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Date: 24th October 2024

**INDIVIDUAL CABINET
MEMBER DECISION**

Dear Sir/Madam,

The Cabinet Member for Housing (Councillor C. Watkins) is to consider the following report and make a decision on **Thursday 21st November 2024** at **5.00pm** in Committee Room D, Town Hall, Nuneaton.

Yours faithfully,

TOM SHARDLOW
Chief Executive

A G E N D A

PART 1

PUBLIC BUSINESS

1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds, please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside Lloyds Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

2. PUBLIC CONSULTATION - Members of the public will be given the opportunity to speak on specific agenda items if notice has been received.

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or officers and if after a warning issued by the chair, the speaker persists, they will be asked to stop speaking by the chair. The chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

3. DECLARATIONS OF INTEREST - To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 4**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Committee Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is

engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit & Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

4. HOUSING ALLOCATION POLICY a report of the Housing Solutions Manager, attached (**Page 5**).

Councillor Watkins - Schedule of Declarations of Interests – 2024/2025

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	C. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) • Coventry, Warwickshire and Hinckley and Bosworth Joint Committee • Local Government Association • Nuneaton and Bedworth Home Improvement Agency • Nuneaton and Bedworth Safer and Stronger Communities Partnership • Nuneaton and Bedworth Community Enterprises Ltd • Warwickshire Housing Support Partnership • West Midlands Combined Authority Board (WMCA) • West Midland Combined Housing and Land delivery Board 	

AGENDA ITEM NO.4

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Individual Cabinet Member Decision

From: Housing Solutions Manager

Subject: Housing Allocation Policy

Portfolio: Housing - Councillor C Watkins

Building a Better Borough Aim: Aim 1

Building a Better Borough Priority: Aim 1, Priority 2

1. **Purpose of Report**

- 1.1 The purpose of this report is to seek approval of amendments to the Council's Housing Allocation Policy.
- 1.2 The report and attached appendix include the amended Housing Allocation Policy.

2. **Recommendations**

- 2.1 It is recommended that the proposed changes are approved ready for implementation forthwith.
- 2.2 It is recommended to grant delegated authority to the Assistant Director for Strategic Housing in consultation with the Portfolio Holder for Housing for the purposes of making direct matches to all available void properties for homeless households in temporary accommodation, in unprecedented times, in addition to direct matching applicants to properties in other extenuating circumstances.

3. **Background**

- 3.1 The existing Allocation Policy was amended in October 2020 to reflect legislative requirements, and to ensure the policy was fair, objective and encouraged a balanced and sustainable community.
- 3.2 Further changes are needed to ensure that we make the best use of stock. The Council has seen a significant increase in the number of households becoming homeless, and following Government guidance, this has resulted in many people being accommodated temporarily in

hostels, Bed & Breakfast establishments and Hotels, which lack facilities or required households to share facilities.

- 3.3 Further changes are needed to ensure legislation changes, housing regulator recommendations, a clearer explanation of the Housing Allocation Policy criteria and any other minor rewording throughout the policy to ensure the policy is comprehensive.

4. **Housing Allocation Policy amendments**

4.1 **How Properties are advertised**

- 4.2 In order to reduce the use of high demand temporary accommodation and relieve the pressure on families, and individuals occupying rooms in hotels or hostels, the ability to allocate dwellings that are available to let would considerably help both the council, and the households concerned.

- 4.3 Direct matching stock to households in temporary accommodation is already permitted under the councils Housing Allocation Policy, at 25% of NBBC's available stock, and this does not meet the demand. The Assistant Director for Strategic Housing has delegated authority to increase this percentage and has increased this to 50% due to the number of households in temporary accommodation increasing in unprecedented times to 100% for limited periods. Direct matching is also supported by some Registered Providers. Since October 2020 we have direct matched NBBC's and a proportion of Registered Providers vacant stock which has assisted 417 households, giving us the ability to house them more quickly.

- 4.4 It is recommended to increase the existing 25% to 50% to meet demand, making it clear that this could include Registered Provider stock with their agreement and for the delegated authority for the Assistant Director to continue to liaise with the Housing Portfolio Cabinet member.

5 **Legislation Changes**

- 5.1 It is recommended that the following legislative changes in accordance with guidance produced by the Ministry of Housing Communities and Local Government (MHCLG) Allocation of accommodation: guidance for local housing authorities in England are adopted.

5.2 **Service Standards**

- 5.3 The current Housing Allocation Policy lists service standards to our customer that are not reportable and are not in accordance with the tenancy standards set by the Housing Regulator.

- 5.4 It is recommended that service standards are rewritten referring to the Regulatory Framework by advising: - *The Council wholeheartedly endorse the Tenancy Standard set by the Housing Regulator. This requires social landlords to let their homes “in a fair, transparent and efficient way” and that they shall consider the housing needs and aspirations of tenants and potential tenants and be able to demonstrate how their lettings make the best use of available housing.*

There must be a clear application, decision making and appeals process in place. Registered providers are expected to co-operate with local authorities strategic housing function and their duties to meet local housing needs. This includes assistance with local authorities’ homelessness duties and through meeting obligations in nomination agreements.

5.5 Advice and Support for Customers

- 5.6 The Current Housing Allocations Policy does offer advice and support but it’s not clear enough. It is recommended to include an advice and support section as below; -

If you do not have access to the internet or you do not have a postal address, we can support you to register and if you are not able to express an interest on the properties we advertise, we can support you. If you need support the Choice Based Letting team and the Customer Services team will be able to help you register and search for properties and express your interest.

You may not be eligible to join the Housing Register, or you may wish to consider all other housing options to resolve your housing circumstances, our Prevention Team who concentrate on early intervention initiatives to resolve housing issues and give advice on options available may be able to help you. In addition, you may find the Enhanced Housing Options Wizard useful, and that has the facility to produce a document with the housing options available tailored to you; to use this, you must register onto NBBC Homes and follow the steps in order to view your options. NBBC along with our neighbouring authorities provide an easy read Housing Options booklet that can be found on our website by searching for Warwickshire Housing Options Guide – easy read

Some vulnerable people will need additional support throughout their housing allocation journey to ensure they have the same opportunities to secure a home of their own. The support we provide will be agreed with the applicant and personalised to their specific needs

5.7 Eligibility

The Housing Allocation Policy currently goes into detail around who is eligible to join the register and advises that the assessment will be in accordance with regulations and lists some regulations. Given the number of changes to eligibility in terms of immigration control and persons from abroad it is recommended to change the wording to a clear statement that will always be current as below:

When assessing applications to join the register we will ascertain whether an applicant is eligible to register or, if the household qualifies for an allocation.

The assessment will be in accordance with the regulations and guidance from MHCLG ('housing authorities') in England under s. 169 of the Housing Act 1996 ('the 1996 Act').

This explains that certain applicants cannot be placed on the housing register because they are ineligible due to immigration status as detailed in Section 160A of the Housing Act 1996. At the application stage verification checks will be made to confirm the eligibility status of all applicants. If you are not sure if this section applies to you, please contact the Choice Based Lettings Team. If you are subject to this and we have no duty to offer you a home our Prevention Team can offer you advice on your other housing options.

5.8 Members of the Armed Forces and the Reserve Forces

5.9 The current Housing Allocation Policy gives additional preference to members of the Armed Forces and the Reserve Forces; it is recommended to change the existing criteria to the following as recommended by MHCLG.

- members of the Armed Forces and former Service personnel, where the application is made within five years of discharge
- bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained because of their service
-

6. Housing Allocation Policy - Criteria in more detail

6.1 Further explanation of areas within the Housing Allocation Policy due to legislation changes or new Acts.

6.2 Domestic Abuse

- 6.3 Domestic Abuse is detailed in the banding summary but needs a defined section under Exceptional Housing Need (Additional Preference) recommend as below:

NBBC are committed to ensuring the safety of its tenants, leaseholders and applicants who wish to apply for housing.

The Council believes that all forms of domestic abuse are unacceptable as detailed in the Domestic Abuse Policy which sets-out not only the Council's responsibilities under the Domestic Abuse Act 2021, but what further action the Council will take to support domestic abuse victims and their families in partnerships with other agencies.

Victims of domestic abuse or threats of domestic abuse, or escaping domestic abuse or harm, will be exempt from local connection requirements and other requirements of the Housing Allocation Policy as defined in the Domestic Abuse Act 2021, as will those who have sought a place of safety in a refuge or other form of temporary accommodation in the Local Authority area.

