

# **Housing Allocation Scheme 2015**

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## **1. Introduction**

### **Local context**

Applying for social housing is just one of several different ways that people can secure housing for themselves and their families. Other options include renting privately, shared ownership schemes and owner-occupation. The supply of social housing is insufficient to satisfy demand, so there is an expectation that people who are able to obtain accommodation in other tenures should do so.

This document explains how we allocate social housing to people in the Canterbury District. Social housing is the council's own housing together with the housing in Canterbury's district that is owned by registered providers (typically housing associations).

It says who is able to join the Canterbury District Housing Needs Register and which people will be given priority for social housing. Although most social housing is advertised to let through the Kent Homechoice website, there are exceptions for example registered providers operating their own transfer lists. This allocation scheme also describes other circumstances whereby the council may grant social housing tenancies.

The council has considered the operation of the previous allocation scheme and has decided that this new scheme should focus on local people who are in housing need and who cannot afford to buy a home of their own or rent a home in the private sector.

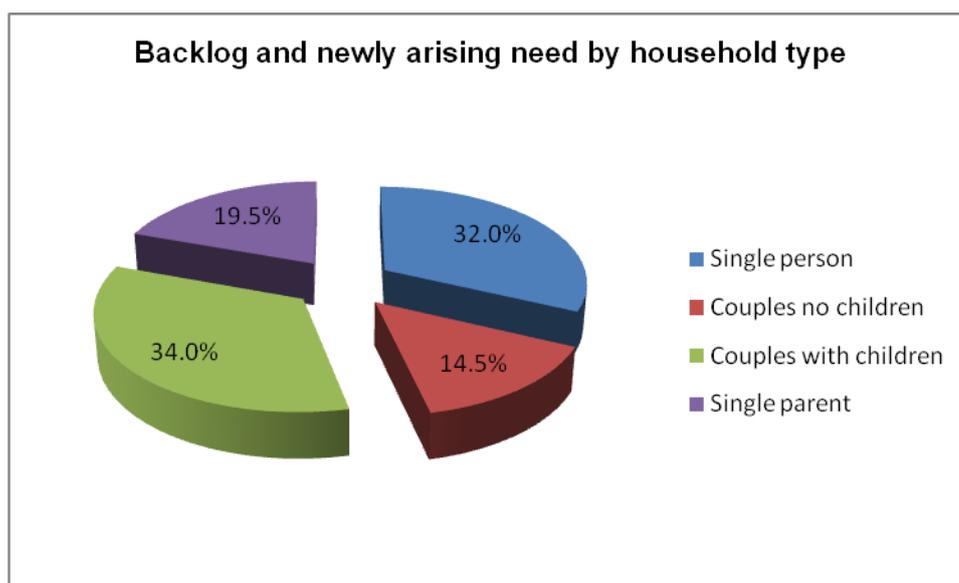
The evidence of housing need in the Canterbury District Housing Strategy 2012 to 2016 is compelling. Economic vitality masks deprivation and low incomes, yet property prices and market rents are significantly higher than neighbouring districts.

In Canterbury city many family-sized homes are now used as shared student houses. In Whitstable there is a proliferation of homes that have been bought by people from outside the district for use as "second homes". In Herne Bay there are homes to let but the changes to the benefits system will mean they may become unaffordable for many people.

The competition for accommodation and its relative scarcity contributes to high housing costs. Combined, these factors make it difficult for many local people, particularly families with children, to find suitable homes that they can afford to rent or buy.

The housing needs survey of 2009 calculated that 1,104 new affordable homes were needed every year. Existing affordable homes meet only 23% of housing needs. 4,651 households had joined the Housing Needs Register by August 2011. Affordable, decent housing is one of the top five issues for local residents, particularly those under 40 years of age.

53.5% of those in housing need are families with children and there is a severe shortage of three and four bedroom family homes. There are a lot of small households too, but they have better opportunities to find a home than families with children because small homes are more numerous.



Source: *East Kent SHMA 2009*

Many affordable homes built in recent years have been one- and two-bedroom flats. The East Kent Strategic Housing Market Assessment recommends that families with children should live in houses, rather than flats. Therefore, the Housing Strategy aims to rebalance the supply of new affordable homes towards family houses.

Many older people live in our district. We must also do something to release the huge number of under-occupied family-sized homes by making it easier for older people to downsize, to live independent and fulfilling lives.

As a result of the recession, the number of new homes built in all tenures has slowed in recent years. Between 2006 and March 2010, 480 affordable homes were built, with a further 128 in 2011/12. Restrictive mortgage lending criteria means that fewer people are able to buy a home. The Housing Strategy seeks to address this by encouraging the development of more shared ownership homes, more low cost market homes for sale and corporate investment in new privately rented homes. However, in the meantime, this is

likely to place greater strain on the existing stock of affordable homes in the district.

We are committed to providing a fair and transparent service to everyone applying for housing under the council's scheme and to allocate accommodation, in the majority of cases, to those households with the greatest housing need.

## **Legal context**

The council's allocation scheme sits within a legal framework. The allocation scheme is designed to meet all legal requirements and to support and contribute towards the council's wider objectives as set out in the Corporate Plan, the Housing Strategy, the Homelessness Strategy and the Tenancy Strategy. The council has had regard to these documents during the preparation of this allocation Scheme.

The council is required by Housing Act 1996, s.166A(1) to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; It must also allocate only in accordance with that scheme (s.166A(14)).

The Housing Act 1996, (as amended) requires local authorities to give reasonable preference in their allocation schemes to certain groups of people with high levels of housing need. We allocate most of the available housing to people in these groups (see definition of "reasonable preference").

This allocation scheme complies with the requirements of the:

- Housing Act 1996 (as amended)
- Homelessness Act 2002
- Choice Based Lettings Code of Guidance for Housing Authorities 2008,
- Localism Act 2012
- Canterbury District Housing Strategy 2012 to 2016.
- Allocation of accommodation: guidance for local housing authorities in England 2012
- Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967), which came into force on the 20 April 2015
- Allocation of Housing (Qualification criteria for Armed Forces) (England) Regulations 2012 (S12015/967)
- Council's equality duties including the duty to eliminate unlawful discrimination
- Public sector equality duty within the Equality Act 2010.

- Data protection Act 1998 as amended
- Section 17 Children Act 1989

### **Aims of the scheme**

In preparing this Scheme the council has considered:

- The council's statutory obligations and discretion as to who is eligible for housing allocation
- The council's statutory obligation to provide reasonable preference to certain categories of applicants set down by law.
- The council's statutory obligation to give additional preference to members or former members of the armed forces in certain circumstances
- The council's discretion to grant "additional preference" and/or to determine priority between applicants who have reasonable preference
- The council's discretion to grant local preference to certain groups of applicants

Tenancies for council homes are offered in accordance with the council's Tenancy Policy as required by the Localism Act 2011. Housing let by other registered providers (housing associations) will be let in accordance with their own tenancy policies which can be viewed on their websites.

This policy applies from the date of implementation and supersedes all previous lettings and allocation policies.

In summary the objectives of this allocation scheme are to:

- Provide a fair and transparent system by which applicants are prioritised for social housing
- Give priority to those in greatest need
- Enable applicants to make informed choices on options available
- Make best use of stock through transfer of existing tenants
- Meet statutory and legal requirements
- To promote, create and establish balanced and sustainable communities

### **Policy on choice**

This Allocation Scheme gives most applicants for social housing a choice of accommodation by giving them an opportunity to bid for properties in the areas where they wish to live and for the type of housing they need to live in, subject to the rules in section five, which explain the kind of home each applicant can have. Wherever possible, applicants' preferences will also be taken into account when making direct offers of accommodation. However,

this must be balanced with the requirement that the council meets its legal duties, addresses local housing need and ensures the efficient management of its housing stock.

Canterbury is a partner involved in Kent Homechoice, this is the choice based lettings system which is used to let social housing properties across the whole of Kent. As such we are committed to offering the greatest choice possible in the allocation of social housing in the district, as well as ensuring that those in greatest need are prioritised.

In order to make the best use of the housing stock, local lettings plans and property selection criteria may stipulate that only applicants with specific needs or of a certain household type may bid for particular sizes or types of property. Where this is the case the property advert, wherever possible, will set out clearly the particular criteria that apply to that property. Applicants will then be short-listed based on these criteria.

Where an applicant is accommodated temporarily or permanently under the council's homelessness duties a direct offer of accommodation under Part 6 of the 1996 Act may be made without having regard to the council's policy on choice.

This scheme enables those seeking housing to clearly understand:

- the level of priority that their application has been awarded
- the availability of different types of accommodation
- the flexibility to choose whether to wait until they are shortlisted for their 'ideal' property or whether to widen their choices and bid for properties that they are more likely to have a chance of securing
- whether to seek alternative solutions to their housing needs

### **Rural housing**

A very small number of Housing Association homes in rural communities can only be offered to people with a very strong connection with the local community. These are in Littlebourne, Bridge, Adisham and Bekesbourne. To qualify for one of these homes you, or someone you wish to be housed with, must meet one of the following criteria:

- currently resident in the village for a minimum of 10 years
- have previously been resident in the village for a minimum of 10 years but moved away to secure affordable/appropriate accommodation
- is the mother or father, son or daughter, the brother or sister of a family which meets the criteria above in the first two points and whose

application is evidenced by proof that continuing care to or for members of the family is necessary

- applicants who have resided away from the village for a period exceeding 10 years will not be considered eligible

The advert for homes in the Bridge area (Brickfield Lane), Adisham area (Bossington Road) and Bekesbourne area (Aspinall Close and Cranmer Close) state that this kind of connection is required. For properties in the Littlebourne area (Court Meadows and List Meadows) they will not be advertised, applicants must in the first instance contact Littlebourne Parish Council by emailing **clerk@littlebournePC.org** If you think you have this connection to any of the villages, and you'd like to be considered for a rural home, make sure you give us full details on your application form. All other housing, including homes in villages, will be let on the basis of housing need.

