



To: Executive Councillor for Housing: Councillor Kevin Price

Report by: Alan Carter

Relevant scrutiny committee: Housing Scrutiny Committee 24/9/2015

Wards affected: Abbey Arbury Castle Cherry Hinton Coleridge East Chesterton King's Hedges Market Newnham Petersfield Queen Edith's Romsey Trumpington West Chesterton

LETTINGS POLICY REVIEW

Key Decision

1. Executive summary

The purpose of this report is to explain, and seek approval for proposed revisions to the Council's Lettings Policy. The policy was last reviewed by Community Services Scrutiny Committee in January 2013 following guidance issued by the Department of Communities and Local Government.

Aside from recent guidance to ensure that certain applicants who are seeking or gaining employment in an authority's district are not denied access to the register (*Right to Move: statutory guidance on social housing allocations for local housing authorities in England*), the current policy review is stimulated more by the need to reflect on how the policy is working in practice since the 2013 review. There is also a need to re-evaluate whether housing need in a district with high housing demand relative to supply, is being fairly reflected by the policy.

2. Recommendations

The Executive Councillor is recommended:

- 1) To approve the draft Lettings Policy set out at Appendix 3
- 2) To grant delegated authority to the Head of Strategic Housing, in consultation with the Executive Councillor for Housing, Chair and Opposition Spokesperson, to approve further changes to the policy, if required, in the light of the High Court judgement outlined in 3.7 of this report
- 3) To approve these changes as effective from 1st April 2016

3. Background

- 3.1 The Council is one of 7 local authority partners in the sub-regional choice based lettings system, Home-Link. If one or more local authorities submit proposals to change their lettings policy the process for doing this is governed by the Home-Link Partnership Guide.
- 3.2 The Home-Link Partnership Guide states that 'Each Local Authority has its own Lettings Policy and is responsible for implementing any changes to that policy. Many elements of the policy have been agreed across the sub-region. Those elements cannot be amended in any allocation policy without agreement sub-regionally by the Home-Link Management Board.

These areas include:

- Eligibility criteria
 - The banding structure and assessment of need
 - Local connection criteria
 - Sub-regional allocations
 - Intentionally worsening housing circumstances
 - Registration date and date in band definitions
 - The shortlisting process'
- 3.3 Authorities can make 'local changes to its own policy without reference to other local authority partners as long as they do not fall under one of the categories outlined in 3.2 above. Appendix 1 provides clarification on which changes required sub-regional approval.
- 3.4 The proposed changes to the Lettings Policy outlined in this report have already been approved by the Home-Link Management Board and each local authority is responsible for taking these changes through its own approvals process.
- 3.5 A detailed list of the changes is contained at appendix 1, the existing policy is at appendix 2 and a full, clean copy of the revised policy can be found at appendix 3.
- 3.6 The most significant amendments to the policy are as follows:
- i. When applicants, who are seeking to join the register, include on their application as members of their household people who are not eligible for an allocation of social housing in their own right because they are subject to immigration control the Council will, taking into account the individual circumstances of each case, decide whether the ineligible

person forms part of the applicant's household for the purposes of housing allocation. Paragraph 3.1.3 of the draft policy sets out matters that the Council can take into account. This proposal has been made because allowing housing applicants to add these individuals may favourably affect the priority the Council would give them and the number of bedrooms they would be entitled to and, it is felt that this is fair and reasonable given that housing is in short supply in the district.

- ii. The Council has provision in its policy to ensure that housing applicants who have intentionally made their own circumstances worse should not get additional priority as a result. We are proposing to change the policy slightly to ensure that applicants do not need to have known the policy before taking the action that 'worsened their circumstances'.
- iii. The Council has proposed that housing applicants in the highest priority group (band A) may be prevented from bidding for up to 6 months if they refuse 3 reasonable offers of accommodation or make little or no attempt to bid for accommodation. This change is recommended because band A is considered to be an 'urgent' housing status and regular refusal of accommodation offers or failing to bid may call this into question. This provision would be at the discretion of the Council and not automatic and would only be applied if the refusals or failure to bid evidenced a change in assessed needs. The Council would consider the circumstances of each refusal of accommodation.
- iv. There is a proposal within the revised lettings policy to prioritise people who are in band A and are terminally ill above all others in band A and give them an 'emergency status'. This is because the date a banding priority is awarded determines which bid for accommodation finishes highest. People who are terminally ill do not have the luxury of time to wait for their priority date to become a significant factor in the bidding process.
- v. The Council is also proposing to award 'emergency status' (see explanation in the previous proposed change) or make direct offers of accommodation to Council tenants who are losing their homes because the Council wishes to redevelop the houses where they live.