- *NBBC have a dedicated Domestic Abuse Co-ordinator to support customers and work with partners to deliver the requirements of the Domestic Abuse Act 2021.*

6.4 Tenants Releasing Under occupied properties

Tenants releasing under occupied properties is detailed in Releasing under occupied properties section but requires the extra paragraph: -

NBBC Local Lettings Plan for Downsizing details the process for the allocation of current tenants who are under-occupying properties and need to downsize to smaller accommodation in accordance with the Downsizing Policy 2023. Tenants who wish to downsize can be offered downsizing incentives, help to move, and support with your NBBC Homes application registration and expressions of interest in suitable properties. These documents are available on our website.

6.5 Under Key Objectives

The current Housing Allocation Policy includes key objectives the following would enhance the policy: -

- Listen – all housed tenants within NBBC stock and Registered Provider stock will be invited to complete a satisfaction survey when they have moved into their new home which will be used to improve the services we provide.

- To assist those applicants who are vulnerable in accessing the lettings scheme, to identify and support vulnerable people to access our housing application process through to securing permanent accommodation.
- To provide appropriate advice and assistance to all.
- To provide information in other formats such as Warwickshire Housing Options Guide - easy read
- To work in partnership with support agencies
- To translate key documents when requested
- To ensure appropriate support is available for customers using the System.

6.6 Access to Children

The current Housing Allocation Policy has a section that advises of the information required to verify access to children, but it gives no restrictions. Given the current high demand for housing it is recommended that the following is adopted.

If an applicant has regular access to their children but there is an arrangement for them to live mainly elsewhere, they will be able to express an interest in properties that are advertised, but preference will be given to applicants with children who are permanently living with an applicant.

6.7 Mutual Exchanges

In October 2020 NBBC did not manage a mutual exchange register, but recommended House Exchange a free online option. NBBC now manage this facility through the implementation of Home swapper to tenants so this needs to be included in the Housing Allocation Policy as below: -

Mutual Exchange

A mutual exchange is the swapping of homes by two or more Council housing tenants without having to go through the housing application and bidding process. In a mutual exchange tenants can not only swap properties but may also step into each other's shoes in respect of the terms and conditions which govern the tenancy.

Council housing tenants can register with [HomeSwapper](#) free of charge to search for a mutual exchange

HomeSwapper can help you to swap your Council or housing association home with other social housing tenants (secure tenants only).

You can add your mutual exchange to the website, it is quick and easy. Your advert will be seen by thousands of people that use the website to arrange a Council house swap.

6.9 Housing Allocation Policy – Re wording

- All sections referring to “appeal” should now say *will be advised of the outcome “in writing”* and reasons for the disqualification or for ineligibility will be detailed.
- The review section will advise that *notification of all review decisions, including reasons for decisions made, will be made in writing via the Scheme website. Whenever necessary, the Local Authority will also communicate with applicants via other means, such as email, telephone/videotelephone, letter/leaflet or in-person, etc., such as when a person is having difficulty using their Scheme user account, this includes where a person with a protected characteristic, needs or asks for an alternative.*
- The current wording in terms of the Ombudsman is out of date and needs updating as follows: -
 - *Applicants should seek their own legal advice if they are dissatisfied with any decision made by the authority in relation to an application made under this Scheme. If an applicant is dissatisfied with how their application and any subsequent complaint has been handled by the Local Authority, they will be informed of their right to make a claim of maladministration to the Local Government & Social Care Ombudsman*
 - All job titles throughout the policy to be updated
 - New Affordable Housing Developments

Re word the New Affordable Housing Developments to the following: -

- *The Local Lettings plan for new builds confirms the process by which the Council’s new build properties, and those of partner Registered Providers will be allocated. Applicants will be able to use the Council’s Choice Based Lettings system to register as normal and become LIVE applicants, banded according to their housing need in line with the current Housing Allocations Policy. At the point of advert however, reference to this Local Letting Plan divide the allocation of the properties by the following percentages: -*

1) 40% of units will be advertised for those applicants that are currently Council or Housing Association tenants needing to upsize, or downsize, according to their housing needs. (Transferring tenants)

2) 30% of units will be advertised for those applicants registered in Band 1+

3) 30% of units will be advertised for those in bands 1 to 3 (inclusive)

- Include Decant Policy in the Decant Section
- Include under How Properties are advertised '*such as flexible tenancy*'.
- Exclusion due to unacceptable behavior to remove 'of support based accommodation,' given this is not in line with NBBC's Move on Protocol.
- Include a section around user feedback, satisfaction survey of the Allocation Process to all housed tenants within NBBC stock and RP stock and advise that the survey's will be used to improve the service.
- Include within the policy a statement that the Allocation Policy has been in consultation with partner agencies, customers and RP's.
- Embed the Independent Living Accommodation appendix within the Allocation Policy.
- Local Lettings Plans include link to NBBC website
- Remove Extra Care

7. Conclusion

That the proposals be considered.

8. Appendix

Amended Housing Allocation Policy:

- Consultation with partners, service users feedback considered and adopted where appropriate and detailed within amended policy.
- Equality Impact Assessment – Screening and Health Equity Assessment Tool Assessment

9. Background Papers (if none, state none)

None



HOUSING ALLOCATION POLICY
for
Nuneaton and Bedworth
Borough Council
(November 2024)

<https://www.nuneatonandbedworth.gov.uk/translate>

To view this document in your preferred language,
please use the webpage above to translate.

Arabic: ةمجرتلل ءال عاب يوللا ءحفص مءءءسا اى ءرى ، ءلض فءملا لكءءلب ءنءسا مءا اءه ضرعءل .

Chinese: 要以您的首选语言查看本文档，请使用上面的网页进行翻译。

Dari: ءنءك ءءافءءسا ءمءرء اى ءرب ال اب بو ءحفص زء افءل ، ءوء رءن ءروم ءبءز ءب ءنءسا مءا ءءءشءم اى ءرب .

Greek: Για να δείτε αυτό το έγγραφο στη γλώσσα που προτιμάτε, χρησιμοποιήστε την παραπάνω ιστοσελίδα για να μεταφράσετε.

Gujarati: આ દસ્તાવેજને તમારી પસંદીદા ભાષામાં જોવા માટે, કૃપા કરીને ભાષાંતર કરવા માટે ઉપરના વેબપેજનો ઉપયોગ કરો.

Hindi: इस दस्तावेज़ को अपनी पसंदीदा भाषा में देखने के लिए, कृपया अनुवाद करने के लिए ऊपर दिए गए वेबपेज का उपयोग करें।

Italian: Per visualizzare questo documento nella tua lingua preferita, utilizza la pagina web sopra per tradurre.

Latvian: Lai skatītu šo dokumentu vēlamajā valodā, lūdzu, izmantojiet iepriekš minēto tīmekļa lapu, lai tulkotu.

Polish: Aby wyświetlić ten dokument w preferowanym języku, skorzystaj z powyższej strony internetowej w celu przetłumaczenia.

Punjabi: ਇਸ ਦਸਤਾਵੇਜ਼ ਨੂੰ ਆਪਣੀ ਪਸੰਦੀਦਾ ਭਾਸ਼ਾ ਵਿੱਚ ਦੇਖਣ ਲਈ, ਕਰਿਪਾ ਕਰਕੇ ਅਨੁਵਾਦ ਕਰਨ ਲਈ ਉੱਪਰ ਦੱਤੇ ਵੈੱਬਪੇਜ ਦੀ ਵਰਤੋਂ ਕਰੋ।

Romanian: Pentru a vizualiza acest document în limba preferată, vă rugăm să utilizați pagina web de mai sus pentru a traduce.

Russian: Чтобы просмотреть этот документ на предпочитаемом вами языке, воспользуйтесь веб-страницей выше для перевода.

Slovak: Ak si chcete pozrieť tento dokument vo vami preferovanom jazyku, použite na preklad vyššie uvedenú webovú stránku.

Spanish: Para ver este documento en su idioma preferido, utilice la página web de arriba para traducir.

Ukrainian: Щоб переглянути цей документ бажаною мовою, будь ласка, скористайтеся веб-сторінкою вище для перекладу.

Urdu: اى ءرك لمءءسا اء ءءى ءبى و ال اب ءءءءنءم ءئل ءك ءمءرء مءرك ءارب ، ءئل ءك ءنءءكءى ءك زى واءءء سا اى مءبء ءءءءءنءس ءبى .

