



**Committee Name: Cabinet**

**Committee Date: 07/07/2021**

**Report Title: Home options policy**

<b>Portfolio:</b>	Councillor Harris
<b>Report from:</b>	Executive director of community services
<b>Wards:</b>	All wards
<b>OPEN PUBLIC ITEM</b>	

### **Purpose**

**To seek approval for the adoption of an updated Home Options allocations policy.**

### **Recommendation:**

**It is recommended that approval is given to adopt the updated policy**

### **Policy Framework**

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the 'People Living Well' corporate priority

This report addresses 'Tackle rough sleeping and homelessness' strategic action in the Corporate Plan

### **Report Details**

### **Background**

1. Part VI of the Housing Act determines that local authorities must have an allocation scheme to determine priorities between applicants for

social housing and to set out the procedure to be followed when allocating social housing in their area. In Norwich, the allocation scheme is called Home Options.

2. There are currently 3600 applicants for social housing in Norwich.
3. An effective and legally compliant housing allocations policy ensures that use of social housing to meet local needs is optimised.
4. The current Home Options allocations policy dates from October 2015 and needs updating to incorporate new legislation and statutory guidance
5. The update also presents the opportunity to ensure that policy reflects local needs and issues.

### **Policy changes**

6. The draft updated 2021 Home Options policy is included as Appendix A.
7. The aims which we seek to address within the updated policy are:
  - Incorporate new legislation and statutory guidance
  - Ensure that policy is further refined in order to focus on prioritising those families in the greatest housing need.
  - Expedite through-flow from hostels and reduce rough sleeping
8. There are 1560 families waiting for social housing through the Home Options scheme which causes strong demand for two and three bedroom houses. On average 5 houses per week are advertised and allocated through the Home Options scheme. Given this imbalance in supply and demand for houses, it is important that we refine policy to ensure that those families with the greatest need are prioritised.
9. Children in flats is the second most common reason for families seeking rehousing in Norwich. Currently all families with children aged 10 years or under living in a flat with no garden on the same level receive a unit of priority. In order to prioritise families in housing need more effectively, we now seek to remove priority for those families living in a flat which have their own garden, regardless of what level the flat is on. This means that families in those council flats which have their own gardens will be considered as adequately housed and no longer receive priority. As a result, those families in towers and large blocks of flats will have a greater chance of success.
10. Overcrowding is the most common reason for families seeking rehousing in Norwich. Currently all families with children of mixed gender sharing a bedroom, where the eldest child is six or older, receive a unit of priority for overcrowding. In order to prioritise families in housing need more effectively, we now seek to only award a unit of priority for overcrowding where there are children of mixed gender sharing a bedroom and the eldest child is ten or older. This means that families with older and teenage children of mixed gender that share a bedroom will have a greater chance of success.
11. This change would also bring our allocations policy into line with current housing benefit regulations, a disparity which can cause affordability issues for clients rehoused into accommodation which technically meets their housing needs but where housing benefit regulations determine as under-occupying. This results in full housing benefit not being paid and means the client must meet the rent shortfall from their own funds, causing affordability issues.

12. Currently all children living within a household are considered in any assessment of overcrowding regardless of age. In order to prioritise families in housing need more effectively, we now seek to only take into consideration children over the age of six months, with the expectation that an infant child will share a bedroom with their parents until that point.
13. In order to achieve our aims the following key changes have therefore been recommended:
- The terms of the award of priority banding for those facing homelessness are amended to reflect the requirements of the Homelessness Reduction Act 2018 (para 2.11.9 and 2.11.20 of the updated policy)
  - Qualification criteria is amended to include those not subject to immigration control due to the EU Settlement scheme 2020 (para 2.4.3)
  - Policy is amended to reflect changes to the Norwich Hostel Move-on protocol 2021, by which means qualifying hostel residents are moved-on into suitable independent accommodation (para 2.12.20 and Appendix B).
  - To ensure effective prioritisation of families living in blocks of flats the unit of priority awarded to households that have children aged 10 years or under in a flat will no longer apply where the flat has its own garden.
  - To bring policy into line with housing benefit ('bedroom tax') legislation and ensure effective prioritisation of those in greatest need, the council will change the way it assesses overcrowding so that two children of different gender are expected to share a bedroom until the oldest child is 10 years old, at which time the family is classed as lacking one bedroom and receives a unit of priority (para 2.12.6).
  - To ensure effective prioritisation of those in greatest need, the council will change the way it assesses overcrowding so that an infant under 6 months old is expected to share a bedroom with their parents (para 2.12.6).

### **Next steps**

9. Should the policy be agreed, it will be published on the council's website and come into effect July 1<sup>st</sup>, 2021.

### **Consultation**

1. The portfolio holder, the public and other stakeholders including hostel providers, support agencies and registered providers have been consulted. Responses were supportive and no major issues were noted.

### **Implications**

### **Financial and Resources**

1. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.

The Home Options scheme fulfils a statutory function and is funded through the general fund and housing revenue account. Income is derived from charging all fourteen participating social landlords £100 per allocation. Through this means an income of £150,000 is generated into the general fund through the Home Options scheme. All participating landlords have been consulted about the policy changes. There are no proposals in this report that would reduce or increase resources.

### Legal

2. Part VI of the Housing Act determines that local authorities must have an allocation scheme to determine priorities between applicants for social housing and to set out the procedure to be followed when allocating social housing in their area. The 2015 policy no longer meets legal requirements. The updated 2021 allocations policy meets the requirements.
3. As set out in section 13, the policy has also been updated to meet the requirements of the Homelessness Reduction Act 2018.
4. In ensuring that the updated policy meets statutory requirements, we have incorporated detailed legal advice from East Anglian Chambers and NPLaw. The policy is legally compliant.

### Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	Positive impact. An Equality Impact Assessment has been completed and is appended to this report. The policy meets the requirements of the Public Sector Equality duty and the Equalities Act 2010.
Health, Social and Economic Impact	Positive impact. The policy is designed in order to ensure that those with greatest health, social and economic need for social housing are prioritised.
Crime and Disorder	Positive impact. The policy enables the council to take account of crime and disorder issues through its use of sensitive lets and its qualification criteria
Children and Adults Safeguarding	Positive impact. The policy promotes the welfare and safeguarding of children and vulnerable adults
Environmental Impact	No impact

### Risk Management

<b>Risk</b>	<b>Consequence</b>	<b>Controls Required</b>
Not having a policy which meets legal requirements.	Legal challenge and government intervention.	Monitoring of policy and incorporating legal advice.
Not having a policy which ensures throughflow from hostels and supported accommodation.	An increase in rough sleeping and homelessness	Monitoring efficacy of the hostel move-on protocol.
Not having a policy which effectively prioritises those in the greatest need.	An increase in housing need Customer dissatisfaction Reputational risk	Monitoring of policy to ensure that those in greatest housing need are prioritised.

### **Other Options Considered**

5. In terms of updating the policy to meet new legislation, there is no alternative.

6. In terms of policy changes designed to expedite hostel move-on, the alternative is to do nothing, which would have a negative effect on those in significant need of appropriate housing.

7. In terms of policy changes designed to prioritise long term local residents, the council could under law adopt a longer, qualification-based residence criteria rather than the 6 months currently required. Any such change would have an adverse effect on move-on from hostels, causing a silt-up within the hostel system and an increase in rough sleeping.

### **Reasons for the decision/recommendation**

8. An effective and legally compliant housing allocations policy will ensure that use of social housing to meet local needs is optimised.

**Background papers:** None

### **Appendices:**

Appendix A: Home Options policy 2021

Appendix B: 2021 Norwich hostel move-on agreement

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# Norwich Home Options Allocation Scheme:

This document contains the allocation scheme of:

Norwich City Council

## **1.1 Introduction:**

1.1.1 This allocation policy explains the rules that determine how Norwich City Council (known throughout this document as 'the council') allocates social housing properties. It sets out the priorities and procedures that the council will follow in the letting of social housing to applicants on its housing register.

1.1.2 The Registered Providers (Housing Associations) that are part of the scheme are known throughout this document as 'scheme landlords'. These are listed in Appendix A.

