

## Consistent Assessment Policy



**MyHomeChoice**  
Fylde Coast

**Blackpool Council**

 **Fylde** Council

**wyre**  
council

Working in Partnership with:



Blackpool Coastal  
Housing



**great**  
**places**  
HOUSING GROUP

places  
for  
people

the  
**regenda**  
group  
making the North West a better place to live

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## **SECTION 1: INTRODUCTION**

### **Purpose of the Policy**

*MyHomeChoiceFyldeCoast* is the Choice Based Lettings (CBL) scheme operating across the Fylde Coast region. The Consistent Assessment Policy underpins the CBL scheme and forms the principal element of the allocation scheme for each Fylde Coast Local Authority (Blackpool, Fylde and Wyre) and Registered Provider operating in the area.

Each Local Authority has a statutory duty to have a scheme in place that sets out how social housing will be allocated. This is formulated and regularly reviewed in consultation with Local Authority members, housing providers and the public. It takes into account the level and patterns of the demand for social housing, stock profile, vacancies which are likely to become available and also reflects agreed strategic priorities.

This Policy sets out how applicants to the *MyHomeChoiceFyldeCoast* scheme will be assessed and priority awarded, ensuring a fair and efficient mechanism for the allocation of social rented homes across the Fylde Coast (including Council owned properties).

The Consistent Assessment Policy has been developed by the three Fylde Coast Local Authorities working in partnership with the following Registered Providers:

Blackpool Coastal Housing  
Great Places Housing Group  
Muir Group Housing Ltd  
For Housing

Progress Housing Group  
Places for People  
Regenda Group

In drafting this policy *MyHomeChoiceFyldeCoast* partners have had regard to the Codes of Guidance issued by Central Government in addition to the following pieces of legislations:

- The Children's Act 2004.
- The Equalities Act 2010.
- Data Protection Act 1988
- Housing Act 1996 as amended by the Homelessness Act 2002
- Localism Act 2011

### **Aims of the Scheme**

Although *MyHomeChoiceFyldeCoast* provides greater choice for applicants, the scheme in itself does not increase the number of properties available. Properties are advertised and applicants are encouraged to take an active part in the process by bidding on a property. The system is transparent and is expected to provide applicants with a realistic view of their prospects of securing accommodation.

The scheme's key objectives are to:

- Create a customer led choice based lettings scheme
- Widen the choice of housing
- Ensure the scheme is open, fair and accountable
- Increase understanding and satisfaction of the letting system
- Give new tenants a feeling of ownership of their property and community
- Help create sustainable communities
- Make more efficient use of the available housing stock

- Help tackle low demand and reduce void turnaround times
- Create a single point of access to all social housing on the Fylde Coast
- To meet the legal requirements for the allocation of social housing as set out in Part VI of the Housing Act (1996) as amended by the Homelessness Act (2002) and the Localism Act (2011)

Registered Providers participating in the scheme are committed to advertising their available properties to applicants who have applied and are registered on the system. Adverts will include a description of the property and indicate which applicants are eligible to apply. Applicants can then apply for the property of their choice provided they meet the stated eligibility criteria.

### **Overview of MyHomeChoiceFyldeCoast**

To gain access to the *MyHomeChoiceFyldeCoast* scheme, eligible applicants only have to register once. They are then able to bid for suitable properties as they are advertised by partner organisations.

To have access to social housing through *MyHomeChoiceFyldeCoast*, applicants must i) meet nationally defined eligibility criteria for social housing, ii) have a local connection, and iii) not have been excluded for any other reason (see section 3 for further details on eligibility).

While all homes are advertised through the *MyHomeChoiceFyldeCoast* website, there are two different routes for allocating homes:

#### **1. Homes reserved for applicants on the Housing Needs register**

A minimum of 50% of properties advertised will be made available exclusively for applicants on the Housing Needs register. High demand properties, such as but not limited to 4+ bedrooms, Extra Care Housing and adapted stock will be reserved initially for those in the Housing Need stream.

Properties will be advertised for a 7 day cycle, with the cycle starting as soon as the property becomes available, on any working day.

Applicants from the Housing Needs register who express an interest in these properties will be shortlisted for homes in order of priority need for housing and the length of time the applicant has been in that band.

#### **2. Homes open to all applicants registered on the system**

A maximum of 50% of properties advertised will be made available to all applicants registered on the system - those on the Housing Needs register and those who are not. Applicants expressing an interest in these properties will be shortlisted in order of when their bid was placed, with the preference given to the earliest bids.

In order to recognise and reward those who work and make a contribution to the community, 20% of lettings available to all applicants will prioritise people who meet the working households and community contribution criteria (see Appendix Three).

Properties will be advertised for up to 7 days to allow local people to bid, as soon as the property becomes available, on any working day.

Applicants who are on the Housing Needs register will have access to housing through both routes. The Local Authorities will monitor the proportion of all homes that are allocated to applicants on the

Housing Needs register. The aim is to enable two thirds of all homes to be allocated to applicants from the Housing Needs register.

## **SECTION 2: APPLYING TO JOIN THE HOUSING REGISTER**

### **Making an Application**

Applicants aged 16+ can register an application by visiting the website [www.myhomechoicefyldecoast.co.uk](http://www.myhomechoicefyldecoast.co.uk). Applicants should answer all questions in the form fully and accurately and be prepared to provide supporting evidence as required.

Applications will be assessed by an Assessing Partner based on the current address of the applicant.

All applicants eligible for social housing will be able to log onto the website immediately and bid on properties. Where applicants may be eligible for the Housing Needs register, the Assessing Partner will aim to assess the housing application and allocate a priority band within 10 working days of submission.

For homelessness applications, further checks may be required. Applicants will be informed if this is the case.

### **Information Required**

Applicants will be required to provide the following information:

- Contact details of the current landlord, tenancy type and if a formal Notice To Quit has been served.
- Address history for the last 3 years including landlord details and reason for leaving.
- Details of anyone on the application who has unspent criminal convictions. Details of the crime, date and length of sentence given and how long they served will be required. (See Appendix Two for further details).
- Details of action taken against anyone on the application for Anti-Social Behaviour including type of action e.g. court action or written warning and if an ASB Order has been granted.

