a proportion of properties for Pan London nominations. Offers of accommodation under the scheme will be made in line with the scheme guidelines. The exporting borough will normally assess and verify the applicants.

6.24 Non-statutory Succession (Discretionary Tenancy) [Group F]

6.24.1 Upon the death of a secure tenant, where a person who was named on the tenancy agreement, can prove that they have always resided with the deceased tenant and has no other housing alternative, is left in occupation but is not entitled to succeed to the tenancy under statute, they may be considered for re-housing (could be the same property - subject to the size and the conditions below relating to adaptations/ special property facilities) in the following circumstances:-

- (a) Where the applicant is vulnerable (as defined by the homelessness legislation) or has dependent children and a move will cause hardship.

- (b) Where the applicant does not meet criteria in paragraph (a) above but is named on the tenancy agreement and has been living with the deceased tenant continuously for 20 years or more and will face hardship in securing alternative accommodation.

6.24.2 The Council will also consider a former live-in carer of the deceased tenant who was in receipt of carers' allowance in relation to the tenant for five years continuously before the tenants death and had been living with the tenant for 5 years continuously at the time of the tenant's death, if there are no other housing alternatives for the applicant.

6.24.3 In all cases, members of a deceased tenant's household will not be allowed to remain in the property where the existing home has been specially adapted and they do not need such adaptations or the property is purpose built sheltered accommodation.

6.24.4 Referrals are made to the Lettings Agency Manager by the Housing Management Service or other Managing Agency. A Housing Application form and an Area Choice Form have to be completed to enable a direct offer of housing to be made.

6.25 Joint tenant left in occupation [Group F]

6.25.1 Where a joint tenant leaves the property and the remaining joint tenant is left in occupation following the determination of the joint tenancy by service of a notice to quit, the remaining occupier (formally a joint tenant) will be considered for an offer subject to meeting any of the above criteria in paragraphs 6.24.1

6.25.2 Referrals are made to the Lettings Agency Manager by the Housing Management Service or other Managing Agency. A Housing Application form has to be completed to enable a direct offer of housing to be made.

7. Property related debt

7.1 Direct offer groups with property-related debts

7.1.1 Where an applicant within any of the direct offer groups mentioned above owes a property-related debt to the Council, such as rent arrears relating to an existing or former Council tenancy, the policy detailed in paragraph 12.3 applies.

7.2 Those entitled to compensation with property related debt

7.2.1 However, where the applicant qualifies for compensation payments, and the payments offset all arrears resulting in a credit rent balance for the applicant, the debt will be disregarded. The following should also be noted:

- (a) where an applicant is eligible for discretionary compensation payments equivalent to Home Loss, the Council can withhold some or all of the payment to offset the rent arrears without the approval of the tenant. In these cases, the payment will automatically be paid directly into their rent account. The Neighbourhood Service will advise the applicant that the payment, if made, will be used for this purpose

- (b) where the applicant is entitled to statutory Home Loss compensation payments the Council can only withhold payment with the approval of the tenant. In these circumstances, formal authorisation must be given by the applicant to waive some or all of the compensation payment to offset their rent arrears, before an offer is made.

8. Enhanced Bidding

8.1 Groups entitled to Enhanced Bidding

8.1.1 Applicants within the direct offer groups listed below are entitled to bid in under the CBL for a limited period of time. This is known as “Enhanced Bidding”. These groups are:

- (a) Additional Preference (Emergency Re-housing) [Group A]
- (b) Additional Preference (Multiple Needs) [Group B]
- (c) Under-occupation Transfers [Group C]
- (d) Transfer from adapted properties [Group D]
- (e) Decants [Group E]

8.2 Bidding time limits for Enhanced Bidding

8.2.1 Enhanced Bidding time limits for the above groups will depend on the bedroom size required, and would normally be as follows, (although these may be increased or decreased depending on individual circumstances, and the Council’s interest, as agreed by the Lettings Agency Manager:

- (a) 1 bedroom need - 4 weeks (4 bidding cycles)
- (b) 2 bedroom need - 5 weeks (5 bidding cycles)
- (c) 3 bedroom need - 8 weeks (8 bidding cycles)
- (d) 4+ bedroom need - 12 weeks (12 bidding cycles)

8.2.3 If an applicant has not accepted an offer within these time limits, or has not been bidding, enhanced bidding status will be withdrawn. The applicant will still be entitled to a direct offer. Direct offers are generally made in line with the date order principles within the particular group. The Council reserves the right to make a direct offer at any time regardless of the above timescales. The number of offers that an applicant can be made, as well as the consequences of refusing a reasonable offer, are set out in Section C of this policy.

8.3 Priority order for Enhanced Bidding Group

8.3.1 Bids within this group are prioritised in the following order of priority:

- (a) Emergency/Additional Preference [Group A + Group B]
- (b) Urgent decants
- (c) Under-occupation Transfer and Transfers from Adapted Properties
- (d) Non-Urgent Decants [Group E]

8.3.2 In prioritising those applicants who opt to take advantage of the right to Enhanced Bidding the Council will prioritise bids in accordance with the priorities listed in paragraph section 9.24 of Section B of this policy.

9. The Choice Based Lettings (CBL): Process and Ranking of Bids

9.1 Properties identified for CBL are advertised every Friday in the Choice Homes magazine and on the dedicated website at: www.ellcchoicehomes.org.uk. Adverts provide property, location, landlord, rent and other relevant details to provide information to applicants. There is also, in most cases, a photograph of the property/block. The magazine is distributed to all Local Service Centres and libraries. Where an applicant is housebound, or lives outside Newham, the magazine can be posted on request. Information in the magazine may be restricted

because of space however in some cases more information about the property may be available on the website.

9.1.1 The property adverts also indicate which categories of applicant may bid for the properties.

9.2 Bidding

9.2.1 Applicants may bid for up to two properties in every cycle. Bids are made either by calling the bidding hotline number (0845 650 4125 – local call charges apply), by using the website or by texting 0778 148 6526 –standard call charges apply. When bidding, applicants need to have to hand their housing registration number, the date of birth of the lead housing applicant, and the reference number of the property(ies) they are applying for. This information will need to be entered when an applicant makes a bid.

9.2.2 Once a bid has been placed, the system will check that the applicant is eligible to bid and qualifies to bid for the property and that the property they are bidding for is appropriate to their circumstances. The system will also inform the applicant of their position in the queue, at the time the bid is placed, for that particular property. Queue positions will change as other bids are placed, so the system allows applicants to subsequently transfer their bids to other properties where they could be more highly ranked.

9.2.3 Bids are accepted from the Friday of publication of the property adverts through to midnight of the following Monday. Bids cannot be placed outside these times.

9.2.4 CBL bids are ranked in the following order of priority:

- (a) **1st priority:** Those members or former members of the Armed Forces as defined in para 9.3 below. Where more than applicant meets the criteria the tie breaker is waiting time on the Housing Register.
- (b) **2nd Priority:** Additional Preference Group (emergency re-housing & multiple needs Group A and B). Bids are ranked within this group according to the date the emergency or multiple needs was awarded, then by waiting time on the Housing Register.
- (c) **3rd priority:** Urgent decants [Group E]. Bids are ranked within this group firstly according to the relative urgency of the scheme (if within a block/area decanting scheme) and secondly according to the length of time decant status has been awarded (if an individual decant). Bids from tenants within the same block/area decanting scheme are prioritised according to the length of their current tenancy.
- (d) **4th priority:** Under-occupation transfers & transfers from adapted properties. Bids are ranked within this group firstly by the number of bedrooms the tenant is occupying and secondly according to the date of application on the Register. [Group C and Group D]
- (e) **5th priority:** Less urgent decants. Bids are ranked within this group firstly according to the relative urgency of the scheme (if within a block/area decanting scheme) and secondly according to the length of time on the Register. [Group E]
- (f) **6th priority:** Those in the Priority Homeseeker or Transfer groups who are in employment (as defined by this policy) according to waiting time on the Housing Register
- (g) **7th priority:** Applicants in the PH and T groups not included in the above have their bids ranked according to their waiting time on the Housing Register.

- (h) **8th priority:** Those applicants in the PH and T groups who have been accorded with reduced priority in accordance with the terms of this policy, according to waiting time on the Housing Register.
- (i) **9th priority:** Those applicants in the Homeseeker group according to waiting time on the Register
- (j) **10th priority:** Those applicants in the Homeseeker group who have been accorded with reduced priority in accordance with the terms of this policy, according to waiting time on the Housing Register.

9.2.5 It should be noted that in general priority groups 2-5 above can only bid during the Enhanced Bidding period. The outcome of bids will be regularly monitored to ensure that the allocations policy complies with the requirement of section 167 Housing Act 1996.

9.2.6 Allocation Officers allocate the properties from the list in ranking order. If necessary, subsequent eligibility checks, including investigation visits, may be required before the allocation is made and the property offered (or, in the case of RSL properties, before a nomination is made). Should any offer be refused, the list is used again by an Allocations Officer to find the next candidate, and so on until the property is let. Multiple viewings are arranged and candidates are considered according to their ranking.

9.3 **Priority to those in the Armed Forces on the Housing Register**

9.3.1 The Council will prioritise members of the armed forces (and their spouses) and former members of the armed forces above all other applicants on the Housing Register. These are persons serving or who have served in the regular forces (Royal Navy, Regular Army or the Royal Air Force) within 5 years of their application for housing and who are in housing need as a result of having ceased to be entitled to reside in accommodation provided by the Ministry of Defence and who have an offer of permanent employment in Newham or who previously resided in Newham before joining the Armed Forces.

9.3.2 In exceptional circumstances, the Council will consider prioritising members of the Reserve Forces (as defined in the relevant legislation) (and their spouses) and former members of the Reserve Forces who are suffering from a serious injury, illness or disability which is attributable wholly or partly to their service in the Reserve Forces within 5 years of their application for housing and who are in housing need and who have an offer of permanent employment in Newham or who previously resided in Newham before joining the Reserve Forces.

9.4 **Priority to Applicants in Employment**

9.4.1 The Council will prioritise those in employment above other applicants within the Priority Homeseeker & Transfer group. Where there is more than one person meeting the criteria, the tie breaker will be application date on the Housing Register.

9.4.2 This however will not apply to bids / offers to:

- (a) Sheltered accommodation & designated elderly accommodation
- (b) Properties classified as A & B (Accessible Housing Register)
- (c) Special schemes
- (d) Direct Offer group.

9.5 Definition of Those Considered to be in Employment

Workers and Carers

- 9.5.1 Applicant and /or their partner currently is or are in paid employment for 16 hours or more per and have been in employment for any 9 months out of the last 12 months.
- 9.5.2 The applicant and or their partner must provide proof of their employment status. Only originals of official documents which must include contract of employment, payslips, bank statements showing the salary paid into the account, P45/P60 and tax returns will be accepted. Letters on headed paper from the employer will not be considered as acceptable proof. The proof must be supplied at the time of application and verified at the time of offer. If the applicant's employment status changes they may be allowed to retain the priority as long as there is a realistic prospect of re-employment. The decision will take into account their previous employment history, age of the applicant and other relevant factors. However they must have been in employment for at least 16 hours a week for 6 months at the time of the offer of accommodation.
- 9.5.3 Applicant or their partner is self-employed and can demonstrate that they have been so for at least 3 years
- 9.5.4 The applicant or partner must provide proof of their self employment status and still satisfy the criteria at the point of offer. This must be evidenced through at least 3 years continuous and documented tax returns.

Disabled people of working age

- 9.5.5 Applicant or their partner is providing full time care (35 hours or more per week) to an elderly resident or disabled child and is in receipt of full carers allowance (except where carers allowance is not payable because of the age of the carer or other benefit restriction – evidence will be required to prove the applicant's status in this regard)
- 9.5.6 Disabled applicants under retirement age who have been assessed as eligible for Support Element of the Employment Support Allowance due to their permanent disability which prevents them from participating in work related activities.
- 9.5.7 Applicants must inform us in writing as soon as there is a change in their circumstances which means that they no longer satisfy the employment criteria.

10. Allocations to applicants in the 'Tenant Seeking a Transfer' (T) category

- 10.1 Eligible applicants in the Tenant Seeking a Transfer (T) category may bid for advertised properties according to their needs in order to allow some tenants to move to alternative properties of the same bedroom size. However, the total number of tenants in this category re-housed in any single financial year (April-March) will not exceed 5% of the total number of applicants re-housed via the choice-based process. This is in order to ensure that the Council continues to fulfil its responsibilities to afford a reasonable preference in its allocation scheme to applicants in one of the groups defined in s166 of the Housing Act 1996. To achieve this, the Lettings Agency monitors all lettings on a monthly basis. Should the 5% ceiling be exceeded in any one month, applicants in the 'T' group may be restricted from bidding for an appropriate period to redress the balance to ensure the annual 5% ceiling of lettings to this group is maintained.