## **1.2 Background:**

1.2.1 The allocation scheme is also known as Home Options. Under the scheme, the council and scheme landlords advertise their properties for rent on a weekly basis on its website and invite bids on each property from applicants who are registered with the scheme.

1.2.2 Norwich is an area of very high housing need and it must be remembered that Home Options does not produce any more affordable housing but provides a fairer, more efficient and transparent way of allocating the social housing available

## **1.3 Scheme objectives:**

1.3.1 The key objectives of the scheme are to:

- Meet the legal requirements for the allocation of social housing.
- Focus resources on those in the most need.
- Operate a scheme which is, fair, transparent and easy to use.
- Help meet the housing needs of Norwich residents
- Allow scheme users, through the transparent nature of the scheme, to have an understanding of their housing situation and, therefore, to make informed decisions.
- Make best use of Norwich's social housing stock.
- Encourage and support balanced and sustainable communities.
- Prevent homelessness and reduce the use of temporary accommodation
- Encourage through flow from hostel accommodation in order to reduce rough sleeping.
- Operate the scheme so that it improves accessibility and customer service for vulnerable groups in Norwich.
- Make sure those who have the greatest need for housing have the greatest opportunity to get it
- Pay due regard to the aims of the Greater Norwich Homelessness Strategy (2020-25)
- Meet the council's corporate priorities of ensuring a healthy city with good housing and a fair city.

## **1.4 Legal framework:**

1.4.1 This allocation scheme complies with the legal framework for allocating social housing, laid down in the 1996 Housing Act and takes account of government guidance on the allocation of accommodation.

1.4.2 This allocations scheme pays due regard to the Public Sector Equality Duty and the Equalities Act 2010

## **1.5 How does the scheme work?**

1.5.1 Home Options is a choice-based lettings scheme. The council and scheme landlords advertise their vacant properties to those on the housing register. The adverts include a detailed description of the property. Applicants on the register can then bid for the property of their choice if they meet the qualifying criteria.

1.5.2 The successful applicant will be selected from those who have bid for the property and meet the stated qualifying criteria. Selection will be based on the highest band, followed by the banding date where there is more than one applicant from the same band.

1.5.3 Feedback will be provided on what demand there was for previously advertised properties. This will help applicants to make informed choices.

1.5.4 This policy and a summary scheme guide are available free of charge at the website [www.norwich.gov.uk](http://www.norwich.gov.uk). A paper copy of the full policy is available upon request from City Hall at a cost of £25.00.

## **2.0 Application Procedure:**

### **2.1 How to apply**

2.1.1 To apply for a social housing property in Norwich an applicant must be registered with Home Options.

2.1.2 Applications to Home Options can be made in person at City Hall or over the telephone on 0344 980 3333. All applications will involve a discussion of an applicant's housing need with an adviser.

2.1.3 Home Options is a scheme which is based on verification. All applicants will be required to provide evidence of their household circumstances including income, savings and housing history.

### **2.2 Who can apply?**

2.2.1 Residents of the UK who are over 18 years old can apply to Home Options however this does not guarantee an application will be taken or that the applicant will be re-housed under the scheme.

2.2.2 By law, there are defined groups of applicants who cannot be re-housed through the scheme. There are also exceptions or restrictions to an application which may apply.

2.2.3 Under the Housing Act 1996, local authorities must consider whether applicants are eligible for housing assistance. The council will apply the relevant legislation that is in place at the time of application.

### **2.3 The applicant's household**

2.3.1 The council will decide in each case as to whether the people included in the application by the applicant will be considered as a part of the household for purposes of assessing housing need.

2.3.2 Any person wishing to be included as part of an applicant's household must satisfy the Council that they are a permanent member of the applicant's household and show that it is reasonable to expect them to reside with the applicant on a continuing basis.

2.3.3 The council will generally not consider the following as members of an applicant's household:

- Anyone who falls within legislation prohibiting them from having recourse to public funds or is an asylum seeker
- Non-dependent children who have not lived within the household continually throughout their adult lives
- Other adult relatives
- Any family member not resident in the UK at the time of the application
- Friends and acquaintances
- Lodgers
- Live in help
- Students living away from home with their own rent liability

2.3.4 Only dependent children that form a permanent part of the household can be considered. Only if an applicant is evidenced to have their child stay with them for four or more nights a week can they be classed as part of the applicant's household when making an assessment. Temporary arrangements or contact arrangements cannot be considered and household size will be determined upon evidence that any living arrangements are permanent, and the applicant can demonstrate to the council's satisfaction that they have full-time, permanent responsibility for the child. Where a formal residence agreement is not in place, the council will consider:

- Who the children usually live with

- Who has financial responsibility for the children
- The length of time any arrangement has been in place
- Where the children go to school
- Any other relevant information

2.3.5 In cases where an applicant wishes to include their children in their Home Options application, this will not be considered where those children have adequate accommodation available to them elsewhere, for example with another parent

2.3.6 Household members can only appear on one Home Options application.

2.3.7 Households that have been accepted to adopt or foster a child will be assessed as if they have assumed parental responsibility upon written confirmation from Norfolk County Council being provided.

2.3.8 Where an applicant feels that an additional bedroom is needed for a carer, this can only be considered where we have evidence of the need for permanent night-time care from a non-family member who requires their own bedroom to sleep in on a continuing basis. 'Waking care' will not be taken into consideration

2.3.9 Where the family unit is not currently residing together, the assessment will be based on the part of the household that occupies accommodation that provides them with the most suitable housing providing there is a reasonable expectation that they should reside together.

2.3.10 Where an applicant has been assessed in accordance with the Mental Capacity Act 2005 as being unable to hold or to manage a tenancy, they may be suspended from the register until a suitable advocate is appointed to act on their behalf.

2.3.11 For an applicant to become a tenant and enter into a tenancy agreement, they must have the mental capacity to understand the contract. If an applicant does not have the capacity to understand the contract, an application should be made to the Court of Protection by an advocate for the tenancy agreement to be signed on their behalf.

2.3.12 Unborn children will not be considered as part of the assessment. A child cannot be added to an application until the applicant has provided a copy of the birth certificate.

2.3.13 For people in prison, applications can be made within 8 weeks of release if the client meets qualification and local connection criteria. In such instances the client does not need to apply for housing in person and applications will be accepted from a third party on behalf of a person in custody, for example by a Prison Resettlement Officer as part of a Resettlement Plan where third-party consent has been given

2.3.14 Only household members that meet the qualification criteria set out in this policy will be included in an application.

## **2.4 Eligibility:**

2.4.1 The council may only allocate accommodation to people who are defined as 'qualifying persons'. Subject to: the requirement not to allocate to persons from abroad who are ineligible; the exception for members of the Armed and Reserve Forces; and the exception for social tenants who need to move for work related areas, the council may decide the classes of people who are, or are not, qualifying persons. These requirements and exceptions are set out below.

### 2.4.2 Persons from abroad

i) A person or persons will be ineligible if they are a person from abroad who is ineligible for an allocation of housing accommodation by virtue of being subject to immigration control within the meaning of the Asylum and Immigration Act 1996 unless of a class of person prescribed by regulations made by the Secretary of State.

ii) Eligibility for housing assistance can be affected if there is a change in the immigration status of the applicant(s), and therefore eligibility for an allocation of housing will be kept under review. The applicant is responsible for informing the council of any change in their immigration status.

iii) The Home Options team will determine the eligibility of an applicant, based on immigration status, by applying the legislation that is in place at the time of the application and the point of allocation.

iv) Applicants whose households include a person from abroad who is ineligible will not be afforded priority if they are only homeless or in housing need as a consequence of the presence of the ineligible person.

v) The council will not allow a joint application where one of the applicants is a person from abroad who is ineligible.

2.4.3 EEA nationals and their family members will continue to be treated as 'persons not subject to immigration control' where they:

i) have acquired limited leave to enter and remain in the UK (also known as pre-settled status) by virtue of the EU Settlement Scheme.

ii) were frontier working in the UK prior to 31<sup>st</sup> December 2020; or

iii) were lawfully living in the UK by 31<sup>st</sup> December 2020 but have still to apply to or acquire status under the EU Settlement Scheme before the deadline of 30th June 2021 and are covered by the Citizens' Rights (EU Exit) regulations 2020 (Grace period SI).