Please note, *MyHomeChoiceFyldeCoast* will apply the suspension policy if appropriate (see section 4 for further details).

## Documentation Requirements

The table below identifies potential verification needs and associated documentation required.

Verification Need:	Documents required (one of the following must be provided)
<b>The identification of the applicant and households</b>	Birth Certificate Passport Immigration papers
<b>Eligibility to register for social housing</b>	Passport National Identity Paper Home Office documents Wage slips Proof of Housing Benefit/Local Housing Allowance Proof of local connection
<b>Proof of address and agreement terms, for example, tenancy agreement</b>	Electoral Register entry Proof of rent payments Utility bills Pension book Confirmation from employer or DWP Tenancy Agreement Full driving licence Council Tax or telephone bill (recent) Bank statement (recent)
<b>Proof of childcare responsibilities</b>  <b>(Children who have previously been in the care of another person, including ex partner, must provide a combination of the evidence if a Residents Order is not available).</b>	Child benefit or other benefits such as fostering allowance Residence Order Confirmation from Public Body (DWP, Social Services, Health & Education Authorities) Dependents birth certificate
<b>Non-dependants verification for living with applicant</b>  <b>Proof of pregnancy</b>	Confirmation from Social Services or other relevant statutory agency Antenatal card/book Doctors letter MATB1
<b>Threatened with eviction</b>	Tenancy Agreement Valid Notice to Quit Court order

If an applicant is unable to provide the necessary documentation the case will be considered in light of individual circumstances by the relevant Partner Organisation. All offers are subject to verification.

## Application Date and Effective Date

All applications will be given an 'Application Date' corresponding to the date the application was received for assessment.

Within each band, applicants order is listed by the 'Effective Date'. The 'Effective Date' is the date of application, or where an applicant's circumstances have changed and resulted in a higher band being awarded, the 'Effective Date' will be the date from which the higher band applies.

## **Online Security**

Upon registration applicants will be issued with a registration number and memorable date to enable login for the service. Password resets can be requested via the *MyHomeChoiceFyldeCoast* website. Password reset/reminder information will be sent to the main applicants e-mail address. For this reason it is important that all applicants provide their own e-mail address.

## **Pre-tenancy Checks**

Once an offer of accommodation is made, individual landlords may undertake relevant verification of their identity, circumstances and housing conditions. This may be in the form of an online application, interview, home visit and/or telephone call.

Evidence of outstanding housing debts will be verified. Where applicants have indicated anti-social behaviour and 'unspent' convictions, relevant checks will be made.

Landlord references (current/previous) will be sought where the applicant has held a private or social housing tenant. A credit check may also be carried out.

All applicants may be required to provide the following documents:

- Proof of identity and residence for all persons included on the application, including but not limited to: passport, identity card, phot driving licence, birth certificate or written confirmation from a professional person or support agency
- Proof that they are still an eligible person
- Proof of current address
- Proof of income
- Other documentation as appropriate

Offers may be withdrawn from an applicant who does not participate in pre-tenancy checks within a reasonable timescale.

## **References**

Applicants will be required to provide two references to the Partner Organisation once they have successfully bid for a property. One reference must be from a current or the most recent landlord and may include a staff reference from interim or supported accommodation.

References will also be considered from the following (this list is not exhaustive):

- Successful completion of a recognised tenancy training programme
- Current/former employer
- Teacher/College Lecturer
- Person of standing in the community.

References will not be accepted from family or friends. Further landlord references may be requested as required. Partner Organisations will review applications with unsatisfactory references.

## **Advice and Information**

The Fylde Coast Local Authorities provide free independent housing advice to residents in their district. Partner Organisations to the *MyHomeChoiceFyldeCoast* scheme will ensure information and

advice is available for applicants who need support to join or use the scheme, including a copy of the Consistent Assessment Policy.

#### **False Information**

Partner Organisations are committed to taking legal action against any applicant found to have gained a tenancy based on false information in their application form. (See section 4 – False Information for further details.

#### **Data Sharing**

Information provided in the application form will be made available to all partners of the Choice Based Lettings scheme. All supporting documentation will be scanned by relevant partners and electronically attached to the on-line application.

#### **Data Protection**

Information provided as part of the application process will be treated in the strictest confidence and in accordance with current data protection legislation. Information will be held on a computerised database and will only be accessible by Partner Organisations. The data provided will be used to assess an applicant's eligibility for social housing and identify if there are additional support needs, enabling Registered Providers to rehouse applicants into appropriate accommodation. Where necessary, information will be shared with agencies providing housing related support.

Partner Organisations reserve the right to validate applicant information with appropriate organisations including the Police, Local Authorities, Employers, Probation Services, Former/Current Landlords, Banks and Building Societies, Health Professionals, Social Services and Credit Reference Agencies. Consent is sought via the Declaration on the application form.

Individuals are entitled under the Data Protection Act to request details of their personal data held by *MyHomeChoiceFyldeCoast* for which a charge may apply.

The information received from housing applications may also be used for housing management and research purposes.

## **SECTION 3: ELIGIBILITY TO JOIN THE HOUSING REGISTER**

### **Eligibility**

Applicants aged 16 and over are eligible to apply to the *MyHomeChoiceFyldeCoast* Housing Register unless they are in one of the excluded groups below (See section 8 for 16 & 17 year olds).

### **Ineligibility (Non qualifying persons)**

There are a number of circumstances in which applicants will be ineligible from joining the Housing Register:

1. Persons from abroad who the Secretary of State for Communities & Local Government has deemed ineligible for an allocation of housing accommodation
2. A person who, although not subject to immigration control, are not habitually (permanently) resident in the Common Travel Area (which includes the UK, Channel Islands, Isle of Man and the Republic of Ireland.)

These exclusions do not apply to existing social housing tenants where accommodation was allocated by the Local Authority.

There are a number of other circumstances in which applicants will be ineligible from joining the Housing Register.