Vietnamese: Để xem tài liệu này bằng ngôn ngữ ưa thích của bạn, vui lòng sử dụng trang web ở trên để dịch.

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Section One

HOUSING ALLOCATION POLICY

1. Key Aims and Objectives

1.1 Key Aim

Nuneaton and Bedworth Borough Council (hereafter referred to as NBBC) Housing Allocation Policy aims to ensure that all social housing within the Borough is allocated fairly and objectively, to those in greatest housing need, having regard to any legislative requirements and Codes of Guidance issued by both the Ministry of Housing Communities and Local Government and the regulator for social housing providers.

1.2 Key Objectives

This policy has been developed with a view to meeting the following principles and key objectives:

- To operate a Choice Based Lettings Scheme that offers realistic informed choice for all
- To improve and encourage a balanced and sustainable community
- To ensure that every application is dealt with fairly and consistently irrespective of race, disability, gender, age, sexual orientation, gender reassignment, religion and/or belief, pregnancy/maternity or marriage status
- To operate a Choice Based Lettings Scheme that is simple, easy to understand, transparent, open and fair
- To give appropriate priority to applicants who fall within the 'Reasonable Preference' and 'Additional' categories as set out in Part 6 of the Housing Act 1996
- To empower applicants by giving them more opportunity to express choice and preferences about where they want to live, whilst taking into consideration both the availability of housing resources and the high demand for housing
- To assist those applicants who are vulnerable in accessing the lettings scheme, to identify and support vulnerable people to access our housing application process through to securing permanent accommodation.
- To provide appropriate advice and assistance to all.
- To provide information in other formats such as Warwickshire Housing Options Guide - easy read
- To work in partnership with support agencies
- To translate key documents when requested
- To ensure appropriate support is available for customers using the System.

2. Service Standards

2.1 Service Standards to our customer

As part of our commitment to our customers, NBBC will:

- Treat applicants with courtesy and respect
- Listen – all housed tenants within NBBC stock and Registered Provider stock will be invited to complete a satisfaction survey when they have moved into their new home which will be used to improve the services we provide.
- Be helpful and polite
- Try to deal with applicants at first point of contact
- Make things as easy as possible the policy has been produced in consultation with partner, agencies, customers and Register Providers
- Deal with any complaint in line with our complaint's procedure

The Council wholeheartedly endorse the Tenancy Standard set by the Housing Regulator. This requires social landlords to let their homes “in a fair, transparent and efficient way” and that they shall consider the housing needs and aspirations of tenants and potential tenants and be able to demonstrate how their lettings make the best use of available housing.

There must be a clear application, decision making and appeals process in place. Registered providers are expected to co-operate with local authorities strategic housing function and their duties to meet local housing needs. This includes assistance with local authorities' homelessness duties and through meeting obligations in nomination agreements.

2.2 Advice and Support for Customers

If you do not have access to the internet or you do not have a postal address, we can support you to register and if you are not able to express an interest on the properties we advertise, we can support you. If you need support the Choice Based Letting team and the Customer Services team will be able to help you register and search for properties and express your interest.

You may not be eligible to join the Housing Register, or you may wish to consider all other housing options to resolve your housing circumstances. Our Homelessness Prevention Team focus on early intervention initiatives to try and resolve housing issues and give advice on options available may be able to help you. In addition, you may find the Enhanced Housing Options Wizard useful, and that has the facility to produce a document with the housing options available tailored to you; to use this, you must register onto NBBC Homes and follow the steps to view your options. NBBC along with our neighbouring authorities provide an easy read Housing Options booklet that

can be found on our website by searching for Warwickshire Housing Options Guide – easy read.

Some vulnerable people will need additional support throughout their housing allocation journey to ensure they have the same opportunities to secure a home of their own. The support we provide will be agreed with the applicant and personalised to their specific needs.

3. Equality

3.1 Policies and Practices

NBBC will ensure its policies and practices are non-discriminatory and will promote equality by preventing and eliminating discrimination on the grounds of race, disability, gender, age, sexual orientation, gender reassignment, religion and/or belief, pregnancy/maternity or marriage status. The scheme will be accessible, responsive and sensitive to the diverse needs of individuals. NBBC's aim is to create an environment where equality is at the heart of everything we do.

The impact of this policy will be monitored, to ensure that it promotes equality to everyone. To achieve this, all applicants will be asked to provide details of their circumstances and any personal information when they apply to join the register.

3.2 Equal Opportunity to apply and receive offers of accommodation.

NBBC will ensure all potential applicants have equality of information about the service and equal opportunity to apply, express an interest in and receive offers of accommodation. To ensure that vulnerable groups are not disadvantaged by the Choice Based Lettings Scheme NBBC will:

- provide practical assistance to those who may have difficulty in understanding the requirements of the system
- provide practical assistance in the applicants preferred way, where the applicant may have difficulty completing an application
- provide tailored assistance to those who may have difficulty expressing an interest in properties, including expressing an interest on their behalf, if that is necessary
- monitor the profile of those who are applying and expressing an interest in properties, to ensure that minority and hard to reach groups are actively engaged in the service

4. Applications from Elected Members and Employees

4.1 Elected Member and Employee disclosure

Applications to the Housing Register can be accepted from employees, elected members and their close relatives, provided they are eligible to apply

and subject to the rules in Schedule 1 of Housing Act 1996. Applicants must disclose any such relationship at the time of registration.

5. Deliberately withholding information or providing false information

5.1 Withholding details fraudulently

Fraudulent behaviour is not acceptable to the Council and appropriate action will be taken. It is a criminal offence (punishable by a fine of up to £5,000) if an applicant gives false information or withholds information related to their housing application.

If a tenancy was obtained by giving false information possession proceedings can be instigated.

Section Two Eligibility and Qualification

1. Introduction

1.1 What is the Housing Register

The Housing Register is a single list of all the people (hereafter referred to as applicants) who have applied to register or been accepted onto the Housing Register. It includes both new applicants and existing social housing tenants wishing to transfer.

Housing Authorities are given the power to determine who is, or is not, eligible to apply to their Housing Register and Social Housing may only be allocated to 'qualifying persons'.

1.2 Who can join the Register

To be eligible to join the Housing Register, applicants must be aged 16 or over; and meet the qualifying criteria.

Joint applications will be accepted, provided both applicants are eligible and intend to occupy the property together as their only or main home.

2 Eligibility to join the Register

2.1 Are you eligible to join the Register

When assessing applications to join the register we will ascertain whether an applicant is eligible to register or, if the household qualifies for an allocation.

The assessment will be in accordance with the regulations and guidance from The Ministry of Housing, Communities and Local Government issued to local housing authorities ('housing authorities') in England under s.169 of the Housing Act 1996 ('the 1996 Act').

This explains that certain applicants cannot be placed on the housing register because they are ineligible due to immigration status as detailed in Section 160A of the Housing Act 1996. At the application stage verification checks will be made to confirm the eligibility status of all applicants. If you are not sure if this section applies to you, please contact the Choice Based Lettings Team. If you are subject to this and we have no duty to offer you a home our Homelessness Prevention Team can offer you advice on your other housing options.

3 Qualification Criteria

3.1 Do you qualify to join the Register

The qualifying criteria for applicants who can join the housing register are those who:

- are age 16 or over
- have a local connection to Nuneaton and/ or Bedworth
- have no current housing related debt, or previous housing related debt, owed to a social or private landlord
- have not caused unacceptable or anti-social behaviour
- are not a homeowner

See below for the details:

3.1.1. Age 16 or over

Applicants aged 16 or 17 can join the Housing Register but will not be made an allocation, or be able to bid for properties, until they reach the age of 18. Unless they have been accepted as statutorily homeless or are a subject of a Special Agency Referral.

In these cases, applicants must provide details of a guarantor. A guarantor is a responsible person, such as a parent or other close family member, or a representative from a support agency, such as Childrens Services.

3.1.2 Local Connection

To qualify to join the housing register, applicants must meet at least one or more of the following criteria. Applicants must:

- have lived within the Borough for at least 6 out of the last 12 months, or 3 out of the last 5 years

- have immediate family in the Borough with the family members concerned currently living in the Borough and have done for at least 5 years or more. This would normally be parents, adult children, brothers or sisters provided there are sufficiently close links in the form of frequent contact, commitment or dependence. Other family associations such as grandparents and adoptive parents would also be considered if sufficiently close links are evidenced
- work permanently in the Borough
- give to, or receive support from, a close family member who is resident in the Borough. Applicants will need to supply supporting evidence from a medical professional or social worker together with full details of the support that is being given/received

Independent Living Stock

The local connection criteria will not apply to certain properties within the Independent Living Stock where the property has not been occupied for a 6-month period and this will be shown on the property advert.