## **2.5 Qualification for housing in Norwich**

2.5.1 The Localism Act 2011 allows councils to make local decisions about who qualifies for social housing in their area in order to ensure that local objectives and the needs of local residents are met.

2.5.2 The decision that an applicant does not qualify for an allocation may occur at the time of joining the housing register, at any time during the life of the application, at the time the applicant is allocated a property, or when the applicant has bid and has been short-listed for a property. The Home Options team will make the decision.

2.5.3 To ensure that the council's housing policies benefit local people, applicants must currently live in Norwich and have been continuously resident for at least the last 6 months. If applicants cannot provide satisfactory evidence that they meet these criteria, an application will not be taken. For household members to join an application, the same criteria apply.

2.5.4 Exceptional circumstances will be considered. In such cases, the decision as to whether an applicant qualifies will be determined by a Housing Options team leader or manager, or by the council's assessment panel.

Examples are:

- Somebody who needs to live in Norwich as they have a significant need to be near specific medical or family care which is unavailable elsewhere.
- Applicants over 60 who have a specific need for sheltered housing in Norwich to be near medical care or family support unavailable elsewhere.
- The applicant needs to move to Norwich where failure to meet that need would cause extreme hardship to themselves or others
- Households accepted as homeless under the Housing Act 1996 where the council has accepted a fully duty to rehouse
- Care-leavers with an overarching family connection to Norwich who, due to their care needs have been placed out of area by Norfolk County Council Children's Services.
- Applicants that can demonstrate a lifelong residential connection to Norwich which has been broken for only a short time.

These are examples and this list is not exhaustive

2.5.5 Residents in prison, bail hostel, hospital or approved premises, or those households placed in temporary, residential, or supported accommodation in Norwich by another local authority will not gain a local connection and time spent in such premises will not count toward local connection.

2.5.6 Applicants whose only residential connection to Norwich is through further education or student accommodation will not be considered as having gained local connection. Student accommodation is that provided by an educational establishment or where a student exemption certificate has been provided for council tax purposes.

## **2.6 Exception to the criteria: tenants moving for work related purposes**

2.6.1 The residential qualification does not apply to tenants of social housing needing to move for work-related reasons where failure to meet that need would cause hardship, who can evidence that they meet the criteria set out in the 2015 Regulations (SI 2015/967).

## **2.7 Exception to the criteria: Armed and Reserve Forces**

2.7.1 The council is committed to ensuring that Service personnel and their families have access to appropriate accommodation when they leave the armed forces. Under the terms of the Armed Forces Covenant, to which the council is signatory, the local connection criteria will not apply to the following:

- Those who are currently serving in the regular forces or who were serving in the regular forces at any time in the five years preceding their Home Options application.
- Bereaved spouses or civil partners of those serving in the armed and reserve forces where (i) the bereaved spouse or civil partner has recently ceased or will cease to be entitled to reside in Ministry of Defence accommodation following the death of their spouse or civil partner and (ii) the death was wholly or partly attributable to their service.
- Existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- Divorced or separated spouses or civil partners of Service personnel who are required to move out of accommodation provided by the Ministry of Defence.

Under these terms, the council can ensure that current and former service personnel in urgent housing need are awarded preference in line with the priority need bands.

## **2.8 Those who will not qualify: need considerations**

Home Options policy aims to manage expectations realistically and to focus resources on those in most need of them. Therefore, having considered the provisions made in the Localism Act 2011, the following applicants will not qualify:

- Applicants who are tenants of scheme landlords who have made a 'right to buy' application on their property.
- Applicants who are tenants of scheme landlords and are in the process of carrying out a mutual exchange or have completed a mutual exchange in the previous 12 months.
- Applicants who have been housed through the scheme will not be able to reapply for Home Options for a 12-month period from the commencement of their new tenancy. This restriction does not apply where the household circumstances have changed and the property is no longer suitable or where there are extenuating circumstances.
- Applicants who have been housed through the council's private sector leasing scheme (Let NCC) or through a loan from the council's homeless prevention fund will have their Home Options application cancelled and will not be able to reapply for a 12-month period from the commencement of their new tenancy. This restriction does not apply where the household circumstances have changed and the property is no longer suitable or where there are extenuating circumstances.
- Clients who have been sponsored to enter the country in the last five years based on an undertaking given by a sponsor that accommodation was available (and where that sponsor is still alive)
- Applicants who own or have an interest in a property as a freeholder, leaseholder, a part-owner through shared ownership, including part commercial/residential property, in the UK or abroad will not qualify unless there are extenuating circumstances, as determined by a review panel. Examples of extenuating circumstances could be someone who requires sheltered housing in Norwich or someone who has been accepted as statutorily homeless.

## **2.9 Those who will not qualify: behaviour considerations**

The council, scheme landlords and Norwich residents have a right to expect certain standards of behaviour. The council has the power to determine whether, in its opinion, applicants or members of their household have been guilty of unacceptable behaviour serious enough to determine that they should be disqualified from the Home Options scheme.

Some examples of the type of behaviour that could mean that an applicant does not qualify for the Home Options scheme are:

- Serious rent arrears which, in the council's view, would entitle the landlord to a possession order.
- Causing deliberate damage to a property.

- Causing anti-social behaviour such as nuisance to neighbours, discriminatory behaviour or harassment, abuse, violence, or intimidation to the community or to council staff.
- Conviction for using or allowing a property to be used for illegal or immoral purposes
- Committing domestic abuse.
- Conviction for violent crime or the supply, use or possession of drugs.
- Conviction of a criminal offence in the property or in the locality of the property
- Eviction from hostel or temporary accommodation
- Being convicted of, issued with, or accepted a sanction for Benefit or Council Tax fraud within the last five years.
- Making a false statement in order to obtain accommodation
- Failing to provide relevant information that has been reasonably requested to verify an application for housing

These are examples and this list is not exhaustive

The examples relate to both current and former tenancies and apply no matter who the landlord is, when they happened or what form of tenancy was held. Paragraphs 5.0.4 & 5.0.5, together with Appendix B, deal with the way in which applicants may demonstrate that they have addressed past behaviour in order to requalify.

Decisions are made on a case-by-case basis, with each case judged on its own merits.

## **2.10 Public protection arrangements**

Applicants subject to multi-agency public protection arrangements can only access the register with the consent of the Housing Options manager. Each case will be considered on its own merits in determining whether an application will be accepted.

## **2.11 Assessment of applications:**

### **2.11.1 Legal background:**

2.11.2 All applicants who are eligible and who qualify for Home Options will be placed in the appropriate banding based on an assessment of their housing needs. This is to ensure that the council allocates homes to those in the greatest assessed need and to ensure that its legal obligations are met.

2.11.3 The council is required by law to give reasonable preference in the scheme to people with high levels of assessed housing need:

- i) People who need to move on welfare or medical grounds (including grounds relating to a disability),

- ii) People who need to move to a particular locality of the city to avoid hardship to themselves or others,
- iii) People living in unsanitary, unsatisfactory, or overcrowded housing, and
- iv) People who are homeless within the meaning of the Housing Act 1996, and people who are owed a particular statutory duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985 or who are occupying accommodation secured by any such authority under section 192(3).
- v) Former and serving members of the armed or reserve forces who have an urgent housing need or need to move because of a serious injury, medical condition or disability sustained as a result of their service
- vi) Bereaved spouses and civil partners of members of the armed forces leaving services family accommodation following the death of their spouse or partner

2.11.4 Applicants outside the reasonable preference categories can also be given additional consideration to meet local priorities.

2.11.5 Applications are processed by the council's Home Options team, in accordance with this policy.

**2.11.6 The housing need bands:**

Each application will be assessed to determine the level of housing need of the household and placed into one of five bands:

Emergency band:	Emergency priority
Gold band:	High priority
Silver band:	Medium priority
Bronze band:	Urgent/High/Medium priority but with reduced preference
Standard band:	No priority

Banding will only be awarded where the applicant's circumstances have been verified.

2.4.7 An applicant's circumstances and therefore their level of housing need and banding is subject to change. As such, an applicant's Home Options banding is kept under continuous review.