The Council needs to rehouse people affected by redevelopments quickly so that the costs of improving such housing schemes are minimised.

- vi. The Council wants to minimise expenditure on the temporary accommodation it provides to housing applicants who are homeless. Under the existing policy the Council has to wait 3 months before making direct offers of accommodation to homeless applicants it has a duty to house. This change would mean that a direct let could be offered as soon as a duty is accepted. It would, however, mean that homeless applicants would have a shorter period of choice to bid for accommodation but will reduce the overall cost of temporary accommodation.
- 3.7 In addition to the key changes outlined in 3.6 officers have made additional changes to the policy based on the findings of R (on the Application of HA) v London Borough of Ealing (28th/29th July 2015) <http://www.bailii.org/ew/cases/EWHC/Admin/2015/2375.html> , which has implications for local authorities applying residence criteria in considering whether applicants can join the register. Accordingly, there are additional categories added at 3.3.1 (i), (j) and (k) in the new policy submitted for approval at appendix 3. These additional criteria reflect the examples of special circumstances given in the Statutory Guidance “Providing social housing for local people” An additional statement confirming that the Council will have regard to the need to safeguard and promote the welfare of children in applying the Lettings Policy has also been included at 1.6. As this is a very recent piece of case law Legal Services and the Home-Link partnership will be continuing to assess whether further changes are required.
- 3.8 The revised policy, if approved, will apply to all applicants including those already on the housing register.

4. Consultation

- 4.1 The responses to the consultation are set out in Appendix 4. Following consideration of the consultation responses the following further amendments are recommended:

Paragraph 3.1.3 – add the words “The Council will consider each application individually”

Paragraph 4.14.1 (d) add the words “where the applicant has refused more than three reasonable offers of accommodation or made little or no attempt to bid for accommodation and following review, the Council considers that there has been a change in assessed need.

The Council will have regard to the circumstances of each refusal of accommodation.”

5. Implications

(a) Financial Implications

There are no direct financial implications arising from the proposed changes. However, amendments to the policy for making offers to homeless households to whom the Council owes a statutory duty will reduce temporary accommodation costs incurred by the Council. This assumes statutory homelessness demand remains static.

Changes to the policy for residents affected by Council redevelopments should save the Council money by ensuring that sites become empty at an earlier stage, thus reducing redevelopment costs.

(b) Staffing Implications (if not covered in Consultations Section)

There are no staffing implications

(c) Equality and Poverty Implications

An Equality Impact Assessment has been completed and is attached as Appendix 5

The Council must have due regard to:

- the need to eliminate discrimination, harassment, victimisation or any other conduct that is prohibited by or under the Equality Act 2010
- the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

This may involve treating some people more favourably than others, but that is not to be taken as permitting conduct that would otherwise be prohibited by or under the Equality Act 2010

The Council must also have due regard to the need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This includes having due regard to the need to tackle prejudice and to promote understanding.

(d) Environmental Implications

Nil

(e) Procurement

None

(f) Consultation and communication

Local authorities and registered providers (RPs) who sit on the Home-Link Operations Group and Home-Link Management Board (HLMB) have been fully consulted on the changes outlined in appendix 1 and HLMB approved these changes at its meeting on 11th June 2015.