3.1.3 Exclusion Due to Unacceptable Behaviour

When deciding whether an applicant is eligible for housing, NBBC will consider the behaviour of not only the applicant but also that of the other members of their household. NBBC may decide that an applicant and/or any member of the applicant's household be treated as ineligible for housing and exclude them from the Housing Register on grounds of their behaviour. This applies to existing tenants applying to transfer and to new applicants joining the register as well as those who register a change of circumstance.

Behaviour that may be regarded by NBBC as unacceptable includes:

- Physical assaults (such as domestic and racial violence). Perpetrators of domestic abuse who are subject to a non-molestation order, an injunction order, an occupation order or a restraining order
- Convicted of using a property for immoral or illegal purposes
- Committed an act of fraud, withheld falsified or misrepresented any information pertaining to access to public funding and/or services
- Owing a housing related debt to a Council, Housing Association or Private Landlord
- Perpetrators of abuse causing damage or threats to kill
- Noise nuisance continuing for long periods of time
- Current or former tenants who are, or have been, in serious breach of their tenancy conditions due to anti-social behaviour or are subject to a court order
- Anyone with a history of serious anti-social behaviour and/or criminal behaviour such as intimidation, drug dealing or discrimination/harassment (due to any of the protected characteristics in the equality section). Where an applicant has a history of anti -

social behaviour or has breached their tenancy conditions or has a housing related debt, all relevant facts will be considered before a decision is made

- Anyone who has caused damage to a Council/Housing Association or private rented property. This includes the tenant, a member of tenant's household or visitors to the property
- Anyone who has been violent to or threatened staff of NBBC
- Applicants who deliberately worsen their housing circumstances in order to improve their housing priority. For example, if a household in privately rented accommodation, with no overcrowding issues were to give up that tenancy to move in with relatives where they are overcrowded, this action would be seen as intentionally making their circumstances worse
- Their behaviour will be such that it either reflects the applicant's unsuitability to become a tenant or that a current tenancy is not being conducted in a satisfactory manner. The behaviour may include a breach of tenancy obligations
- **Independent Living Accommodation – Their behaviour reflects the applicants' unsuitability to be housed as this could have an impact on other applicants who have high, medium or low, welfare, medical or hardship needs.**

In determining whether an applicant does not qualify due to unacceptable behaviour, the Council will consider:

- Has the applicant or a member of the applicant's household been guilty of unacceptable behaviour
- Was the unacceptable behaviour serious enough to deem the applicant or a member of their household unsuitable to be a tenant
- At the time of the application or allocation, is the applicant still unsuitable to be a tenant by reason of that behaviour, or the behaviour of a member of their household

Actions which are considered to make an applicant unsuitable to be a tenant will lead to the applicant being excluded from the housing register for a 6-month period. This is deemed as sufficient time for the applicant to provide evidence that their behaviour has shown consistent improvement. Applicants will need to evidence that they have been living independently with improved behaviour for the 6-month period.

Applicants will be required to re-apply after 6 months following exclusion.

In some circumstances applicants who have relevant spent/unspent convictions for serious criminal offences which caused issues with their previous accommodation and neighbourhood, may be ineligible for an allocation following thorough investigation.

Investigations will be carried out by Choice Based Lettings Officers and will give applicants the right to appeal the decision made, which will then be investigated by an independent officer not previously involved with the decision.

3.1.4 Homeowners

Homeowners will not be eligible unless they have exceptional circumstances. This could be because of significant financial hardship or serious medical circumstances.

This criteria does not apply to applicants who wish to be considered for Independent Living properties this is to allow applicants with medical and welfare needs to access the Independent Living support services

Income and Saving

Applicants with sufficient income levels of assets or savings that would enable them to access market housing within the Borough will not be eligible.

An applicant will not qualify for the Housing Register if the household's gross income is more than, £45,000 (gross income before deductions for tax, national insurance, etc.) per year for a couple or single person with children or £25,000, (gross income before deductions for tax, national insurance, etc) per year for a single person without children, or having savings (including shares, investments, etc) of more than £16,000.

This criteria does not apply to applicants who wish to be considered for Independent Living properties this is to allow applicants with medical and welfare needs to access the Independent Living support services.

3.1.5 Housing Related debt

Applicants and current/former tenants who owe a housing related debt to a Council, Housing Association or Private Landlord will not be eligible. Registered applicants will be asked to confirm on the allocation of a property that they do not owe a debt. If a debt is owed their application will be deemed not eligible, at this stage, offers to clear the debt to gain the offer of accommodation will not be considered.

This could include current or former rent arrears, current or former court costs, temporary accommodation or other debts such as clearance, damage or repayment of rent deposit where the Council is not satisfied about the reasons why the arrears have occurred.

Applicants who consider the debt to be through no fault of their own will need to provide information about the reasons for the debt and the action taken by

them to resolve the issue. The Council will consider the facts, including documentary information before determining these applicant's eligibility. The onus will be on the applicants who wish to join the register to provide details and for those registered to inform the Council of any change of circumstances.

4 No Housing Need

4.1 Identifying a housing need

Households who are assessed as being in 'no identified housing need' will be unable to join the NBBC Housing Register. These applicants will be given further information and assistance and will be advised to approach NBBC's Housing Solutions Team.

All applicants who have been identified as having no housing need will receive an email notification of the decision. If the applicant disagrees with the decision the NBBC website will advise them how to request a review of that decision.

5 Transferring Tenants

5.1 Existing social housing tenants who wish to move

Existing social housing tenants can apply to move and will have their priority assessed in the same way as other housing register applicants.

Any tenant whose property has not been kept to a standard deemed acceptable by NBBC, for example poor decorative standard and internal damage to fixtures and fittings that are not classed as normal wear and tear, will not be offered accommodation. These applicants will be unable to apply until the required work has been completed and passed by their Housing Officer.

Exceptional circumstances will be investigated by the Housing Management Team. Where emergency re-housing is necessary, these requirements may on occasion be waived.

Some transfer moves are exempt from the requirements of Part 6 of the Housing Act 1996 and will be dealt with separately. This includes assignment or succession by a relative on death of a tenant.

In certain circumstances NBBC may approach their tenant to initiate a move to a different property. This could be to meet an urgent housing need or to make better use of their housing stock. In these cases, the property concerned will be allocated outside of the lettings scheme.

Where NBBC or a Housing Association uses introductory tenancies, a transfer to another property will not be allowed during the introductory tenancy period until the tenancy becomes secure.

5.1.1 Releasing under occupied properties

NBBC Local Lettings Plan for Downsizing details the process for the allocation of current tenants who are under-occupying properties and need to downsize to smaller accommodation in accordance with the Downsizing Policy 2023.

Tenants who wish to downsize can be offered downsizing incentives, help to move, and support with your NBBC Homes application registration and expressions of interest in suitable properties. These documents are available on our website.

A tenant who is currently under-occupying at least one bedroom and wishes to move to a smaller property will be given priority to move into more suitable accommodation.

Priority can only be awarded where NBBC will be given vacant possession of the under-occupied property on the applicant being allocated a smaller property. For example, if the tenant of the property wishes to move to a smaller property, but is currently living with other people who will not be moving with him/her, the priority will not be awarded until NBBC is satisfied that the other people in the household have made their own arrangements for rehousing.

Tenants with debt or disrepair would need to demonstrate that they have an exceptional circumstance to move with debt or disrepair from their current tenancy and this will be investigated by the Housing Management Team.

5.2 Exceptional Circumstances

5.2.1 Management Moves

In certain exceptional circumstances NBBC may need to move an existing tenant to a different property. The Council will authorise the need to move, and the type/area of accommodation required.

To meet this urgent housing need, the property concerned will be allocated outside of the lettings policy and will be authorised by the Landlord Services Manager.

5.2.2 Decanting Moves

In certain circumstances NBBC may need to move an existing Tenant to a different property so urgent work can be carried out within or on their property. This move can either be temporary or permanent **in accordance with the NBBC decant policy which is available on the NBBC website.**

In these circumstances to meet this urgent housing need, the property concerned will be allocated outside of the Lettings Policy and will be authorised by the Landlord Services Manager.