3. Existing social housing tenants who apply with no housing need and who do not have permanent employment within the Fylde Coast area. (See Appendix Three – Working Households)
4. Applicants with no local connection (other than those exempt due to having served in the armed forces in the last five years or who are currently serving, and homeless applicants where a statutory duty to rehouse has been accepted by either Blackpool, Fylde or Wyre Council).
5. Households whose gross household income exceeds £60,000 pa
6. Applicants and households aged under 55 with savings exceeding £30,000
7. Households who have been evicted for Anti-Social Behaviour (ASB) within the last five years
8. Households evicted from an Assured or Secure Tenancy from a Registered Provider, or evicted under section 8 of an Assured Shorthold Tenancy from a private landlord.

There is a right of review for each decision made by the *MyHomeChoiceFyldeCoast* partners on a case by case basis, having regard for exceptional circumstances. (See section 11 – Requesting a Review for further details).

### **Local Connection**

When deciding eligibility, applicants must be able to demonstrate they have a local connection by one of the following:

- Local residency – they have lived in the Fylde Coast area consecutively for the last three years (does not include those that have been placed in the area)
- Permanent employment in the Fylde Coast area (see Appendix Three – Working Households)
- Close family association – has a parent, adult child, adult brother or sister who is living in the Fylde Coast area and has done so for the last 5 years
- Applicants who are serving in the Armed Forces and who are either employed or are resident in the Fylde Coast area
- Former Armed Forces personnel who had a previous residence in the Fylde Coast area as a result of a former posting to the area, within the last 5 years
- Homeless applicants where there is a statutory duty to provide housing by Blackpool, Fylde or Wyre Council

## **SECTION 4: APPLICATION ASSESSMENT**

Each application is assessed in line with criteria and will either be:

1. Identified as 'no housing need' (no banding) due to:
  - Being adequately housed
  - Not meeting criteria within the housing need bands
  - Awaiting decision on a homeless application or further eligibility checks
  - Being an armed forces personnel currently serving or have served in the last five years who cannot demonstrate local connection
2. Placed on the 'Housing Needs' register and awarded a priority band.  
*MyHomeChoiceFyldeCoast* uses a banding scheme to prioritise applications: A, B and C

### **Priority Bands**

Applicants eligible for the 'Housing Needs' register will be placed in one of three priority bands depending upon the information provided on their housing application:

Housing Needs Register	Criteria for each band
<b>Band A</b>	<p>Homeless applicants with a statutory duty to provide housing by Blackpool, Fylde or Wyre Council</p> <p><i>Or</i></p> <p>Applicants with a local connection and at least one of the following:</p> <ul style="list-style-type: none"><li>▪ A vulnerable person , who faces imminent discharge from hospital or temporary residential care and for whom there is no suitable accommodation to return to</li><li>▪ Applicants in exceptional circumstances including those in immediate danger of violence (at discretion)</li></ul>
<b>Band B</b>	<p>Applicants with a local connection and one of the following:</p> <ul style="list-style-type: none"><li>▪ Disrepair in current property with identified Category 1 hazard where the landlord has failed to take the required action.</li><li>▪ Existing social housing tenant of a Partner Organisation who requires the property to be demolished or vacated.</li><li>▪ Under occupancy of a property owned by a Partner Organisation (applicable after the start of a tenancy)</li></ul>

	<ul style="list-style-type: none"> <li>▪ Adapted property, owned by a Partner Organisation, no longer required</li> <li>▪ Urgent medical or disability, exacerbated due to current property conditions, with a medical assessment supporting the applicants (including household members) need to be rehoused.</li> <li>▪ Armed forces personnel, currently serving or have served in the last 5 years (who meet at least one criteria from Band C)</li> <li>▪ Urgent social or welfare needs, for example: <ul style="list-style-type: none"> <li>○ Admission into residential care or hospital if applicant is not rehoused</li> <li>○ A dependent (under 16) will be accommodated by the Local Authority unless the applicant is rehoused into a suitable property.</li> <li>○ The need to give or receive essential care and support</li> </ul> </li> <li>▪ At risk of serious harm in present accommodation, for example, domestic abuse, hate crime, anti social behaviour or witnesses of crime.</li> <li>▪ Threatened with homelessness, or owed the initial homelessness statutory duty by Blackpool, Fylde or Wyre Council.</li> <li>▪ Property unintentionally overcrowded and in need of at least two additional bedrooms.</li> <li>▪ Leaving Local Authority Care, with appropriate tenancy support, where there is a statutory duty under the Leaving Care Act 2000 to provide.</li> <li>▪ Rough Sleeping, threatened with or have a history of rough sleeping who are supported and referred by Blackpool, Fylde or Wyre Local Authority Housing Teams.</li> <li>▪ Leaving supported housing or rehabilitation accommodation and are ready for independent living with tenancy support (if required) in place.</li> </ul>
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#### **Band C**

Applicants with a local connection and one of the following:

- Medical or disability conditions (with no detrimental impact) with a medical assessment supporting the applicants need to be rehoused.
- Social or Welfare needs, for example, applicant requires to be rehoused to a particular area to avoid hardship to themselves or others.
- Disrepair in current property with identified Category 2 hazard where the landlord has failed to take the required action.
- Property unintentionally overcrowded and in need of one additional bedroom.
- Homeless with no priority need and no statutory duty owed by Blackpool, Fylde or Wyre Council
- In supported or rehabilitation accommodation and not ready for independent living and no tenancy support in place.

- Armed forces personnel currently serving or have served in the last five years.

## **Property sizes**

The numbers of bedrooms which applicants need is determined by the size of the household and in line with DWP regulations. As there is a shortage of larger homes, applicants are advised to consider a property that has two living rooms where one can reasonably be used as a bedroom.

The number of bedrooms needed is calculated as one bedroom for:

- Every adult couple
- Any other person aged 16 or over
- Any two children of the same sex
- Any two children regardless of sex under age 10
- Any other child

Applicants will be permitted to bid for a property in accordance with their calculated need and also for properties with one bedroom more than their calculated need. But letting of properties that are larger than an applicant's calculated need will be subject to affordability and pre-tenancy checks.

Providers may advertise some properties that are in short supply, such as large houses, as only being available to applicants whose calculated need is the same as the size of the property.