Other RPs, housing applicants, the wider public and key homelessness strategy delivery partners have been consulted on the significant changes outlined in 3.6 above. A summary of the responses to the consultation is contained at appendix 4

(g) Community Safety

None

5. Background papers

These background papers were used in the preparation of this report:

R (on the Application of HA) v London Borough of Ealing (28th/29th July 2015)

<http://www.bailii.org/ew/cases/EWHC/Admin/2015/2375.html>

6. Appendices

Appendix 1 – Summary of all Lettings Policy changes

Appendix 2 – Current Lettings Policy

Appendix 3 – Revised Lettings Policy
Appendix 4 – Consultation response summary
Appendix 5 – Equality Impact Assessment

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Author's Name:	David Greening
Author's Phone Number:	01223 - 457997
Author's Email:	david.greening@cambridge.gov.uk

This page is intentionally left blank

Appendix 1 Cambridge City Council – proposed Lettings Policy changes

Relevant paragraph	Issue and rationale for change	Requires sub-regional approval* y/n	If yes, on what basis	HLMB approval granted? y/n
1.2a and throughout the document	To 'future proof' the document the policy will just refer to the Housing Act (1996) as amended and not cite specific Acts such as Homelessness Act 2002 or Localism Act 2011)	No		n/a
2.1.3	The policy is not explicit about who the applicant is. This is relevant in terms of decisions on who whether to disqualify an applicant from the register or place them in low housing need	No		n/a
2.1.3	The term 'nuclear families' is a bit restrictive and does not include single parents so the wording needs to change to reflect this	Yes	2.1.3 is relevant to the shortlisting process	Keep 'friends' in the section as it can be useful to consider sharers for hard to let properties. Cambridge can remove the reference to 'nuclear families' as not all partners have this
2.1.5a	'Future proof' change – removal of reference to	No		n/a

Relevant paragraph	Issue and rationale for change	Requires sub-regional approval* y/n	If yes, on what basis	HLMB approval granted? y/n
	the specific Act			
2.1.5b	Qualification is for social housing specifically	No		n/a
2.1.6	Wording required 'tidying'	No		n/a
2.3.1c	Cambridge City's move on allocations from supported housing were not operating under a consistent system. This change allows for greater consistency	No		n/a
3.1 and 3.1.1	Future proofing	No		n/a
3.1.2	Wording required 'tidying'	No		n/a
3.1.3 (please also refer to 3 and 5.4.1)	Flexibility to exclude from the register those who are subject to immigration control, not only as applicants but as household members	Yes	Banding/bedroom requirements	Yes – household eligibility assessment similar to priority need. Important to record the ineligible members on the application though in case the eligible household is re-housed & effectively overcrowds themselves – landlords need to know the information

Relevant paragraph	Issue and rationale for change	Requires sub-regional approval* y/n	If yes, on what basis	HLMB approval granted? y/n
3.3.1h	New wording to take account of the new Right to Move regulations	Yes	Local connection	Yes – needs to be re-worded so understandable to customers.
3.4.1	Closing a loophole to ensure that perpetrators of unacceptable behaviour could get rehoused simply by nominating another household member as the applicant. Also adding in the provision to bar transfer applicants or previous tenants who have allowed their properties to fall into disrepair.	Yes	Qualifying criteria	Yes – suggested re-wording in policy document
3.4.3	Closing the loophole as outlined in 3.4.1 above	Yes	Qualifying criteria	Yes – suggested re-wording in policy document
4.3.1	To reflect Cambridge City's practice on medical assessments	No		n/a
4.4.2	Minor wording improvement	No		n/a

Relevant paragraph	Issue and rationale for change	Requires sub-regional approval* y/n	If yes, on what basis	HLMB approval granted? y/n
4.8 (d)	Wording required tidying	No		n/a
4.10.2 (a)	If debts are not legally 'recoverable' or statute barred (i.e. where no correspondence about the debt has occurred in the last 6 years) then the authority cannot take these into account in allocations either.	Yes	Banding	Yes – re-wording suggestions in policy document
4.10.2 (b)	Closing another loophole around unacceptable behaviour that is not ASB.	Yes	Banding	Yes – re-wording suggestions in policy document
4.10.3	Minor wording change	No		n/a
4.10.4	See explanation for 4.10.2 (a) above	No		n/a
4.11.1	Technical legal point. In order to act deliberately improve your housing priority you need first to be aware of what the housing priority system is. The change would	Yes	Intentionally worsening housing circumstances	Yes – re-wording suggestions in policy document. This needs to apply only to the application/most recent address & also include the situation not just the property, e.g. whether they have taken in lodgers & caused overcrowding