11. Property Allocation – CBL or Direct Offer

- 11.1 It is expected that the majority of properties will be let through CBL through advertisements in the ELLC Choice Homes magazine/website including properties selected for a direct offer (in these cases bids are registered for the direct offer applicant by the Allocations Team) . However, even if a property has been advertised it may be withdrawn before the end of the bidding cycle in exceptional circumstances.
- 11.2 When the Lettings Agency receives details of a property these are input onto the Novalet computer system (the 'front-end' system for CBL) to create a property record that is used in the advertisement.
- 11.3 Properties advertised are open to bids from all eligible applicants within the Priority Homeseeker (PH) and the Tenant Seeking a Transfer (T) categories in Section B of this policy.
- 11.4 Some properties advertised, because of their special characteristics, may be restricted to bids from clients above a minimum age (such as sheltered housing, or housing in blocks or individual units that have been specially identified for older applicants) or to clients who have been assessed as requiring A and B category properties. (Accessible Housing Register).
- 11.5 Properties advertised are generally not open to bids from the Homeseeker (H) group except in the case of sheltered accommodation.

12. Situations Where Any Applicants May Be Given Reduced Priority when Bidding for properties

12.1 Applicants with high income or savings

- 12.1.1 An applicant with savings or an annual income in excess of £60,000 will be given reduced priority when bidding for properties in accordance with this policy. Such applicants would be advised of the various low cost home ownership options that are available.

12.2 Applicants who have unreasonably refused a direct offer

- 12.2.1 Applicants who have unreasonably refused their entitlement to offers under a direct offer re-housing scheme will be removed from the relevant scheme. However, they may still be considered under the rules of the normal choice-based allocation scheme.

12.3 Applicants who owe the Council money

- 12.3.1 Applicants who have a rent arrears debt, to the Council, either relating to their existing home or a former home, are normally given reduced priority when bidding for properties in accordance with this policy or when being considered for direct offers of accommodation, or when being considered for a nomination to a Registered Social Landlord for housing, until such time as they clear all debts owed.

12.4 Exception to re-housing with rent arrears

- 12.4.1 Exceptions to the rule in 12.3 are those applicants in the 'additional preference' group (emergency re-housing or multiple needs). If such applicants have rent arrears debt to the Council they are eligible for an offer of accommodation if they satisfy all the following conditions:

- (a) The rent arrears amounts to less than equivalent of 4 weeks rent

- (b) It is in the Council's interest to re-house them (as agreed by the Head of Housing Needs or equivalent).

12.4.2 Rent arrears debts on former tenancies will be disregarded if they are statute barred and Council Tax arrears will also be disregarded.

12.4.3 The decision about whether an applicant owes the Council money will normally be made as part of the visit/investigation or offer process. Prior to the actual visit or investigation taking place, the Housing Allocation Officer will check on the iSYS rent accounting system or directly with the Rent Service Officer concerned to confirm that the debt exists.

12.4.4 Any Council tenant who has breached the terms of a suspended possession order cannot be made an offer without the express approval of the Director of Housing.

12.5 Private sector applicants who are in substantial rent arrears with their landlords

12.5.1 Applicants with rent arrears owed to their landlords who are not existing tenants of the Council and who, in the Council's opinion, could reasonably have paid the arrears, are also given reduced priority when bidding for properties in accordance with this policy. Rent arrears checks will normally be carried out at the visit/investigation stage. However if this information comes to light the case can be reviewed at any time. The Housing Register Officer will decide whether it is reasonable to accord the applicant with reduced priority in discussion with the Team Leader.

12.5.2 Where this occurs the applicant must be informed in writing. A copy of the letter is kept on the applicant's file.

12.5.3 Where the Housing Register Officer is satisfied that the applicant has cleared the debt or, the arrears are technical or a reasonable arrangement has been made to clear the debt, they will ignore the debt for the purposes of determining the applicant's priority.

12.6 Right to Buy & Transfers

12.6.1 Where a Council tenant has submitted a Right to Buy application, an offer of re-housing can only be made if the tenant has not accepted their Section 125 Offer Notice, after which time the applicant is suspended from bidding for properties in accordance with this policy.

12.6.2 Upon receipt of the standard notification from Home Ownership & Leasehold Services that the offer acceptance stage has been reached, the Housing Register Team will suspend the applicant on the iSYS computer system and enter a text note indicating the reason for the suspension. A letter is sent to the tenant, a copy of which is retained on their file.

12.6.3 Once the Council tenant has completed the Right to Buy, the suspension on iSYS records is amended to show the applicant is now an owner occupier. The applicant is sent a letter and a copy is retained on their allocations file. Any subsequent requests for re-housing are determined by the rules relating to owner-occupiers given in Section A of this policy.

12.7 Joint Council Tenants

12.7.1 Where an existing Council tenant wishes to apply for a transfer, the Housing Register Officer checks with the appropriate Housing Management Team if a joint tenancy exists. Where a joint tenancy exists, and the re-housing application does not include all parties to the tenancy, the applicant will be registered on the iSYS computer system as a general list case.

12.7.2 No offers will be made to the applicant that results in their existing property being under-occupied, without the specific approval of the Head of Housing Needs (under delegated authority). In these circumstances, a text note should be entered on the applicant's computer records to indicate that such approval is required.

12.7.3 No offer will be made unless the applicant's existing tenancy has been lawfully terminated

12.8 Applicants under investigation.

12.8.1 This part applies to:

- (a) Applicants who are being investigated to confirm the accuracy of information they have supplied to the Council;
- (b) Applicants who have been judged to have provided fraudulent information to the Council in support of their application.
- (c) Applicants who have deliberately worsened their housing situation.

12.8.2 Many of the issues identified by the application form or visit will be factual issues. Some of these may require further investigation e.g. of property ownership or of immigration checks, to establish eligibility. These cases should be temporarily suspended pending the outcome of the investigation.

12.8.3 In many cases, applicants will have provided wrong or inadequate information on their application form but there may not be any reason to suspect deliberate fraud.

12.8.4 The first judge of this should be the Housing Register Officer. If they are satisfied that the error was not deliberate or that it had no impact on the application, then the applicant's iSYS computer records will simply be amended and the routine procedure will be carried out.

12.8.5 If the Housing Register Officer has concerns, these should be discussed with the Housing Register Team Leader who will decide if they:

- (a) are satisfied that there is insufficient evidence to suspend the applicant on these grounds;
- (b) want more information to be gathered locally before a decision can be made;
- (c) feel they there is insufficient evidence at the moment but want a formal fraud investigation;
- (d) are satisfied that the applicant has provided fraudulent information.
- (e) the information they have provided is correct but that there has been a deliberate act to worsen their housing situation.

12.8.6 The Housing Register Team Leader may seek advice from the Council's Audit Section, and should notify the Lettings Agency Manager in all cases where fraud is suspected.

12.8.7 If an applicant has given incorrect information at the time of the application or visit that subsequently comes to light such as deliberate concealment of a debt, or an eviction, or has provided information which indicates a deliberate worsening of their circumstances, a suspension will be an adequate response, with a warning letter being sent to the applicant.

12.8.8 The decision will depend on the severity of the issues raised as determined by the Housing Register Team Leader. If the decision is to suspend the applicant from bidding in accordance with this policy. The suspension will last for 12 months after which the application will be reviewed if a request is received from the applicant. A decision will then be made to either reinstate the applicant or continue to suspend the applicant from bidding.

12.8.9 The applicant will lose previously accrued waiting time on the Housing Register and a new application date will apply effective from when the correct information is provided or circumstances confirmed and decision made to reinstate the applicant.

12.8.10 In other cases the putative fraud may be reasonably obvious, for example, the applicant may admit that they have tried to claim a priority they are not entitled to or have included a household member who does not exist. The self-correcting principle should be applied in the first instance, and a warning letter should be sent.

12.8.11 In other cases the applicant may not admit it, but it is still obvious e.g. they have failed to demonstrate that they live where they are supposed to. In these cases, the applicant will be treated as a non-qualifying person, and will be excluded from the Housing Register. If they cannot prove the household membership claimed they will be registered only on the basis of the family members the Council is willing to accept.

12.8.12 If there is a second offence, or the Housing Register Team Leader considers the fraud to be deliberate and serious, and adequately proven, they may exclude the applicant from the Register on grounds of fraud. This should be done in consultation with the Lettings Agency Manager and the Head of Housing Needs who may also decide on further action that should be taken. This is a permanent exclusion and will apply to any subsequent applications from another address. The applicant must be advised that this has been done and given the reasons why. In these cases, the applicant's computer records are updated with a text note "Fraudulent Information Provided". There is no provision for lifting this sanction other than through an exceptional circumstance report.

12.9 Applicants who request temporary suspension of their application

12.9.1 Applicants cannot request to be temporarily suspended from bidding for properties in accordance with this policy. They can choose not to bid for properties until they are ready for a move.

12.10 Property condition

12.10.1 Tenants who have failed to keep their property in a reasonable condition as determined by the Housing Management Service will be suspended from bidding until they remedy the situation. Where alterations have been made without prior written permission from the Council, this situation will need to be over-come by reinstatement or by complying with any retrospective permission terms granted. Other considerations include standard of cleanliness, hoarding, infestations, damage other than fair wear and tear, condition of gardens, balcony and out buildings.

13. Miscellaneous

13.1 Re-housing outside normal policy where there are exceptional circumstances-delegated authority (Overriding Transfers)

13.1 The Head of Housing Needs has delegated authority from the Council to agree re-housing outside policy in exceptional circumstances. This will normally apply where there are special cases not covered by normal allocation rules, which warrant special priority.

13.2 Where a delegated decision is requested, the relevant Housing Officer /TMO/Housing Options Centre will prepare a report containing all of the relevant facts. The report will be endorsed by the relevant Manager, who then refers the report to the Lettings Agency Manager. The

Lettings Agency Manager will pass the report to the Head of Housing Needs/relevant delegated officer together with any recommendations /comments.

14 Local Lettings Plan

14.1 The Council will engage in and support the development of local lettings plans either within its stock or schemes managed by Registered Providers or other social agencies.

14.2 Plans will normally be time limited and the objectives may include targets:

- (a) to increase the number of lets to those in employment or training
- (b) to lower child density
- (c) to balance the number and ages of children to avoid a large concentration of older or younger children
- (d) to make the best use of stock allowing a level of under-occupation / over-crowding and
- (e) to create a balanced neighbourhood

14.3 Each Local Lettings Plan when developed will set out its own specific eligibility criteria and how offers will be prioritised. The plans will be publicised and equality impact assessments will be undertaken as part of the development of the plans. Each plan will be time-limited and reviewed from time to time to ensure that the objectives are being achieved.

Section C REASONABLE OFFERS AND CONSEQUENCES OF REFUSING AN OFFER

1. Introduction

1.1 The reasonable offer policy sets out the current re-housing standards by which allocations and decisions on reasonableness of offers and refusals are made for applicants receiving a direct offer of either Council or housing association property. This section also sets out the consequence of refusing a direct offer.

2. Criteria by which permanent offers are made are given in this section.

2.1 Number of Bedrooms

2.1.1 In determining the needs of a particular household regard must be given to the following:

- (a) A couple are entitled to a double bedroom (2 bed spaces)
- (b) A single person may be offered a studio (bedsit) or a single bedroom property
- (c) Single people who have overnight access to children must not be offered a bedsit.
- (d) Pregnant women do not qualify for a bed space for their unborn child until the birth of the child.
- (e) Adult siblings of the same sex and generation, who are children, of the applicant are expected to share a bedroom regardless of age.
- (f) Where a property has two living rooms, the second reception room is counted as an additional bedroom, providing the first living room is 110 square feet (10.22 square metres) or larger.

2.2 Bedroom Entitlement for offers and Assessment for Overcrowding

2.2.1 It is also important to have regard to the number of people a property can accommodate. For example, a property consisting of one double and one single bedroom could not be allocated to a household with 2 children. The table below gives an indication of bedroom requirements by size of household.

| | |
|--------|--|
| Bedsit | Single Person (including a pregnant woman) |
| 1-bed | Single Person or Couple (including a pregnant woman) |
| 2-bed | Parent/s + 1 child or Parent/s + 2 children of the same sex or Parent/s + 2 children of opposite sex if both under 10 |
| 3-bed | Parent/s + 2 children of opposite sex where 1 is over 10 or Parent/s + 3 children or Parent/s + 4 children if: (a) all are of the same sex; |

- (b) 2 of each sex;
- (c) 3 of same sex, 1 of different sex, and 1 of each sex is under 10

4-bed Parent/s + 3 children of same sex and 1 of different sex, where child of different sex is over 10 or

Parent/s with 5 or more children

2.2.3 Three bedroom properties with 3 double bedrooms can only be offered to families with at least four children

2.2.4 There may be occasions where a household will be offered larger or smaller accommodation. These are:

- (a) Where an additional bedroom is required on medical grounds, as outlined in Section G: Medical Assessments, of this policy.
- (b) Where a household is prepared to accept smaller accommodation; offers can only be made in these circumstances where the applicant agrees to this in writing and the overall permitted occupancy of the property, in terms of the re-housing standards outlined above, is not exceeded.
- (c) If it is in the Council's Interest
- (d) Under-occupation transfers may opt to have one extra bedroom
- (e) Occasionally, there may be no suitable cases on the 4-bed and 5-bedroom lists due to the space standards of the property. Where this occurs, allocations can be made to applicants providing this does not result in under-occupation of the property. In these cases, the allocating officer will match the personage of the household with the personage of the property. For example, a 4-bedroom 6-person property, in the absence of suitable cases on the 4-bed list, could be offered to a household on one of the 3-bedroom lists that consists of 6 persons, i.e. parent(s) and 4 children.