## **Expectant Mothers**

Consideration will be given for unborn children in terms of bedroom entitlement but priority will only be awarded according to the current household needs.

Following the birth, and receipt of a birth certificate/s, a re-assessment will be made. It is the applicants responsibility to notify the assessing partner in order to update their circumstances.

## **Home Visits**

In certain circumstances it may be necessary to carry out a home visit. Home visits can be used for, but not limited to:

- As part of application verification
- As part of pre-tenancy checks
- Where clarification is required

Applicants are expected to allow the visiting officer access to all parts of their home. If a *MyHomeChoiceFyldeCoast* Partner Organisation is unable to complete a home visit the applicant may be removed from the scheme.

## **Relationship to Interested Parties**

Partner organisations will apply relevant procedures to ensure there are no conflict of interests.

## **False Information**

It is a criminal offence for housing applicants to knowingly give false information or withhold information relevant to their application. An offence is also committed if an applicant allows a third party to provide false information on their behalf.

Ground 5 in schedule 2 of the Housing Act 1985 (as amended by s.146 of the 1996 Act) enables a housing authority to seek possession of a tenancy granted as a result of a false statement by the tenant or a person acting at the tenants instigations.

Applicants who have provided false or misleading information on their application will be suspended from the Housing Register.

Before a decision is made on whether an applicant is suspended from the housing register under this criteria, applicants will be contacted and given the opportunity to provide details of mitigating circumstances within 8 weeks. If the information is not provided then a decision will be made based on the information available.

Applicants who are suspended from the Housing Register under this criteria will be notified in writing. All Partner Organisations are committed to taking legal action against applicants found to have gained a tenancy based on false information in their application form.

## **Notification of Change in Circumstances**

Applicants are responsible for notifying *MyHomeChoiceFyldeCoast* with changes to personal circumstances. Existing applicants will be reassessed and placed in the appropriate band. Where an applicant is awarded a higher priority band the 'Effective Date' will be the date *MyHomeChoiceFyldeCoast* were notified of these changes.

In circumstances where a reassessment results in a lower priority band the 'Effective Date' will remain the same as the 'Application Date'.

## **Application Checks**

Application details will be checked regularly. Applicants may receive a renewal letter requesting confirmation of their registered details and will be required to respond within 28 days. Applications will be cancelled if no response is received and will only be reinstated in exceptional circumstances. Checks will be made at the time of a housing offer to ensure the property has been allocated appropriately. Housing offers will be withdrawn if an applicant's current housing situation differs from their registered details. An application may be suspended until appropriate documentation has been reviewed.

## **Applicants who Fail to Bid**

*MyHomeChoiceFyldeCoast* may contact applicants who have not taken part in the bidding process. Depending on their individual circumstances the application may be reassessed or cancelled. Where necessary, additional support will be put in place.

## **Cancelling Applications**

*MyHomeChoiceFyldeCoast* will cancel applications under the following circumstances:

- At the request of an applicant
- An applicant does not respond to a renewal letter within the specified time limit
- The applicant has been housed by *MyHomeChoiceFyldeCoast* partners
- An applicant completes a mutual exchange
- An applicant does not maintain their application through the renewal process, or where the applicant moves and does not provide a contact address
- The applicant has deceased
- Requested information has not been provided within the specified timescale.
- An applicant becomes ineligible for housing as defined by this policy.

Applicants can request a review should their application be cancelled - see section 11 for further details.

Where an applicant applies to re-join *MyHomeChoiceFyldeCoast* their new date of application will correspond to the date they reapplied.

## **Suspensions**

*MyHomeChoiceFyldeCoast* may suspend applications from the Housing Register for a maximum of 5 years. Suspended applications will remain 'held' on the system and applicants will no longer be able to bid for properties.

Applicants will be notified in writing of the reasons for suspension, the timescale and details on how to appeal the decision.

It is the responsibility of the applicant to contact the Assessing Partner at the end of the suspension period to request a review of their application. The review will seek to establish if the reason for the suspension has been resolved satisfactorily, or if there is evidence of an improvement in the behaviour of the applicant(s) over a sustained period.

There is a right to review for each decision made by *MyHomeChoiceFyldeCoast* partners on a case by case basis having regard for exceptional circumstances. (See section 11 – Requesting a Review/Appeal and section 3 for Ineligible Applicants)

## **Suspension Criteria**

Suspension may apply where the applicants or any member of the household:

- Owes rent arrears or any other housing related debt, excluding Council Tax, to a landlord and has not made and maintained a satisfactory arrangement to repay the debt (see section 4 – Debt)
- Has deliberately or negligently caused damage to a property belonging to a Partner Organisation or any other landlord, whether they are the tenant of that property or not
- Has made false or misleading statements (see section 4 – false information)
- Has engaged in anti-social behaviour (whether or not they were at the time a tenant of a Local Housing Authority or Registered Provider) and has not maintained a satisfactory undertaking to address their behaviour (see section 4 - Anti Social Behaviour)

- Is a current tenant of a participating landlord of the MyHomeChoiceFyldeCoast scheme (or another Registered Provider) and is, or has been, the subject of an action for breach of tenancy.
- Has been convicted of using their home, or allowing it to be used for immoral or illegal purposes (see Appendix Two – Convictions)

Other applications may be inactive on the system and therefore unable to bid:

- *MyHomeChoiceFyldeCoast* is waiting for more information about an applicant's circumstances. (The application will remain held until all relevant information has been provided)
- Offenders in custody, the application will remain held until 28 days before their release date

### **Anti-Social Behaviour**

The meaning of anti social behaviour for the purpose of this policy encompasses a past action or activity on the part of an applicant but also an omission, failure to act, passivity or inactivity. This extends to any past or present member of the household.

Suspension will be considered for acts of anti-social behaviour that occurred within the last 2 years. Evidence of acts of anti-social behaviour include but are not limited to:

- Causing nuisance and annoyance to neighbours, visitors or the community
- Being violent towards a partner or family member
- Allowing the condition of a rented property to deteriorate
- Damaging/destroying or disposing of furniture provided by the landlord
- Paying money illegally to obtain a social housing tenancy.