Every applicant is responsible for ensuring that they provide correct and up to date information

The criteria for being placed in each band are as follows:

**Emergency band**

2.11.8 This band is intended to meet the needs of applicants in extreme circumstances and will only be issued in certain situations where an applicant needs urgent re-housing to ensure their well-being or safety.

An applicant in Emergency band is expected to place two bids per week with the guidance of their housing adviser and accept the first suitable available property which they successfully bid for. As examples, circumstances where emergency status may be awarded include:

- An applicant has an extremely urgent medical need, as determined by a Housing Options team leader or manager or the council's assessment panel.
- Those applicants requiring urgent hospital discharge where their current accommodation is totally unsuitable for their needs
- Those applicants required to leave their homes as a result of an emergency prohibition order served in relation to the premises under the Housing Act 2004 or as the result of action taken by the Norfolk Fire and Rescue Service
- Other extreme circumstances as determined by the Housing Options manager or assessment panel.

### **Gold band**

#### **2.11.9 Homelessness and homeless prevention:**

Applicants to whom the council has accepted a prevention of homelessness or relief of homelessness duty, who are assessed by their housing adviser as likely to be in priority need. Applicants will have completed and kept to a personalised housing plan made with a housing adviser, will place two bids per week with the guidance of their adviser and will be entitled to one suitable offer of accommodation. Refusal of the offer or failure to engage with advice will mean the council's duty is ended and gold banding will be removed.

#### **2.11.10 Severe medical need:**

Critical medical needs directly relating to the applicant's accommodation or need for accommodation as determined by a Housing Options team leader or manager, or by the council's assessment panel.

Medical priority is only awarded where an applicant needs urgent re-housing due to a strongly evidenced, serious and enduring medical condition or disability, which is severely and permanently affected by their current accommodation.

Examples of severe medical need determining the award of gold band:

- The applicant is housebound through mobility issues and moving to alternative accommodation would alleviate this.
- The applicant's life is at risk.

- The applicant is unable to move around their current accommodation, and cannot access kitchen or bathing facilities
- A member the household is severely disabled and needs substantial adaptations to help meet their needs but these cannot be carried out in their current accommodation
- The applicant has a terminal illness and alternative accommodation would allow for suitable care to be provided
- The applicant has a severe and enduring medical condition which is significantly exacerbated by poor housing conditions and the accommodation cannot be repaired and no other remedies are available.
- Armed Forces members and veterans suffering from mental or physical ill health as a result of their service.

These are examples and this list is not exhaustive

#### 2.11.11 **Welfare:**

Where the applicant or member of their household is being grievously and adversely affected by their current accommodation and there is an urgent need to move for welfare reasons.

This may include situations such as:

- Infirmary due to old age
- The need to give or receive care
- A vulnerable applicant is being exploited within their accommodation putting them at risk
- To help avoid a residential placement where an applicant, with the necessary support mechanisms in place, is capable and best suited to independent living.
- The applicant is participant in a witness protection programme
- This list is not exhaustive and other exceptional circumstances will be considered.

Assessment will be subject to a thorough investigation of all the circumstances by the council's assessment panel and the degree of priority awarded will depend on the circumstances of the case.

#### 2.11.12 **Housing Conditions:**

Applicants have no access to a kitchen and/or bathroom.

**Or**

A prohibition order or demolition order has been served in relation to the applicant's dwelling by the council's private sector housing team. This

indicates that the property contains one or more category 1 hazards that probably cannot be remedied.

**Or**

An improvement notice has been served in relation to the applicant's dwelling by the private sector housing team and

- The remedies that are needed to reduce the hazard will require the property to be vacated for a significant period
- The cost of the remedies is beyond the means of the applicant (where applicable)
- The remedies will make the property unsuitable for occupation by the applicant

In such cases the award of priority banding is dependent upon individual circumstances, which will be considered on a case-by-case basis by a Housing Options team leader or manager.

#### **2.11.13 Overcrowding:**

Applicants lack two or more bedrooms.

#### **2.11.14 Under-occupation/council interest:**

Tenants of council or scheme landlord accommodation are under occupying by two or more bedrooms and prepared to move to significantly smaller accommodation or are occupying a substantially adapted property that they no longer require that the housing options manager assesses would be in high demand from applicants in need of those adaptations.

#### **2.11.15 Decommissioning:**

Where a cabinet decision has been made to decommission a council property, gold band will be awarded to any tenant having to move home as a result.

#### **2.11.16 Violence/Harassment:**

Where there is significant evidence of serious harassment or violence toward a household, where a change of accommodation within Norwich could be reasonably expected to alleviate the problem and there is no other remedy. In such instances banding will be awarded by a housing advisor working with the client to prevent their homelessness or as the result of a submission to the assessment panel.

#### **2.11.17 Care leavers**

Where an applicant is leaving local authority care and is assessed as needing to move on (as determined by a Housing Options team leader or manager following the required evidence and risk assessment being submitted from

Children's Services), where the applicant has completed a tenancy awareness course, support plan outcomes have been met and there is a suitable support package in place so that the council is satisfied that the applicant is able to successfully manage their own tenancy. Referrals can be accepted from four weeks before the applicant leaves care. Applicants will have completed and kept to a personalised housing plan made with a housing adviser, will place two bids per week with the guidance of their adviser and will be entitled to one suitable offer of accommodation. Refusal of the offer will mean that gold banding will be removed.

#### **2.11.18 Let NCC**

Where the applicant meets the criteria set out under the LetNCC tenant incentive scheme (Appendix C)

#### **2.11.19 Multiple Needs:**

Applicants with a combination of medium needs.

##### **Silver band**

#### **2.11.20 Homelessness and homeless prevention:**

Applicants to whom the council has accepted a prevention of homelessness or relief of homelessness duty and those who are 'rough sleeping' or 'sofa surfing', who are assessed by the council's housing advice team as not likely to be in priority need. Applicants will have completed and kept to a personalised housing plan made with a housing adviser, will place two bids per week with the guidance of their adviser and will be entitled to one suitable offer of accommodation. Refusal of the offer or failure to engage with advice will mean the council's duty is ended and silver banding will be removed.

#### **2.11.21 Medical:**

Significant medical needs directly relating to the applicant's accommodation or need for accommodation as determined by a Housing Options team leader, manager or by the council's assessment panel. For example:

- Applicants with an evidenced, enduring, and significant medical or disability problem which seriously affects their ability to manage in their current accommodation, where a move would resolve the issue and no other remedy is available.

#### **2.11.22 Welfare:**

Where the applicant or member of their household is being seriously and adversely affected by their current accommodation, the issue cannot be remedied and there is a significant need to move for welfare reasons.

Assessment will be subject to a thorough investigation of all the circumstances and the degree of priority awarded by the council's assessment panel will depend on the circumstances of the case.

#### **2.11.23 Housing Conditions:**

A hazard awareness notice has been served by the council's private sector housing team. In relation to a category 1 or 2 hazard at the applicant's dwelling and:

- The remedies that are needed to reduce the hazard will require the property to be vacated for a significant period; or
- The cost of the remedies is beyond the means of the applicant (where applicable); or
- The remedies will make the property unsuitable for occupation by the applicant

A suspended improvement notice or prohibition order exists but a foreseeable change in the applicant's circumstances will cause it to become active and result in a high priority situation.

In such cases the award of priority banding is dependent upon individual circumstances, which will be considered on a case-by-case basis.

#### **2.11.24 Overcrowding**

Applicants lack one bedroom.

#### **2.11.25 Under-occupation:**

Applicants in council or scheme landlord accommodation, who are under occupying by 1 bedroom and are willing to move to smaller accommodation.

#### **2.11.26 Children in flats or maisonettes:**

Applicants with a child or children aged ten or under and living in a flat or maisonette that does not have a garden.

Where a household includes a child or children aged six or under and the applicant lives in a property on the third floor or above where there is no lift access, an extra unit of priority will be added. Please note that any combination of issues related to children in flats would not normally exceed gold band.

This category will not be awarded for those children who were born when the current accommodation was accepted.