2.3 Space Standards

2.3.1 Allocations are based on the number of bedrooms there are in the vacant property. The following space standards are used to measure the inadequacy of an offer in terms of size. In measuring space standards, children under 8 are only counted as ½ a person.

| Area of Room | Number of Persons |
|---|-------------------|
| 110 square feet/10.22 square metres or more | 2 |
| 90 square feet/8.36 square metres or more but less than 110 square feet/10.22 square metres | 1½ |
| 70 square feet/6.5 square metres or more but less than 90 square feet/8.36 square metres | 1 |
| 50 square feet/4.65 square metres or more but less than 70 square feet/6.5 square metres | ½ |
| Less than 50 square feet/4.65 square metres | 0 |

2.3.2 Individual room measurements are not required when making an offer to any particular household. However, it is assumed that these standards will not be breached.

2.3.4 Where a household has a member with mobility difficulties or a wheelchair user there may be additional space requirements to meet their needs. This will be considered on the advice of the Occupational Therapists as part of the accompanied viewing procedure.

2.4 **Choice of property type for Direct Offer groups**

2.4.1 Applicants in receipt of a Direct Offer may be offered any property type and do not have any choice. The property offered to Direct Offer groups may be either Council, or housing association properties.

2.4.2 However, in determining the needs of a particular household regard must be given to the following:

2.4.3 Under-occupation Transfers

(a) These applicants may limit the property types they are willing to accept.

2.4.4 Medical recommendations

(a) The Council's Medical Adviser can recommend property type and facilities (see Section G: Medical Assessments, of this policy).

2.4.5 Property restriction by delegated authority

(a) Under delegated authority the Head of Housing needs may agree to property type restrictions / requirements as a result of exceptional circumstances not covered by this policy.

2.5 **Condition of the property**

2.5.1 All properties allocated in accordance with this policy will be ready for immediate occupation, pre-allocated or for an accompanied viewing whilst works are in progress. In some cases, there may be outstanding minor works, that will be carried out prior to /or during occupation of the incoming tenant. In either case, the property will be habitable by the time the new tenant takes up occupation and will be considered a reasonable offer.

2.5.2 All properties let will be habitable to the agreed Lettable Standard (a copy of which accompanies all offer letters).

2.6 **Area of choice**

2.6.1 Each eligible applicant (see the paragraphs below for exemptions) must specify a minimum of 4 Lettings Areas in Newham where they are willing to be housed or re-housed. They may choose as many areas as they wish. Newham Council tenants who live on one of the out-borough estates in Brentwood, Rainham or Aldersbrook do not have to choose any in-borough districts. They may restrict their choice to areas within the borough in which they currently live.

2.6.2 Applicants cannot specify certain properties, blocks, streets, or areas within a particular district that they are willing to accept, subject to the exceptions listed below.

2.6.3 **Exemptions from minimum area choice requirements**

2.6.4 There are a number of exceptions to the area choice requirements:

- (a) The area choices will apply to Decants and Under-Occupiers only. All other cases will identify and evidence areas of risk so that an offer will not be made in these areas. For example applicants being re-housed through the Fostering & Adoption Special Scheme may need to avoid living near to the natural relatives of the adopted child providing the Social Services Department confirm that this would be in the best interests of the child.
- (b) Under-occupiers do not have to choose the minimum number of areas.
- (c) Where a member of the applicant's household needs to regularly attend a special school, day centre, hospital on a long-term basis and there is a mobility or transport problem.
- (d) Where a member of the applicant's household needs to remain in, or move to, a specific area to continue receiving/providing care.
- (e) Where an applicant requests an exemption from the minimum area choice requirements the Housing Register Officer decides whether it meets the above criteria

2.6.5 The applicant will be advised when they have chosen areas that make it difficult to make them an offer and given the option of reconsidering their choices. The Lettings Agency will attempt whenever possible to adhere to the applicant's request. However it may not be possible where specialised properties are required and they do not become available often. This is also the case with LBN out of borough properties.

3. **Offer of housing association property**

3.1 The Council has nomination rights to housing associations operating in Newham (and occasionally outside Newham). Applicants cannot choose to be specifically allocated a housing association or London Borough of Newham property.

4. **Like for like offers**

4.1 Tenants with emergency re-housing status (e.g. domestic violence or harassment) or those who need to be decanted temporarily because of disrepair are offered properties on a like-for-like basis – i.e. an equivalent property-type and with the same number of bedrooms as their tenancy unless they are under occupying. They will retain their waiting time and any other priority they may have in relation to an offer for a larger unit

5. **Refusals of offers of accommodation**

5.1 After viewing the property the applicant decides whether or not they are prepared to accept the offer. If they indicate that they are prepared to accept property, the applicant will be asked to sign a tenancy agreement. Once an applicant accepts the offer and signs the tenancy agreement their application is closed on iSYS.

5.2 The consequences of a refusal will depend on whether the offer was made as a result of a bid made through the choice based lettings (CBL) scheme or as a result of a direct offer of accommodation.

6. **Choice Based Lettings Refusals**

6.1 General list and transfer applicants (PH &T)

6.1.1 If an applicant from one of these groups refuses a property advertised through the CBL scheme that they have bid for it will generally be recorded as an unreasonable refusal.

6.1.2 Applicants who refuse two offers following a successful bid or fail to attend two viewings regardless of their position on the shortlist will be suspended from bidding for properties in accordance with this policy for a period of 12 months.

6.1.3 If an applicant residing in temporary accommodation pursuant to Part VII of the Housing Act 1996 unreasonably refuses an offer the Council will discharge any further duty to assist an applicant under homelessness legislation.

6.1.4 The applicant will be advised in writing when any of the actions in paragraphs above occurs.

7. **Direct Offer Refusals**

7.1 Where an offer is being refused every effort must be made by the officer attending the viewing to interview the applicant to ascertain their reasons for refusal. The Allocation Officer decides whether the offer is reasonable or unreasonable [see paragraph 15 (of this Section C) below]. The decision is based on the applicant's comments as well as the information available on the applicant's computer records and their housing application file.

7.2 When considering the applicant's reason for refusal it is important to note whether there is any information that either contradicts or adds to the information which was available at offer stage. If it is confirmed that the new information is known to them and is correct, but was not made available at offer stage due to officer error, then the refusal may be considered reasonable. It is the responsibility of the applicant to keep the Lettings Agency informed of any changes in their circumstances in particular the changes that affect the offer made to them.

7.3 If the relevant section or officer does not know the information, and it is therefore new information provided by the applicant at the refusal stage, the refusal will normally be considered unreasonable. In such circumstances, a note should be made of the change in circumstances for further action.

7.4 Where an Allocations Officer is unsure whether a refusal should be considered reasonable or unreasonable, they should seek guidance from the Allocation Team Leader.

8. **Reasonable refusals**

8.1 Where a refusal is considered to be reasonable, the Allocation Officer advises the applicant that their application will be returned to the "live" list, and that they are either entitled to another offer in due course or will be able to bid again where they remain within the time limits set out in [paragraph 8] of Section B of this policy, Enhanced Bidding

8.2 The offer history details on the applicant's iSYS computer records are updated to show a reasonable refusal, together with the date of, and the reason for, the refusal.

9. **Number of reasonable refusals allowed for direct offers**

9.1 The table below indicates the number of reasonable offers the various groups are entitled to:

| Group | No. of reasonable offers |
|-------|--------------------------|
|-------|--------------------------|

| | |
|--|---|
| | |
| Additional Preference (emergency) | 1 |
| Additional Preference (multiple needs) | 1 |
| Decants (including temporary decants) | 2 |
| Special Schemes | 1 |
| Under-occupation transfers | 2 |
| All other direct offer groups | 1 |

9.2 The consequences of an unreasonable refusal of the final offer are given below

10. **Unreasonable Refusals**

10.1 It must be made clear to the applicant that an offer can only be considered unreasonable if it was made in breach of the Council's Reasonable Offer Policy set out in this Section C of the policy. A refusal of an offer of the correct size, type, and district will normally be considered unreasonable. However, there are a number of special circumstances where the refusal may be reasonable, and detailed guidance is given in paragraph 15 (of this Section) below.

11. **Unreasonable refusal of the first direct offer, where an applicant is entitled to two direct offers**

11.1 Where the applicant is entitled to two offers and they are unreasonably refusing their first offer the following action applies:

- (a) the applicant is advised that they are entitled to one further offer, but there is no guarantee that the offer will be comparable or better than the offer being refused, or when the offer will be made;
- (b) a letter is given or sent to the applicant confirming this and a copy is placed on the applicant's file;
- (c) the applicant's file and a copy of the refusal form are returned to the Allocations Team;
- (d) the offer history details on the applicant's iSYS computer records are updated to show an unreasonable refusal, together with the date of, and the reason for, refusal;
- (e) any Lettings Agency records are also updated.

12. **Failure to view a property**

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- 12.1 If the applicant does not attend a viewing, the Allocation Officer will telephone the applicant immediately, if there is a contact number, to find out the reason for the non attendance. A decision is then taken as to whether the failure to view was reasonable or not. If the applicant cannot be contacted the failure to view is considered unreasonable, although this decision may be changed if the applicant subsequently makes contact and the reasons given for the non attendance are considered reasonable. Where the applicant still refuses to view the property or fails to respond to the offer letter (where no contact number is available) the offer is automatically deemed to be a failure to view and counted against the applicant. If this happens twice the applicant will be suspended from bidding for properties in accordance with this policy for 12 months and will not be considered for another direct offer in that time.
- 12.2 If there is no contact number, the Allocation Officer checks immediately for errors in the applicant's address, and possible translation requirements that have not been met.
- 12.3 For decant applicants the offer should be held open for a further 48 hours pending investigation by the appropriate decant project team or other managing agency.
- 12.4 Where the applicant is entitled to one further offer a letter is sent advising them of the failure to view.
- 12.5 If at a later date the applicant can prove that they did not receive the offer then the offer history details should be updated from an unreasonable to a reasonable failure to view and the case is reinstated if it has been suspended.
- 12.6 For failure to attend the viewing the following are acceptable grounds for a reasonable failure to view.
- (a) the offer letter was sent to the wrong address;
 - (b) there is language (other than those translated on the offer letter) or literacy problems which mean that the applicant did not recognise the urgency of responding to the offer;
 - (c) there were unforeseen and urgent circumstances which resulted in the applicant not being at their normal correspondence address and they could not reasonably have been expected to contact the department to inform them of this e.g. emergency hospitalisation of the applicant or a child, death of a close family member;
 - (d) the offer letter was sent when the applicant was away on holiday;
 - (e) it can be satisfactorily demonstrated that the applicant did not receive the offer.

13. **Unreasonable refusal of the final offer**

- 13.1 Officer action following an unreasonable refusal differs for different categories of direct offer categories. However, in all instances, the Allocations Officer must inform the applicant in writing that the offer was reasonable and consequently the refusal is considered unreasonable.

14. **Consequences of unreasonable refusal of final offer**

14.1 Refusals by Additional Preference groups

14.1.1 Refusal of a reasonable offer will result in the loss of Emergency or Multiple Needs status. The applicant will then be placed in the PH category and be able to bid for properties and accorded priority in accordance Section B of this policy.

14.2 Under-Occupation transfer cases

14.2.1 Following the second unreasonable refusal of accommodation the applicant is informed that their application will be suspended from bidding in accordance with this policy for a period of three months. After that time they will be entitled to a further two direct offers of accommodation. The applicant can still bid for properties advertised through the CBL scheme. Their bid will be ranked firstly by the number of bedrooms they are occupying by and secondly their date of application.

14.3 Succession and Specialist Accommodation no longer required Transfers

14.3.1 The applicant is suspended for 12 months from bidding for properties in accordance with the terms of this policy. During this time the appropriate Housing Compliance or Management Team will pursue any necessary court action to recover possession of the property and will advise the Lettings Agency regarding further action (i.e. if the case should be closed/further offer to be made).

14.4 Decants

14.4.1 The applicant is suspended for bidding for properties in accordance with this policy for a period of 12 months. The applicant may be subject to legal action to recover possession of their properties or a further offer of accommodation made. The relevant Housing Management Team or appropriate Scheme Manager makes this decision.