Relevant paragraph	Issue and rationale for change	Requires sub-regional approval* y/n	If yes, on what basis	HLMB approval granted? y/n
	take away the implication that the applicant needed to know this before acting. It makes it a more similar principle to intentional homelessness – the applicant does not need to be aware of the legislation to be found IH			
4.12	New clause – reflecting national guidance on allocating social housing to homeowners	Yes	Assessment of need?	Yes – re-wording suggestions in policy document as reference to ‘social rented housing’ needs changing to include affordable rents
4.14.1	Minor wording improvement	No		n/a
4.14.1 (c) & (d)	Need to include rents as well as property prices in the assessment	Yes	Banding	Yes
4.15.1 (d)	Principle that band A represents ‘urgent need’ and, therefore, introduces the idea	Yes	Banding	Yes – but to go in section 7.8.1 about refusals. Suggested wording about making applicants unable to bid for a

Relevant paragraph	Issue and rationale for change	Requires sub-regional approval* y/n	If yes, on what basis	HLMB approval granted? y/n
	that the urgency and thus banding should be reviewed if applicants are refusing more than 3 offers or not bidding. Applicants can tactically 'clock up' priority date time in this way.			period of time added to policy document. Also a suggestion about 'freezing' waiting time priority while unable to bid but this would be a double penalty
5.1.1	The title at 5 better describes this section. 5.1.1 is, therefore, superfluous	No		n/a
5.4.1	To allow some discretion where it is not reasonable to consider a room as a bedroom e.g. where the room is too small to get a single bed in.	Yes	Banding	Yes – but applicants will need to be advised that LHA calculation may have an impact
5.9.1	Emergency housing status to be awarded to those who are terminally ill (as defined) and in band A as they do not have the luxury of time.	Yes	Banding	Yes

Relevant paragraph	Issue and rationale for change	Requires sub-regional approval* y/n	If yes, on what basis	HLMB approval granted? y/n
5.9.2	The City Council needs to award emergency status to tenants who need to be decanted from designated redevelopment sites. The existing parameters for emergency housing status did not allow this.	Yes	Banding	No – this can be dealt with under the current policy by Cambridge adding this to their ‘urgent transfer’ procedures. Wording changes needed in emergency status section have been added to the policy document
5.10.1 (d)	An alternative way of housing those who need to be decanted	Yes	Assessment of need	Yes
5.10.1 (e)	Where applicants are left in tenancies under Use and Occupation and it is felt it is unreasonable to move them e.g. elderly person who has lived in the property with his/her family for many years but has no succession rights	Yes	Assessment of need	Yes
Section 5.13	New section added to provide for	Yes	Banding	Yes – subject to removing references to emergency decant

Relevant paragraph	Issue and rationale for change	Requires sub-regional approval* y/n	If yes, on what basis	HLMB approval granted? y/n
	redevelopment sites. There is often time pressure to decant the existing scheme because HCA monies to redevelop are time-limited.			status
6.2.3	Sticks with the expressed aim that statutory reviews should be settled within 28 days but allows for an 8 week response time as detailed in guidance.	No		n/a
6.2.4	There is no legal right to appeal a review decision on banding so why are we inviting people to complain? The review should end the conversation.	No		n/a
6.3.2 & 6.3.3	Minor wording amendments	No		n/a
5.11.2 (not yet changed)	Offer homeless applicants a direct let at the point of acceptance and not	No		Yes as this is possible in current policy & some partners already do it. Wording in policy document to include that can

Relevant paragraph	Issue and rationale for change	Requires sub-regional approval* y/n	If yes, on what basis	HLMB approval granted? y/n
	allow a minimum 3 month period of bidding			bid while a direct let is found. Requires amendment to 5.11.2 to say that homeless applicants would need a direct let at the point of acceptance.

*The following is an extract from the Home-Link Partnership Guide, which sets out which proposed changes are subject to sub-regional agreement:

10.1 Changing the Lettings Policy

Each Local Authority has its own Lettings Policy and is responsible for implementing any changes to that policy. Many elements of the policy have been agreed across the sub-region. Those elements cannot be amended in any allocation policy without agreement sub-regionally by the Home-Link Management Board.