### **Local lettings plans**

These are usually used when first letting homes on new developments. Sometimes we have to pay special attention to a particular area, and be sensitive to how we let vacant properties. We will take account of community safety issues, and how we have been able to manage the estate or area. In these cases a local lettings plan will be put in place. This means that we will allocate homes with the aim of widening choice for local people, creating a better living environment for local residents, and to ensure that good housing contributes to regeneration and renewal. The use of local lettings plans will be carefully considered to ensure that addressing an issue in one area does not create an imbalance in another.

## **2. The Housing Register**

The council maintains a 'Housing Register', which is a list of people who have applied for housing, which either belongs to the council or to a Housing Association. The council can offer some Registered Provider properties to people from the Housing Register; this is known as a nomination.

Canterbury City Council's Housing Register is a list of:

- First time applicants (including those to whom the council owes a full main duty under the Homeless legislation) for a council and or Registered Provider property
- Council and Housing Association tenants wishing to transfer to other accommodation

## Applying for housing

If you wish to apply for housing you should complete a housing application form. The simplest way to do this is to visit the Kent Homechoice website at <http://www.kenthomechoice.org.uk/choice/> and choose the registration tab. You can get advice on applying at the council offices.

You must complete the application in full and supply any additional information we ask for before we can make a decision on your application. Waiting time will not start until you have supplied us with all the information we need. You will only be able to join the register if you are eligible and in housing need and the questions we ask you are designed to find out about your needs (see definitions).

Once you have completed the form and supplied all the information we may make additional enquiries into your application. We will take steps to verify your identity and we use credit reference agencies such as Experian for this purpose. We will also do random visits to applicants at home as part of the verification process.

You have the right to ask us to give you general information so that you know:

- how your application is likely to be treated under the scheme,
- whether you are likely to have reasonable preference,
- whether accommodation that is suitable for your needs is likely to be made available and, if so,
- how long you are likely to have to wait until such accommodation becomes available.

The information you provide must be complete and accurate. We will assess and prioritise your application on the basis of the information you provide. If we grant you a tenancy on the basis of information that is subsequently found to be false or because material information has been withheld, your tenancy may be terminated and legal action taken by the landlord to recover possession of the property. In addition you may commit a criminal offence if:

- You knowingly or recklessly make a statement which is false and may lead us to award priority for housing by relying on your statement when assessing your application.
- You knowingly withhold information which we have reasonably required you to provide in connection with your application for housing.

A person found guilty of an offence, as stated above, is liable on summary conviction to a fine not exceeding scale five (currently £5,000) on the standard scale.

Once the Housing Registration form has been processed, applicants will receive an acknowledgement letter giving details of the following information:

- Unique reference number
- Details of the band in which registration has been placed
- Confirmation of the date of their application
- The number of bedrooms they are eligible for
- A Kent Homechoice guide sent digitally

All applicants can check their application (once processed) by way of the Kent Homechoice website and using their unique reference number to log in.

### **Support and assistance**

The Housing Act 1996 requires a housing authority to ensure that any necessary advice, information and assistance is made available free of charge to persons in its district wishing to make an application for the allocation of accommodation. In order to ensure all vulnerable applicants are given assistance accessing the Kent Homechoice scheme we will:

- Identify those who are likely to have difficulty making an application without assistance
- Identify the appropriate assistance required by the applicant
- Monitor applicants placed as having a requirement for assistance to ensure active participation in the scheme

### **Who is eligible to join the Housing Register?**

Canterbury City Council's Allocation Scheme is framed according to relevant legislation and good practice. The set of criteria below outlines which groups are eligible for an allocation of accommodation.

You can join our Register if:

- You have a three out of five year local connection to Canterbury City Council's district (see definitions) or
- You are a member of the armed forces, or have been in the last five years or
- You have come into our area through the refuge network or

- You are a local social housing tenant who wants to move to a smaller home
- You are a serving (or have served) with the reserve forces and are suffering from a serious illness, or disability attributable to your service
- You have recently ceased, or will cease to be entitled to reside in accommodation provided by the Ministry of Defence, following the death of your spouse or civil partner, who has served in the regular forces and whose death is attributable to their service
- You are an existing social housing tenant who has lived in social housing for at least two years, and need to move for work related reasons, where failure to do so would cause hardship (see definition for Right to Move).

AND

- You have a housing need (see definitions)

IN ADDITION

- You must usually be over 18 and
- You don't own a home or other property anywhere else (except applicants for sheltered, enhanced or designated elderly housing or other exceptional cases )
- You have income and/or savings below the limits shown below
- You are not a student (see definitions)
- You are eligible to live in the UK and have recourse to public funds.

You cannot join the register if:

- You do not have a local connection or if you do not qualify under the Right to Move criteria
- Council tenants who have been served a Notice of Intention to Seek Possession or a Notice of Proceedings for Possession, or with a valid Possession order against them
- Council tenants with (former/current) arrears of rent or repair recharges, unless they are less than four weeks and can prove that they have and are maintaining a repayment plan, or unless those arrears have accrued for reasons beyond their control
- Applicants who owe a repayable rent deposit to the council
- Applicants considered to have sufficient financial resources or assets to either buy or rent a property in the district on the private market suitable for their household needs without the assistance of housing benefit
- Applicants who themselves or members of those households have been guilty of unacceptable behaviour (see definition)

- People who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996 unless he or she is already a Secure, Introductory or Assured tenant of housing accommodation allocated by a local housing authority
- People who are excluded from entitlement to Housing Benefit by section 115 of the Immigration and Asylum Act 1999
- Other classes of persons from abroad who are ineligible for an allocation of accommodation, as may be prescribed by the Secretary of State
- Applicants who are not deemed to be habitually resident in the Common Travel Area or the European Economic Area
- Owner occupiers who already own a residential property in the UK or abroad, or part own a property under the Shared ownership scheme, will not normally qualify for entry on to the housing register. This includes applicants who own a property but have chosen to rent it out. Applicants who own a residential caravan, mobile home or houseboat are also considered owner occupiers. (In exceptional circumstances and at the council's discretion, homeowners may be granted access see definition of Owner occupier in Appendix 1)

Applicants will be asked to provide relevant documented evidence to prove their eligibility for assistance.

If you are not eligible to join the register the council will notify you in writing, giving the reason for the decision. Applicants can request a review of this decision within 21 days of the date of the decision letter. We will respond with a final decision within 56 days from the date your request for a review is received. The reply to your review is final.

### **16 and 17 year olds**

If an applicant is under 18 years old, the law states that they are not old enough to hold any tenancy.

In exceptional circumstances an applicant under 18 years old maybe eligible to join the register, if all other options have been exhausted by the relevant support agency. Cases such as this will be dealt with on an individual basis.

Any approach from a 16 or 17 year old will be automatically referred to Children and Families Social Services according to the county Young Persons Protocol.

In exceptional circumstances, where a 16 or 17 year old is eligible to join the register, and successfully bids on a property, then they must have a suitable

adult aged over 18 years to hold the tenancy in trust until the applicant reaches the age of 18 years.

### **Supported Housing Move On**

In Canterbury, supported housing includes care leavers and also those in supported lodgings, managed houses, Cantercare and the refuge network where varying degrees of support are provided as part of a managed move-on.

Canterbury City Council's policy is to try to assist this move-on process by giving rent deposits to people who had a local connection to the Canterbury district at the time they entered supported housing, provided they have been referred to the council by the support provider who certifies that they are ready for move-on.

People without a local connection to Canterbury's district will, so far as possible, be re-connected to their home area in accordance with the Kent-wide reconnection policy.

Those applicants, who have an established and additional need for longer term settled accommodation, and where the private sector cannot provide this, will be able to join the housing register.

Such applicants must also meet the criteria for a social housing allocation. The support worker or social worker or professional involved with the applicant, must confirm in writing that the applicant is ready for such a move and has acquired reasonable skills to sustain a tenancy.

Criteria for establishing a need for long term settled social housing will be as follows:

- The applicant suffers from a long term condition which makes them vulnerable and results in them requiring long term stable and sustainable accommodation
- The applicant will suffer a significant impact to their health and wellbeing should they move in to any form of insecure accommodation
- There is no other suitable option for meeting their housing need other than social housing

Applicants that meet this criteria will be placed in Band B.

A quota of properties for allocation to those moving on from supported accommodation will be set with each individual support agency, and reviewed annually.

### **Rules regarding employees, councillors or their relatives/friends**

To ensure that the council is treating everyone fairly, any application from an employee, councillor or their relatives/friends must disclose this on the application form. Relatives of the employee or councillor are:

- anyone living with them as their partner or as a member of their household
- natural, adoptive or step-parents
- children
- sisters and brothers
- daughter-in-law or son-in law
- grandparents
- aunts and uncles
- estranged spouses or partners, regardless of whether they live as part of the applicant's household

Such applications will be assessed in the normal way; however eligibility to go on the register and also before any accommodation is allocated to the applicant, must be approved by either the Assistant Director of Direct Services or the Deputy Chief Executive.

Should any such applicant (employee, councillor or their relatives/friends) require information about their case they should contact the team in the normal way by emailing [housingadvice@canterbury.gov.uk](mailto:housingadvice@canterbury.gov.uk) or by ringing **01227 862 518**.

### **Income and savings limits**

If you have sufficient income or savings to be able to buy or rent a home of your own we will not be able to offer you a home. We think it is acceptable for you to spend up to 25% of your gross income on your rent or mortgage, but to make the calculations easier we have estimated how much income you would need to obtain a home in and around the Canterbury district.

The following figures show the size of home and the income you would need based on local housing allowance levels:

- 1 bedroom            £25,736 per year
- 2 bedrooms           £32,203 per year

- 3 bedrooms      £37,534 per year
- 4 + bedrooms    £58,365 per year

If you have gross household income below these limits you can go on the housing needs register provided you also meet the other qualifying criteria.

Gross household income means **all your family's income** from all sources including most benefits, and 25% of non-dependents (for example adult children) income living within your household. If you receive *means-tested benefits* (see definitions) or if your benefits are capped, your income is likely to be below these limits, but if your **total household income exceeds these limits**, even if you receive means-tested or capped benefits, you will **not be able to join** the register.