5.2.3 Homeless Applicants

The Head of Strategic Housing can use discretion for the purposes of making direct matches to 50% of NBBC's available void properties and Registered provider stock with their agreement for Homeless Households in temporary accommodation as and when appropriate, liaising with the Housing Portfolio Cabinet member.

In all cases of exceptional circumstances all available stock will be considered, therefore existing properties on advert could be withdrawn and existing shortlists where a property has not been formally offered to an applicant could be withdrawn.

6. Refusals

6.1 Refusal to accept an offer of accommodation

If an applicant refuses three offers of accommodation within a period of six months, unless there has been a considerable change of circumstances, their application will be suspended for a six-month period of time. During this time the applicant will not be able to express their interest on any properties that become available.

Section Three How to Apply

1. How to Apply

1.1 How to apply to join the register

Choice Based Lettings enables applicants to express an interest in advertised properties.

To apply for housing, all applicants must join the Housing Register by completing an on-line housing application form via the website. For those applicants who are unable to do this they may call NBBC on 02476 376406 for assistance.

All applicants will need a National Insurance number, or correspondence address to apply. If an applicant does not have a national insurance number, email address or correspondence address applicants can contact NBBC for assistance.

The purpose of the application form is to correctly identify the housing need for each applicant. The registration of an application may be delayed or cancelled unless all the information required is provided.

Once an application has been registered, the applicant will receive an email/letter advising whether they have been accepted onto the housing register or not. If their application has been successful, their email/letter will direct the applicant to the website, where they will be notified of the: -

- date of registration (date the application was received)
- priority banding awarded
- application reference (for expressing an interest in properties)
- right to request a review against the decision on their priority banding. NBBC will require confirmation of an applicant's current or previous housing history at the point of application, and updates should there have been any changes circumstances before they are offered a property. Failure to provide these details could result in their application being cancelled

NBBC will provide written confirmation of any further information that is required, and the timescales for providing these details. The timescale to provide documents will usually be within a 7 day period from the date on the letter. If the applicant is unable to provide the information that has been requested they should contact NBBC. Failure to do so may result in their application being cancelled.

If an applicant has been nominated to a Housing Association they will be notified via email or telephone and advised that they will be contacted in due course by the Housing Association directly. This will be treated as an offer of accommodation any further expressions of interests made for properties will be disregarded.

NBBC will work to assist and support all applicants through the process of applying for, and expressing an interest on properties:

2. Banding

2.1 How bands are determined

All applicants will have their housing needs assessed and be placed in a suitable housing needs band according to their circumstances. In order to ascertain each individual applicant's requirements, the application form asks a series of questions relating to housing need. These questions are designed to ensure that those in greatest housing need are given preference when accommodation is allocated. It is essential that all of these questions are answered to ensure that we can determine and award the correct priority band.

3. Advertising Properties and Expressing Interests

3.1 How properties are advertised

NBBC will not advertise 50% of our general purpose stock, this stock will be directly matched to a family or individual, that is currently homeless, and occupying emergency temporary accommodation, this will assist the council to fulfil its duties under the Homeless Reduction Act 2017.

NBBC will advertise the remaining vacant properties through the system. However, there may be occasions, such as a property being used for an exceptional circumstance, when this is not possible.

All adverts will be clearly labelled to show the property features, if the tenancy is a flexible tenancy, local neighbourhood information and the types of households that can register an interest in the property.

Flexible tenancy agreements are five-year fixed term tenancies for all new lettings of the Boroughs' four, five and substantially adapted homes. The ability for councils to use flexible tenancy agreements was introduced in the Localism Act 2011 to protect this limited resource for the future.

There will sometimes be other restrictions in the advert e.g.: No Pets. Expressions of interest from applicants will only count if they can match all the requirements in the advert.

Properties are allocated in accordance with our Tenancy Policy which ensures that our tenants received the correct form of tenancy agreement and that the Council meets all applicable legal and regulatory requirements in relation to the form, use and management of its tenancy agreements.

3.2 How applicants express their interest of a property

Applicants will be able to search and view properties advertised without logging in. However, to express an interest in a property the applicant will be required to log in.

Each time an applicant expresses an interest in a property they will be reminded of the property's individual eligibility criteria. Expressions of interest from applicants will only count if they can match all the requirements in the advert. When expressing an interest in a property the applicant will be asked to confirm their contact details to ensure they are up to date.

Properties will be advertised daily on a weekly cycle. If an applicant's expression of interest for a property is successful they will be contacted within three working days, by telephone or in writing, depending on the applicant's communication choice, by a member of the Choice Based Lettings team. It is important therefore that your contact details are kept up to date on the register in order that officers can contact you by telephone/writing or you risk an offer being withdrawn.

3.3 Offers of accommodation

Applicants will be advised of an offer of accommodation by a member of the Choice Based Lettings team and applicants will be advised if the property is currently still occupied, if the property is being repaired or if the property is ready to let.

In all circumstances and where appropriate applicants housing officers will make contact for a viewing of the property.

When the property is ready to let the applicants Tenancy Management Officer will contact the applicant.

4. **Pending Status**

4.1 Further investigation of applications made

If an applicant's housing need falls under certain categories, their application will become 'pending'. This allows the Choice Based Letting team to further investigate their application before making a final banding decision. Applicants who may experience this include:

- Members or former members of the Armed Forces
- Those who require accessible adapted accommodation
- Those who have indicated rent arrears or previous unacceptable behaviour
- Those applicants needing to move urgently on hardship grounds. Priority at this level will only be awarded if the current situation is so significant that it will cause considerable hardship to the applicant or to others
- Those deemed as being severely, statutorily overcrowded. NBBC will determine over-crowding after considering best use of the rooms available to the household and whether the applicant has deliberately worsened their own circumstances
- Applicants who are in short-term supported housing and are required to move on to alternative accommodation urgently. Confirmation of these circumstances will be required from the organisation providing the supported accommodation
- Families forced to live apart (where they have previously lived together) except where it could reasonably be expected for both parents to live in either of the homes that they occupy

5. **Accessible Properties for applicants with Disabilities**

5.1 Applicants with disabilities

Accessible properties are homes which have been designed for, or significantly adapted to meet the needs of, applicants with physical or sensory disabilities.

Applicants with an assessed need for accessible accommodation will be given priority over other applicants who are in the same band rating who do not have need for accessible accommodation. The property advert will make this clear. The advert will also describe the accessible features, together with local neighbourhood information, to help customers choose whether to express an interest in that property or not.

In selecting an applicant for an accessible property from the short-list of qualifying applicants, the full circumstances of each case will be considered before deciding who will be offered the property. In some circumstances priority may be given outside of date order if the vacancy is particularly suitable for the needs of an applicant.

On occasions the Authority may seek the assistance of an occupational therapist for guidance of property suitability. Applicants will be advised if this is a requirement and the reasons why by the Choice Based Lettings team. Where required, the occupational therapist / housing assessment officer will either be requested to accompany the applicant to view a property to ensure that the property is suitable for the applicant's needs, or be asked for professional advice to support the Authority with the allocation process.

Applicants with an existing Occupational Therapist will need to liaise with the Choice Based Lettings team to organise an accompanied viewing or to seek advice. An allocation will not routinely be awarded unless the property is deemed suitable for the applicants needs with minor adjustments. Allocations requiring major adaptations will be assessed on an individual basis and the availability of adaptable homes.

Applicants in this category can also express an interest in properties which do not have accessible features. However, if they are short-listed during the selection stage, NBBC will assess whether it is reasonable and practicable for the property to be adapted. These applicants will be considered for the property on the same basis as the other applicants who have submitted an expression of interest.

6. Home Visits

6.1 Home visit to access applicant's household need

Home visits may be carried out to assess some applications where appropriate. A home visit can enable a landlord to better understand an applicant's individual circumstances, ensure the correct category has been given to their application and give advice about how their housing needs can be met. If a home visit is deemed necessary, NBBC or the Housing Association, will inform the applicant directly.

7. Change of Circumstances

7.1 Applicants circumstance changes

Applicants who move to a new address or whose circumstances change after they have been accepted onto the Housing Register (e.g. someone joining or leaving their household) should immediately update their application. This can be done via the website. Failure to do so could result in their application being rejected.

If the change of circumstances affects the applicant's banding priority, the outcome of the applicant's reassessment will be sent to them via email.

8. Housing Register Review

8.1 Annual Review of housing applications

A review of all applications on the Housing register will be administered every 12 months. This review will ask applicants if they wish to remain on the register, if so applicants will be asked to log into their application and tick the appropriate box, to advise that they wish to remain on the register.