Suspension will also be considered regardless of time of occurrence in the following circumstances:

- A current Probation risk assessment level of Medium or above
- A current ASBO/CRASBO in place
- Conviction for a serious unspent criminal offence

Suspensions for cases of ASB will be between 12months to 5 years. Partner Organisations may use Starter Tenancies or Introductory Tenancies to manage and reduce the risk of anti-social behaviour.

### **Debt**

Applicants with housing related arrears, such as rent arrears, below £500 owed to a landlord (including Partner Organisations) are subject to the terms of a repayment plan, for example, a minimum of 12 consecutive payments or a large payment to reduce the debt value. An offer of accommodation will only be made if these terms are met unless there are exceptional circumstances.

Applicants with arrears of over £500 will usually be suspended. A number of factors will be taken into consideration when agreeing the terms of a repayment plan and the length of the suspension. These decisions will be reviewed by the Senior Officer Decision Panel which is made up of members from Partner Organisations to ensure consistency.

Debt owed to private sector landlords (arrears and/or damage) will only be taken into account if an unsatisfactory reference is received.

## **SECTION 5: ADVERTISING AND APPLYING FOR PROPERTIES**

### **When Properties will be Advertised**

The Fylde Coast Local Authorities and Partner Organisations will advertise available properties on *MyHomeChoiceFyldeCoast* website. Properties may be uploaded at any time. Customers will need to register their bids for properties that they are interested in.

Properties available only to applicants on the Housing Needs register will be advertised for a minimum of 7 days. Properties available to all applicants will be advertised for up to 7 days, with advertising ending once a valid bid has been received from someone with a connection to the relevant borough.

### **Property Descriptions**

Properties advertised will carry (where possible) a photograph and a full description. As a minimum the description will include:

- Type of property
- Number of bedrooms
- Location of property
- Any adaptations (e.g. disabled facilities)
- Services provided (e.g. support, caretaker, cleaning)
- Heating type
- Energy Performance Certificate rating
- Rent charges and any service charges
- Eligibility criteria

### **Local Lettings**

The partners have the discretion to apply local lettings policies where there are specific issues. Local lettings policies can also assist in the management of existing stock to help resolve issues such as child density, anti-social behaviour, mixed communities and worklessness. It should be noted that local lettings policies may be required on affordable new build sites. There may also be planning restrictions and local lettings policies which apply to specific properties such as a Section 106.

### **APPLYING (BIDDING) FOR PROPERTIES**

Under the *MyHomeChoiceFyldeCoast* scheme applicants are required to actively engage with the process of obtaining a new home. Applicants are advised to bid regularly for properties they would be willing to accept. Letting properties in this way means applicants are considered for homes they express an interest in giving them a greater choice over property location and type.

Bids can be made by visiting the website [www.myhomechoicefyldecoast.co.uk](http://www.myhomechoicefyldecoast.co.uk). Applicants should only bid for properties they are eligible for which meets their housing needs.

## **SECTION 6: ALLOCATING PROPERTIES**

### **Selection Process**

The demand for social housing exceeds supply. Therefore, it is necessary to prioritise applications on the Housing Register to ensure housing stock is allocated appropriately.

#### **Properties Reserved for Applicants on the Housing Needs Register**

Shortlisting will be based on bids from applicants with a connection to the local borough and with the highest priority band. If bids are received from applicants in the same priority band, then the person with the longest Effective Date will be offered the property.

Where a property is adapted for use by a disabled person, it will be offered to the applicant with the highest priority band whose needs best match the facilities of the advertised property.

If there are no bids from applicants with a connection to the local borough, Partner Organisations will give consideration to applicants from other Fylde Coast areas.

Bids will not normally be considered if an applicant's or their household does not meet the size, age or disability requirements for the property unless there are exceptional circumstances or local lettings arrangements.

#### **For Properties Open to all Applicants:**

Applicants expressing an interest in these properties will be shortlisted in order of connection to the local borough, and when the bid was placed, with preference given to the earliest bids. Any bids that do not meet the criteria may be bypassed.

### **Pre-tenancy Checks**

Once an offer of accommodation is made, individual landlords will undertake relevant verification of household member's identity, circumstances and housing conditions. This may take the form of an online form, interview, home visit and/or telephone call.

Evidence of anti-social behaviour and outstanding housing debts will be checked and will include checks where applicants have indicated an 'unspent' conviction.

Landlord references (current/previous) will be sought where the applicant has held a private or social housing tenancy. A credit check may also be carried out.

All applicants and household members may be required to provide the following documents:

- Proof of identity and residence for all persons included on the application; acceptable proof of identity is:
  - i. Passport
  - ii. Identity card (issued to certain foreign nationals)
  - iii. Photo driving licence2
  - iv. Birth certificate
  - v. Or written confirmation from a professional person or support agency

- Proof that they are eligible for social housing
- Proof of current address
- Proof of income
- Other documentation as appropriate

Offers may be withdrawn from an applicant who does not participate in pre-tenancy checks within a reasonable timescale.

The applicant to be offered the property will be contacted to verify their circumstances. Providing the applicant is eligible and suitable for the property (and in case of applicants on the Housing Needs register, that the applicant's priority has not changed), a provisional offer of the property will be made and a viewing arranged.

If the applicant refuses the property then it will be offered to the next applicant on the shortlist.

### **Refusal Following a Bid**

*MyHomeChoiceFyldeCoast* will offer assistance and guidance to all applicants to help them through the application, bidding, viewing and sign up process.

Where an applicant has successfully bid for a property and then refuses it, generally no penalty will apply. In most cases, the applicant will be free to bid again.

Where an applicant does not keep an appointment to view a property, or refuses it, the next highest-ranking bidder will normally be offered the property.

### **Feedback on Successful Bids**

*MyHomeChoiceFyldeCoast* will publish details on the number of bids received for each property and details of the successful applicant's band and Effective Date. This will help applicants determine their prospects of success in obtaining housing.

### **Withdrawal of Offers**

An applicant dissatisfied with the withdrawal of an offer (or refusal to make an offer), may register a complaint following the relevant Partner Organisations complaints process. The property in question will not be 'held' whilst the review takes place and will be offered to the next successful applicant. If the original decision is not upheld, the applicant will be offered the next suitable property of their choice. In certain circumstances a Partner Organisation may make the applicant a Direct Offer.