The following benefits will be disregarded in the calculation of gross income:

- Disability Living Allowance
- Personal Independence Payment
- Attendance Allowance
- Armed Forces Independence Payment
- Maintenance payments
- Income from fostering

These are all payments designed to help people with the extra costs they have to incur as a consequence of having a disability or some other specific living arrangement.

You will not be able to join the register if **you or members of your household** (those seeking to be rehoused with you) have capital (savings, investments or other assets) in excess of £16,000 you should be able to pay the tenancy deposit or rent in advance to enable you to access privately rented housing without assistance from the council. For the purpose of capital this excludes any capital held in trust for children under 18 years.

The income and savings rules do not apply in the following cases:

- home owners who cannot afford to maintain their existing home and need sheltered housing or retirement housing.
- local social housing tenants who want to move to a smaller home or into sheltered or retirement accommodation.
- other exceptional cases may be allowed by the Head of Service, based on the merits of each case.

If you have received a lump-sum payment (such as proceeds from the sale of a house, an inheritance, a lottery win, a bonus or a gratuity, army severance pay, redundancy pay, insurance settlements, accident/injury/illness settlements) that would have put your capital over £16,000, but have spent it on things that were not necessary you will be treated for the next 12 months as if you still had the money. In deciding whether expenditure was necessary the council will have regard to the “deprivation of capital” rules used in connection with benefit claims.

### **Who can be considered as part of your household?**

It is for the council to decide whether a person is normally a resident as a member of the family. When the council considers requests for housing, it is likely that the following circumstances will be considered in the following way:

- Where a person moved in with the applicant at the start of the tenancy and continues to reside with the applicant, it will be reasonable to expect that they should reside with the applicant
- When a member of the applicant’s household is in prison, this person may be included in the household four weeks before their confirmed release date
- Children coming out of Social Services care, children who have been adopted/fostered, where a parent has care and control of children (sleeping in the home for four or more nights a week) will be considered as part of the household
- Where a relative has had to join the applicant to receive care and there are no other housing options for the family (i.e. that the relative owns their own property, or occupies a property large enough to accommodate the family. A relative means partners, parents, grandparents, children, grandchildren, siblings, uncles, aunts nephews and nieces, including step relations and half relations. They will be considered as part of the household.
- Applicants requiring a carer may in some circumstances be registered for an additional bedroom. This is where the applicant requires care both during the day and at night. We will require documentation from Social Services detailing the care package. In some cases, proof of carers allowance paid at the same address as the applicant may be accepted
- Partners who have lived with the applicant for the last 12 months will be considered part of the household

- Where applicants have children over the age of 16 years living in their household, they will be expected to continue to share a bedroom with a same sex sibling until they are 21 years old.

### **Foster carers and adopters**

The statutory guidance makes it clear that foster carers may be afforded “reasonable preference” for a housing allocation on welfare grounds. This would include foster carers, those approved to adopt, or those being assessed for approval to foster or adopt, who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority.

When considering housing applications from prospective foster carers or adopters who would require an extra bedroom to accommodate a foster or adoptive child, we need to weigh up the risk that the application to foster or adopt may be unsuccessful (leading to the property being under-occupied), against the wider benefits which would be realised if the placement was successful.

Children’s services have a duty under s.22G of the Children Act 1989 to ensure sufficient accommodation to meet the needs of the looked after children in their area. The Council will work together with children’s services to best meet the needs of prospective and approved foster carers and adopters, so that children’s services can meet their s.22G duty.

Each case will be looked at individually, documentation will be required from children’s service to confirm adoption or fostering role has been approved in principle. Appropriate bedroom needs and banding will be decided by the Head of Community Services.

We will consider over the next 12 months, whether to set aside a quota of properties each year for people who need to move to larger accommodation in order to foster or adopt a child on the recommendation of children’s services.

### **3. Assessment of need**

This part of the Scheme explains how we arrange applicants for housing in order of preference to ensure that homes are allocated to those with the greatest housing need. In this allocation scheme “housing need” means you must be in one of the categories of people who must be given “reasonable preference” under s166A(3) of the Housing Act 1996 (see definitions).

#### **The Banding system**

If you are eligible to join the register your application will be placed into one of four bands. Most applications are placed in Band D. People with a very

urgent need for housing are placed in band A where their housing need will be resolved quickly. In Bands B and C, additional preference is given to certain applicants with particularly pressing needs to make sure they have priority for a home at an early date.

Within each band everyone is listed in date order. The date on the list for applicants will usually be the date their complete application was accepted by us (application date). If you move up or down a band your list date will be the date when your band changed. If you move back into band D from one of the higher bands your list date will again be your application date. You will be notified when your band or your list date is changed.

Offers of housing for people in Band A will usually be a direct offer of accommodation that is broadly appropriate for their needs. Direct Offers are where we select the house and offer it to you. You do not get the chance to bid, but there is no competition for the offer either and no waiting for bidding to end. This is considered more appropriate than bidding because of the need for urgency and because we have access to information about our housing stock and its potential suitability for adaptation. Above all, it enables us to match adapted homes to applicants who have needs related to a disability.

Offers of housing for people in all other bands will be achieved by bidding. This is, where you have to choose the appropriate properties you are interested in and place “bids” on them through the Kent Homechoice website. This is explained in more detail in the information pack you will receive once we have processed your application.

**Summary of bands (refer to Appendix 3 which explains the banding criteria in more detail):**

<p>Band A Critically urgent housing needs</p>	<ul style="list-style-type: none"> <li>• Critical medical or welfare need</li> <li>• Special cases</li> <li>• Emergency housing status</li> <li>• Decants– in a home due for demolition or major repairs</li> <li>• National Witness Protection Scheme referrals</li> <li>• MAPPA referrals</li> </ul>
<p>Band B Serious housing needs</p>	<ul style="list-style-type: none"> <li>• Families with major overcrowding where they lack two or more bedrooms</li> <li>• Social housing tenants where they are</li> </ul>

	<p>prepared to move to a new home with at least two bedrooms less</p> <ul style="list-style-type: none"> <li>• Living in unsatisfactory housing conditions where at least one Category one hazard exists</li> <li>• ‘Vulnerable’ supported housing leavers</li> <li>• Families living with families where they lack two or more bedrooms</li> </ul>
<p>Band C Higher preference housing needs</p>	<ul style="list-style-type: none"> <li>• Families with minor overcrowding where they lack one or more bedrooms</li> <li>• Social housing tenants where they are prepared to move to a new home with at least one bedroom less</li> <li>• Medium medical or welfare needs</li> <li>• Moving under the Right to Work scheme</li> <li>• Families living with families where they lack one or more bedrooms</li> </ul>

<p>Band D General housing needs</p>	<ul style="list-style-type: none"> <li>• People living in insecure housing (for example lodgers)</li> <li>• People living in private rented housing that is no longer affordable</li> <li>• People without their own home (sofa surfers, rough sleepers)</li> <li>• People with low medical or welfare needs not covered in Bands A-C</li> <li>• People who are owed a homeless duties by the council, including those who have turned down a suitable offer and those that are intentionally homeless</li> <li>• People who have been assessed as homeless but not owed a duty by the council</li> <li>• Cases where a duty is owed by another local authority under the Housing Act 1996 section 190(2) (intentional homelessness), section 193(2) (full housing duty) or section 195(2) (threatened homelessness), or who are occupying accommodation secured by another local authority under section 192(3) (discretionary accommodation provided for non-priority applicants).</li> <li>• Those wanting to move to designated elderly or sheltered schemes who meet age limits and support needs</li> <li>• Families living with families where they are adequately housed</li> <li>• Concealed families that have given up independent accommodation to deliberately worsen their housing conditions (after 12 months)</li> </ul>
<p>Note : for details on how we approach homeless applications and cases of domestic abuse, please refer to Appendices 5 and 6</p>	

## **Increased priority**

We give one band increased priority to the following descriptions of applicant if they are in urgent housing need (see definitions) if they are, or were within the last five years:

- A former member of the regular armed forces
- A serving member of the regular armed forces who needs to move because of a serious injury, medical condition or disability sustained as a result of your service
- The bereaved spouse or civil partner of a member of the armed forces leaving services family accommodation following the death of your spouse or partner where death was attributable to military service.
- A serving/former member of the reserve forces who needs to move because of a serious injury, medical condition or disability sustained as a result of your service

Increased priority is not given if the applicant is already in Band A

## **Reduced priority**

1. If you are in Band A; claiming a critical medical priority with an urgent need to move, and you reject one direct offer of appropriate accommodation we will reduce your medical priority to medium for 12 months, after which we will re-assess your priority.
2. If you make your housing situation worse (for example by moving to a house that is more overcrowded than your previous one) we will assess you as if you were still living in your previous home for 12 months. At the end of this period we will re-assess your priority.
3. If your home has a category one hazard but you fail to co-operate with your landlord when he is trying to carry out the repairs, your application will be placed in Band D until the works have been completed. After this, your priority will be re-assessed.

## **Changes of circumstances**

The applicant should notify the council of any changes of circumstances as soon as possible; this can be done by emailing **housingadvice@canterbury.gov.uk**

This includes for example:

- Any confirmed pregnancy (proof will be required such as MAT B1 Certificate)
- Any member of the family or other person on the application who has left the accommodation
- Any changes of name
- Any additions to the family (proof of residence and ID will be required)
- Any change to income or savings
- Changes in status of accommodation, such as being issued a Notice to Quit

If the applicant has changed address a new application form should be completed. This may result in an adjustment to your banding. Where the council is notified of a change of circumstances, applicants will be notified as confirmation of any change. If your needs remain the same your priority date will remain unchanged. If applicants have to move house (for example due to a notice to quit) and new accommodation doesn't meet their housing need, then the applicant would retain the banding and registration date from the original application.

## **4. Removing or suspending your name from the register**

The council can in some circumstances either remove or suspend your application from the Housing Register. If we do so we will contact you and explain the reason.