14.5 Pan Mobility & other schemes

14.5.1 The applicant is excluded from the Housing Register and referred back to the nominating authority.

14.6 Special decisions made under delegated duties

14.6.1 Any special priority awarded as a result of the delegated decision is deleted, and the applicant must then bid for properties along with all other applicants using the time they have registered in this group to determine their ranking.

14.7 Special Schemes

14.7.1 The Lettings Team liaises with the applicant and or the relevant social worker and or agency to discuss the reason for refusal. Further information may be provided that results in the refusal being deemed reasonable, and the offer history would then be update appropriately. If the refusal is still considered unreasonable the application in respect of the Special Scheme is closed on the iSYS computer system and the applicant is advised of their right to apply to go on to the Housing Register.

15. Guidance on reasonable and unreasonable refusals

15.1 Property Size

- 15.1.1 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 / large for the applicant's needs, the refusal is recorded as reasonable.
- 15.1.2 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.
- 15.1.3 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 Council's re-housing standards, this will normally be considered to be an unreasonable refusal. However, this may subsequently be changed to a reasonable refusal for example, where the applicant provides new medical information at the offer stage.

15.2 Property Type

- 15.2.1 Most applicants receiving direct offers do not have a choice of property type. Therefore they 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 on the registration form and assessed in accordance with Section G: Medical Assessments, of this policy.
- 15.2.2 The refusal will be deemed reasonable if the applicant is a Council Interest Under-occupation Transfer and they stated that they did not want this property type, or were not advised of their entitlement to restrict the type of property they wanted, before the offer was made.
- 15.2.3 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, e.g. 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.

15.3 Property Condition

- 15.3.1 Where a property is refused on grounds of repair/decoration, this will be considered an unreasonable refusal. Where an applicant refuses a property on these grounds, the Allocation Officer must ask the Voids Team (Repairs & Maintenance Division) to re-inspect the property immediately.
- 15.3.2 Where the property has already been inspected following a refusal on grounds of disrepair, there may still be a need for repeat visits. The Lettings Agency may not, for example, be aware of vandalism or squatting which may have taken place since.
- 15.3.3 If the Voids Team decides to withdraw the property from letting for further works to be carried out, the Allocation Team amends the offer records of all applicants who have previously refused the property, regardless of their reason then, to a reasonable refusal.

15.3.4 Refusals on grounds of mice/cockroach or other pest infestation are usually considered unreasonable. The Allocations Team will ask the Voids Team to arrange any necessary works to be carried out by Environmental Health.

15.4 Squatted Properties

15.4.1 Applicants can reasonably refuse any property that is squatted when viewed, or after viewing but before moving in. This is regardless of them agreeing to take any Court action to evict the squatters.

15.5 Area of Choice

15.5.1 Where the offer is not within one of the applicant's specified areas, or where the applicant was not informed of their right to restrict their areas of choice before the offer was made, the refusal is considered to be reasonable. However, where the applicant has failed to specify the requisite number of areas, and is therefore registered for all in-borough districts, any refusal on grounds of area of choice is considered unreasonable.

15.5.2 Where a specific requirement has to be met and the type and size of property is in short supply and will take a very long time to re-house the applicant the Council reserves the right to offer it to the applicant regardless of the area and whether the applicant have chosen the area. If the property is refused then it will be considered an unreasonable refusal.

15.6 Racial Harassment

15.6.1 Where an applicant from a black or ethnic minority household refuses the property prior to viewing because the previous tenant was re-housed 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.

15.6.2 Where an applicant from a black or ethnic minority household refuses the offer as a result of racial harassment whilst viewing the property, the refusal is reasonable. This is regardless of the outcome of any subsequent investigation.

15.7 Choice of Landlord

15.7.1 An applicant receiving a direct offer cannot choose whether they are re-housed by the Council or by a Housing Association or other RSL. Therefore, any refusal of Housing Association / RSL property because, for example, there is no right to buy/acquire or the rent is too high, is unreasonable.

15.8 Pets

15.8.1 One of the conditions of the tenancy agreement is that a tenant must obtain the written consent of the Council before keeping domestic pets. As a general rule tenants are not allowed to keep a pet if they live in a block of flats that does not have access to a garden.

15.8.2 Any intention to keep a pet must comply with the Council's Tenancy Terms & 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 unreasonable.

15.8.3 However, a visually disabled person with a guide dog can reasonably refuse a property that does not have garden access where the Housing Management Team does not agree that the applicant can have a pet.

15.9 **Complaints against unreasonable refusal decisions**

15.9.1 Following an unreasonable refusal, the applicant is advised that they have the right to complain against this decision by means of the Council's formal complaints procedure.

SECTION D: MAINTENANCE OF HOUSING LIST

1. Registration

- 1.1 Any person who requests housing assistance from the Council has to make an application on-line via the Council's website.
- 1.2 The applicant will also be requested to submit a passport size photograph of them self and any partner included on their application. The photograph has to comply with current British passport standards.
- 1.3 Upon receipt of the application the Housing Register Officer checks that:
 - (a) the applicant is at least 18 years of age.
 - (b) the applicant lives within Newham or satisfies the Local Connection rules in Section A of this policy
 - (c) the applicant does not have an existing application (which is not closed or deleted) registered on the iSYS computer system.
- 1.4 Where a current application already exists:
 - (a) the new registration form is linked-up with the previous application;
 - (b) any change in circumstances, e.g. family composition, is updated on the iSYS computer system;
 - (c) full details of the household must be made available, including the sex, dates of birth and relationship of any household members listed;
 - (d) full accommodation/tenancy details are required:
 - (e) where the applicant states that they own or have owned residential property the policy outlined in paragraph 5.1 of Section A will apply;
 - (f) where the applicant states that a member of their household has a tenancy elsewhere, the Housing Register Officer will request full details, which are retained on file;
 - (g) where the applicant is a Newham Council tenant, the Housing Register Officer must confirm with the relevant Housing Team if the applicant is a joint tenant and that all members of the tenancy are included in the application.
 - (h) where the applicant meets the criteria of the Under-occupation Transfer Scheme, a Housing Options & Advice Officer contacts the applicant informing them of their entitlements to free choice of district, property type and in some cases an extra bedroom see paragraph 6.7 of Section B of this policy.
 - (i) where the applicant indicates that they have medical problems, or any other special housing requirements they will be requested to complete a medical assessment form. The medical assessment process is detailed fully in Section G: Medical Assessment, of this policy.
 - (j) where the applicant states that the repair condition of their home is poor or very poor, and they have not previously informed the Council of this, the applicants are referred to their Local Service Centre.

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- 1.5 If the applicant is a Newham Council tenant and makes a statement in their application that they are the victim of receiving domestic violence, racial, or other forms of harassment, the Housing Register Officer will advise them where to make contact.
 - 1.6 Where the application does not have all the necessary information or has not been correctly completed, and the information cannot be obtained through other sources, the Housing Register Officer will request for the missing information.
 - 1.7 Where the application is complete, the Housing Register Officer will use the information to assess the application. A copy of the application is kept on the iSYS computer system.
 - 1.8 An acknowledgement letter, automatically generated by the computer, is sent directly to the applicant. This acknowledgement letter advises the applicant of their application number, registration date, re-housing category and details of the choice based lettings scheme.

2. Who can be considered as part of the household?

- 2.1 Normally, only an applicant's own children will be considered as part of the household. Other adult relatives and siblings, and any other adult included in the application, will be expected to make separate applications.
- 2.2 Exceptions would, however, be made where there are good reasons, e.g. where parents of a child/ren have died and the applicant has taken over the care responsibility and in other circumstances as set out in the paragraphs below.

3. Household composition

- 3.1 Persons accepted as household members for the purposes of a homelessness application where the Council has accepted and retains a re-housing duty.
- 3.2 A partner who is living in a permanent relationship with the applicant for at least 12 months, or is married to the applicant or in a civil partnership.
- 3.3 Other dependent children under 18 to whom the applicant has a legal care responsibility (e.g. guardianship or a residence order) amounting to more than 50% of the time. Where there is shared responsibility with an estranged partner on a 50/50 basis, a decision will be taken by the Housing Register Team Leader on a case by case basis based on what is considered the best method of meeting the housing needs of both parties.
- 3.4 A dependent relative (not financial) who has joined the household because they are unable to live independently and there are no other options for the family as assessed by the Council through the medical assessment (such options might include, for example, that the relative owns or occupies a property large enough to accommodate the family).
- 3.5 A carer, where the applicant can demonstrate that a live-in carer is needed, one has been identified and has either moved in with the applicant, or would be ready to do so when housing is made available (subject to a medical assessment and appropriate recommendation from the Council's Medical Adviser or a recommendation from Adult Services or Mental Health Services).

4. Changes of circumstances

- 4.1 Where re-assessments due to a change of circumstances lead to an applicant being awarded "emergency" or "decant" status, the Housing Register Officer must update the applicant's computer records on iSYS.

5. Visits & Investigations

5.1 Who is visited?

- 5.1.1 All applicants not already in Council accommodation will be subject to a visit and/or other appropriate investigations as to their eligibility for housing, by a Housing Register Officer prior to receiving an offer.

- 5.1.2 The purpose of a visit is to check that all information relating to the applicant's housing application is properly recorded, that their housing need has been correctly assessed, and that they are a "Qualifying Person" and otherwise eligible for an offer in accordance with Sections A and B of this policy. All assessments are provisional until verified at a visit. The applicant will be notified in writing of any change in their status or entitlement following the visit.

5.2 Those Exempt from Visits

- 5.2.1 Those who are street homeless applicants cannot by definition be visited. If issues do require further explanation, the Housing Register Officer will ask the applicant to come to the Lettings Agency for an interview.

- 5.2.2 Homeless applicants are exempt from the visits procedure, as in-depth checks on their housing circumstances are carried out at point of application and ongoing checks while they are in temporary accommodation.

5.3 The Home Visit

- 5.3.1 The Investigation Officer completes the Visiting Form after carrying out the following checks:

- (a) proof of identity and date of birth for all people on the application.
- (b) proof of residency for each household member over 16 included on the application

- 5.3.2 Acceptable documentation includes

- (a) Medical card
- (b) Hospital appointment letter
- (c) Driving licence
- (d) Rent book
- (e) Tenancy agreement
- (f) Eviction notice
- (g) Official letter from the Department of works & pension
- (h) Full birth certificate
- (i) Utility bills
- (j) Court documentation
- (k) Electoral registration document.
- (l) Bank/building Society statements or book
- (m) Contract of employment
- (n) Payslips

(o) P60 or P45

5.3.3 If the document is to show evidence of residence the name & address must be on the document.

5.3.4 Other documentation will be required to show evidence of eligibility

- (a) Passport
- (b) National identity card
- (c) Immigration decision letters
- (d) Travel document/visa

5.3.5 If the document is to show identity it must contain a photograph with the name of the individual.

5.3.6 The documents will be scanned and transferred to the applicant's file as evidence.

5.3.7 The onus of supplying proof of identity and residency is on the applicant. The applicant will be suspended from bidding for properties in accordance with this policy until they can provide satisfactory proof. A further visit is not required to present further evidence and the applicant will be given instructions on how to do this.

5.4 **Property Checks**

5.4.1 The Housing Register Officer will

5.4.2 check that the rooms, facilities, and tenure claimed are correct and that the rent is actually being paid at the level required. The applicant will be asked to show details of rent books/agreements/payments etc. If they are in rent arrears the reason will need to be checked.

5.4.3 ask the relevant questions to satisfy themselves that the information being provided supports the application.

5.5 **Document Checks**

5.5.1 The Housing Register Officer will request for documentations that support that

- (a) the applicant is a "Qualifying Person".
- (b) they are not ineligible on grounds of immigration status or persons from abroad;
- (c) they have cleared any property related debts which the Council is satisfied that they could have paid
- (d) the information they have provided in their application is correct

5.5.2 No assessment takes place at the visit as it is solely to collect information, therefore the Housing Register Officer is unable to give any advice to the applicant regarding their application.