## **SECTION 7: OTHER LETTING ARRANGEMENTS**

### **Properties not Advertised**

In exceptional circumstances *MyHomeChoiceFyldeCoast* may allocate properties directly. Examples include:

- Tenants who need to be decanted
- Specially adapted properties
- Extra care vacancies
- Applicants who have succeeded a tenancy but need to move to alternative accommodation
- Emergency management transfers, where there is a severe risk of harm (*one offer in line with the policy will be made*)
- Multi Agency Public Protection Panel cases
- Homeless households owed a main duty by the Fylde Coast Local Authorities under S.193 of the Housing Act 1996 (Part VII) (as amended by the Homelessness Act 2002). One offer, in line with the policy will be made.
- Witness protection cases where a referral has been received directly from the Home Office. Referrals received directly from the Police will be processed under the normal allocation policy.
- Assisting the Fylde Coast Local Authorities in relation to Homelessness Duties.

### **Refusals of Direct Lettings**

Applicants are required to give their reasons for refusing a property. An investigation will take place to establish the reasonableness of the offer, if necessary, relevant officers/professionals will be consulted. Applicants will be informed in writing if the investigation concludes the property offer was reasonable. Impact to their rehousing application and the right to request a review will also be detailed (see section 11).

If the investigation concludes the property offer was unreasonable, it will be withdrawn with no consequences to the applicant.

### **Successions and Assignments**

When an introductory or secure tenant has deceased, a member of the family living with them at the time of their death may have a right to succeed the tenancy. Where no family member has such succession rights but a member of the household has:

- a) Been living with the tenant for 12 months prior to the tenants death; or
- b) Accepted responsibility for the tenants dependants

then the social housing provider has discretion to grant an introductory tenancy to that person either in the same home or in suitable accommodation.

An introductory or secure tenant may be able to assign the tenancy to someone else so long as the tenancy has not already been passed on by assignment, or succession. It is usually assigned:

- By a court order following matrimonial /civil partnership breakdown or family proceedings;  
OR
- To a member of the tenant's family who would qualify to succeed the tenancy if the tenant had deceased.

## **Mutual Exchange**

A mutual exchange is where two tenants with Secure and Assured tenancies are in agreement to swap their properties in their current condition, including tenancies. Written permission must be obtained from the landlord prior to an exchange.

Requests will be processed by the relevant Partner Organisation and in certain circumstances can be refused, for example, action is being taken to repossess the property (Suspended Possession Order or Notice of Seeking Possession) or properties will be under/over occupied.

## **Transfer Policy**

Existing tenants of Partner Organisations have the right to apply for a transfer, subject to being in housing need/permanent employment, and any restrictions that apply to their tenancy. Applications for transfers will be processed in the same way as a new application. Tenants' housing needs will be assessed and awarded appropriate banding.

To qualify, tenants must allow access for property inspections, viewings and sign ups. Properties must also be left in a good state of repair and in decorative order. Tenants with rent arrears or other breaches of their tenancy agreement may be suspended from the scheme (see section 4- Suspensions)

Partner Organisation may need to carry out emergency or management moves. These properties will not be advertised but recorded on the system for auditing and reporting purposes. (see section 10 – Properties not Advertised)

## **Joint Tenancies**

Where there is a joint tenancy, both tenants are jointly and individually responsible for ensuring the tenancy agreement is adhered to.

Both parties to a joint tenancy must individually qualify to join *MyHomeChoiceFyldeCoast* and be eligible for an offer, or to bid on a property. If a joint tenancy is refused by a Partner Organisations, a clear reason will be provided to the applicants in writing. Applicants can request a review of the decision if required (see section 11 – Requesting a Review). When one of the joint tenants gives notice to the relevant Partner Organisation, discretion may be used when deciding to offer the property, or an alternative property, as sole tenancy to the other joint tenant.

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

## **SECTION 8: DEFINITIONS**

### **Support in Accommodation**

*MyHomeChoiceFyldeCoast* Partner Organisations work closely with relevant health and social care bodies to identify opportunities to rehouse residents, in receipt of adequate care and support, into appropriate accommodation.

Where support packages are not immediately available, Partner Organisations reserve the right to withhold an offer of accommodation until appropriate arrangements are in place and agreed by the applicant.

The above is dependent on the availability of suitable and appropriate accommodation.

### **Supported Accommodation**

Applicants residing in supported accommodation or rehabilitation will not be awarded priority Band B until they are ready for independent living and/or tenancy support is in place (if required).

### **Sheltered Housing or Independent Living**

Sheltered Housing or Independent Living is normally for people aged 55+. These schemes are designed for applicants who are able to live independently (including those in receipt of a care package) but would benefit from the security of an alarm system and low level support from staff. A single applicant or both joint applicants aged 55+ will automatically be eligible for Sheltered / Independent Living properties. Consideration will be given to applicants aged below 55 with an illness, disability or vulnerability.

Sheltered Housing applicants will not be listed separately on the Housing Register, but will be assessed in accordance with their housing need and placed within the appropriate band.

### **Extra Care**

Extra Care housing is a form of specialised housing for adults with 'higher' levels of care and support needs. These schemes are equipped with facilities and services to aid independent living. There are a small number of extra care schemes within the Fylde Coast Region.

### **Adapted Properties and Ground Floor Accommodation**

Adapted properties are fitted with equipment to aid independent living for a person with an illness or disability. Applications will automatically be registered for suitably adapted properties in accordance with identified need and placed in the appropriate band. An Occupational Therapy assessment may be required prior to an offer being made.

Applicants with an illness or disability will automatically be considered for ground floor accommodation.

Allocations for these types of properties will be prioritised to those with the appropriate need.