Reasons for removal from the register:

- you have accepted an offer of accommodation from us.
- you have completed a mutual exchange;
- you have failed to renew your application (we ask you from time to time if you wish to remain on the Register)
- you have not responded to letters or phone calls from us, when we are seeking information from you;
- you are no longer eligible or qualified to be on the Register
- you are an existing Canterbury City Council tenant and East Kent Housing has visited and confirmed that your home is not in the required condition

- you refuse two offers of housing that you have placed bids on within the last 12 months, you will not be able to re-apply for 12 months from the date of rejection of the second offer
- you fail to place any bids over a twelve month period (unless it is demonstrated that no suitable accommodation has become available). Applications in these circumstances will be cancelled. Applicants may reapply, but their circumstances will be reviewed in the normal way, before being accepted back on to the register

Reasons for suspension from the register:

- If we are awaiting additional information from you, we will suspend your application until we receive the information. If we have not received it within 12 weeks, we will remove your application from the Housing Register.
- If you have deliberately worsened your housing conditions to try and improve your position on the Housing Register, we will suspend you from the Housing Register for 12 months.
- If you are leaving supported accommodation, and you have been accepted on the housing register rather than given a rent deposit, your application will be suspended until a nomination form and support plan are completed by support workers/other appropriate professionals.
- If you have accrued housing related debt, and the property you occupy is affordable. The application will be suspended until the debt is cleared or an arrangement with the landlord has been agreed and maintained for at least six months.

## **5. What kind of home can you have?**

### **Number of bedrooms (Also refer to Appendix 2 Explanation of how we assess the size of housing required)**

You may have up to the number of bedrooms shown in appendix 2. The standard is based on the rules for Housing Benefit and will change if the government changes the Housing Benefit rules.

A second reception room can be counted as a bedroom. Applicants occupying a studio flat are considered to have access to a bedroom.

The council uses the criteria in the Welfare Reform Act 2012 which coincides with the housing benefit/universal credit bedroom allowances. This allocates one bedroom for each of the following:

- married or cohabiting couple two people
- two children of the same sex who are both under 21 years
- two children who are both under 10 years regardless of sex
- any child under 16 without anyone to share with is entitled to their own bedroom
- any other adult

The above is used to decide on whether a household is overcrowded or is under-occupying a property, and also to determine how many bedrooms are required.

Unborn children and children under 12 months old, will not be taken in to account for the provision of bedrooms. Children under 12 months old will be expected to occupy a room with a parent. The applicant will need to supply verification details of the child's name, gender and date of birth to ensure the application is correct.

No-one can have more than five bedrooms because there are no houses with more bedrooms than this. Larger families are expected to occupy four or five bedroom houses in the best way they can, provided the number of occupiers does not exceed the permitted number for the house (see definitions). If you need a larger home than this, social housing is unlikely to be available and we would advise you to look at renting privately or explore other options instead.

The council may at its discretion consider an applicant needs an additional bedroom where there is a medical requirement for a household member to sleep in a separate bedroom or where there is a need for an additional room for medical equipment or an overnight carer is required. However, applicants should be aware that an additional bedroom may not be covered by housing benefit as it could be subject to the spare room subsidy ruling.

Children are expected to share rooms with other children in the same household regardless of whether they are siblings.

Where separated or divorced parents have responsibility for children the council will only allocate family housing to one of them. The other parent would only be eligible for one-bedroom accommodation. This will normally be decided in accordance with benefit system rules, but each case will be considered on its merits.

You are not allowed to bid for a home with fewer bedrooms than you need if:

- it worsens your current housing circumstances or
- your family is bigger than the permitted number for the dwelling (see definitions)

### **Moving to a smaller home**

If you move from a large home to a smaller one in the council's housing stock and give up at least two bedrooms you may be allowed the number of bedrooms shown above plus a spare bedroom.

If you receive benefits and you decide to ask for a spare bedroom there may be additional rent to pay from your own resources.

If you are willing to give up just one bedroom we will place you in a higher priority band to make it easy for you to get the home of your choice.

The council may sometimes offer other incentives to make it easier for you to move to a smaller home. Any incentives will be discussed separately with individuals, and will only be offered subject to availability. Other registered providers may not be willing to offer these incentives. If you want to bid for their homes please check their policies first.

### **Gardens**

If you have any children aged 13 or under on the date of offer, you will have priority over other applicants in the same band when we offer un-adapted houses with private gardens. This is because the council's wish is to make private gardens available first to families with young children so that the children have somewhere safe to play, with other uses being a secondary consideration.

### **Adaptations**

If you have a documented and established need for certain types of adaptations (including stair lifts, level-access showers, ramping, widened doorways), you will be given preference over people who do not need these adaptations when we offer homes which already have such features.

We will usually offer bungalows and other level access accommodation first to people who need this type of housing due to their mobility and health needs.

If you need adaptations but you move to a different home an Occupational Therapist may have to decide what works need to be carried out. These adaptations will not usually be carried out until sometime after you move-in. The timing of adaptations will depend on an assessment of your priority for adaptations and the availability of resources.

- If you have a home with significant adaptations that you no longer need and we have a waiting list for such a property, we may be able to place you in a higher priority band to make it easy for you to move to a different home and release the adapted home for someone who needs it.

### **Sheltered and Enhanced housing or other specialist supported housing schemes**

This type of accommodation will only be offered to people who need the level of support and services provided and who satisfy any minimum age requirement as well (age limits vary but are always advertised). Where one person satisfies the age requirement, anyone else who lives with them must usually be over the age of 40 years (sheltered and enhanced schemes).

Priority for allocating ground floor sheltered accommodation and other elderly accommodation will be given to current tenants on the housing register who have a medical or mobility need to move. This will then free up a property for another applicant. Allocations thereafter will be based on individual need.

We will carry out an assessment of the person's needs before offering sheltered accommodation. This will include a visit or discussion with one of East Kent Housing's Independent Living Managers to establish support needs and suitability for living in selected schemes. The names of assessed applicants for sheltered and enhanced sheltered housing may be held on a separate list awaiting suitable vacancies then offered in date order. The names of assessed applicants for specialist supported housing schemes for example King Edward Court may be held on a separate list and nominations and offers agreed by a professionals Lettings Panel.

### **Designated elderly properties**

These properties will only be offered to people who satisfy the minimum age requirement stated in the advert. Where one person satisfies the age requirement, anyone else who lives with them must be over the age of 40 years.

If an applicant has only the “designated elderly” band factor (factor 11 in Band D) then (a) they will only be offered designated elderly properties, regardless of which properties they bid on and (b) they will only be considered for an offer of housing after applicants with other housing need factors (such as mobility and health needs) in the same band have been considered.

If there are insufficient bidders of the correct age we may consider applicants who are almost the right age or younger applicants who need this type of property for reasons connected with a medical condition or disability in order to make best use of the housing stock.

### **Alternative housing options**

For some households the option of joining the housing register may not be available to them. It is also important for those who are able to join the register to consider alternative and speedier options.

**Private rentals** - The district has an active private rented sector and renting through a private landlord or letting agent is a good option to consider. If you can't afford the start up costs to rent a home such as a rent deposit, the council may be able to help you. [www.canterbury.gov.uk/housing/finding-a-home/help-paying-a-rental-deposit](http://www.canterbury.gov.uk/housing/finding-a-home/help-paying-a-rental-deposit)

**Buying a property** - For those who are working and on a low income and applicants who do not qualify as they exceed the council's financial assessment limits, there are a number of affordable home ownership scheme options available. For more information visit [www.helptobuy.net](http://www.helptobuy.net)

**Mutual exchange** - For Transfer tenants, mutual exchanges (where tenants swap their properties) could be a much quicker option to be rehoused. For those interested in a mutual exchange please visit [www.exchangelocata.org.uk](http://www.exchangelocata.org.uk)

## **6. How we offer homes**

When there is an empty home, we have to decide who to offer it to. We consider two factors:

- Which bidder is in the highest position on the Register, and
- Who is the property most suitable for, bearing in mind the notes above

Priority is first decided by Bands. We start off by considering bids from applicants who have been placed in Band A, the highest band, and first look at those who have been waiting for the longest time. If the property is not

suitable for anyone in Band A, we will then look at bids from applicants in Band B in the same way, then Band C, and so on. We then consider the priority dates of applicants within the Band.

If no one on the Register bids or no one is eligible to be considered for the empty home, we will re-advertise the property, or may decide to make a direct allocation of the property.

We have a duty to manage local stock effectively and contribute towards creating sustainable communities. To achieve this we must ensure that:

- communities are as balanced as possible
- allocations are sensitively made
- we make best use of council stock and reduce under occupation

So, even if you qualify, in exceptional circumstances we may not offer you the first home that becomes available. This may happen for example if we know somewhere more suitable will be available soon, or if a particular problem would arise as a consequence of the offer. We will discuss this with you at the time.

## **Offers**

Offers will only be made if your application has been verified, and if you are an East Kent Housing tenant you must have a clear rent account and your current home must be in good condition.

If the council is able to offer you a home, you will be contacted by phone to give you details of the property, and invite you to view. At the viewing we will tell you what you should do next. Registered providers have their own letting processes which they will tell you about if they offer you a home.

There is an expectation that if you have placed a bid for a home then you will ensure that you are available to view the property if offered and that your contact details are up to date with us.

If we cannot contact you we will offer the home to another applicant, so please make sure your contact details are kept up to date.

Sometimes, people turn down the offer of a home. We expect you to look at the areas where homes are advertised, investigate them on the internet or by visiting and decide whether the property might suit you before you bid. If you refuse two offers of housing that you have placed bids on within the last 12

months we will remove your application from the register and you will not be able to re-apply for 12 months from the date of rejection of the second offer.

We aim to re-let vacant homes as quickly as possible and if you place a successful bid, we normally aim to sign you up to the tenancy of your new home straight after the viewing. Your tenancy would normally start the following Monday. Please be prepared to move in this timescale. It is advisable that you let your housing provider know that you have accepted an offer/preparing to move as soon as possible. If you are in receipt of benefits we recommend that you seek advice on changing address/ making a new claim immediately.

The council only offers unfurnished accommodation. You will usually need to supply your own cooker, fridge, washing machine, carpets etc.