On the 12 month anniversary of registration an email or letter will be triggered, depending on the applicant's communication method. The applicant will be asked to confirm whether they still wish to remain on the Housing Register or not. The email/letter will ask the applicant to login within 28 days, to tick the box to advise they wish to remain. If, after this period of time, the applicant has failed to log in as requested, their application will be deleted and the applicant's status with NBBC will be set to "cancelled" and removed from the Housing Register.

If applicants have any difficulties with the system, they are advised to contact NBBC for assistance.

9. Cancelling Applications

9.1 NBBC Cancelling Applications

Applications will only be cancelled (and removed from the Housing Register) in the following circumstances:

- A request has been received from the applicant (or via their advocate) in writing
- The applicant has been re-housed
- Notification has been received from an executor or personal representative that the applicant is deceased and s/he was the sole applicant
- It is discovered that the applicant has given false or misleading information in their application
- Evidence is obtained that the applicant is no longer eligible

- If information requested remains outstanding after exceeding the timescale date of the email/letter being sent to the applicant requesting the information

Applicants will be notified by email/letter, depending on the applicant's communication method, of the reason(s) why their application has been cancelled and informed of their right to request a review of the decision.

Should an applicant whose application has been cancelled wish to re-join the register they will receive a new effective date.

Section Four

Reasonable and Additional preference

1. Reasonable Preference and Additional Preference

NBBC will give 'reasonable preference' and 'additional preference' to certain applicants as outlined in the Housing Act 1996

1.1 Housing Need (Reasonable Preference)

The reasonable preference categories as set out in s167 (2) of the Housing Act 1996 and the Homelessness Act 2002 are detailed below. The NBBC letting scheme places applicants who meet this criteria into Band 1 or 2

- Applicants who have been accepted by the Local Authority of owing a Prevention or Relief Duty. This band will only be awarded where all of the qualification criteria of the policy is met
- Applicants occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- Applicants who need to move on medical or welfare grounds, including grounds relating to a disability
- Applicant who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship(to themselves or others)
- Applicants with succession rights to a council property or No Succession Rights who are 'Left in Occupation' where it has been determined that a suitable alternative property is required

1.2 Exceptional Housing Need (Additional Preference)

The Housing Act 1996 allows those applicant that have high needs to be awarded additional preference. Applicants must meet a reasonable preference category to be considered for 'additional preference'. The additional preference categories are:-

- Those who need to move urgently because of a life threatening illness or sudden disability
- Families in severe overcrowding which poses a serious health hazard

- Those who have been accepted as homeless and are owed a full housing duty in accordance with the Homeless Reduction Act
- Tenants releasing under occupied properties
- Member of the Armed and Reserve Forces
- Members of the Armed Forces and former Service personnel, where the application is made within five years of discharge
- Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained because of their service

Domestic Abuse

- NBBC are committed to ensuring the safety of its tenants, leaseholders and applicants who wish to apply for housing.
- The Council believes that all forms of domestic abuse are unacceptable as detailed in the Domestic Abuse Policy which sets-out not only the Council's responsibilities under the Domestic Abuse Act 2021, but what further action the Council will take to support domestic abuse victims and their families in partnerships with other agencies.
- Victims of domestic abuse or threats of domestic abuse, or escaping domestic abuse or harm, will be exempt from local connection requirements and other requirements of the Housing Allocation Policy as defined in the Domestic Abuse Act 2021, as will those who have sought a place of safety in a refuge or other form of temporary accommodation in the Local Authority area.
- NBBC have a dedicated Domestic Abuse Co-ordinator to support customers and work with partners to deliver the requirements of the Domestic Abuse Act 2021.

Section Five Banding

1. Banding

1.1 The banding process

There are 4 priority bands that an applicant can be placed into. Each question on the application will be weighted so the system is able to determine housing need.

The four bands are:

- Band 1+ - Highest need with additional preference for re-housing
- Band 1 - Urgent need for re-housing
- Band 2 - Priority need for re-housing with no statutory duty
- Band 3 - Low need for re-housing with no statutory duty

The bands described above also refer to different levels of High, Medium and Low, Medical/Welfare and Hardship. In each case evidence will be required to support each applicant's case.

Medical - The information received will need to indicate that a move will benefit the health of the applicant or their household for medical priority to be awarded.

When determining the level of medical need, an applicant will be assessed to consider whether the provision of adaptations in their existing accommodation as an alternative will assist with improving their housing circumstances.

Welfare - Applicants with care or support needs, or other social needs, may need to move to alternative accommodation on welfare grounds. For priority to be awarded on welfare grounds evidence will be required to support the case; this could be from the police, social services or other professional agencies involved with the applicant.

Hardship – Applicants need to move to a specific locality in order to give or receive care, be able to access specialised medical treatment or take up particular education, employment or training opportunity in a particular Local Authority district, and/or applicants who have specific financial hardship related to their housing.

1.2 The Bands in More Detail

1.2.1

Band 1+	
This is the highest priority band. Applicants in the following circumstances will be placed in this band:	
Additional Preference	<p>Applicants assessed as having a priority and an additional preference</p> <ul style="list-style-type: none"> • Those who need to move urgently because of a life threatening illness or sudden disability. • Families in severe overcrowding which poses a serious health hazard. • Those who are homeless and require urgent re-housing as a result of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic violence. • Those who have been accepted as homeless and are owed a full housing duty as described in the Homeless Reduction act • Tenants Releasing Under Occupied properties • Member of the Armed and Reserve Forces

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1.2.2

Band 1	
<p>This banding is for applicants who are deemed to have an urgent need for re-housing. Applicants in the following circumstances are deemed to have an urgent need:</p>	
Homeless	Applicants assessed as homeless under the Prevention or Relief duty of the Homeless Reduction Act. Applicants must meet the qualification criteria of the policy to be eligible.
Emergency	Applicants who are required to leave their homes as a result of an emergency Prohibition Order served in relation to the premises under the Housing Act 2004. This will also apply to applicants affected by any regeneration schemes
Overcrowded	Applicants who are overcrowded because their present home is short of at least 3 bedrooms.
Harassment or Violence	In circumstances of serious harassment or violence, evidence will be required to support the case.
Housing Conditions	Applicants living in unsafe or unsanitary housing conditions (as defined by the Housing Health and Safety Rating System (HHSRS)) where there is a high risk of harm.
Left in Occupation of a Council Tenancy	Applicants with succession rights to a council property or No Succession Rights who are 'Left in Occupation' where it has been determined that a suitable alternative property is required
High Hardship Need	<p>Where an applicant needs to move as their current situation is causing significant hardship to the applicant or to others of which could relate to:-</p> <p>Giving or receiving care, being able to access specialised medical treatment.</p> <p>Specific financial hardship related to their housing need will be required to provide evidence to support their case.</p>
High Welfare Need	<p>Where an applicant needs to move as their current situation is causing a significant impact of the wellbeing of the applicants.</p> <p>Where there is a life threatening situation developing if the applicant is not re-housed from their existing neighbourhood.</p>

	<p>There is evidence of a dangerous and unsafe physical environment.</p> <p>There is clear evidence that there would be significant health improvement if re-housed</p> <p>An applicant with a high degree of vulnerability and their housing situation is having an effect on their quality of life.</p>
High Medical Need	<p>Where applicants are unable to continue to occupy their current accommodation due to a significant high need or disability.</p> <p>Where the illness is likely to seriously deteriorate, become life threatening or it is no longer reasonable for the applicant or household member to stay in the present accommodation.</p> <p>Where the accommodation is causing an increasingly detrimental effect on their mental illness. As a result there is in an inability to cope.</p> <p>When there is a high risk of or actual breakdown.</p> <p>When moving is essential to avoid loss of life.</p>
Occupants of Supported Housing	Where ready for 'Move On', as per the Warwickshire Move On Protocol.