#### **2.11.27 Let NCC**

Where the applicant meets the criteria set out under the LetNCC tenant incentive scheme (Appendix C)

### **Bronze band (reduced preference)**

#### **2.11.28 Priority but no two-year residential connection:**

Applicants who have lived in Norwich beyond the six-month qualification period but do not have a two-year residential connection to Norwich and who have a verified need which would otherwise result in emergency, gold or silver band, will be placed in the bronze band. See also section 2.12.5

#### **2.11.29 Reduced preference:**

Applicants with one of the assessed needs as detailed in emergency, gold, or silver band but who have been assessed for reduced preference as set out in section 2.12. In such cases, any criteria applied to the original banding will apply equally once reduced preference has been applied.

### **Standard band**

All other applicants to the scheme will be placed in the standard band:

#### **2.11.30 Adequately housed:**

Applicants who live in a property that is adequate to meet their needs in terms of property type, size, and facilities.

#### **2.11.31 Supported Housing/Hostels:**

Applicants in supported housing/hostels and undergoing a resettlement programme and either not yet ready to move on or not engaging fully with the programme (based on the required evidence from an accredited supporting agency)

**Or**

Applicants in supported housing/hostels who do not participate in the hostel move on agreement.

#### **2.11.32 Deliberate worsening of circumstances and becoming homeless intentionally**

Applicants who are assessed by the council as having created or worsened their housing circumstances through their own actions or omissions, including those found to be intentionally homeless under homelessness legislation. This includes applicants who would otherwise be in a priority band.

Examples:

- An applicant giving up accommodation that was suitable or more suitable for them than the accommodation they have moved into and which it was reasonable to continue to occupy.
- An applicant creating overcrowding by allowing family and/or friends to move into their home, which has worsened their housing situation.
- An applicant moving into a property that was unsuitable for their needs from the outset.
- An applicant being unable to continue to occupy accommodation due to their deliberate action or omission.
- Homeowners who have transferred or gifted their property to another person
- Applicants who have dispersed or deprived themselves of assets or capital which could have reasonably been used to secure housing.

These are examples and this list is not exhaustive

## **2.12 Methods of assessment**

### 2.12.1 Reduced preference

2.12.2 Section 166A(5) of the Housing Act (1996) as amended by the Homelessness Act 2002 allows allocation schemes to give reduced preference where the behaviour of an applicant (or member of their household) affects their suitability to be a tenant.

In such circumstances, where tenancy conditions have been breached, an assessment will be made as to whether the applicant's behaviour merits their not qualifying for Home Options or whether an application can be taken and reduced preference applied.

2.12.3 An applicant will be given reduced preference if the council is satisfied they:

- Are a current or former tenant of any landlord with rent arrears but these are not at a level where possession action would normally be taken or there are other debts owed to the landlord or council
- Are a current or former tenant of any landlord who has failed to maintain a rented property in a proper and reasonable condition or has otherwise breached their tenancy conditions.

2.12.4. In exceptional circumstances, applicants will be given additional preference despite meeting one of the criteria outlined above. Examples of where this may be appropriate are:

- Where a scheme landlord seeks discretion as current rent arrears are caused by welfare reform due to under-occupation and the applicant is seeking to downsize, is keeping to a repayment arrangement and is working with the landlord to address arrears.

- Where a person is fleeing violence and has rent arrears.

#### 2.12.5 Assessment of residential connection:

An applicant with no 2-year residential connection but who due to their needs would otherwise be in emergency status, gold or silver band will have their priority downgraded by the council to bronze band unless one of the following exceptions apply:

- Care-leavers with an overarching connection to Norwich who, due to their care needs, have been placed out of area by Children's Services.
- Households accepted by the Housing Options manager under the National Witness Protection Scheme
- Members of HM regular armed forces or who were serving in the regular forces at any time in the five years preceding their Home Options application, bereaved spouses or civil partners of those serving in HM regular armed forces or existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service. See also section 2.7.1.

#### 2.12.5 Significant financial resources:

Applicants that have sufficient income or savings which it would be reasonable for them to use to meet their housing need whose circumstances determine that they would otherwise be in emergency, gold or silver band will have their priority downgraded to bronze band.

### **Assessment of overcrowding:**

2.12.6. The council will use the following guidelines to assess the level of overcrowding.

- Couples, married couples and civil partners are expected to share a bedroom.
- A room intended as a bedroom but used for another purpose will still be classified as a bedroom.
- Where a child has a home elsewhere but chooses to live with another adult, this will not be counted when assessing overcrowding.
- A single person or couple can occupy one bedroom.
- Two children of the same gender are expected to share a bedroom up to the age of 16. When the oldest child is 16 years old, the family is classed as lacking one bedroom.
- Two children of different gender are expected to share a bedroom until the oldest child is 10 years old, at which time the family is classed as lacking one bedroom.
- Where adults aged 16 or over are sharing a room, but not living as a couple, they will be classed as lacking one bedroom.

- An infant under 6 months can share a bedroom with their parents.

### **Assessment of multiple/cumulative need:**

2.12.7 Where a household's circumstances meet more than one assessed housing need, this will be considered by the council when prioritising the applicant. When a household has two or more housing needs within any one band, they will be moved one band higher to take into account the multiple needs. Any assessment of cumulative need will not normally exceed gold band.

### **Assessment of medical needs:**

2.12.8 Priority will be awarded based on information supplied by the applicant

2.12.9 The role of the assessment panel is to assess the degree of medical need relating to an applicant's current accommodation and whether this merits additional priority to move to a more suitable property.

2.12.10 A Housing Options team leader, manager and/or assessment panel will assess each case on its merits to determine whether medical priority should be awarded.

2.12.11 Where an applicant's ill health is not directly related to their present housing, then medical priority will not be awarded.

2.12.12 Where the medical panel has assessed that an applicant has a specific medical need for an adapted property, their Home Options application will be given an accessibility rating, which gives additional preference over applicants not in need of adaptations when bidding for adapted properties.

2.12.13 Where adaptations to the applicant's home have been completed in the last 5 years in order to address a household medical need, no Home Options medical assessment will be considered unless there has been a significant change of circumstances.

2.12.14 Each household is restricted to submitting one Home Options medical assessment per annum unless there has been a significant change in circumstances such as a new diagnosis or significant deterioration in condition.

### **Assessment of welfare needs:**

2.12.15 This will be carried out by a Housing Options team leader or manager or an assessment panel.

2.12.16 Each case will be assessed on its merits to determine whether welfare priority should be awarded. The Home Options team leader or assessment panel will look at whether the situation is targeted, serious and

enduring, whether it is directly affected by the applicant's present housing and whether it would improve if the applicant were re-housed.

### **Assessment of under-occupation**

2.12.17 Priority for under-occupation will not be awarded where the applicant chose to move into a property which they would under-occupy and their circumstances have not changed.

### **Assessment of housing conditions:**

2.12.18 This will be carried out by the council's private sector housing team. Assessment will be carried out in line with the Housing, Health and Safety Rating System and priority awarded as set out in the bands above.

### **Assessment of homelessness:**

2.12.19 This will be carried out by the council's advice and homelessness service in line with the Housing Act 1996 as amended by the Homelessness Act 2002 and Homelessness Reduction Act 2018. Priority will be awarded as set out in the bands above.

### **Supported Housing/Hostels:**

2.12.20 Applicants in supported living or hostels participating in the hostel move-on scheme will be allocated properties in accordance with that scheme (Appendix A)

### **Assessments for applicants who are members of staff or elected members of the council:**

2.12.21 Applications from elected members or members of their family will be dealt with by the Housing Options manager. The award of a priority band and/or an allocation to elected members or to members of their family will need to be authorised by the Chief Executive Officer.

2.12.22 Applications from staff members will be dealt with by the Housing Options manager. The award of a priority banding and /or an allocation to staff members will need to be authorised by the council's Director with responsibility for housing.

### **2.13 Determination of application date:**

2.13.1 All applications will be awarded an 'effective date' by the council. This is usually the date on which the Home Options application was made. The date will determine who is successful in being offered a property where two or more people from the same band bid on the same property.