If you tell us at the viewing that you do not want the property, we will immediately re-offer it to another applicant.

When making direct offers the council will make every effort for offers to be reasonable, which as far as possible, meets the size and type of property that the applicant qualifies for. If you have been made a direct offer and refuse it you do have a right to request a review of the offer and must give a reason. The property will not be held empty if a review is requested of a home

## **7. General information**

### **Personal data and information sharing**

We will share data provided by a person applying for housing in accordance with the Information Sharing Protocol agreed by the Kent Choice Based Lettings Partnership. When completing an application form, either using a paper copy of the form or on-line, the person is asked to provide their consent to the sharing of personal data between the parties to the protocol. Personal data can be shared provided the person has given informed consent and the sharing is for the purposes for which consent is given. Informed consent means that the person has the capacity to give consent, is aware of what information is to be shared, whom it is to be shared with and what it is to be used for.

Personal information is only disclosed to other parties with the person's consent or in exceptional circumstances where disclosure without consent is necessary. These reasons are:

- Where there are overriding legal, social or public interest considerations, for example there is a risk of seriously harm to the person themselves or to others if the information is not disclosed.
- Where the information is required by a local authority department or external auditors to carry out a statutory function.
- Where the information is required by the police as part of a criminal investigation.

People have the right to see and confirm the accuracy of any information held electronically about them. On receipt of a written request, local authorities have 40 days to provide details to a person of any personal information held. Third party documents will require the prior consent of the third party. If the person considers the personal information they have received is inaccurate, they may request that it is amended or removed from their records. If this is accepted by the council, appropriate action will be taken to amend the records. In the event of a disagreement, the information will remain and the person's comments will be recorded on file.

Disclosure of information may be denied by the local authority in the following circumstances:

- The information could prejudice criminal proceedings.
- Legal professional privilege could be claimed.
- A care professional is of the opinion that disclosure could result in a risk of serious harm to the person or others as a result of disclosure.

### **Councillor or MP enquiries on behalf of applicants**

Where an enquiry is received by a ward councillor or an MP, on behalf of their constituents, this is called case work, and the council may release 'personal data' in response to their queries, this may include information on:

- age, marital status
- housing history
- household type
- economic status, allowances, benefits
- support services received, medical data

By contacting your local councillor or MP, and they investigate your case as part of their democratic role, you are giving them permission to disclose this personal data listed above.

## **Enquiries made on behalf of applicants by an advocate organization**

Where an enquiry is received from an advocate organisation (for example CAB, CHAC, Catching Lives, Porchlight etc), on behalf of their client, this is called case work, and the council may release 'personal data' in response to their queries, this may include information on:

- age, marital status
- housing history
- household type
- economic status, allowances, benefits
- support services received, medical data

By contacting such an organisation, they may ask you to sign a data release form or something similar so that they can investigate your case.

## **Requesting information**

An applicant can request the following information from the council:

- Information that will enable them to assess how their application is likely to be treated under the allocation scheme
- Information about whether accommodation appropriate to their needs is likely to be made available to them, and if so, how long is it likely to be before such accommodation becomes available

An applicant has the right to see and confirm the accuracy of information about them which is held by the council. The applicant must put the request in writing to the council. They will then collect and prepare the information within 40 days. Files may be edited where necessary to exclude information restricted by law or evidence provided by a third party, for example a health care professional. In the latter case, information can only be released if the professional concerned has given their consent. Please visit <https://www.canterbury.gov.uk/your-council/policy-and-plans/freedom-of-information/> a charge will apply.

If the applicant considers personal information they receive is inaccurate, they may request that it is amended or removed from their record. If the council agrees that the information is incorrect then appropriate action will be taken. In the event of a disagreement, the information will be held on record alongside the applicant's comments.

Disclosure of information may be denied by the council in any of the following circumstances:

- The information could prejudice criminal proceedings
- Legal professional privilege could be claimed
- A care professional is of the opinion that disclosure could result in a serious risk of harm to the applicant or others as a result of disclosure

The council will not pass on information to a third party without an applicant's consent unless they have a legal right to obtain it.

### **Equality and Diversity**

Equality and Diversity is important to the council, and it is committed to delivering a fair and equitable service that is appropriate and accessible to all sections of the local community, as well as working to eliminate discrimination on any grounds. The implementation of a fair and equitable system depends up on active monitoring of equality data. As part of the housing register application, we ask questions around ethnicity, disability, sexuality, religious beliefs, age, employment and support needs, this helps us to make sure that the scheme is operated in a non-discriminatory manner.

### **Customer Service Standards**

We aim to achieve these standards at all times. If we do not meet the standards, please see the next section 'How to complain.'

<b>Service</b>	<b>Standard reply within</b>
Initial assessment of application for housing	33 working days
Further assessment, for example medical cases	33 working days
Reply to letter, e-mails and enquiries	10 working days
Return telephone calls	1 working day
Reviews	56 working days

### **Your right to a request a review of decisions**

Applicants have a statutory right to request a review. When the council makes any of the following decisions about an application, it will be given in writing with reasons for the decision and their right to request a review of the decision:

- the household is ineligible for an allocation of accommodation
- the household does not qualify to join the housing register including not meeting the housing need criteria
- the households priority on the housing register, including band they have been placed in and any changes to the banding of their application
- the offer of accommodation to the household is a reasonable one and will count as a refusal
- removal from the housing register
- discharging duty to a homeless applicant who has refused a reasonable and suitable offer
- the facts of their case and how they have been taken into account
- if you think we have interpreted the policy incorrectly

You do not have a right to ask for a review of the council's policy.

The request for a review must be made in writing or by email within 21 days of the date of the decision notification. It is acceptable for a request for a review to be made by the applicant's representative on their behalf.

The request for a review should include all relevant information and where possible, any supporting evidence as to why the applicant disagrees with the decision.

The review will be carried out by a different officer to the original decision maker. The reviewing officer may seek further information from you and this will be looked at in light of the allocation scheme and any legal requirements but will notify you of the decision in writing within 56 working days. If a longer period of time is required, the applicant will be advised of this in writing. The decision may be to uphold the original decision or alternatively to make a new decision instead. If the applicant is not satisfied with the outcome they may seek a Judicial Review or take their case to the Local Ombudsman.

## **Appeals**

If you are still dissatisfied with the outcome of the review, you can appeal to a senior officer from the council, usually the Head of Community Services, who will hear your case in person. If you wish to appeal please contact us within 21 days of receiving your review decision.

We have a different procedure for appeals against medical decisions. A medical appeal will be considered by a senior officer after he/she has sought an independent medical report from the council's specialist medical advisors. The specialist's report is final. There is no further appeal

against medical decisions unless your circumstances have significantly changed.

### **How to complain**

Sometimes we do not get things right. When this happens we aim to put things right as quickly as we can. However, if you believe we have not done so, please write to us, explaining why you are dissatisfied and what you would like us to do about it. We will deal with your complaint in accordance with the council's complaints procedure, please visit <https://www.canterbury.gov.uk/your-council/have-your-say/comments-compliments-complaints/complaints-procedure/> . We will write to you to let you know what we have done about your complaint within 14 days. If we are unable to do this we will let you know who is dealing with it.

You can also contact a senior officer from the council, your ward councillor, or your local Member of Parliament.

### **Reviewing the Allocations Scheme**

To ensure the continued effectiveness of this policy, certain improvements may need to be made to ensure the policy is kept up to date and is responsive to needs. Amendments can be made by the Assistant Director of Direct Services. Councillors will be advised of any changes through the Community Committee.

## Appendix 1: Definitions

**Application** means the completed application form together with the documents required to prove the identity of every person named on the form and full details of their income and savings over the preceding six months. The date of application will be the date on which the council first receives ALL of this information.

**Breaking the rules of your tenancy** if you are a tenant of Canterbury City Council, a local housing association or one of our voluntary partners, you should keep to your tenancy conditions. If you do not, we may not be able to consider you for an offer of a home.

If you have been served with a notice of seeking possession or a court order for any breach of tenancy conditions you will not usually be considered for an offer of a home whilst the matter is still outstanding.

If you owe rent or other charges to any of the above landlords you will only be considered for an offer of a home at the discretion of the landlord. The council will usually expect you to clear the arrears completely before you can be considered for an offer. Other registered providers have their own rules about arrears.

If you have broken the rules of your tenancy but you feel you need to move home now, you should let us know. There may be special circumstances where we can consider you for a move, despite you not keeping to your tenancy conditions

**Category One Hazard** is a housing defect that could have particularly serious effects on the people who live in the house. Examples include lack of a heating system, dangerous staircases or balconies, low windows that small children could fall out of, etc. Most category one hazards can be fixed by the landlord and we will try to get landlords to fix them if at all possible.

**Concealed families** are those where a family with children live within another family (eg. Where a tenant's son or daughter still lives at home but now has children of their own and needs a home of their own.) The over crowding definition will be applied to these applications in accordance with how many bedrooms those named within the application occupy. If an applicant has already been through a homelessness assessment and been awarded an intentionally homeless decision, then decide to move in with family, we would consider that they have deliberately worsened their circumstances and would retain the intentionally homeless band award for 12 months before overcrowding would be considered.

**Consent and declaration**, when an applicant applies to join the housing register they will be required to acknowledge a consent and declaration statement as part of the application process to confirm that:

- the information provided is true and accurate
- they will inform the council of any change that affects their housing
- they understand that their information may be shared with other relevant parties
- they consent to the council making any appropriate enquiries to confirm information is correct
- they consent to the release of relevant information
- the information may be used to detect and prevent fraud

**Homeless soon** means you have been given a valid Notice to Quit and you are within two months of the end of your tenancy but you are still entitled to remain in your home.

**Housing need** in this policy means that you are in one of the “reasonable preference categories” in Housing Act 1996, part 6. This means you:

- Are homeless (within the meaning of Part 7 of the 1996 Act) or
- Are owed a particular statutory duty by any council under certain provisions of homelessness legislation. (You will have had a homeless interview and you will have a decision letter from the council) or
- Are occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions or
- Need to move on medical or welfare grounds, including grounds relating to a disability, or
- Need to move to a particular locality in the district where failure to meet that need would cause hardship (to yourself or others)

If you are homeless you will usually be assessed through the homelessness service. If you are owed a statutory duty under homelessness legislation you will have been assessed already by the homelessness service and given a decision letter.