## **16 & 17 year olds**

*MyHomeChoiceFyldeCoast* is open to applicants aged 16 and 17 years of age. An offer of a tenancy will usually be delayed until the age of 18 unless there is a statutory duty to house the applicant earlier. For example, the applicant is:

- Leaving care
- Pregnant or already has a child/children
- Homeless and owed a main duty under s.193 of the Housing Act 1996 (part VII) as amended by the Homelessness Act 2002
- Residing in supported accommodation and ready for independent living, as agreed by the support provider and where necessary appropriate tenancy support is in place

Applicants who fall in the above categories may need to provide details of a guarantor (professional person, parent or responsible adult) prior to being offered a tenancy.

Applicants will be considered for a tenancy on the condition they accept support to sustain their tenancy agreement.

## **Offenders**

Offenders may apply to the Housing Register whilst in custody, or submit a change of address form if they are a current applicant prior to committal. The application will remain inactive, however, the applicant will accrue waiting time on the list. When the application is made live the original date of application will be the effective date.

Applications will remain inactive until 28 days prior to the offender being released from prison, unless any of the suspension criteria apply.

Offenders will be assessed in line with the service level agreement between Lancashire Probation Trust and each the Fylde Coast Local Authorities.

## **Rough Sleepers**

Applicants who are rough sleeping, threatened with or have a history of rough sleeping will be awarded appropriate priority once their information has been verified. This is dependent on the applicant being supported and referred by the relevant Local Authority.

## **Mobile Homes/Caravans**

Applicants will be considered to have a local connection if they live in a mobile home or caravan in the Fylde Coast area which is classed as their permanent residence and meet they other local connection criteria.

## **SECTION 9: HOMELESS APPLICANTS**

The Local Authority has a duty to secure suitable accommodation for applicants who are accepted as homeless under s193 of the Housing Act 1996 (part VII) (as amended by the Homelessness Act 2002 and the Localism Act 2011).

Applicants will be entered onto the Housing Register for four weeks and will have full choice of areas to live. However, after the four week period (calculated from the date of the decision to accept the applicant as homeless) suitable accommodation has not been found, the Local Authority may bid on the applicants behalf. Applicants will be offered the first suitable property except in extreme mitigating circumstances.

### **One Offer Policy**

The Local Authorities duty will come to an end if a homeless applicant refuses an offer of suitable accommodation. Applicants will be informed in writing that the Local Authority has discharged their duty under section 193 of the above act. Dissatisfied applicants can request a review – see section 11 for further details.

## **SECTION 10: REQUESTING A REVIEW/APPEAL**

Applicants can request a review of decisions made by *MyHomeChoiceFyldeCoast* Partner Organisations for the following:

- Eligibility for entry on to the housing register
- Suspension or exclusion from the Housing Register
- The level of priority awarded
- Entitlement of the type and size of property required
- Removal of the applicant from the register other than at the applicants own request

### **Procedure**

Requests for a review/appeal must be made within 21 days of the original notification and should include the applicant's reasons for believing the decision made was incorrect. It is at the discretion of Partner Organisations to extend the time if it considers it's reasonable to do so.

Requests can be made in the following ways and directed to the assessing Partner Organisation:

- In writing - by letter or email
- By telephone
- In person

### **How the Decision will be Reviewed**

A senior officer o f the Partner Organisation, not involved in the original decision, will review and determine if an error has occurred or deem it to be an exceptional circumstance. The decision will be based on known facts at the time of the review. The senior officer will request additional information if necessary.

Reviews will be responded to within eight weeks by the relevant Partner Organisation. Partner organisations have the discretion to extend the time if it considers it reasonable to do so.

Applicants will receive a letter providing the outcome of their review/appeal and where necessary, detail further actions to be taken with their application.

An applicant has the right to complain to the appropriate Ombudsman if they feel that they have been unfairly treated as a result of maladministration. Contact Details:

Local Government Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

Housing Ombudsman Service  
81 Aldwych  
London  
WC2B 4HN

### **Complaints**

Applicants with a complaint regarding the withdrawal/refusal to make an offer should follow the Partner Organisations complaints process – see section 6 for further details.

Applicants can also seek independent legal advice through a solicitor or the Citizens Advice Bureau.

## **SECTION 11: MONITORING AND REVIEW OF THE SCHEME**

A number of outcomes within the scheme will be monitored on a regular basis to ensure the system is operating effectively.

### **Policy Review**

*MyHomeChoiceFyldeCoast's* Consistent Assessment Policy will be regularly reviewed. Minor changes which do not significantly affect the spirit of the policy will be approved by a majority agreement amongst the partners.

Customers and relevant partners will be consulted on major changes to the policy. Approval will then be gained through the appropriate governance arrangements including Council members and RSL board members.

Unless there is a statutory requirement, Partner Organisations have the right to use discretion when allocating properties. There may be circumstances where a Partner Organisations decision supersedes this policy.

### **Equal Opportunities Statement**

*MyHomeChoiceFyldeCoast* is committed to promoting equality, combating discrimination and promoting good community relations and will ensure that discrimination does not take place in the allocation of properties and services it provides.

There is a commitment to:

- Ensure our services and how they are delivered meet the diverse needs of local residents.
- Ensure our buildings are as accessible as possible.
- Provide information about our services in accessible formats, such as, large print, Braille or alternative languages.
- Promote inclusive communities that have a shared sense of belonging and pride in the Fylde Coast
- Challenge unfairness and discrimination
- Engage with the diverse communities of the Fylde Coast to ensure their needs are identified and met
- Value the important contribution the community and voluntary sector make to the Fylde Coast Region
- Work in partnership to share good practice and promote a consistent approach
- Value and train staff to deliver services fairly, efficiently and effectively
- Actively seek feedback to continually develop and improve our approach

*MyHomeChoiceFyldeCoast* will regularly review its practices, policies, staff training and monitoring arrangements to ensure applicants are treated fairly regardless of their gender, age, ethnicity, disability, religion or belief or sexual orientation.

Partner Organisations have adopted corporate policies and action plans aimed at promoting equality and valuing diversity. Further local policies and action plans may be developed to address the needs of disadvantaged and under-represented groups.

Partner Organisations will conduct regular monitoring to ensure no group is unfairly disadvantaged.