5.6 After the Home Visit

- 5.6.1 The information gathered at the home visit including the documentation is used to confirm the applicant for an offer and the visit report and the documents are scanned on the applicant's file.
- 5.6.2 Although an applicant may have been cleared for an offer, the Council reserves the right to re-investigate the application if any information comes to light that questions the applicant's entitlement to an offer. This can be at any stage prior to the applicant signing the tenancy.
- 5.6.2 If after the applicant has signed up for a tenancy and information comes to light that indicates that the property was obtained through deception, the Council will take legal action to secure an eviction.
- 5.6.3 If the applicant is not cleared for an offer the Housing Register Officer will write to the applicant and inform them of the position. It may be that more information is required before a final decision can be made.
- 5.6.4 Where a decision is made for an applicant to be suspended or excluded from the Housing Register, the Housing Register Officer must inform the applicant of their decision in writing, with details of the reason for the decision. The applicant must also be informed of their statutory right of review (for exclusions) or their right of complaint (for other deferments or suspensions/reduction in priority). Rights of Review are set out in Section I: Rights of Review, of this policy.
- 5.6.5 Where the applicant is cleared for an offer the action outlined in Section E: Voids Process of Offers of Accommodation, of this policy will apply.
- 5.6.6 If an exemption from the visit requirement is given, it will still be necessary to carry out the following checks when the applicant comes to collect their offer:
- (a) Identity checks for all family members
 - (b) proof of residence for all family members
- 5.6.7 The offer will have to be withdrawn if the applicant is not in fact eligible. If further investigation is required to establish if an applicant is a qualifying person, the offer should be held if necessary evidence can be produced quickly. Otherwise, the offer should be withdrawn and the usual procedure continued to establish eligibility.
- 5.6.8 A record of any authorisation to let a property to an applicant who has not been visited should be kept on file, and noted on their iSYS computer record. Authorisation can only be given by the Lettings Agency Manager.

6. Interpretation / translation & other facilities

- 6.2 Where it becomes apparent during the course of an interview that an applicant has language difficulties, the Allocations Officer may ask them if they want an interpreter to be present and if they have a family or friend who can assist them. A record is made on the file note of the applicant's request. The Allocations Officer will ensure that the appropriate arrangement is in place. Whenever an interpreter is present, a note of their name and relationship to the applicant should be noted on the interview notes.

6.3 Similar arrangements will be made for applicants with other needs such as Braille or enlarged script.

7. **Family members living abroad**

7.1 Family members who currently live abroad cannot be included in the application. In these cases the applicant should be advised:

(a) to register a change of circumstances as soon as the family member(s) who currently live abroad are resident in the UK;

(b) that they will only be entitled to the property size based on the need of the household actually resident in the UK;

(c) if the family member(s) currently living abroad are not resident in the UK at the time of an offer, they will have to apply for a transfer once they have moved to the UK if the property is unsuitable for them.

8. **Children currently in care**

8.1 Where a child is currently in the care of a statutory authority e.g. Social Services Department, the child will only be included as part of the application for bedroom standard purposes where the statutory authority confirms in writing that the child(ren) will be returned to the applicant upon re-housing into suitably sized accommodation.

9. **Carers**

9.1 An additional bedroom will be awarded to applicants who:

(a) have a permanent illness/disability; or

(b) have a named-carer ready to commence upon re-housing, and that a carer is recommended by a statutory agency e.g. hospital, GP, Social Services Department in line with paragraph 3 above.

10 **Prisoners**

10.1 Where an existing applicant is given a custodial sentence their application suspended on iSYS. If upon release, they re-establish residency in Newham their application the suspension will be lifted but the Council reserves the right to re-assess the applicant's eligibility in accordance with Section A of this policy.

11. **Squatters**

11.1 Squatters can register on the housing register in the normal way.

12. **Applicants who are known to be violent**

12.1 If an applicant attending Council offices is known to be violent (e.g. their name is held on the Council's cautionary contacts register) the Housing Register Team should make the reception staff /interviewing officer aware of the situation to ensure that the necessary measures are put in place.

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- 12.2 The Health Authority, Social Services Department and Probation Service will complete a standard form for all clients who they know are suffering from mental illness or a personality disorder and who have a known history of violent behaviour which presents a danger to the public (whether they have been before the courts or not). This standard form is called "Supporting Application for Ordinary Housing - Recovering Mentally Ill Clients with Forensic History or History of Dangerousness".
- 12.3 All standard forms will be sent to the Housing Options Centre (HOC).
- 12.4 The Allocation Team will know that information is held on this file when they see a computer screen note stating "contact Senior Caseworker Dealing with Forensic Cases before making any offers".
- 12.5 Where this applies, the Allocations Team must contact the appropriate officer in HOC for information. They will be sent a copy of the standard form and any other information that has been attached.
- 12.6 Information that an agency does not want to be seen by the client will be clearly marked.
- 12.7 Agencies are expected to share information on a need to know basis.
- 12.8 Clients may not withhold disclosure of information where it is needed to reduce the risk of danger to themselves, staff or the public.
- 12.9 Where the client is re-housed the standard form must be included in the new tenancy file.
- 12.10 The Allocation Team must ensure that RSLs receive a copy of the standard form and any attached papers when nominating. Similarly other local authorities must receive the information with nominations made through any other scheme.
13. **Rights of Review**
- 13.1.1 Applicants have a right to request a review of any decision about the facts of their case which is likely to be or has been taken into account in considering whether to allocate housing accommodation to him or her. Full details of the procedure is given in section I.

SECTION E: THE VOID PROCESS AND OFFERS OF ACCOMMODATION

1. Introduction

- 1.1 Void (empty) properties affect the Council in terms of a loss of rental income, the continuing provision of temporary accommodation for homeless families, the possible deterioration of the property and increased risks of squatting and vandalism, and a poor public image. It is therefore essential that void properties are let quickly and without unnecessary delay.
- 1.2 According to departmental targets 100% of voids that are ready for letting must be allocated:
 - (a) within two days from property becoming ready for letting (direct offers);
 - (b) within two days from close of shortlist for properties advertised by choice based lettings; and
 - (c) subsequent offers to be offered within one day following a refusal.

2. Notification of voids

- 2.1 Lettings are notified of property terminations not resulting from transfers by the Termination & New Tenancy Team.
- 2.2 Within a week of the property becoming vacant the Lettings Agency receives a voids inspection report (VIR) from the Voids Team or the TMO/managing agency. This gives details of the property in terms of size, type, facilities such as heating, cooking, and access to a garden, any special characteristics such as disability adaptations and rent details.
- 2.2 Where a property is not ready for letting immediately, for example, because there are outstanding repairs, or a new property the Allocation Officer may pre-allocate the property or offer the property as an “accompanied viewing whilst works are in progress”. The Voids Team or RSL will advise the Lettings Agency when the property becomes ready for immediate occupation.
- 2.3 Offers will be made either from choice based lettings shortlists or to a direct offer candidate

3. Checks before an offer is made

- 3.1 Having decided which applicant will receive the offer the Allocations Officer then carries out a series of checks before making the offer. An applicant who is not an existing tenant of the Council or who is not an accepted homeless case may not be made an offer without first having appropriate investigative checks carried out to verify their circumstances and determine eligibility.
- 3.2 The applicant's computer records are examined to determine eligibility; that they do not have any outstanding offers; and have not exhausted their entitlement to offers (for direct offer cases). Family composition details are checked to ensure that the applicant has been awarded the correct bedroom entitlement. Checks are also made to ensure that specific requirements, such as essential heating factors are also taken into account. Any ambiguous information must be confirmed with the relevant section or officer, for example, where pregnancy dates have expired, or there are comments regarding rent arrears, anti social behaviour or any other breach of tenancy.

3.3 Providing the application is eligible for the offer, the Allocations Officer carries out a detailed tenancy check, for all non-homeless allocations the Allocations Officer obtains the applicants file and the following checks are made:

- (a) if the applicant is a Council tenant, that they eligible for an offer in line with the rent arrears/ property condition /right to buy policies.
- (b) That the applicant's computer details correct and any information, which may affect the offer, has been updated on the computer.

4. **Offers to Council employees, Councillors or their relatives**

4.1 Where an offer is being made to a Council employee, Councillor, one of their relatives or friends, the Head of Housing Needs must authorise the offer before it is made. The Allocations Officer completes the "Request for approval to re-house staff/Council members and/or their relatives form which the lettings Agency manager presents for approval. When the Allocations Officer receives written confirmation that the offer is approved, the offer can be made.

5. **Making offers - LBN property**

5.1 Offers of sheltered housing, adapted dwellings, and housing association properties are subject to separate procedures, which are given in Sections E and H of this policy.

5.2 The Allocations Officer makes an offer by:

- (a) arranging a viewing date with the New Tenancies Team
- (b) sending a standard offer letter to the applicant by first class post or hand delivery, where necessary; telephoning the applicant to advise them of the viewing arrangements. Where the telephone contact is unsuccessful to send a text or leave a message or message through their bidding account.

5.3 The viewing letter should contain the following:

- (a) the name and full postal address of the applicant including postcode
- (b) the names of all the household members
- (c) the case reference number
- (d) the date of the letter
- (e) details of the property being viewed
- (f) appointment time
- (g) ranking of the applicant
- (h) contact details of the officer
- (i) the lettable standard leaflet
- (j) any other appropriate information relating to the arrangement.

5.4 A copy of the letter is kept on the applicant's file and the applicant's offer history details are updated.

5.5 The Allocations Officer must action any requests on the computer which state that a copy of the offer letter is sent to a named officer or organisation. This must be done at the same time that the offer letter is sent to the applicant.

6. **Multiple offers**

- 6.1 Up to 10 applicants may be invited to view a property at a time.
- 6.2 The purpose of a multiple offer is to reduce the void period, where there have been or are likely to be sequential refusals. The Allocations Officer, having decided on the number of offers to be made (usually three), selects applicants off the top of the shortlist.
- 6.3 The Allocations Officer checks each applicant in accordance with paragraph 5 (of this Section E) above and when satisfied, on the information known, that the applicant is suitable (as defined by policy) creates an offer on iSYS using the standard procedure.

7. **Accompanied viewing**

- 7.1 An accompanied viewing is arranged to take place usually within three days of the offer. However in some cases it may be longer. The viewings are carried out by the New Tenancies Team. Officers involved in regeneration projects also conduct accompanied viewings.
- 7.2 The New tenancies Team is given the following
- (a) a list of the applicants and their queue position;
 - (b) details of the special needs of any of the applicants in order for the appropriate arrangements to be organised.;
 - (c) property details as advertised.
 - (d) family details of each applicant viewing
 - (e) any other information necessary.
- 7.3 All subsequent negotiations with the applicants viewing the property and the eventual sign up process are carried out by the New Tenancies Officer, if necessary in consultation with the Allocation Team.

8. **Nomination to Registered Provider Landlords/ Housing Associations**

- 8.1 Registered Providers are one of the main providers of social rented housing in Newham and represent an increasingly important resource in meeting the borough's housing need. They are independent non-profit making organisations. There are over 20 different RPs working in Newham, providing a range of housing (from shared to family) for a variety of client groups (general and special needs) through a variety of tenures (social rented or shared ownership).
- 8.2 RPs give the Council "nomination rights" to a percentage of its "true void" vacant properties, as defined by the nominations agreement. Unless the Council has formally agreed to waive all or some of its nomination rights or agreed to additional nomination rights; the Council are offered nominations on the following basis:
- (a) 75% of "true voids" for family-sized accommodation (two bed +);
 - (b) 50% of true voids for bedsit, shared and one-bed units.
- 8.3 The Allocation Officers nominate applicants to RPs in line with the Council's allocation policy and as laid down in the Nominations Agreement. When considering a nomination from the local authority, RSLs are expected to accept the Council's prioritisation of housing need, re-housing standards and rent arrears policies.

8.4 Notifying the RP/Housing Association

- 8.4.1 The Allocation Officer notifies the RP of the nomination using the nomination form agreed by the East London Housing Partnership.
- 8.4.2 Within 2 working days of the bidding cycle the Allocation Team will send the names of the two applicants who have either bid for the property or has been made a direct offer. This is subject to verification. The Registered Provider is responsible for advising the applicant of the viewing arrangement.

8.5 Notifying the Applicant

- 8.5.1 The Allocation Officer sends a letter to the applicants identified following the close of bidding advising them that they have been nominated to the RP. They are given information of the name of the RP and advised that the RP is responsible for contacting them directly to make arrangements for the accompanied viewing.

9. Resulting RP Nominations

- 9.1 Where the nomination has accepted the offer the Allocations Officer:

- (a) Updates the applicant's offer history record on iSYS computer system and close their application.
- (b) Withdraws the offer from any second nominee and reactivates their case.

- 9.2 Where the nomination is rejected by the RP, or refuses the property, the Allocations Officer:

- (a) Nominates the next set of applicants
- (b) Updates the records accordingly with the reasons for the refusal and takes whatever action is necessary if it was a direct offer case.

- 9.2.1 Within 5 days of the property being let, the RP must inform the Allocation Team who the property was let to and the tenancy date. At the same time they must also supply details of any applicants who were ineligible or refused the offer. This is so that the applicants who are still eligible to bid are not disadvantaged by the delays in processing refusals. For the applicants who have accepted properties, their existing tenancy (if there is one) needs to be terminated as soon as possible.

10. Direct Applications to RPs

- 10.1 Most RPs do not keep an open waiting list for their general needs housing but instead offer their vacancies to the Council by way of nomination rights to an approved list of referral agencies which is periodically reviewed, or to their own tenants.
- 10.2 There is however a number of RSLs that provide specialist accommodation for particular client groups e.g. elders. These associations accept direct applications and will either periodically open their waiting list or keep it open throughout the year.