**Housing Options.** The council has adopted a strong and pro-active housing options approach. This brings several benefits:

- people are offered support to access the housing solution which best meets their needs (which might be private rented housing, low cost home ownership or help to stay put)
- expectations about accessing social housing are properly managed; and social housing is focused on those who need it most

**Immigration status** Canterbury City Council’s Housing Allocations Policy is framed according to relevant legislation and good practice. The council will not allocate accommodation to people who are subject to immigration control within the meaning

of the Asylum and Immigration Act 1996 unless he or she is of a class prescribed by regulations made by the Secretary of State or is already a Secure or tenant or an Assured tenant of housing accommodation allocated to him or her by a local housing authority.

Applicants will be asked to provide documented evidence (such as passport, national identity card, Home Office letter) to prove their immigration status and eligibility for assistance.

**Kent Agency Assessment for housing needs** is a way in which partner organisations can refer people for extra priority on the waiting list. It is intended to explain any important details about the applicant and their family that have not already been included in the normal application form. Kent Agency Assessments (KAA) will only be accepted if they provide new information, not if they just re-state facts that have already been taken into account. If a KAA is submitted the council may discuss the recommendation with the professional providing it, to explore their recommendation.

Applicants need to be aware that just because a professional has recommended a certain priority, the council may challenge the decision and award a different priority based on the evidence submitted.

**Local connection** is defined in Part VII of the Housing Act 1996 for the purposes of homelessness. This policy uses a different definition of local connection to decide who can go on the housing register. The differences are that this policy does not recognise local connection through employment (unless the application is under the Right to move criteria) and it requires a three-year local connection, not just six months. It includes:

- Those who normally live in the council's administrative area who can show they have lived in the area for three years out of the last five years, where residence has been out of choice
- Those who have family connections – the Local Government Association guidelines define this as immediate family members who have themselves lived in the area for five years. Immediate family members means parents, siblings or adult children with whom the applicant has a meaningful and on-going relationship
- Special circumstances on a discretionary basis. For example, we might agree a local connection for those who grew up in the area but moved away and no longer meet the normal residence conditions or those who need to move to the district for urgent social reasons such as to receive/give support or to escape violence. This is not a definitive list and individual circumstances will be taken into account by the Housing staff in consultation with the Head of Service in deciding whether to exercise discretion under this heading

- Serving or former members of HM armed forces
- In this policy, people with a local connection as defined above may only be admitted to the register if they meet the other qualifying criteria as well

People in the following categories will not normally be considered as having a local connection:

- Those placed in the Canterbury area in temporary accommodation by another council
- Those placed in the Canterbury area in residential or supported housing by another council or agency but who originated outside the area

**Means-tested benefits include:**

- Pension Credit
- Income Support
- Housing Benefit
- Council Tax Benefit
- Working Tax Credit

These are all being rolled-up into a single benefit called Universal Credit.

**Medical Assessments** the medical scheme is intended to identify those applicants whose present accommodation is detrimental to their medical condition and to prioritise their need for alternative accommodation. All members of the applicant's household who have submitted medical information will also be considered to ensure that composite needs are assessed. The HNR team will normally assess applicants based on the information that applicants provide, this could include GP letters, hospital letters, and letters from relevant medical practitioners or support workers. On occasion the council may use an independent medical advisor (Now Med) to assist in the decision on an applicant's medical priority. In all cases medical priority is only given where there is a direct link between the applicant's illness/disability and their housing circumstances.

Examples of medical conditions that may result in priority being given to move on medical or welfare grounds, and being given a Band C or D award:

- A mental illness or disorder that is affected by housing conditions of the existing property
- A physical or learning disability
- Chronic or progressive medical conditions (e.g. MS, HIV/AIDS)
- Infirmary due to old age
- The need to give or receive care

- The need to recover from the effects of violence or threats of violence, or physical, emotional or sexual abuse where the acts are historic and there is no longer a risk to the individual. There must be a link between these events and your current home and you will need to explain why living in your current home is preventing your recovery.
- Ability to fend for self
- Young people at risk
- People with behavioural difficulties
- Need for adapted housing and/or extra facilities, bedroom or bathroom
- Need for improved heating (on medical grounds)
- Need for sheltered housing (on medical grounds)
- Need for ground floor accommodation (on medical grounds)
- Need to be near friends/relatives or medical facility on medical grounds
- Need to move following hospitalisation or long term care

Mental illness - An applicant must be on the current case load of a consultant psychiatrist and a member of the mental health team has confirmed that a significant improvement is likely as a result of re-housing, and that the mental illness is not expected to resolve using other treatments alone. Note depression and anxiety that do not fulfil the above criteria will not be considered.

Recovering from addiction - The applicant must provide evidence that they are actively engaged in a recognised rehabilitation programme and that re-housing would be a very important contribution to recovery. The professional person leading the rehabilitation programme should confirm these items in writing

Certain council properties have been specially designed or adapted for use by the disabled. In allocating these properties, priority is given to urgent medical cases whose needs match the property.

If medical priority has been awarded for a specific type of property such as ground floor, and an applicant chooses to bid outside the type indicated as needed on medical grounds, then their medical priority will be removed.

If an applicant's medical condition deteriorates and they provide further medical evidence, then the case will be reviewed.

**Multi Agency Public Protection Arrangements (MAPPA)** all local authorities have a duty to cooperate with MAPPA. As a council we recognize the importance of accommodation in the resettlement of offenders and in the assessment and management of associated risks.

Where an applicant is subject to MAPPA restrictions and in need of housing, they will not automatically be awarded a priority for council accommodation and other options will be considered in the first instance.

Only appropriate referrals will be made to the housing register. On acceptance of a referral, the applicant will be required to complete an application and must meet eligibility criteria. In such cases the council will identify a suitable property. Only one offer of accommodation will be made. The application will be cancelled if the offer is refused

**National Witness Mobility Scheme (NWMS)** in order to assist the national police force to tackle serious crime and to support witnesses in the legal process, the council will, as required, accept referrals from the NWMS. Such cases will have been assessed and verified by the NWMS and will only be accepted with the agreement of the Head of Community Services. Any proposed offer will be checked for suitability by the NWMS, and details of any subsequent lettings may not be made available to the public.

**Overcrowding** when considering whether a household is suffering from overcrowding, we will take into account the number of bedrooms and other rooms that could be used for sleeping in.

Kitchens and living rooms are not bedrooms for the purpose of the assessment. The intended function of the room will be considered rather than its current use. Any dining room will be considered as possible bedroom accommodation if it is a separate room and no-one has to walk through it to get to another room. Please remember that in many cases a single room can accommodate two children in bunk beds, even if this is not your preferred way of arranging your home.

For the purposes of this policy the council considers that, ideally, a household should be entitled to a bedroom for each of the following circumstances:

- single parent with child over 12 months old.
- parent(s) with a child under 12 months old.
- two people living together as a couple (whether they are of the same sex or the opposite sex) would be entitled to a bedroom.
- two persons of the same sex both aged less than 21 years would be entitled to a shared bedroom
- two persons (whether of the same sex or not) aged less than 10 years would be entitled to a shared bedroom
- two persons of opposite sexes where one child is aged 10 or over would be entitled to a bedroom each

- any person aged less than 16 years in any case where he or she cannot be paired with another occupier of the dwelling as described above would be entitled to a single bedroom

The standard is based on the eligibility criteria for Housing Benefit and is liable to change from time to time in line with any changes the government may make to the Housing Benefit rules or other reforms to welfare benefits.

**Owner occupiers** in recognition of the level of housing need in the district and the shortage of accommodation, owner occupiers who already own a residential property in the UK or abroad, or part own a property under the Shared ownership scheme; will not normally qualify for entry on to the housing register. This includes applicants who own a property but have chosen to rent it out. Applicants who own a residential caravan, mobile home or houseboat are also considered owner occupiers.

In exceptional circumstances and at the council's discretion, homeowners may be granted access if:

- The applicant has a serious medical condition and is no longer able to remain in the property as they have a need for adapted or specialized housing and they do not have sufficient funds or access to a grant to make it suitable, and/or are unable to afford suitable alternative accommodation in the private rented sector

In such cases recommendations will be required from Occupational Therapists and Social Services as to need, and reasons why the current home cannot be adapted/the applicant cannot access a grant.

**Permitted number** is a number calculated in accordance with part 10 of the Housing Act 1985 and takes into account the number and size of rooms (including living rooms). The maximum number of bedrooms any family can have is five because there is no housing stock with more bedrooms than this. Larger families are expected to occupy four or five bedroom houses in the best way they can, provided the number of occupiers does not exceed the permitted number. All the accommodation owned by the council has a permitted number on file.

Proofs of identity is required for each named applicant photographic identification (e.g. a passport, photo driving license) is required along with birth certificates, proof of benefits, wage slips showing name, address and national insurance numbers, proof of capital, residency permits showing leave to remain. Further details on verification of identity will be provided if you are offered a property.

If verification shows that applicants are not eligible or do not qualify for the property, the offer will be withdrawn. If the council believes that the applicant was trying to

obtain a tenancy by deception, then the case will be investigated whether an act of fraud has been committed.

**Reasonable Preference Categories** are categories of people, defined by law, who must be given priority over other applicants. They do not all have to be given the same amount of priority. They are outlined in the definition of Housing Need above and fully explained in Housing Act 1996, part 6:

**Reasonable time** for resolving Category 1 hazards means:

- that the work can easily be carried out with the tenant in occupation and
- that the work does not rely on the co-operation of other property owners and

**Rent deposit scheme** - We provide a rent deposit or a deposit guarantee to your landlord to help you move into private rented housing. Unfortunately we are unable to provide assistance with payments of rent in advance or agents fees. Options may be available to people in receipt of benefits and advice can be obtained from the Citizens Advice Bureau <https://www.citizensadvice.org.uk/> the **Kent Support and Assistance Scheme** <http://www.liveitwell.org.uk/recovery-resource/kent-support-assistance-service/> or Canterbury Housing Advice Centre <http://www.chac.co.uk/>

You may qualify for a rent deposit if you may be homeless soon, and:

- You have dependent children, you are pregnant, or are vulnerable, and
- You have a local connection with the Canterbury area, and
- You cannot afford a deposit

You will need to apply in person at our offices in Military Road to be interviewed by a specialist officer. We provide our housing options service daily, from Monday to Friday between 9.30am and 4.30pm at our **Military Road office**.