## **2.14 Change in circumstances:**

2.14.1 If an applicant's circumstances change it is their responsibility to inform the council so that their application can be reassessed. Examples of a change of circumstances could include the serious deterioration in a medical condition, threat of homelessness or an increase in household size due to the birth of a child. Following the reassessment, if the applicant moves into a higher band their effective date will be the date that the council was notified of, or provided with evidence of, their change of circumstances. Alternatively, if an applicant moves into a lower band then the effective date will revert to the original date they applied for Home Options.

2.14.2 If a proof of pregnancy is provided (MATB1) the unborn child will be classed as a child for the purposes of property size eligibility only and there will be no change to banding.

2.14.3 It is the applicant's responsibility to ensure that their contact details are kept up to date.

## **2.15 Revision of applications:**

2.15.1 Every Home Options applicant is sent a revision form on the anniversary of their application to ensure that their circumstances are kept up to date. They are required to update, sign and return the form to confirm they wish to remain on the housing register. The Home Options application will automatically be cancelled if the form is not returned.

## **2.16 Property size qualification:**

Each applicant will be assessed by the council, to determine what size of property they qualify for. It is expected that participating landlords will seek to maximise occupation of available properties. A general guide showing property size qualification for different household sizes is set out in a table at Appendix E however, each participating landlord may choose to take account of local issues in determining what household size is eligible to bid for a property. This will be made clear at point of advertisement. Any potential affordability or housing benefit issues arising from this will be discussed with the applicant prior to their accepting the tenancy.

## **2.17 Notification of applications:**

2.17.1 Once a Home Options application has been assessed the applicant will receive notification from the council confirming the band in which they have been placed.

## **2.18 Cancellation of applications:**

2.18.1 Applications will be cancelled by the council for the following reasons:

- The applicant requests cancellation

- The applicant's circumstances change and they are no longer eligible
- The applicant's circumstances change and they no longer qualify
- The applicant fails to return a revision form
- The applicant is found to have made a false or deliberately misleading statement in connection with their application
- The applicant moves outside the Norwich boundary.
- The applicant has refused offers or failed to attend viewings on five occasions, where no other restrictions apply.

## **2.19 Refusals or failure to attend viewings:**

2.19.1 Where no other restrictions apply to the award of banding and an applicant has bid for five properties, which they have refused or where they have failed to attend the viewing without good cause, then their circumstances and banding will be reviewed. If these refusals are considered by a Housing Options team leader or manager to be unreasonable or without grounds, then the Home Options application will be cancelled and no new application will be accepted for a minimum twelve-month period.

## **2.20 Misrepresentation or withholding of information**

2.13.1 It is a criminal offence for anyone to try and obtain accommodation from the council by knowingly giving a false statement or withholding information.

2.13.2 If we suspect that an applicant has given false information or withheld information, we will investigate. The Home Options application will be suspended while the investigation is carried out.

2.13.3 Failure by an applicant, or someone acting at their instigation, to inform the council of changes to their application, contrivance of circumstances or the deliberate withholding, or misrepresentation of information relevant to their housing circumstances, will mean that the applicant will not qualify for Home Options and their application will be cancelled for an indefinite period and can be reviewed only after a minimum twelve-month period. Any such action may also result in criminal prosecution. If found guilty the applicant could be liable to a fine and/or imprisonment.

2.13.4 The scheme landlord may seek possession of a tenancy that was granted as a result of a false statement and may also attempt to recover any costs incurred.

## **3.0 Accessing the housing options:**

### **3.1 Finding a home:**

Once applicants are registered on Home Options they can start looking for a social housing property of their choice.

### **3.2 Advertising of vacant properties:**

3.2.1 Social rented properties will be advertised on a weekly basis.

3.2.2 Social rented properties will be advertised in two main categories. These will be:

- For all applicants.
- For existing (transfer) tenants of the council and scheme landlords only.

By these means the council will seek to ensure that at least 20% of allocations made through Home Options are to existing tenants.

3.2.3 Properties will be advertised in the following ways:

- In a newsletter
- At the council's website

The scheme guide and website explain in detail how and where to access the advertised properties.

The Home Options bidding cycle runs for the seven days from Wednesday midnight each week.

### **3.3 Promotion of other housing options:**

3.3.1 Information will also be provided about the other housing options we will be promoting through the scheme including:

- Help to stay in your current home (Disabled Facilities Grants, dementia grants and other discretionary loans etc.)
- Rent Deposit Schemes
- LetNCC scheme
- Discretionary Housing Payments
- Mutual exchanges
- Help to access properties for shared ownership

### **3.4 Property descriptions:**

3.4.1 Properties advertised will, wherever possible, carry a photograph of the property or similar and will have a description of the property. This description will usually include the following information:

- The type of property (house, flat etc.)
- The tenure of the property (social rented housing, affordable rent, shared ownership etc.)
- The number of bedrooms the property has
- The location of the property

- The level of accessibility the property has for people with mobility problems/wheelchair users
- Any services provided to the property e.g. wardens, caretaker etc.
- The heating type the property has
- Any age restrictions on the property (sheltered etc.)
- Whether pets are allowed
- Availability of outside space (garden etc.)
- The rent of the property and the service charges. Social rented properties can sometimes have two different rent levels of 'social rent' and 'affordable rent' and each landlord has their own criteria for which rent level applies to which type of property. This should be clearly explained on each advert, where this is relevant.
- Special information (location of bus routes/ other amenities etc.)
- Whether the property is available to all applicants or transfer applicants only

3.4.2 Applicants must qualify for the size of property as advertised.

3.4.3. The landlord will ascribe tenancy type(s) for their advertised properties.

### **3.5 Bidding/application process:**

3.5.1 Provided the applicant meets the stated qualifying criteria they can bid for the property by the deadline given.

### **3.6 Deadlines for bids:**

3.6.1 Bidding closes at midnight every Wednesday. Bids received after the specified deadline will not be considered unless there are extenuating circumstances. Any such retrospective bids must be agreed by the Housing Options manager and a record kept of the reasons for acceptance of the retrospective bid held on record for audit purposes.

### **3.7 Bidding methods:**

3.7.1 Applicants can bid in the following ways:

- On the website, [www.norwichhomeoptions.org.uk](http://www.norwichhomeoptions.org.uk)
- In person at City Hall
- Over the telephone to the Home Options team.

### **3.8 Disqualified bids:**

3.8.1 Applicants are restricted to making two bids for social rented properties per week. Applicants will not be considered for any property for which they do not meet the qualifying criteria. For example, a single person would not be considered for a three-bedroom property.

3.8.2 Where an applicant who has been awarded a priority banding to reflect a specific housing need has bid for a property which does not meet this housing need, their bid will not be considered. For example, an applicant in a priority band based on a medical need for a ground floor property will not be considered if they have bid for a house or upper floor flat.

### **3.9 Selection of the successful bids:**

3.9.1 At the end of the advertising cycle a shortlist will be drawn up from all applicants that have applied for a property. At this point the banding and qualification of any shortlisted applicant will be reviewed for accuracy.

3.9.2 The offer of accommodation will be made to the person in the highest band that meets the qualifying criteria. If there is more than one applicant in the band, the offer will be made to the applicant who has been waiting the longest within that band. If the applicant with the highest priority refuses the property it will be offered to the next highest bidder and so on.

3.9.3 In order to maximise use of adapted properties, where a property has had adaptations to improve accessibility, the scheme landlord has the right to allocate the property to the applicant that has bid who is in greatest need of those specific adaptations at that property. As such, an occupational therapist may be invited to viewings of adapted properties to advise on suitability.

3.9.4 A risk and support needs assessment will be carried out for all applicants. As a result, restrictions may be placed on the area or property which the applicant will be considered for. Applicants will not be offered a property where a risk to themselves or others has been identified.

### **3.10 Making the offer:**

3.10.1 The successful applicant will be contacted by the landlord whose property they have applied for to arrange an accompanied viewing. More than one applicant may be invited to the viewing. Photographic identification from the applicant will be required at the viewing.

3.10.2 Applicants will usually be contacted within three working days of the advert for the property closing. If an applicant cannot be contacted following multiple attempts the next person on the shortlist will be contacted. It is therefore important that all applicants ensure they are contactable or else they may lose out on a property they have applied for.

3.10.3 Applicants have 48 hours to decide whether to accept the offer of accommodation. If no response has been received after this time, the next person on the shortlist will be offered the property.