11. Offers of LBN Properties Managed by Other Agencies

- 11.1 The process of making offers to LBN properties managed by other agencies e.g. TMOs is different. The shortlist of successful bidders are passed to them by the Allocation Team and they are responsible for contacting the applicants in writing and by telephone to advise them of the viewing and sign up arrangements.

12. **Withdrawal of Offers**

12.1 A written offer can only be withdrawn, prior to the tenancy being signed, where:

- (a) the applicant has made a false declaration, or failed to provide up to date information, and this substantially alters their eligibility for the property offered
- (b) the information available at the time of offer about the vacant property was incorrect, and it is subsequently discovered that the size and type is no longer suitable to the applicant's needs;
- (c) as a result of incorrect information on the applicant's computer records, which means that the applicant's eligibility is substantially altered.

12.2 For circumstances not covered above, where an incorrect offer is made the Allocations Officer must discuss the matter with the Allocation Team Leader or the Lettings Agency Manager immediately for instructions.

SECTION F: COMPENSATION PAYMENTS AVAILABLE ON RE-HOUSING

1. Introduction

- 1.1 There are a number of payments that are made to different categories of applicant as a result of them having to move both on a temporary and permanent basis. Details of the various types of payment and whom they apply to are given below. If applicants make their own arrangements for alternative accommodation they will still be entitled to Home Loss payments.

2. Home Loss Payments - permanent re-housing

- 2.1 Home loss compensation is paid to tenants, who have been required to move permanently from their home by the Council, and are re-housed or re-house themselves:

- (a) on a decant basis, e.g. due to major works, improvement action, or a demolition/closing order; or;
- (b) due to "fire or flood" (Council tenants only).

- 2.2 Payments are not paid to tenants who could, but refuse, to return to their previous home.

- 2.3 Both Council and private sector tenants are eligible for home loss payments. Some are entitled to statutory payments, whilst others receive equivalent payments each having different rules and levels of payment. Joint tenants have the payment divided between them.

3. Statutory payments (Land Compensation Act 1973)

- 3.1 The tenant must have lawfully occupied the property as their principal home for 12 months before being re-housed.

- 3.2 Where eligibility is established, the home loss payment is £ 4700 as at 1 September 2008.

- 3.3 Certain decant categories are eligible for "statutory" home loss payments, which are administered by Legal Services (Land Group) Corporate Services. These would include people affected by Compulsory Purchase, Closing or Demolition Orders, and people being re-housed as a result of major improvement/regeneration schemes.

4. Non-statutory payments

- 4.1 £1000 is paid, irrespective of the length of residency.

- 4.2 Permanent decants as a result of individual properties requiring major repair works, along with applicants who are permanently re-housed due to "fire or flood", are eligible for equivalent home loss payments.

5. Disturbance payments - permanent re-housing

- 5.1 Disturbance payments are made to cover reasonable expenses incurred by tenants who are forced to move from their home on a permanent basis due to:

- (a) Council action (decants);
- (b) "fire or flood" (Council tenants only);
- (c) emergency re-housing cases (harassment/domestic violence only) who are not being dealt with by the Housing Options Centre.

5.2 Disturbance payments are also paid to Council under-occupation transfers where a tenant is re-housed to a property with fewer bedrooms specifically under the under-occupation transfer scheme.

5.3 Some applicants are entitled to statutory payments, whilst others receive payments on an "equivalent" basis. They are paid to any Council or private sector tenant who is residing in the property at the time of moving.

6. **Removal expenses**

6.1 As well as a lump sum disturbance payment an applicant can claim for removal costs. Removal costs include:

- (a) the hire of a removal van;
- (b) the disconnection & reconnection of cooker;
- (c) the disconnection & reconnection of telephone;
- (d) the redirection of mail - this applies to tenants being re-housed as a result of harassment (for 3 months) only.

7. **Council Under-Occupation Transfers**

7.1 Transfers made because a tenant is under-occupying may receive the following amounts in compensation.

7.2 Removal costs which consists of the hire of a removal van, the disconnection and reconnection of a cooker and telephone.

7.3 A lump sum payment of £500 for the first bedroom released, followed by £350 for each subsequent bedroom.

7.4 This provision extends to RP tenants where the move is in the Council's interest and the tenant is not also receiving financial support from the RP. The Council may also arrange removals in these cases, subject to the RP's agreement to give the resultant void to the Council outside the nomination agreement.

8. **Adapted Property Transfers**

8.1 The compensation for releasing an adapted property will be a flat rate of £3000. The property must be fully adapted to wheel chair standard and assessed as suitable for a wheelchair user by the Occupational Therapist.

9. **Successor tenants obliged to move**

9.1 Removal expenses are paid to statutory successor tenants who are required to move by the Council on grounds of under-occupation, or because they occupy specialist accommodation which is no longer required.

9.2 They qualify for the following payments:

- (a) the reasonable cost of the hire of a removal van;
- (b) the reasonable cost of the disconnection and reconnection of a cooker and telephone.

9.3 Applicants re-housed under the non-statutory succession scheme are not entitled to any form of compensation or payment.

10. Temporary decants

10.1 Council and private sector applicants who are being temporarily decanted are entitled to:

- (a) the reasonable cost of the hire of a removal van;
- (b) the reasonable cost of disconnection and reconnection of a cooker, telephone, and automatic washing machine;
- (c) the reasonable cost of the re-direction of post for the entire decant period.

10.2 These removal costs are paid in respect of both the move to their temporary home and the move back to their permanent home.

10.3 No removal costs are paid to owner-occupiers who are temporarily re-housed into Council accommodation, whilst renovation grant works are carried out to their permanent home.

11. Definitions

11.1 Home Loss Payment

Compensation in recognition of upset and inconvenience of moving.

11.1.1 Statutory: The recipient must have been in lawful occupation for one year prior to date of moving and will receive £4,700 lump sum in accordance with Land Compensation Act 1973 (as amended).

11.1.2 Discretionary Payment: The recipient will receive £1,000, irrespective of length of residency.

11.2 Disturbance Payment

11.2.1 Reasonable expenses incurred in being displaced.

11.2.2 Lump sum of £200 (£250 if OAP/Registered Disabled) + Removal Expenses.

11.3 Removal expenses (temporary decants)

11.3.1 Reasonable costs of hiring a removal van.

11.3.2 Reasonable costs of Disconnection/reconnection of cooker and telephone. Temporary decants also qualify for disconnection/reconnection of a washing machine.

11.3.3 Reasonable costs of the re-direction of mail for temporary decants (entire period) and racial/sexual/other harassment overrides (3 months) only.

SECTION G: MEDICAL ASSESSMENTS

1. Introduction

- 1.1 This procedure applies wherever an applicant or a member of his or her household has a medical condition that may affect his or her application.
- 1.2 The applicant and, if applicable, the member of his or her household must complete separate Medical Application Forms.

2. Award of medical priority

- 2.1 The following levels of medical priority may be awarded:

- 2.2 Emergency re-housing status:

- (a) if the medical condition is so severe that it is impossible for the applicant to live in their current home, or
- (b) where an applicant is in hospital or residential care and can be discharged only if re-housed in more suitable accommodation, or
- (c) where an applicant is living in accommodation that requires adaptations but these either cannot be carried out at all, or where adaptations are technically feasible but not within reasonable cost limits taking into account the future needs of the applicant (as assessed by the Occupational Therapist) and the need to make the best use of stock and mitigate overall cost to the Council.

- 2.3 Reasonable Preference:

- (a) where an applicant's current home is unsuitable and is having the effect of exacerbating the poor health of the applicant and the applicant needs to be re-housed on medical grounds

- 2.3.1 Reasonable Preference status may be reviewed and removed where a new medical assessment has been carried out and the applicant's conditions have improved, or where the applicant has provided fraudulent or misinformation regarding his or her medical/housing need.

3. Restrictions on property type requirements

- 3.1 Applicants who have been awarded emergency status on medical grounds and other direct offer groups may require specific property types as a result of their medical condition, for instance specific heating, floor level, property type, or wheelchair-accessible/adaptable accommodation. Applicants assessed as needing wheelchair accessible property category A or B will not be eligible for any other category of property.

4. Separate bedroom entitlement

- 4.1 This may be awarded where the applicant needs their own bedroom for medical reasons, needs a carer/personal assistant, or some special bulky medical equipment.

5. The Assessment Procedure

- 5.1 Every medical application is assessed on its merits by the Council. For this purpose, the Council may obtain the opinion of a Medical Adviser. Assessments are not primarily concerned with determining the severity of the applicant's medical condition but reflect their difficulty in coping with their existing housing. For example, a person with a serious heart condition who is living on the ground floor may not receive any medical priority. However, if the property is in such a bad condition that the risk of a chest infection through cold or damp would endanger life, priority can be awarded if heating/dampness problems cannot be rectified.
- 5.2 The Council will not normally reconsider an application on medical grounds where there has been an assessment within the last 6 months, unless there is a serious change in the circumstances (medical or housing).
- 5.3 The Council's Medical Adviser does not carry out individual medical examinations. Opinions are based on the information given by the applicant on the Medical Assessment Form. Applicants do not have to submit any medical evidence in support of their application. Where required, the Medical Adviser will request the necessary information from the relevant medical professional.
- 5.4 The Housing Register Team asks for the Medical Adviser's opinion after having logged this on the appropriate record on the Medical Referrals section on the iSYS computer system. The various stages of the assessment procedure are given below:
- (a) The Housing Register Officer records receipt of the medical application form on the iSYS system.
 - (b) The Housing Register Officer checks that the form has been completed, that details of any doctors/consultants have been provided, and that both the consent sections have been signed. Where the form is incomplete, they will contact the applicant to obtain the necessary details. The application is then sent to the Medical Adviser for an opinion.
 - (c) The Housing Register Officer sends the Medical Adviser the following:
 - The applicant's Medical Assessment Form
 - Any housing reports, where available (i.e. proof of dampness, lift breakdown, lack of amenities);
 - Any medical evidence;
 - A Medical Assessment Referral Form; and
 - Copies of any previous medical applications and opinions.
 - (d) Where additional information/confirmation is required, the Medical Adviser will contact the relevant medical professional. The Medical Adviser should inform the Allocations Team of any delay that this will cause.
 - (e) If no reply is received from the medical professional within 4 weeks, the Medical Adviser should send a reminder letter enclosing the above documents.
 - (f) If there is still no response within a further 4 weeks, the Medical Adviser should return the applicant's Medical Assessment Form and other documents to the Housing Register Officer Team, without an opinion. Where this happens, the Housing Register Officer must inform the applicant in writing that the Council is unable to carry out the

medical assessment owing to the failure of the applicant's medical professional to provide information/confirmation.

- (g) The Medical Adviser sets out his/her opinion in the Medical Assessment Referral form which is returned to the Housing Register Officer who record it on the applicant's iSYS computer records.
- (h) On receipt of the Medical Adviser's opinion, the Housing Register Officer carries out the assessment having regard to all the circumstances including the Medical Adviser's opinion and any recommendations. The Housing Register Officer notifies the applicant in writing of the assessment, provided that no notification need be given where the assessment does not give emergency status or reasonable preference for general list applicants.
- (i) Due to the significant advances in medical treatment for applicants diagnosed with HIV/AIDS, their application will be assessed according to the process above.
- (j) All cases with medical priority are to be reviewed periodically.

5.5 Re-Assessment

- 5.5.1 If additional information is submitted subsequent to an assessment, the Council will carry out a new assessment based on all the information available at that time. If necessary, the Council will obtain a further opinion from the Medical Adviser. This might happen, for example, where an applicant's medical condition has changed since the previous assessment, or where all medical evidence was not available at the time of the original assessment. It may also happen to those with emergency re-housing status that have not been re-housed within a year of their award.

5.6 Referrals to Other Agencies

- 5.6.1 Medical priority and Social Services priority often overlap due to complex problems experienced by some applicants. Where appropriate, the applicant could be awarded emergency status by the joint Social Services and Housing panel.
- 5.6.2 Also, where appropriate, referrals could be made to the occupational therapists or other relevant sections in the Social Services Department before or after a medical assessment is carried out.
- 5.6.3 Where housing or environmental defects are the grounds for the medical assessment request and it is possible that these may be resolved by corrective action the case should be referred to the appropriate officer. The officer should determine whether remedial works could be done within a reasonable length of time. Council tenants should be referred to their Housing Management Team and non-Council tenants to the Private Sector Team. This referral should be done prior to any request for a medical assessment where, for example, the applicant's property is damp, lacks a hot water system, or has a defective heating system.

SECTION H: ALTERNATIVE HOUSING OPTIONS

1. Introduction

1.1 There are a number of housing schemes for people who wish to move either within Newham or to another local authority area. Applicants may get help by way of a mutual exchange or via the Pan London Mobility scheme, details of which are given below. Where an applicant requests details about these schemes, the Housing Advice & Options Officer, should give any available information and help in completing the necessary forms.