If we confirm that you qualify for a rent deposit, you need to find a private property to rent. We can help you with this, including where best to find adverts for properties to rent.

Once you have found a property, speak to us before signing a tenancy agreement. We will need:

- Details of the property, including address, size, monthly rent and deposit, and
- The proposed start date and duration of your tenancy, and
- Your landlord or his/her agent's name, address and contact telephone number, and

- A form from your landlord or his/her agent, stating that the rent deposit will be protected in an authorised scheme, if applicable, and returned to us at the end of your tenancy. This will be given to you at your interview

A signed consent allowing us to discuss details of your housing benefit claim (if any) with Canterbury City Council's Housing Benefit Department

**Right to move** the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967), which came into force on the 20 April 2015, provides that Local Authorities must not disqualify certain persons on the grounds that they do not have a local connection with the authority's district, in particular local connection may not be applied to existing social tenants seeking to transfer from another local authority in England for work related reasons. As a result of this, the council is required to:

- ensure local connection is not applied to applicants who qualify under the Right to Move
- expand the definition of the 'hardship' reasonable preference category
- set aside a quota of 1% of lettings per annum for this group

The applicant must demonstrate that they need, rather than wish to move to the Canterbury district to take up employment. In this regard the following factors will be taken into account:

- the distance/time taken to travel between work and home
- the availability and affordability of transport, taking in to account the level of earnings
- the nature of the work and whether similar opportunities are available closer to home
- other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move
- the length of the work contract
- whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship

The qualification regulations 2015 only apply if the work is not short term or marginal in nature, as such the following forms of work are excluded:

- Short term – whether the work is regular or intermittent, whether or not the work was intended to be short term from the outset. Contracts of less than 12 months will be considered as short term

- Marginal – the number of hours worked, employment of less than 16 hours per week will be considered marginal in nature
- Ancillary – whether the main place of work is within Canterbury district or not
- Voluntary work – where no payment is received or the only payment is for expenses incurred

In determining whether an application qualifies under the Right to Move, we will require the applicant to provide one or more of the following:

- a contract of employment
- wage/salary slips covering a certain period of time, or bank statements
- Tax and benefits information
- a formal offer letter
- satisfy the authority they have a genuine intention of taking up the offer of employment (if they have not yet started the employment)

Applicants who meet the Right to Move criteria will be placed into Band C, to reflect reasonable preference. Any additional housing need elements will be considered at banding stage and may result in an increased priority.

**Serious offenders** applications made by serious offenders, as defined by the Serious Crime Act 2007 will be subject to an appropriate assessment of their eligibility, which will take MAPPA (Multi-Agency Public Protection Arrangements) guidance into account. Any allocation will only be made following a multi-agency risk assessment and where suitable safe accommodation has been identified.

**Social housing** is housing owned by local authorities and registered social landlords for which guideline rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements, as agreed with the local authorities or with the Homes and Communities Agency.

**Social/welfare needs** this applies where an applicant's accommodation is detrimental for their needs because of social or welfare reasons. Evidence from professionals will be required in such case along with a risk assessment and recommendations as to how best to assist. This may be, for example, where:

- a vulnerable applicant is being exploited within their accommodation putting them at risk
- an applicant needs to move to receive care or support

**Student** Canterbury is a temporary home to thousands of students who come to the City to undertake courses of study at the universities and colleges. There is enough student housing provided by the universities and by private landlords for all these

students. Social housing is aimed at long-term permanent residents of the district. We do not have enough social housing to offer it to students as well. The only exception is for local people who normally live here, who just happen to be studying at the moment.

**Supported Housing** is housing where specialist support is offered to the people living there, for example, to assist people trying to overcome alcohol or substance misuse issues. Access to supported housing is usually by referral but the location of the supported housing is often not in the applicant's home area. The intention is that the applicant will stay in supported housing until they are ready to move-on to mainstream housing where there is little or no support. The housing solution will be person centric, and may be either a deposit for private rented accommodation or a social housing tenancy (obtained through bidding).

**Unacceptable behaviour** unacceptable behaviour is conduct by the applicant or a member of their household which would, if the applicant were a secure tenant of the council, entitle the council to an order for possession. In particular, those who have been evicted from previous accommodation because of their behaviour. Examples include:

- breaching tenancy conditions
- causing a nuisance to neighbours
- being convicted of an arrestable offence committed in or in the vicinity of their home
- causing the condition of the property to deteriorate by a deliberate act or by neglect

Having regard to their behaviour, the council will consider whether the applicant is currently suitable to be a council or Housing Association tenant.

**Urgent housing need** includes:

- emergency situations such as needing to move urgently because a disaster has made the existing home uninhabitable, or
- existing home is no longer usable due to a medical condition or disability that is attributable to military service or
- families in severe overcrowding such that it poses a serious health hazard
- those at risk of violence through domestic abuse
- those suffering racial harassment and at risk of violence
- those who are covered by national witness protection programme

**Withdrawing offers of accommodation.** There are some circumstances that the council may withdraw an offer; the following are examples although it is not an exhaustive list:

- where there has be a significant change in circumstances
- following verification the applicant is not eligible for the property
- where there has been an error in the advertising
- where there has been an error in the assessment of the applicants priority
- where there has been a false declaration or applicant has failed to provide documents for verification process
- in emergency situations where the accommodation is required for another applicant at the discretion of the Head of Service

## Appendix 2: Explanation of how we assess the size of housing required

<b>Type and size of home</b>	<b>Family group we consider for them</b>
Studio apartments	Single person
1 Bedroom Homes	Couple Single persons Family with shared responsibility for children Single (Pregnant) persons Family with a child under 12 months old
2 Bedroom Homes	Two adults who do not live as a couple (for example a brother and sister) Family with one child over 12 months old Family with two children of the same sex, where the eldest is under 21 years Family with two children of opposite sex under the age of 10 years
3 Bedroom Homes	Family with two children of opposite sex with one aged over 10 years Family with three or four children of the same sex up to the age of 21 years Family with four children of any sex under the age of 10 years
4 Bedroom Homes	Family with five children of different sexes under the age of 16 years or more children Family with three or more non-dependents over the age of 21 years
5 Bedroom Homes	Family with five or more children Families with four or more non-dependents
1 Bedroom Designated Elderly Homes	Older persons or couples – age limits may vary
2 Bedroom Designated Elderly Homes	Older couples – age limits may vary Older persons living with another adult. Older persons with a live-in carer
Sheltered or Enhanced Sheltered Homes	Persons identified through assessment of need

## **Appendix 3: Banding criteria**

### **Band A – Critically urgent housing needs**

1. Critical medical or welfare needs such as
  - A life threatening illness being made worse by housing conditions
  - A person who is housebound due to stairs or steps (e.g. having to use a wheelchair in an upstairs property with no lift)
  - A person who cannot be released from hospital until alternative accommodation is secured, subject always to the availability of suitable accommodation. We will work with Social Services in such cases and the solution may include interim respite or other care options.
  - Enhanced need

A critical medical priority may be established by provision of medical evidence, by completion of a medical questionnaire, or by us accepting a high priority referral under the Kent Agency Assessment procedure (see definitions).

2. Special cases where the Head of Service, has decided that it is most appropriate in the interests of fairness, compliance with the law, good management of the housing stock or other good reason for someone to be given a direct offer or exceptionally to be allowed to bid in Band A.
3. Emergency Housing Status – may be awarded to applicants in circumstances where remaining in their current accommodation may cause risk of death or serious injury, or where there is a safeguarding issue linked to the wellbeing and safety of a child or young person. A person in this category would need multi-agency support and would be treated as a priority above all other listed criteria above.
4. Decants due to demolition or major repairs.
5. MAPPA referrals.
6. National Witness Protection Scheme referrals.

## **Band B – serious housing needs**

1. Families with major overcrowding (lacking two or more bedrooms) (see definitions.)
2. Under-occupation by social housing tenants in the Canterbury district who are willing to transfer to a home with at least two bedrooms less than their current home, provided the tenancy of their current home is to be terminated, allowing it to be re-let. People in this category will only be allowed to bid for housing that is at least two bedrooms smaller than their current home.
3. Unsatisfactory housing conditions where a Category One hazard exists under the Housing Health and Safety Rating System which cannot be resolved within a reasonable time. (see definitions) The Band B factor will only apply whilst the Category one hazard is in place. Once all works are completed and the category one hazard has been removed then the banding will be reviewed and revert back to previous band with original list date/effective date. This includes insanitary conditions or cases of serious disrepair which presents immediate or imminent threat to life or serious bodily injury
4. People planning to leave supported or managed housing - only if they meet the criteria (see page 11)
5. Families living with families - Concealed households where a family with children lives within another household (for example where a tenant's son or daughter still lives at home but now has children of their own and needs their own home **AND where the family lacks TWO or more Bedrooms**)

## **Band C – higher preference housing needs**

1. Families with minor overcrowding; (lacking one bedroom) (see definitions)
2. Under-occupation by social housing tenants in the Canterbury district who are willing to transfer to a home with one bedrooms less than their current home, provided the tenancy of their current home is to be terminated, allowing it to be re-let. People in this category will only be allowed to bid for housing that is at least one bedroom smaller than their current home.
3. Medium, but not critical medical or welfare needs which are not included in Band A, which are supported by a medium priority Kent Agency Assessment that has been accepted by us and which gives significant new information that has not already been taken into account in banding your application.