3.10.4 If an applicant refuses the offer, the property will be offered to the next on the shortlist, and so on until the property is let.

3.10.5 Scheme landlords reserve the right to carry out an assessment on applicants to ensure the particular property is appropriate. If the landlord deems the property not to be suitable for the applicant, the property would then be offered to the next applicant on the shortlist.

3.10.6 Offers of accommodation may be withdrawn if it is found that the information supplied by the applicant was incorrect or if they are deemed due to their behaviour to not qualify (e.g. if they have accrued rent arrears that were not previously known about).

### **3.11 Hostel move-on**

The Norwich hostel move on agreement (appendix D) sets out how applicants in participant hostels and supported accommodation who meet the criteria will be allocated social housing.

#### **3.11 Feedback:**

3.11.1 The scheme landlords give feedback as to the results of the properties that have previously been advertised at the 'recent lets' section of the website, and in the Home Options newsletter.

3.11.2 The information provided for each property will be:

- The address
- Number of bids
- Band of the successful applicant
- Application date of the successful applicant

3.11.3 The council will never include any personal details of successful applicants in the feedback.

3.11.4 This feedback is important to applicants as it will help to identify which property types and areas are most popular and so where their best chances are of making a successful bid. It will also allow applicants the knowledge to decide whether they would be better served by pursuing alternative options to social housing.

#### **3.12 Properties excluded from the scheme:**

3.12.1 The council reserves the right to exclude certain properties and housing schemes from the allocations system. Examples of where this may occur are:

- Where a property is needed urgently to deal with an emergency.
- Specialist housing schemes, for example Housing with Care Schemes will also be let outside the allocations scheme.

#### **3.13 Direct lets:**

3.13.1 In certain circumstances the council will allocate properties directly to applicants, outside of the usual process.

3.13.2 Illustrative examples of direct lets are as follows:

- Where an allocation is required to ensure protection of the public, for example, following a decision made by a Multi-Agency Public Protection Panel meeting, or where an applicant has been referred as part of the witness protection scheme.
- Where the council or a scheme landlord has entered a special arrangement with a support agency in order to accommodate especially vulnerable or challenging clients. Any such arrangement will be governed by an agreement signed off by the Head of Housing.
- Where the tenant of a scheme landlord's home is being repaired and is not occupiable so that they need to be moved from the property on a temporary or permanent basis.
- Where a client has been accepted as statutorily homeless, they will be direct let the first suitable available property.
- As part of the council's 'hostel move-on' scheme (see Appendix V)

3.13.3 A tenancy may also be allocated by the council or scheme landlord, regardless of other priorities, where the applicant has enjoyed established occupancy of the property, has a reasonable expectation of a property of that type and would be a suitable tenant, (e.g. non-secure tenants, or carers or family members with no succession rights.) In deciding whether to make an offer of a tenancy the landlord will consider whether the property is of a suitable size and type for the applicant's household and the conduct of the applicant in terms of rent arrears and tenancy conditions.

Decisions to allocate properties outside of Home Options will be authorised by the Housing Options manager and held on record.

### **3.14 Sensitive lets:**

3.14.1 Sensitive lets are used where a specific issue has been identified in a particular area or block, making a property unsuitable for allocation to some applicants. When considering a sensitive let, instead of allocating a property to the applicant at the top of the list, the landlord will consider the suitability of each applicant who has bid for the vacancy. This will be based on information held about the applicant and on knowledge of the property, its location or neighbours.

3.14.2 The council will only use sensitive lets in exceptional circumstances. In order to ensure that all decisions on sensitive lets are accountable, transparent and monitored, all decisions must be agreed by the Housing Options manager and the respective manager of the scheme landlord and a record held on file.

### **3.15 Local lettings plans**

Local lettings plans are used by landlords to develop policies and letting arrangements that:

- Respond to local housing need and demand
- Help to suitably match applicants to properties; and
- Help them to achieve a balanced housing mix within a particular area.

The main aim of a local lettings plan is to build a strong and sustainable community.

3.15.1 Local lettings plans are generally used when allocating new build housing for the first time. New build developments are unusual in terms of housing allocations because of the number of properties that are available for let in a short period of time in one area.

This makes sure that:

- new build programmes meet the widest possible range of needs; and
- the council avoids the creation of groups of vulnerable households in specific communities.

In order to make sure that all decisions on local lettings agreements are accountable, transparent and monitored, all decisions must be agreed by the Housing Options manager and the respective manager of the scheme landlord and a record held on file.

### **3.16 Sheltered housing**

3.16.1 Sheltered housing is accommodation designed specifically for older people. Residents may pay an additional charge for support services.

3.16.2 The minimum age for the landlord to consider an applicant for sheltered housing will be clearly stated when each property is advertised.

3.16.3 The council and scheme landlords may carry out a needs and risk assessment for customers who bid for sheltered housing properties, to ensure the services provided are appropriate to their needs. This will be done as part of the offer process.

## **4.0 Statement on equal access:**

The council and scheme landlords are committed to ensuring equality of opportunity in all elements of the scheme. This means that we seek to ensure that priority for housing is based on housing need and that housing policies are fair to all sections of the community regardless of age, disability, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, or sexual orientation.

We want our services to be accessible to everyone who lives in Norwich. If you need extra help to be able to use our services, such as translation and interpretation services, large print or signing, please tell us.

All applicants for housing or rehousing may be asked to provide details of age, disability, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, or sexual orientation. This is to allow us to assess the application properly as well as to monitor who is allocated housing, and to ensure that properties are being offered and allocated fairly.

#### **4.1 Advice and assistance:**

4.1.1 The council will ensure that everybody in Norwich seeking housing can easily access the information and assistance they require to use the scheme effectively and we will provide advice on the range of housing options open to them. Staff will be available throughout office hours to provide advice and assistance on the full range of housing options available through the scheme.

#### **4.2 Vulnerable groups:**

4.2.1 Due to the nature of Home Options, particularly the need for applicants to be proactive in the process, the council realises it is essential that vulnerable and excluded people can participate effectively. The council will therefore ensure all relevant staff are well trained so that they can assist vulnerable applicants to access and use the scheme.

4.2.2 All literature will be available in a large font and written in plain and unambiguous language. The website is compatible with screen readers and has browse aloud capability.

4.2.3 The council will also hold an 'assisted applicants list' for those who, due to their vulnerability, require additional help with the scheme. This additional help includes helping applicants bid for available homes or sending the property brochures directly to people who cannot access the internet.

4.2.4 The 'assisted applicants list' can be accessed by applicants or their support workers informing the council. This service will only be available for the most vulnerable clients as determined by the council.

4.2.5 To ensure vulnerable groups are not being disadvantaged under the scheme, the council will monitor systems to ensure all groups are using the scheme successfully.

#### **5.0 Reviews of decisions:**

Notifying an ineligible or non-qualifying applicant:

5.0.1 The council will notify an applicant in writing of any decision that they

- Are ineligible for Home Options

- Do not qualify to join Home Options.

In each instance, the council will give clear grounds for the decision.

5.0.2 An applicant can ask for a review of certain decisions made regarding Home Options. These are:

- That they are not eligible or do not qualify
- Their band and effective date
- The type of property that they can bid/apply for

5.0.3 A request for a review of a decision must be made in writing within 21 days of receipt of the decision. The decision will be reviewed by a Housing Options team leader or manager or, in complex cases, an assessment panel. The role of the reviewer is to ensure that policy has been correctly applied. Reviews will be carried out within 56 days of the request being received and the applicant will be notified in writing of the decision. The council may extend these timescales if there are exceptional circumstances.

5.0.4 In requesting a review of their qualification for Home Options, the applicant will normally be expected to show that they have addressed issues which caused them not to qualify for the scheme over a minimum 12-month period, clearly demonstrating to the council's satisfaction that their behaviour has been addressed and they are able to independently maintain a tenancy. The applicant's individual circumstances will be fully considered as part of any review and each case will be treated on its merits.

5.0.5. Where an applicant does not qualify for Home Options through rent arrears, the council has set out in Appendix B the repayment arrangements and timeframes expected to be maintained in order for the applicant to demonstrate that the issue is being satisfactorily addressed.