2. Mutual exchanges (assignment of tenancy)

2.1 Both "secure" Council and housing association tenants, in England, Wales, Northern Ireland and Scotland, who occupy permanent self-contained accommodation, have a legal right to exchange their tenancies under Section 92 of the Housing Act 1985. "Assured" housing association tenants, and "Assured Shorthold" tenants in the private sector, also have this right if it is granted as part of their tenancy agreement. There can be two, or even three-way, exchanges and the landlord of each have to consent in writing.

2.2 Mutual exchanges are essentially a self-help process. Tenants are expected to find their own exchange partner.

2.3 Where a Council tenant expresses an interest in a mutual exchange by personal enquiry, they will be directed to the relevant websites operated at the time.

2.4 Before an exchange can take place, both exchange partners must get the respective landlord's permission to the exchange. Therefore, when a tenant finds a suitable exchange partner, be that from whatever source, irrespective of where they live and who their landlords are, all applicants must complete the Mutual Exchange Application form. Where there are two (or more) landlord's involved, applicants must make an application to the other landlords and must complete (and return) the required application forms for each.

2.5 Upon receipt of all Mutual Exchange Application forms, the Landlord has 42 days in which to notify the tenant in writing if it agrees to the exchange taking place and can only refuse consent on one of a specified schedule of grounds, which are outlined in Schedule 3 of the Housing Act 1985.

2.6 Following receipt of all completed Mutual Exchange application forms, the Housing Advice and Options Officer:

(a) registers the application on iSYS,

(b) sends a letter to all tenants advising them of the next stage in the process and informing them that they must not exchange until permission from all landlord's involved has been granted, and, that the decision will be given within 6 weeks;

(c) requests a report from the Housing Management Team for all Council tenants involved in the exchange. This asks for details of the tenancy (including rent account information and debt recovery action, for which the Housing Management Team will consult with the Rents and Enforcement Team), household composition, and any comments regarding the exchange. A Property Inspector will carry out an inspection to check the condition of the property;

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- (d) where applicable, sends a letter and report form for completion by the non-LBN landlord, at the same time asking whether or not they consent to the exchange;
- (e) where a report has not been returned by the Housing Management Team within 21 days of the initial request, the Housing Advice & Options Officer will write to the relevant Housing Management Team. Where there is a non-LBN tenant involved in the exchange a letter is sent to the other landlord where the report has not been received.
- 2.7 The landlord loses the right to rely on any of the grounds unless it replies within 42 days. It is therefore essential that the report is received in good time. Consequently, if the report is not returned within the required time-scale, the Lettings Team notifies the relevant Housing Compliance Team of their non-compliance with statutory time-scales, and sends a copy to the Head of Housing Compliance.
- 2.8 After receiving the completed reports from the Housing Management Team the Housing Advice & Options Officer checks that the information provided by the tenants matches that of the report (e.g. occupancy), sort out any ambiguities, and then complete a "Mutual Exchange Decision Paper" passing that to the Lettings Support Team Leader for a decision.
- 2.9 The Housing Support Team Leader checks the file and ensures that both policy and legislation are being complied with before signing off the exchange. In particular the following checks will be done to ensure:
- (a) that the tenancy details are correct;
 - (b) the tenancy terms relative to the exchange
 - (c) that there are no debts owed to the Council;
 - (d) that the technical report is acceptable and that the property is not Sheltered, adapted or designated for use by the elderly;
 - (e) that occupancy and number of bedrooms are correctly matched and that the mixed-sex sleeping rules are not breached.
 - (f) that there is no under-occupation.
- 2.10 The Housing Support Team Leader indicates on the mutual exchange decision paper whether the exchange is agreed or refused, and if refused, on what grounds.
- 2.11 Where the exchange is agreed, the Housing Advice & Options officer:
- (a) notifies both tenants of the Council's agreement in writing. If a non-LBN tenant is involved in the exchange, the other landlord must be notified in writing before the exchange can go ahead;
 - (b) Where an exchange is not agreed, a personal letter is sent to both tenants stating the reasons why, and given details of their right of complaint against this decision in the normal way. However, where an external landlord is refusing the consent, the tenants cannot complain to Newham.

3. Debts owed to the Council and breaches of tenancy

- 3.1 Consent to the exchange will be withheld if any of the parties have any property-related debts to Newham Council and consent will only be given when all debts have been cleared.
- 3.2 If any other breaches of tenancy have occurred the Council can insist that the breach be remedied before proceeding with the exchange.

4. Mutual exchange - guidelines on overcrowding

- 4.1 An exchange can be approved where it results in the overcrowding of a Newham Council property where it involves the household moving to a property with one bedroom less than their normal entitlement, providing no statutory overcrowding occurs as a result. This is consistent with the choice-based lettings scheme rules, which allows applicants to bid for a property with one bedroom less.

5. Mutual exchange – Under-occupation

- 5.1 Newham has a very high level of overcrowding with a very high demand for larger family sized properties. An exchange will not be approved where it involves the household moving to a property with one or more bedrooms than their normal entitlement under the current Allocation policy.

6. Seaside & Country Homes Scheme

- 6.1 This scheme is administered by Housing Moves (part of the GLA). To qualify for nomination, the applicant must be a Council tenant aged 60 or over and capable of independent living. All members of the household must be 60 or over. Applicants must have a clear rent account and no debts to the Council.
- 6.2 Registered Provider tenants should approach their own landlord for moves under this scheme.
- 6.3 Where an applicant expresses an interest in moving via Seaside and Country Homes and they meet the criteria of the scheme, the Housing Advice & Options Officer gives them a "Seaside and Country Homes Application Form" to complete, along with information on areas covered by the scheme. This is returned to the Housing Advice & Options Officer for processing.
- 6.4 The Housing Advice & Options Officer checks that the applicant is registered on iSYS and that they have no property related debts.
- 6.5 The Housing Advice & Options Officer checks that the applicants qualify for nomination and if so, send the form directly to Housing Moves. A copy is kept on file and a letter sent to the applicant notifying them of the nomination.
- 6.6 Housing Moves then make contact with the applicant directly to arrange an interview to discuss the availability of selected areas. Following the interview, Housing Moves will advise the applicant if they have been accepted. If a case is rejected the Housing Options & Advice Officers are notified.
- 6.7 Where an applicant has been nominated to another local authority through any of the above schemes, the Housing Advice & Options Officer will update the applicant's computer records on iSYS with details of the date and type of mobility nomination.

6.8 Where the receiving authority notifies Newham that they are unable to accept the nomination, the Housing Advice & Options Officer will amend the applicant's iSYS computer records accordingly.

6.9 Where the receiving authority notifies Newham of offers made, the Housing Options & Advice Officer will notify the Housing Management Team.

7. **Pan London Mobility Scheme**

7.1 This is a scheme administered by Housing Moves to enable social housing tenants to move to other parts of London. The Council contributes 5% of its annual lettings to the Central Pool. Applicants who wish to be re-housed via the scheme need to make a direct application to Housing Moves in order to be considered.

7. **Special Needs Housing**

7.1 Introduction to sheltered housing

7.1.1 Sheltered housing is housing for older people who are active enough to live independently, perhaps with the help of family, friends or the usual services available to people in their own homes such as home help, district nurse, and who want the underlying security of being able to seek support should the need arise. Sheltered housing offers people:

- (a) the opportunity of living within a community of people of a similar age group;
- (b) individual independence and privacy;
- (c) security through a resident warden and the Newham Network Community Alarm Service.

7.1.2 It is not suitable for people who are particularly frail and should not be confused with residential care homes (also known as Part III accommodation) where care staff provides meals and personal attention to the residents.

7.2 **Council Sheltered Schemes**

7.2.1 The Council owns and directly manages a number of sheltered schemes in Newham. Each Scheme is purpose-designed for older people and consists of a small block of self-contained bedsit and flats that are linked by internal heated corridors to communal facilities, including a common room, communal bath/shower room, laundry room, and guestroom. Most blocks are on two levels, although most now have a lift. All individual bedsit/flats have their own toilet and wash-hand basin, and are centrally heated. The flats are let unfurnished so tenants must bring their own furniture. Each flat/bedsit also has a kitchen area. Most tenants, however, share communal bathrooms/shower facilities with three other residents.

7.3 **Registered Provider Sheltered Schemes**

7.3.1 There are a number of Registered Social Landlords (RSLs), usually housing associations that also own and manage sheltered housing in Newham. The Council's sheltered housing service as described above may not necessarily apply to these schemes (for example there may not be a resident warden). Details of RSL schemes are also given in the "Sheltered Schemes in Newham" booklet. The Council has nomination rights to these schemes and will put forward applicants in accordance with the criteria used to allocate to its own sheltered vacancies, taking into account any specific requirements/characteristics of the scheme including advertisement through the choice based lettings scheme.

7.4 Criteria for Sheltered Housing

7.4.1 In order to be considered for sheltered housing:

- (a) applicants will normally be at least 60 years old, although some RSL schemes have a lower minimum age requirement (usually 55).
- (b) the applicant must be able to wash and dress themselves (with the help of a partner/agency where appropriate), and cope with life in general in the scheme;
- (c) incontinence is not an automatic reason for exclusion. Temporary/catheter incontinence where the applicant is aware and able to deal with it himself or herself is not grounds for ineligibility. However, any degree of mental confusion coupled with incontinence would mean that the applicant was not suitable for this type of housing;
- (d) exclusion on the grounds of disruptive behaviour will be taken into account when deciding whether an applicant is eligible. There must be a proven history of disruption and for this reason, as much information as possible should be sought on prospective applicants from former tenancy files, Adult Social Care, Community Psychiatric Nurses. An eccentric lifestyle will not automatically exclude any applicant.

7.5 Sheltered Housing Assessment

7.5.1 Older applicants who are interested in sheltered housing are assessed by the Options and Advice Team in the Lettings Agency. The details of their application are discussed to confirm that the applicant is both willing to accept sheltered housing and is suitable for an allocation, according to the above criteria..

7.5.2 Only applicants who have been assessed as eligible for sheltered accommodation is able to bid for schemes of this type.

7.6 Sheltered Housing Vacancies

7.6.1 The iSYS computer record is updated and the correct field is entered to enable the applicant to bid for sheltered properties that are advertised.

7.6.2 Dogs and cats are not usually permitted in sheltered schemes. If a prospective tenant already has a dog or cat the warden may make an exception. Some pets such as caged birds and fish are allowed but are the sole responsibility of the tenant. Pets will only be permitted if the tenant is able to look after them.

8. Very Sheltered Scheme

8.1 Holden Point is a very sheltered scheme jointly managed by the Adult Social Care and Housing. It is for frailer elderly people who need levels of care and support above that which is normally provided in sheltered housing. It is a lifted block consisting of one, two, and three-bedroom flats, and is fully accessible to wheelchair users. There are three wardens providing a 24-hour service and, in addition to this, each flat is linked to the Newham Network Community Alarm Service.

8.2 Applications for the scheme will normally be considered from people over 60 years of age. Applications for the two/three bed units, which are designed for older people and their carers, are considered where all household members (other than the applicant/spouse) are at least 18 years of age. Couples (both aged over 60) may be considered for the 2 bedroom units.

Households consisting of 3 persons (e.g. couple both over 60 and one adult child over 18) may be considered for the 3 bedroom units.

8.3 Vacancies are generally advertised through the choice based allocation scheme.

9. Sheltered Scheme with family units

9.1 There are some scheme with a number of 2 and 3 bedroom flats for elderly people with carers and/adult children. To apply, applicants/spouses must be 60 years or older. For the family flats, children/carers must all be 18 years or older. Couples (both aged over 60) may be considered for the 2 bedroom units. Households consisting of 3 persons (e.g. couple both over 60 and one adult child over 18) may be considered for the 3 bedroom units.

9.2 Applicants are registered on the housing register in the normal way. Allocations are made in the same way as other sheltered schemes.

10 Designated Bungalows (DB)

10.1 There are a number of bungalows that are designated specifically for allocation to people aged 50 or older, or for younger people who are disabled or who have a medical reason for such property. A full list is given below. Any bungalow not on the list should be let in the normal way to the highest placed qualifying applicant.

11. Designated Elderly Blocks (DEB)

11.1 There are a number of blocks in Newham that are designated specifically for allocation to older people. These are listed below. These blocks consist of bedsits and/or 1-bed units only, and can only be offered to people who are 50 years or older.