1.2.3

<p>Band 2</p> <p>Applicants in the following circumstances are deemed to have a priority need for re-housing with no statutory duty</p>	
Homeless	Applicants who are assessed as homeless or threatened with homelessness but where there is no statutory duty to provide housing.
Overcrowded	Applicants who are overcrowded because their present home is short of at least 2 bedrooms.
Sharing facilities	Applicants who have to share facilities with more than one household. A household is defined as an applicant or somebody who normally resides with them and it is deemed reasonable that they would continue to live with them.
Living Apart	Applicants who have no permanent address and have to move between family and friends

Medium Hardship Need	Take up particular education, employment or training opportunities in a particular Local Authority district
Medium Medical Need	<p>When change of property would significantly improve the applicant's or household member's illness or disability.</p> <p>Where the illness is likely to deteriorate, it is no longer reasonable for the applicant or household member to stay in the present accommodation.</p> <p>Where the accommodation is causing a detrimental effect on their mental illness and a change of property would assist.</p>
Medium Welfare Need	<p>Where the current accommodation may be one of the causes of stress/distress to the applicant or household member.</p> <p>Where there are concerns that the type of property and surroundings are affecting the situation and a change in property would significantly improve this</p> <p>Where the applicant or a member of the household is experiencing difficulties within the household that is affecting the wellbeing of the applicant or a household member.</p>

1.2.4

Band 3

Applicants in the following circumstances are deemed low priority with no statutory duty:

Overcrowded	Applicants who are overcrowded because their present home is short of 1 bedroom.
Single applicants low housing need	Single applicants who have always resided at their parental home and have low housing need
Low Hardship Need	Applicants who needs to move to a particular area due to a low need of supporting a vulnerable relative.
Low Medical Need	Where there is some concern about physical safety, and re-housing may improve health, and a change in property would moderately improve the health of the applicant or household member

	Where there is some concern that the type of property and surroundings may affect illness and the applicant may need assistance from other agencies. A change of property would moderately improve this.
Low Welfare Need	Where there is some concern that the current accommodation contributes to social isolation, restricts independence and re-housing may be required to prevent deterioration in health

2 Further Information about Certain Categories

2.1 Homeless Applicants

All Local Authorities have a legal duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) and the Homeless Reduction Act 2017 to ensure that homeless applicants owed a full housing duty are provided with suitable accommodation. Applicants meeting this criteria will be placed into band 1+.

The Housing Solutions team will express an interest on the behalf of homeless applicants on all 'suitable' properties that become available. NBBC will not advertise 50% of our general purpose stock, this stock will be directly matched to a family or individual, that is currently homeless, and occupying emergency temporary accommodation, this will assist the council to fulfil its duties under the Homeless Reduction Act 2017. Only one offer of suitable accommodation will be allocated per homeless applicant.

When acknowledged as being homeless, the applicant's acceptance letter will provide any exemptions to this e.g. to be housed in Nuneaton only, Bedworth only or not to be housed in a specific area for a reason that is supported and evidenced by the Housing Solutions Officer before determining the homeless case.

NBBC will work with all applicants who are in the Prevention or Relief stage of the Homeless Reduction Act to provide them with assistance and options appropriate to their individual situation in accordance with their personal housing plan.

Please note: Where the Authority owes a statutory duty under the Homelessness Legislation, certain criteria within the Allocations Policy may be waived and applicants may be placed within the additional preference category.

Alternatively applicants could be exempt from the additional preference category and given a reduced preference.

All cases will be referred to either the Strategic Housing Services Manager or the Housing Solutions Manager for authorisation. All of the facts, including documentary information will be considered before deciding if the criteria is to

be waived or if an exemption is reasonable. For example, in terms of an exemption, applicants with rent arrears will need to provide clear information about the reasons for the rent debt explaining the steps they have taken to address the issue.

Where authorisation is not granted the application will be given a reduced preference for a sufficient time to give applicants the opportunity to address the issue. For example applicants with former tenant rent arrears will need to reduce the arrears.

2.2 Serious Harassment or Violence

In circumstances of serious harassment or violence, evidence will be required to support the case. An investigation will be carried out in conjunction with other agencies as appropriate. Examples of serious harassment or violence include, but are not limited to:

- An applicant suffering domestic abuse from a partner, former partner or relative with whom they currently reside and for whom the use of an injunction or other form of legal action may not be appropriate
- An applicant suffering serious harassment and legal remedies are not working or are inappropriate. Harassment implies a degree of deliberate intent with some underlying motive and can be distinguished from neighbour disputes or nuisance

2.3 No Priority

No award will be given if the:

- stress/illness will not be improved by re-housing
- interruption is of a temporary nature
- existing property is adapted to meet the needs of the applicant/ family members or further adaptations are required and are practical
- the applicant is adequately housed

Section Six

Allocation of Properties

1. Allocation of Properties

1.1 Application Shortlist

Once the deadline of the advertising cycle has been reached, and before the properties are allocated, a short list of applicants is created for each property

Expressions of interest in a property are shortlisted in a number of ways:

- **Banding** - Expressions of interest on a property are sorted by order of priority, with Band 1+ coming top of the list as this banding represents those applicants in highest housing need, followed by band 1, band 2 and finally applicants in band 3.
- **Application Date** - If two or more applicants within the same band have expressed an interest in the same property for which they qualify, their application date, or the date they entered their current band, will be used to determine the higher priority. In the rare instance that the band date is the same, whichever applicant expressed an interest in the property first will be successful.
- **Assessed Housing Need** - Where properties are targeted at specific people, they will be advertised as such and those applicants with assessed need for that type of accommodation e.g. accessible accommodation for people with disabilities or new build properties where certain eligibility rules apply under special Planning requirements (Section 106 Agreements) will be given priority over those applicants without an assessed need.
- **Local Connection Criteria** - Local Connection Criteria, as outlined in section two will also be taken into consideration when prioritising applicants.

If an applicant is positioned first for more than one property, and provided the eligibility criteria are met, they will be contacted to make a decision about which property they wish to accept.

1.2 Best Use of Stock

Accommodation will normally be offered according to an applicant's needs. All properties will be clearly labelled in a way that provides as much information as possible to show who is allowed to apply for the property concerned – for example by indicating family size or age of applicant. Properties will be allocated in a way that makes the best use of the housing stock.

1.2.1 Best use of housing stock criteria:

- One bedroom for each adult or couple, who live together as a 'household' or family unit. Two adults in the same property who are not a couple will be allowed a bedroom each
- A child under the age of 16 will be expected to share with another child of same sex, while children under the age of 10 will be expected to share with other children regardless of sex
- A bedroom will be allowed for a non-resident carer where it is proven that they provide overnight care to a person with a disability and need a bedroom to deliver the care
- Independent Living accommodation will be allocated to applicants aged 55 or over (50 to 55 with high needs).
- Bedsits will be allocated to single people only
- Ground floor accommodation will be allocated in the first instance to applicants with a medical priority
- An expected child is included once the applicant is over 24 weeks pregnant unless the applicant falls under an Additional Preference category

Where an applicant does not meet the criteria outlined, they will not be considered for the property. In certain circumstances NBBC reserves the right to modify the criteria at their discretion particularly where enforcing the criteria would result in unfairness to the particular applicant or other applicants generally. For example, the size of the bedrooms in a property and the relationship between those sharing a bedroom may be taken into account as well as the sex of the children when carrying out an overcrowding/bedroom shortage assessment.

The Council recognise that there may be exceptional circumstances where it becomes necessary to reconsider the criteria in the case of individual applicants who would not normally qualify.

The Council may reconsider the qualification of individuals in extreme exceptional circumstances, where there is a threat to life, no other housing options are available for homeless applicants where all prevention and relief options have been exhausted.

In addition for extremely vulnerable homeless applicant's to move from a temporary tenancy to an introductory tenancy. In this circumstance to meet this urgent housing need, the property concerned will be allocated outside of the Lettings Policy and will be authorised by the Housing Solutions Manager.

1.3 Succession Rights and 'Left In' Occupation

For new tenancies that began after the 1st April 2012, the succession rights have changed for tenants. Under the new regulations only a spouse or partner can succeed to a tenancy after the death of a tenant. For all other tenancies which started before 1st April 2012 succession rights remain the same.

When a tenant has succeeded to a tenancy, but the property is more extensive than they need, the tenant may be asked to move to more suitable accommodation.

In these circumstances, a reasonable alternative housing offer will be made. If this offer is not accepted, possession of the property may be sought through the Court.

No Succession Rights and 'Left in Occupation

When an applicant does not have a right to succeed to a tenancy but is left in occupation on the death of the tenant, NBBC may consider whether the applicant:

- Has been living with the tenant for 12 months before the tenants' death as his or her main and only accommodation

OR

- Has accepted responsibility for the tenants' dependants and therefore requires occupation of this property in order to comply with their legal guardianship of the deceased's dependants

Depending on the applicant's circumstances, NBBC may consider granting a tenancy to the remaining person or persons. This could be either in the same home or in suitable alternative accommodation.