5.0.6 An applicant does not have the right to ask for a further review. If an applicant is still unhappy following the review, they can make a complaint through the council's complaints procedures.

## **5.1 Complaints procedure**

5.1.1 If an applicant is dissatisfied with any aspect of the management of their Home Options application, other than where a review can be made, they should follow the council's complaints procedure, details of which can be found at the website [www.norwich.gov.uk](http://www.norwich.gov.uk).

## **5.2 The Local Government Ombudsman**

5.2.1 If a complainant is not satisfied with the action the council takes, he or she can send a written complaint to the ombudsman. A complainant must give the organisation an opportunity to deal with a complaint first, using its complaints procedure.

The Local Government Ombudsman can be contacted at:

Local Government Ombudsman  
The Oaks No 2  
Westwood Way  
Westwood Business Park  
Coventry CV4 8JB

Tel: 01904 380200 Website: [www.lgo.org.uk](http://www.lgo.org.uk)

## **6.0 Confidentiality statement**

6.0.1 Norwich City Council is committed to protecting the rights of privacy and processing will be conducted fairly, lawfully and transparently in accordance with the General Data Protection Regulation (EU 2016/679) and all other applicable data protection law ('Data protection legislation'). Further details can be found at the council's website.

6.0.2 All applications for housing will be dealt with in a confidential manner. Information held under the scheme will not be disclosed to any third party, except in accordance with data protection legislation.

6.0.3 When an application is made to Home Options, the applicant will be asked to give permission for information to be obtained from, or shared with, third parties, which would be required to enable the Home Options assessment or an allocation of housing to proceed.

6.0.4 By submitting an application, the applicant agrees to information sharing with scheme landlords.

## **7.0 Monitoring/changes to the scheme**

### **7.1 Scheme monitoring:**

7.1.1 The scheme will be monitored directly by the Housing Options manager. The manager will, where necessary make recommendations for changes to the scheme, taking into consideration the following:

- Application and bidding data, property turnover and demand
- That the highest needs applicants and those who are vulnerable are using the scheme effectively
- The scheme's performance in meeting its agreed targets
- Feedback from applicants and stakeholders
- That the scheme continues to address local housing issues.

### **7.2 Changes to the scheme:**

7.2.1 The council reserves the right to expand, change or alter any element of the scheme, as and when required, to meet changes in housing need, capacity, resources and legislation. Any major changes to the scheme will be

carried out through a report of the Housing Options Manager to the council executive, following consultation with scheme landlords.

## APPENDIX B

### Norwich hostel move-on agreement 2021

- This agreement is made the 5th day of April 2021 between:
  - Norwich City Council
  - YMCA Norfolk
  - St Martins Housing
  - Sanctuary Supported Living
  - Hinde House (Orwell Housing Association)
  - Hope into Action
  - House of Genesis
  - Home Group
  - Ripley Project
  - Pathways Norwich
  - Umbrella Housing
  - The Benjamin Foundation
  - (herein referred to as "the parties")
- The parties wish to co-operate in order to establish and maintain a hostel move-on scheme
- The parties have agreed to enter into this agreement to record their respective intentions.
- The purpose of the scheme is to provide a co-ordinated route into and out of hostel and supported accommodation services in Norwich.

The parties agree as follows:

#### **1. Objectives**

The agreed objectives are as follows:

- To reduce rough sleeping and homelessness in Norwich.
- To operate the scheme so that those in greatest need can access hostel accommodation quickly and easily.
- To provide a co-ordinated hostels system in Norwich which makes best use of its resources.
- To enable clients to move through different stages of supported accommodation to best meet their needs.
- To ensure all hostel clients who are deemed ready to move-on are able to do so quickly with the appropriate support to ensure sustainability.

The parties agree and undertake to co-operate fully with each other for the achievement of these objectives.

## **2 The process**

### **2.1 Nominations arrangements**

The hostel provider parties agree that all of their bed-spaces not covered by pre-existing nominations agreements will be allocated in accordance with this agreement on the following basis:

- An initial assessment of the client's needs and potential accommodation outcomes will be considered by the parties as part of the referral process and will be ongoing. Issues such as social care needs, local connection and potential for move-on will be considered as part of the assessment.
- Following assessment, homeless and rough sleeper clients will be referred into accommodation appropriate to their needs as determined by the commissioned outreach service and/or Norwich Accommodation Meeting and/or Norwich City Council with the agreement of the provider.
- Clients can be moved between provision where it is agreed by the Norwich Accommodation Meeting and the providers.
- Individual services retain the right to refuse a referral should they deem the risk too high.

- Vacancies created by successful move-on will be discussed at the Norwich Accommodation Meeting, with a focus on optimising bed-spaces.

## 2.2 Move-On for hostel residents

- Applicants in supported housing/hostels who participate in the Norwich hostel move on agreement who are assessed as needing to move on as determined by a member of the Housing Options team and the Norwich Accommodation Meeting will be direct let into appropriate social housing tenancy following the required evidence and risk assessment being submitted from the current support provider. Home Options qualification criteria will apply.
- The client must have demonstrated that they are able to maintain a tenancy, for example, but not limited to, through an approved tenancy awareness course so that it is reasonably expected that any tenancy will be sustained.
- The applicant will complete a personalised housing plan with a Home Options officer. Any special housing requirements will be agreed and set out in this document.
- Applicants that meet the criteria set out above but who are subject to 'reduced preference' (for example because they do not have a two-year local connection) will be placed in the bronze band.
- In both instances, applicants will only receive one offer of accommodation, which they are expected to accept. If the client refuses the offer, they are able to request a review on the grounds of reasonableness and suitability. Reviews will be carried out by a review panel in accordance with Home Options policy.

## 2.3 The role of Norwich Accommodation Meeting

The Norwich Accommodation Meeting takes place fortnightly with representatives of each of the parties and outreach services. It is expected that each representative is able to make operational decisions on behalf of their respective organisation. In addition to the activities set out above, the Norwich Accommodation meeting will:

- Make decisions on current vacancies and share information with other hostel providers. Where required, the meeting will make decisions on moves between providers and explore the moving of clients from one provider to another to prevent eviction and abandonments.

- Discuss clients who are threatened with eviction from hostels and supported accommodation and explore ways this can be prevented
- Where appropriate, discuss current rough sleepers and their potential accommodation solutions within the hostel system.
- Discuss clients ready for move-on into social housing through Home Options and any issues affecting this.
- Monitor the efficacy of this scheme.

### **3. Practicalities**

#### 3.1 Term of the Agreement

- The agreement shall remain in force for the term of five years.
- The agreement will be reviewed after two years
- Should the parties wish to extend the term, this will be done by variation to this agreement three months prior to the end of term and with the agreement of the parties.

#### 3.2 Sharing and Handling of Information

- The parties shall ensure that they and their employees observe all their obligations under General Data Protection Regulation which arise in connection with this agreement.
- Prior to the issue of any press release or making any contact with the press on any matter relating to the agreement the parties shall consult with each other, initially through the Norwich Accommodation Meeting.

#### 3.3 Confidentiality

Each party shall keep the other's information confidential unless:

- The information was already lawfully known
- Disclosure or use of the information is necessary to meet the terms of this agreement;

- Disclosure is required by law (including under the Freedom of Information Act 2000) or disclosure is permitted by the Human Rights Act 1998.

### 3.4 Variation

- No amendment to or variation of this agreement shall take effect unless it is agreed by the parties in writing and signed by an authorised representative of each of the parties.

### 3.5 Termination

- A party may only terminate this agreement by giving the other parties six months' written notice or forthwith by notice to the others if another party has committed a material breach of this agreement which is incapable of remedy.
- If this agreement is terminated the parties agree to co-operate to ensure an orderly cessation of the scheme as set out in this agreement and in particular addressing the following consequences of termination:

### 3.6 Complaints and Disputes Resolution

Complaints in relation to the performance, success or otherwise of this agreement shall be passed, in the first instance, to the Housing Options manager at Norwich City Council who will try and resolve them with the relevant parties.

Where resolution is not reached, the issue will be escalated to the directors of the involved services.

SIGNED BY

For and on behalf of