12. Register of Designated Bungalows and Designated Elderly Blocks

12.1 Register in alphabetical street order:

| Address | DB or DEB | Community Housing Area |
|------------------------------------|-----------|------------------------|
| Alison Close, 11-12 | DB | East Ham & Docklands |
| Anne Street, 40-52 | DB | Canning Town North |
| Balaam Street, 70-98 | DEB | Canning Town North |
| Biggerstaff Road, 14-24 | DEB | Carpenters TMO |
| Boyce Way, 21, 27-31 | DB | Canning Town North |
| Brock Road, 69a | DB | Canning Town North |
| Caistor Park Road, 1-9 | DB | Stratford |
| Chaplin Road, 2-24 | DEB | Stratford |
| Chesterton Road, 91 | DB | Green Street |
| Cordwainers Walk, 1-41 | DEB | Green Street |
| Crofton Road, 18-20 | DB | Canning Town North |
| Devalls Close, 14-15 | DB | East Ham & Docklands |
| Doran Walk, 80-86, 100-106 | DEB | Carpenters TMO |
| Drakes Walk, 27-41 | DEB | East Ham & Docklands |
| Durban Court, Katherine Road | DEB | Manor Park |
| Durban Road, 2-4 | DB | Canning Town North |
| Durham Road, 25 | DB | Canning Town North |
| East Ham Crescent, Brentwood, 2-12 | DB | Canning Town North |
| East Ham House, Loxford | DEB | East Ham & Docklands |

| Address | DB or DEB | Community Housing Area |
|--|-----------|------------------------|
| Avenue | | |
| Eric Shipman Terrace, Balaam Street | DEB | Canning Town North |
| Foster Court | DEB | Canning Town South |
| Garvary Road, 106-108* | DB | Canning Town South |
| Gladding Road, 1a-1f | DEB | Manor Park |
| Grangewood Street, 2-6 | DB | Green Street |
| Grantham Road, 37-59 | DEB | Manor Park |
| Greenhill Grove, 5-51 | DEB | Manor Park |
| Hathaway Crescent, 50,51,84,85,118,119,152,153 | DB | Manor Park |
| Heather Close, 10-11 | DB | East Ham & Docklands |
| Humberstone Road, 26 | DB | Green Street |
| Huntingdon Street, 4 | DB | Canning Town South |
| Jack Cornwell Street, 81-85 | DB | Manor Park |
| Keppel Road, 29-31 | DB | East Ham & Docklands |
| Kylemore Close, 1-31 | DEB | Green Street |
| Larkspur Close, 1,4 | DB | East Ham & Docklands |
| McDowall Close, 2-36 * | DEB | Canning Town South |
| Market Street, 146 | DB | East Ham & Docklands |
| Meath Road, 2-4 | DEB | Stratford |
| Mortlake Road, 12 | DB | Canning Town South |
| Newton Road | DEB | Stratford |
| Orchid Close, 3,9 | DB | East Ham & Docklands |
| Ozolins Way, 1-12, 14-21, 24-27, 35 | DB | Canning Town South |
| Pragel Street, 11-19 | DB | Green Street |
| Queens Road West, 85-95 | DB | Green Street |
| Ranelagh Road E15, 1-3 | DEB | Stratford |
| Reed Close, 16-20 | DB | Canning Town South |
| Renfrew Close, 22-28, 50-54 | DB | East Ham & Docklands |
| Shaftesbury Point | DEB | Green Street |
| Sidney Elson Way, 1-13 | DB | East Ham & Docklands |
| Sorrel Gardens, 21-27 | DEB | East Ham & Docklands |
| Southchurch Court | DEB | East Ham & Docklands |
| Sunningdale Close | DB | East Ham & Docklands |
| Talbot Road E6, 40 | DB | East Ham & Docklands |
| Tansy Close, 10-12 | DB | East Ham & Docklands |
| The Beeches | DEB | Manor Park |
| The Elms | DEB | Manor Park |
| The Firs | DEB | East Ham & Docklands |
| Third Avenue E12, 79,81,99,101 | DB | Manor Park |
| Triangle Court | DB | Canning Town South |
| Vera Lynn Close, 2-27 | DEB | Manor Park |
| Victoria Dock Road, 251-264 | DB | Canning Town South |
| Victoria Road, 1-11 | DB | Green Street |
| Vine Road, 11-23 | DB | Stratford |
| Waddington Street, 45-61 | DEB | Stratford |
| Washers Court, Telham Road | DEB | East Ham & Docklands |
| Windmill Lane, 84-92 | DEB | Stratford |
| Wolferton Road, 12 | DB | Manor Park |

12.2 Properties marked * are within the Canning Town regeneration area.

13. **Allocations to wheelchair standard/adapted housing**

13.1 **Accessible Housing Register**

13.1.1 The Council has an Accessible Housing Register (AHR) to facilitate better matches between people and properties, create opportunities to prevent costly health and care problems, support choice for tenants willing to downsize and deliver better outcomes for older, disabled and vulnerable people by helping them live independently in accommodation that meets their needs.

13.2 **Disabled Applicants - Assessment of Medical Need**

13.2.1 When applicants provide medical evidence in support of their housing applications, they are assessed not only to determine reasonable preference or emergency re-housing status, but also to determine the type of accommodation that would meet their needs in accordance with the above property categories, as follows:

- (a) Wheelchair Accessible Accommodation (for example Wheelchair Accessible throughout) and
- (b) Wheelchair Accessible essential rooms.

Applicants requiring wheelchair accessible accommodation: Full access throughout the property may be required if the applicant lives alone or has care responsibilities for others. Applicant requires more generous space standards for wheelchair manoeuvring due to larger than standard wheelchair width and/or length. As a guide any the following groups of wheelchair users could be considered for this category:

- (a) self-propelling wheelchair user
- (b) attendant propelled wheelchair user
- (c) tilt and recline style wheelchair
- (d) electric powered wheelchair

Modifications to a wheelchair such as extended footplates, armrest modifications and rear wheel camber (angle) and position may all increase the overall “footprint” or turning arc of a wheelchair and may require extra manoeuvrability space to accommodate other aids and adaptations.

- (c) Large Level Access Homes (for example C – Lifetime Homes and D – Easy Access)

Applicants requiring step-free accommodation with generous corridor widths. They may use a mobility aid and/or a wheelchair outdoors. Applicants may be able to access another level of the property with a stair lift.

- (d) Narrow Level Access Properties (for example E – Step Free)

Applicants are able to mobilise but require step-free accommodation. Applicants may be able to access another level of the property with a stair lift.

- (e) Minimal Steps (for example E+ Minimal Steps)

Applicants are able to manage only a limited number of steps (up to 4).

13.3 Definition of AHR codes

13.3.1 The following definitions apply:

Class A: Wheelchair Accessible Throughout

These meet the design standards from the Wheelchair Housing Design Guide – by Stephen Thorpe and Habinteg, (2nd Edition 2006) which superseded the Housing Corporation wheelchair design standards. These properties have been designed to meet the latest wheelchair accessible housing design standards offering extra space and full access to all rooms and facilities. This standard provides more space than previous wheelchair housing design guidance and also ensures that all rooms are accessible. In view of the high density of new build housing stock in London, the parking features have been excluded from this category. This will enable wheelchair accessible homes built above ground floor level to be categorised as such.

Class B: Wheelchair Accessible Essential Rooms

These comply with the Wheelchair Housing Design Guidance within the Housing Corporation Scheme Development Standards.

Properties are designed or adapted to provide access for wheelchair users to essential facilities of the property (that is, a bedroom, bathroom, toilet, living room and kitchen). Other rooms in the house such as additional bedrooms or bathrooms may not be wheelchair accessible.

Class C: Lifetime Homes

These meet the space standards of Lifetime Homes developed by the Joseph Rowntree Foundation. They are designed to meet the space standards of Lifetime Homes. Main features include a level approach/entrance and wider doorways. This category will capture all new general needs housing built to Lifetime Homes standards. Properties achieving this category will not necessarily meet all Lifetime Homes design guidance as the LAHR framework does not assess features other than space and access. Properties may have an internal flight of stairs. If so, these will be wide enough to accommodate future provision of a stair lift subject to technical feasibility.

Class D: Easy Access

These are compatible with the design standards in Mobility Standard Housing (1974) produced by the DoE and Housing Corporation Scheme Development Standards (pre-1999) and Part M of Building Regulations (2000). The main features of these properties include a level approach to the entrance, wider doorways and more space than in general needs housing. These properties may also have an internal flight of stairs and if so, there is enough space to accommodate future provision of a stair lift subject to technical feasibility.

Class E: Step Free

There is no published access design guidance for these properties. These are properties that are considered general needs housing but have a level approach/entrance into the property. The main access feature is level access to the property and throughout. Properties in this category that have an internal flight of stairs will be likely to accommodate future provision of a stair lift subject to technical feasibility.

Class E+: Minimal Steps

There is no published access design guidance. These are properties that do not meet any accessible housing design guidance and have a limited number of steps to enter the property. Properties in this category will have no more than four steps to access the front door and are likely to be ground floor properties or properties in a block with a lift and a small number of communal or property front door steps.

Class F: General Needs

These properties are those where the general needs housing does not meet any of the above criteria. The properties in this category will have more than four steps or a ramp access that is steeper than 1:10 to access the property front door. These properties should be marketed with the number of steps to access the property as this will provide an additional factor for helping people choosing what to bid for.

14. Labelling of properties in CBL advertisements

- 14.1 When ground floor properties become available for letting and are subsequently designated within categories A to E+, CBL advertisements are labelled in such a way that those applicants requiring such properties are able to bid correctly for the right property. If however a property is designated category A or B, only applicants who have been classed as a category A or B will be able to bid for them, all other applicants will be ineligible to bid for A or B properties.
- 14.2 At the close of bids the ranking in 9.2.4 will apply, however employment will not be a factor in the prioritisation of the bids where more than one applicant is in a priority category in 9.2.4 of this policy but is in need of a Category A or B property. In these circumstances, priority will be decided by the date the applicant was assessed as requiring a Category A or B property, followed by date of application on the Register.

SECTION I: RIGHTS OF REVIEW

1. Introduction

- 1.1 Applicants have a statutory right to request a review of any decision about the facts of his or her case which is likely to be, or has been taken into account in considering whether to allocate housing accommodation to him or her. This includes any decision restricting him or her from registering on the Housing Register or any decision which removes him or her from the list after having registered, or where there is a decision not to make an allocation.
- 1.2 Where an officer within the Lettings Agency does not accept the applicant onto the housing list, removes them from the housing list, or makes a decision not to allocate they will notify the applicant of their decision in writing.
- 1.4 This letter should give clear reasons for the decision and should inform them that they have a statutory right of review, and how the review procedure works.

2. Requesting a Review

- 2.1 The applicant must make a request for a review within 21 days (3 weeks) of the date of the letter informing them of the decision. The Housing Register Officer or Team Leader may agree to extend this time period, if there are good reasons why the request was not made within the statutory time limit.
- 2.2 Where the applicant requests a review within the required time period, the Housing Register Officer acknowledges the request and tells them the date by which the review will be held. If the request is out of time and the reasons for the delay are not considered as good reasons, the applicant is notified that their request is out of time and that they are not entitled to a review.
- 2.3 The applicant may request an extension if they are waiting for documentation to provide as evidence in support of their request if they believe that this document may not be available by the review date.

3. The Review

- 3.1 Once an applicant has made a request for a review, the Council is required to respond to it within 8 weeks. This eight week time period starts from the date the applicant requests the review.
- 3.2 Where the reviewing officer has agreed an extension in the time allowed for the applicant to request a review, the applicant must also agree, in writing, an appropriate extension to the statutory eight week time period allowed for a response.
- 3.3 The decision will be made based on the information available at the time of the review

4. The Role of the Reviewing Officer

- 4.1 The review must be carried out by a different officer, senior to the officer who made the original decision. This will normally be the manager of the officer who made the decision. However, the officer carrying out the review must not have been involved in the original decision.

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- 4.2 There is no further right of review. It is therefore very important that the review is thorough. The reviewing officer must satisfy themselves that the decision was correctly made in accordance with this policy, and take advice where necessary. They should ask the applicant for more information if this is necessary to ensure that the full facts are clear.
- 4.3 There is no requirement for an oral hearing, but this should be offered where there are important matters that are unclear, or where the applicant would be at a disadvantage if they were required to make their case in writing. The applicant has to make this request at the time they ask for a review giving reasons as to why they need an oral hearing. If the applicant fails to attend an oral hearing, the reviewing officer should proceed on the basis of the available evidence.
- 4.4 In relation to whether or not an applicant is eligible on immigration/persons from abroad grounds is a matter of fact. The Council has no discretion in this matter. However, for the other cases the Council can exercise its discretion to make exceptions. Where the reviewing officer concludes that the applicant has been correctly refused registration onto the "active list" as a matter of fact, but there are exceptional circumstances, they should discuss the case with the Lettings Agency Manager. If the Lettings Agency Manager agrees that there are exceptional circumstances, s/he will ask for a report to be prepared for the Head of Housing Needs. In these cases, the applicant cannot be notified of the result of the review until the Head of Housing Needs has made a decision, so it is important that all cases are dealt with quickly enough to allow time for the process to be completed within the eight week time period or any extension agreed.
- 4.5 The applicant must then be notified of the result of the review in writing giving reasons and reminded that there is no further right of review.