Applicants must be able to evidence that they have lived in the property for a minimum of 12 months using the property as their main and principal home.

Applicants who have not lived in the in property for 12 months must be able to evidence that they used the property as their main and principal home to give care and support.

Each case will be investigated by the Housing Management Team.

If the applicant is to be allocated another property, the applicant will be awarded a reasonable preference and one reasonable offer only may be made. If that offer is refused, possession of their current residence may be sought through the Court.

1.4 Access to Children

For those applicants who require an additional bedroom for access purposes, appropriate information to verify these circumstances will be required.

Examples of suitable documentation include (but are not limited to) a copy of the Court Order, if one is in place, or a Residency Order and proof of Child Benefit. Each case will be assessed on an individual basis.

If an applicant has regular access to their children but there is an arrangement for them to live mainly elsewhere, they will be able to express an interest in properties that are advertised, but preference will be given to applicants with children who are permanently living with an applicant.

It should be noted that Housing Associations who provide nomination rights to the Council may not allow applicants with access to children an extra bedroom. Advice with regard to welfare benefit entitlements will be given before applicants are selected for properties where they may be deemed to have a spare bedroom.

1.5 Local Lettings Policies

From time to time NBBC may agree a Local Lettings Policy for specific areas or developments in order to reflect local circumstances. Any such policy will have regard to considerations such as the social mix, density, and age and community stability of the area. Any such policy will be time limited, but during that time properties may be let to applicants outside the normal rules for priority and banding included in this policy.

1.6 New Affordable Housing Developments

The Local Lettings plan for new builds confirms the process by which the Council's new build properties, and those of partner Registered Providers will be allocated. Applicants will be able to use the Council's Choice Based Lettings system to register as normal and become LIVE applicants, banded according to their housing need in line with the current Housing Allocations Policy. At the point of advert however, reference to this Local Letting Plan divide the allocation of the properties by the following percentages:-

1) 40% of units will be advertised for those applicants that are currently Council or Housing Association tenants needing to upsize, or downsize, according to their housing needs. (Transferring tenants)

2)30% of units will be advertised for those applicants registered in Band 1+

3) 30% of units will be advertised for those in bands 1 to 3 (inclusive)

1.7 Support for Vulnerable Applicants

NBBC will ensure that vulnerable applicants are able to access the scheme. When a vulnerable applicant is identified, every effort will be made to assist and support them through the application process. Some applicants will require or request support and assistance with accessing information about available properties, expressing an interest or making a decision about an offered property. In all cases the level and type of support required will be decided on an individual basis. In some cases however, NBBC may have to use specialist staff to express an interest on their behalf.

A number of measures will be put in place to ensure that vulnerable applicants are not disadvantaged for example through:

- Providing appropriate advice and assistance
- Providing information in other formats
- Partnership working with support agencies
- Translating key documents
- Ensuring appropriate support is available for applicants using the system

NBBC would like applicants, whatever their background or presumed ability, to become active participants in the choice based lettings process. However, NBBC recognises that in limited circumstances it may be necessary to place certain vulnerable applicants outside of this process, and to allocate properties to them.

1.8 Viewing Properties and Receiving Offers

When an applicant is offered a property, NBBC will contact the applicant to request any outstanding documentary evidence required for an offer. Applicants will be contacted by the telephone number and email address provided on their application. If the Choice Based Lettings team are unable to make contact within a three working day period the potential offer will be withdrawn. It is the applicant's responsibility to be available for any potential offers and advise the Choice Based Lettings team of any unavailability.

Once the applicant has been formally offered a property, they will have the opportunity to view the accommodation with a Housing Officer before signing for the tenancy. For Independent Living accommodation the Independent Living Officer will show the applicant around the property.

The Housing Officer will make contact by the telephone number and email address provided on their application to view the property before signing for the tenancy. If the Housing Officer is unable to make contact within a three working day period the offer will be withdrawn. It is the applicant's responsibility to be available for any viewings/offers and advise the Choice Based Lettings team of any unavailability.

1.9 Mutual Exchange

A mutual exchange is the swapping of homes by two or more council housing tenants without having to go through the housing application and bidding process. In a mutual exchange tenants can not only swap properties but may also step into each other's shoes in respect of the terms and conditions which govern the tenancy.

Council housing tenants can register with HomeSwapper free of charge to search for a mutual exchange

HomeSwapper can help you to swap your council or housing association home with other social housing tenants (secure tenants only).

You can add your mutual exchange to the website, it is quick and easy. Your advert will be seen by thousands of people that use the website to arrange a Council house swap.

1.10 Independent Living Accommodation

The following criteria explains the eligibility criteria for applicants who wish to express an interest in Independent Living Accommodation.

Independent Living Accommodation aims to give our tenants, security of tenure, support to enable them to remain independent in their own home for as long as possible, time to listen to views, concerns and questions, dignity, respect and excellent customer care

All properties are linked to the Councils control centre to provide 24 hours, 7 days a week, 365 days a year emergency cover.

Properties are allocated to applicants aged 55 or over with a low, medium or high, welfare, medical and hardship need and to those aged 50-55 with a very high, welfare, medical or hardship need. A full explanation is available in the, Bands in More Detail Section, below is a summary:-

Medical Grounds

Evidence will need to be provided to understand how a move from the applicants' current accommodation will assist with their housing need. Priority may be awarded as High, Medium or Low the evidence received should advise how the move will directly benefit the health of the customer or their household.

Welfare Grounds

Evidence will need to be provided to understand how a move from the applicants' current accommodation will assist with care or support needs. Priority may be awarded as High, Medium or Low depending on if the

evidence received will assist with care or the support needs of the customer or their household.

Hardship Grounds

Evidence will need to be provided to understand how a move from that applicants' specific locality will improve hardship or in order to give or receive care or take up particular education, employment or training in a particular Local Authority district.

Applying for properties

Once your need level has been established you will be awarded a band on the system which will enable you to express an interest in properties. If applicants need any further assistance on how to express an interest, please contact a member of the Choice Based Lettings Team.

Pets

All tenants must request permission before bringing a pet into their home. This generally relates to cats and dogs as they have the potential to have an impact on the scheme. Generally independent living accommodation cannot cater for pets such as cats and dogs.

The only exception to this is where a resident has an 'assistance' dog, or where a bungalow has a completely enclosed rear garden.

Under no circumstances will permission be granted where the pet poses a potential risk or threat to other tenants, staff or visitors to the scheme. Permission will always be refused for animals that are restricted by law, for example under the Dangerous Dogs Act and the Protected Species Acts.

Exclusion due to unacceptable behaviour

When deciding whether an applicant is eligible for Independent Living Accommodation, NBBC will consider the behaviour of not only the applicant but also that of the other members of their household. NBBC may decide that an applicant should be treated as ineligible for independent living housing. A decision letter will be given in writing advising of the applicant's rights to appeal this decision. It will also advise if the applicant qualifies for our general purpose stock or if the applicant is not eligible for housing.

1.11 Reviews

Applicants have the right to request a review of decisions made in the allocation process.

The applicant's request for a review of the decision must be made within 21 days of the date on their decision letter. The applicant should provide

supporting evidence if necessary, and explain why they require a review of the original decision.

An independent Senior Officer will investigate the review (this Officer will not have been involved in the original decision making process). The Officer will consider the evidence provided and decide whether to overturn or support the original decision. The applicant will be informed **in writing** within 8 weeks of the day the review request was received. The reply will contain the decision made, the reasons for the decision and the facts taken into account when making the decision.

Whenever necessary, the Local Authority will also communicate with applicants via other means, such as email, telephone/videotelephone, letter/leaflet or in-person.

There is no further right of appeal if the applicant is not satisfied with the decision on review. Any further challenge would have to be through the Courts by way of Judicial Review or by taking their case to the Local Government Ombudsman.

1.10 Making a Complaint

If an applicant is dissatisfied with any aspect of the way in which their application for housing is dealt with they should contact NBBC. All applicants who make a complaint will be treated fairly, objectively and in line with NBBC's Complaints Policy. A reply to the complaint should be received **in writing** within 10 working days.

Whenever necessary, the Local Authority will also communicate with applicants via other means, such as email, telephone/videotelephone, letter/leaflet or in-person.

Applicants should seek their own legal advice if they are dissatisfied with any decision made by the authority in relation to an application made under this Scheme. If an applicant is dissatisfied with how their application and any subsequent complaint has been handled by the Local Authority, they will be informed of their right to make a claim of maladministration to the Local Government & Social Care Ombudsman.