**Appendix 1: Qualifying persons and immigration chart.**

Class of Applicant	Conditions of eligibility	How to identify/verify
Existing social tenant (allocation accommodation by LA )	None	
British Citizen	Must be habitually resident in the CTA	Passport
EEA Citizen	Must be habitually resident in CTA unless, <ul style="list-style-type: none"> <li>• Applicant is a ‘worker’ (3)</li> <li>• Applicant has a right to res the UK (4)</li> </ul>	Passport or national identity card
Person subject to immigration control granted refugee status	None	Stamp in passport or Home Office Letter
Person subject to immigration control granted indefinite leave to remain	Must be habitually resident in CTA and if ILR was granted on undertaking that a sponsor(s) would be responsible for maintenance & accommodation and 5 years have not elapsed since date of entry to UK or undertaking – then at least one sponsor must have died	Stamp in passport of Home Office
Person subject to immigration control who is a citizen of a country that has ratified ECSMA (3) or ESC (6)	Must be lawfully present (3) in UK Must be habitually resident in CTA	Passport

1. CTA: the Common travel area includes the UK, the Channel Islands, the Isle of Man and the Republic of Ireland
2. EEA countries are: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom
3. A ‘worker’ for the purpose of the Council Regulation (EEC) no. 1612/68 or (EEC) No. 1251/70
4. A right to reside pursuant to Council Directive No.68360EEC or No.73/148/EEC
5. ECSMA is the European Convention on Social and Medical Assistance. Non EEA ratifying countries are: Belgium, Denmark, France, Germany, Iceland, Ireland, Italy, Luxemburg, Malta, the Netherlands, Norway, Portugal, Spain, Sweden, Turkey and the UK.
6. ESC is the European Social Charter. Non EEA ratifying countries are: Cyprus, Czech Republic, Hungary, Latvia, Poland, and Slovakia.
7. Persons subject to immigration control are not lawfully present in the UK unless they have leave to enter or remain in the UK. Asylum seekers are generally only granted “temporary admission” and do not have leave to enter or remain.

## **Appendix 2: How a conviction becomes spent.**

The way in which a conviction can become ‘spent’ under the Rehabilitation of Offenders Act will depend upon the sentence received for the offence and the rehabilitation period that applies to that offence sentence. The principles apply to convictions in a criminal court, findings in a juvenile court, certain offences in service disciplinary proceedings and hospital orders under the Mental Health Act 1983. The time required before the conviction is spent, the ‘rehabilitation period’, will be different depending upon the nature and length of the sentence, be it a term of imprisonment, a fine, a surcharge order, probation, or an absolute or conditional discharge. Relevant rehabilitation periods are set out below. Unless otherwise stated, the rehabilitation period runs from the date of the conviction and will generally depend upon compliance with the sentence.

### **Relevant rehabilitation periods**

Prison for more than two and a half years – **Never**

Prison for more than six months but less than two and a half years - **10 years**

Youth custody\* for more than six months but less than two and a half year – **10 years**

\*Corrective training for more than six months but less than two and a half years – **10 years**

\*Dismissal with disgrace from her Majesty’s service – **10 years**

\* A sentence of Borstal training – **7 years**

Prison for six months or less – **7 years**

\* Dismissal from Her Majesty’s service – **7 years**

Imprisonment or detention in YOI or youth custody for six months or less – **7 years \***

Detention in respect of conviction in service disciplinary proceedings -**5 years \***

(Most) fines – **5 years \***

Youth offender detention for over six months but less than two and a half years – **5 years**

Probation order or community order (person 18 or older) – **5 years**

Probation order or community order (person under 18) – **Either 2 ½ years from conviction, or until the order ceases to have effect –whichever is longer**

Hospital order under the Mental Health Act 1983 – **Either 5 years, or 2 years after order ceases to have effect, whichever is longer**

Young offender detention for six months or less – **3 years**

Conditional discharge, binding over, care order, supervision order, reception order – **Either 1 year after making of order, or 1 year after the order ends, whichever is the longer**

Absolute discharge – **6 months**

Disqualification – **The period of disqualification**

Cautions, Warnings and Reprimands – **Spent as soon as they are issued**

Conditional cautions – **Spent as soon as conditions end**

## **APPENDIX 3: DEFINITION OF WORKING HOUSEHOLDS AND COMMUNITY CONTRIBUTION**

### **Working Households**

Households where at least one applicant is in employment. For the purpose of this policy employment is described as;

- Over 16 hours per week (unless the remuneration is substantial)
- The main place of work is within the Fylde Coast area
- Offers of employment should be regular, intend to last for more than 12 months and there is a genuine intention to take up the offer of work

Appropriate evidence is provided which may include contract of employment, wage/salary slips, formal offer letter and tax and benefits information. – not sure where to include this point?

For applicants working outside the Fylde Coast, evidence will be required that their employment will continue.

It should be noted that this must be confirmed at point of application and evidenced at point of offer.

### **Community Contribution**

Households where at least one applicant is undertaking voluntary work. For the purposes of policy, voluntary work (community contribution) is described as:

- Choosing to give your time to benefit others without being paid. For example, completing voluntary work in a charity, voluntary organisation or community group, public sector organisation (local council), a social enterprise or a local business
- The voluntary work must have been held for a minimum of 6 months prior to the application for the award in order to be eligible.

It is not volunteering if you help out a family member, are given money apart from expenses, or are under contract to do it (this does not include any volunteer agreement you may have).

It should be noted that this must be confirmed of application and evidenced at point of offer.

### **Exemptions**

May include people who are able to demonstrate they are unable to work due to disability, age or gender.

#### **Appendix 4: Armed Forces Personnel**

References to “Armed Forces Personnel” include persons who meet the following criteria:

- i. is currently serving in the regular forces
- ii. formerly served in the regular forces within five years of the date of their application for an allocation of housing
- iii. has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person’s spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service
- iv. is serving or has served in the reserve forces within five years of their application for an allocation of housing and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person’s service.

The regular forces and the reserve forces are defined by section 374 of the Armed Forces Act 2006(2) as follows:

- “the regular forces” means the Royal Navy, the Royal Marines, the regular army or the Royal Air Force
- “the reserve forces” means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force

## Document Control

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### Approved By:

Name	Title	Signature	Date