Note: medium medical priority will be awarded only if the medical condition:

- Is a long-term condition but will improve as a result of moving to different housing or
  - the management of the condition will be made easier by moving to different housing or
  - The risks to carers will be reduced by moving
4. Applicants that need to move to a particular area in the district due to work; where failure to meet that need would cause hardship, and they meet the qualification criteria for Right to Move (see definitions).
  5. Concealed households where a family with children lives within another household (for example where a tenant's son or daughter still lives at home but now has children of their own and needs their own home) **AND where the family lacks one Bedroom or more**

#### **Band D – general housing needs**

Applications from all other people entitled to reasonable preference including:

1. People living in insecure housing where they have no legal right to occupy and could be evicted without notice (for example living as a lodger).
2. People living in privately rented housing that was initially affordable but is now unaffordable – calculation based on Local Housing Allowance Rates.
3. People with medical needs that are not included in bands A or C.
4. People without a home of their own. This includes people who are sofa surfing, sleeping rough, etc.
5. People who will be homeless soon (see definitions).
6. People who are owed any homeless duties by the council, including those who have turned down a suitable offer and those who are intentionally homeless.
7. People who have been assessed as homeless but not owed any duty by the council.

8. Cases where a duty is owed by another local authority under the Housing Act 1996 section 190(2) (intentional homelessness), section 193(2) (full housing duty) or section 195(2) (threatened homelessness), or who are occupying accommodation secured by another local authority under section 192(3) (discretionary accommodation provided for non-priority applicants).
9. People who have a proven and documented need to move to a particular part of the district where failure to meet that need would cause hardship to themselves or to others. For example, to give or receive care, evidence of carers allowance would be required or other documented evidence from professionals involved.
10. People who want to move to retirement properties (“designated elderly” or “sheltered”) and who satisfy the age limits. If an applicant has only this band factor then they will only be permitted to bid on designated elderly properties. Note: if an applicant already lives in sheltered accommodation they will not be able to join the register to move to another sheltered scheme unless there is an additional proven housing need to move, and is supported by the scheme manager.
11. Concealed households where a family with children lives within another household (for example where a tenant’s son or daughter still lives at home but now has children of their own and wants their own home (where the family are adequately housed according to permitted numbers).
12. Concealed families that have given up independent accommodation to deliberately worsen their housing conditions (once a period of 12 months has elapsed).

## **Appendix 4: Cases not covered by the assessment process**

If you apply to join the Housing Register you will usually be assessed in accordance with this scheme. There are a number of instances where you might be moved outside of the scheme and will have your case managed by the council and/or housing association separately. Some of the matters mentioned below are also covered in the Tenancy Policy but are included here for completeness because they sometimes require the offer of a new home on a new tenancy. These circumstances are:

- Mutual exchanges. These usually take place through Kent Homechoice or other mutual exchange websites. Tenants usually assign their existing tenancy to the person they exchange with and this is outside the scope of the allocation scheme. In the case of tenants of Co-Operative Development Society (CDS) who do not have a tenancy that can be assigned, Canterbury City Council will give a new secure tenancy when one of its tenants applies to mutual exchange with a contractual tenant of CDS. The same rule will apply in other similar cases
- Enhanced sheltered housing accommodation will be allocated only to persons who have made a housing application and whose needs and suitability for this kind of accommodation have been verified through an appropriate assessment process. The council will maintain a separate list of applicants for this type of accommodation and will make direct offers from this list as vacancies become available in the enhanced schemes. Enhanced scheme vacancies will only be advertised through Kent Homechoice if there are insufficient applicants on the enhanced scheme list
- Management moves within the council's housing stock. Sometimes there are exceptional circumstances when a person needs to be moved or accommodated urgently or a tenancy needs to be offered outside of the Housing Register process. These moves will only be considered following a risk assessment. In other cases the council may need to move tenants because of the need for major works, a fire or flood or other urgent management reason. Such moves will take place at the discretion of the Head of Service

We will normally effect management moves by making a direct offer of accommodation that is broadly comparable with the existing accommodation, especially in respect of the number of bedrooms. In cases where a tenant has requested a move but unreasonably rejects a suitable offer, the management move facility will be withdrawn. In such a case, the applicant will have the option to move through mutual exchange or through the Housing Needs Register

- Service tenancies. The Head of Service shall be empowered to offer service tenancies of up to 12 months duration to persons employed by the council or

partner organisations such as East Kent Services or East Kent Housing where it is necessary, in order to attract the right staff, to offer temporary housing as part of the recruitment and retention package

- Sole Tenancy to Joint Tenancy. A sole tenant does not have a 'right' to a joint tenancy and restricting granting permissions for these helps reduce the risk of fraud. Where an existing sole tenant has a new partner the council considers that in most cases their rights are protected through other legislation including succession and therefore only in limited cases will the council consider giving a new tenancy to a sole tenant. A joint tenancy will be considered where the new partner is giving up another secure tenancy to move
- Joint Tenancy to Sole Tenancy. Either or both joint tenants can serve a Notice to Quit to end the joint tenancy. When one joint tenant serves notice on the tenancy and leaves the property, the council will consider offering a new sole tenancy to the remaining tenant if the property is the right size for their family but only if the rent account is clear and there are no breaches of tenancy. If the property is too big for their family the council will consider offering them the tenancy of a suitable sized property instead. In considering whether to exercise discretion, the council will take into account whether any housing duty is owed
- Further succession on death etc. Secure tenants have a right of succession laid out under the Housing Act 1985. In some circumstances where this right has already been used the council may consider granting a new tenancy of the existing property if the occupier has lived with the tenant for the previous 12 months and would have been a qualified successor had the previous succession not happened, but only if the property is the right size for their family. If the property is not the right size for the family, the council may consider granting a new tenancy of another property which is of a suitable size instead. In considering individual cases, the council will take into account whether any housing duty is owed under homelessness law and also the qualifying criteria for social housing contained in this Housing Allocation Scheme. If no housing duties are owed, the matter will be decided by the Head of Service who has delegated powers to exercise discretion
- Non Secure tenancy to Introductory Tenancy. The council sometimes uses its own housing stock to accommodate homeless applicants and offers them a non secure tenancy initially. It will then offer these tenants an introductory tenancy of the same property after 12 months if the property is the right size for their family and the rent account is clear and there are no significant breaches of tenancy
- Where a homeless application is made under Part VII of the Housing Act 1996 (as amended) anyone owed the full housing duty will be dealt with by making a private rented sector offer or a direct offer of accommodation from the council's

housing stock as appropriate. Direct offers of the council's housing stock may also be used to provide temporary accommodation under this Part

- Transfers involving a temporary decant for major works, or other management reason not involving an application from the tenant
- Where the council secures the provision of suitable alternative accommodation under the Land Compensation Act 1973, section 39 or where any duties arising from an application made under the Rent (Agriculture) Act 1976, section 27 or 28

## **Appendix 5: Our approach to Homelessness**

If you have applied to the council as homeless your decision letter will tell you what duty we have towards you.

If we owe you the full housing duty you do not need to bid for a home through the housing needs register; instead we will make you a direct offer of accommodation, which may be in the private sector or in the council's own housing stock. If you are offered a council-owned property it will be on a non-secure tenancy. If you maintain your tenancy satisfactorily for a year you will then be eligible for an Introductory Tenancy.

When we offer a home under homelessness duties we will calculate the number of bedrooms you need by reference to the statutory overcrowding standard in part 10 of the Housing Act 1985, not the table in section eight above. If we offer you a home that is suitable for your needs, but you decide to refuse it, you should contact us immediately. We may not be able to offer you another home as our duty towards you will have ended. Instead, you will need to seek privately rented housing or bid for a home through the Housing Needs Register, subject to meeting all the other qualifying criteria.

If you are not owed the full housing duty then you are entitled to go on the housing needs register if you wish, subject to meeting all the other qualifying criteria.

If you have no roof over your head at all then you should contact the council on **01227 862 518** to make a homeless application.

## **Appendix 6: Our approach to Domestic Abuse**

### **Definition**

Domestic abuse (as gender-based abuse) can be perpetrated by partners or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour), sexual abuse (acts which degrade and humiliate and are perpetrated against their will.) and mental and emotional abuse (such as threat, verbal abuse, racial abuse, withholding money and other types of controlling behaviour such as isolation from family and friends).

### **OUR APPROACH TO DOMESTIC ABUSE**

- We aim to make every effort to assist you if you are suffering domestic violence. We want to make sure that you receive support. This often means we work in partnership with other specialist agencies to give help
- We are committed to taking a “victim centred” approach. We will accept your view about what is happening to you, and base our support upon the information you give us
- If you are suffering domestic abuse, you may face obstacles or dangers when seeking help, and so we will let you choose the level of support that you feel is right for you
- We may contact the police or your support workers for guidance and recommendations on how best to assist you
- We will only contact you in ways that you have asked us to, and will organise to meet you or telephone you away from your home if you prefer

### **HOW TO REPORT DOMESTIC VIOLENCE**

**If you are experiencing domestic violence, you can let us know!**

Remember, if you feel that your own safety or that of your family or your property is being threatened, please phone the police on 999.

### **WHAT CAN WE DO TO HELP?**

**We will:**

- Arrange for a sympathetic member of staff to interview you. You can request a same sex member of staff if you wish
- Agree an action plan with you
- Discuss the possibility of extra security measures to your property if needed
- Look at the possibility of a different place to live, on either a temporary or permanent basis

- Where children are involved, work with community/statutory organisations to arrange an immediate place of safety
- Provide advice on alternative accommodation

### **Where can I go for help?**

#### **Canterbury and Herne Bay One Stop Shops:**

- Riverside Children's Centre in Kingsmead Road. Every Thursday – 9.30am to 12.30pm
- Herne Bay – Poppy Children's Centre in Kings Road. Every Tuesday – 9.30am to 12pm

Every week there is a solicitor available to give legal advice and a representative from the Canterbury domestic abuse charity Rising Sun. Information on refuges, state benefits, debt, housing, health, drug or alcohol problems and many other issues is also available. All these organisations (and others) understand that sometimes all a person wants is a place to go where someone will listen to them. They are available to listen or offer help and advice if needed.

For more information on the One Stop Shops phone 01227 452 852.