These areas include:

- Eligibility criteria
- The banding structure and assessment of need
- Local connection criteria
- Sub-regional allocations
- Intentionally worsening housing circumstances
- Registration date and date in band definitions
- The shortlisting process

This page is intentionally left blank



Cambridge City Council

LETTINGS POLICY

This document sets out how Cambridge City Council, in partnership with Registered Providers (Housing Associations) with properties in the district, will allocate their properties through the
“Home-Link Choice Based Lettings Scheme”

Revised at 1st April 2013

Contents page

Chapter	Contents	Page No.
Chapter 1	Introduction	
	1.1 Introduction	4
	1.2 Objectives of the lettings policy	4
	1.3 Statement on choice	5
	1.4 Legal context	5
	1.5 Equal opportunities and diversity	6
	1.6 Monitoring and reviewing the lettings policy	6
Chapter 2	Applying for housing	
	2.1 How to apply for housing	7
	2.2 Date of registration	7
	2.3 Date in band	8
	2.4 Armed Forces personnel – date in band	8
	2.5 Multiple applications	9
	2.6 Change of circumstances	9
	2.7 Applicant's consent and declaration	9
	2.8 Data protection	9
	2.9 Application review	9
	2.10 Cancelling an application	10
Chapter 3	Who can be accepted onto the housing register?	
	3.1 Eligible applicants	11
	3.2 Qualifying categories of applicants	11
	3.3 Local Connection	11
	3.4 Applicants with a history of unacceptable behaviour	12
	3.5 16 and 17 year olds	12
Chapter 4	Assessment of housing need	
	4.1 Legal background	13
	4.2 Advice and information	13
	4.3 Assessment of housing need	13
	4.4 Local connection criteria	13
	4.5 Housing needs bands	13
	4.6 Band A: Urgent need	13
	4.7 Band B: High need	15
	4.8 Band C: Medium need	16
	4.9 Band D: Low need	17
	4.10 Low priority	17
	4.11 Intentionally worsening housing circumstances	18
	4.12 Financial resources	18
	4.13 Officer review of Band A applicants	19
Chapter 5	Assessment information and criteria	
	5.1 Assessment information and criteria	20
	5.2 Transfer applicants	20
	5.3 Homeless applications	20
	5.4 Split families	20
	5.5 Bedroom requirement guidelines	20
	5.6 Staying contact with children	21
	5.7 Medical assessments	21
	5.8 Harassment and domestic violence	22
	5.9 Applicants subject to Multi-Agency Public Protection Arrangements (MAPPA)	22
	5.10 Emergency housing status	22
	5.11 Direct Lets	22
	5.12 Direct lets to homeless applicants	22

	5.13 Applicants who require a specific size, type or adapted property	24
	5.14 Sheltered housing	24
	5.15 Extra care homes	24
	5.16 Refusals of direct lets	24
	5.17 Local lettings plans	24
Chapter 6	Reviews of decisions	
	6.1 Reviews of decisions	25
	6.2 Statutory reviews	25
	6.3 Homeless reviews	25
	6.4 The Local Government Ombudsman	26
Chapter 7	Letting of accommodation	
	7.1 Letting of accommodation	27
	7.2 Labelling property advertisements	27
	7.3 Bedroom requirements	27
	7.4 Shortlisting	27
	7.5 Introductory tenancies	28
	7.6 Formal offer of property	28
	7.7 Withdrawal of offers	28
	7.8 Refusing an offer of accommodation	28
	7.9 Allocations to staff, council members or their family members	28
	7.10 Tenancy management outside the scope of the lettings policy	29
Chapter 8	Confidentiality and access to information	
	8.1 Applicants' rights to information	30
	8.2 Data protection	30
	8.3 Requesting information	30
Appendices	1 Partner organisation list	31
	2 Glossary of terms	33

Chapter 1

1.1 Introduction

- 1.1.1 This is the letting policy for Cambridge City Council, and should be considered in conjunction with the Cambridge Sub-regional Choice Based Lettings scheme ("CBL"), framework document, which outlines how the CBL scheme will work. The Partnership Organisations to the Sub-regional CBL scheme are:
- a) Cambridge City Council
 - b) East Cambridgeshire District Council
 - c) Fenland District Council
 - d) Forest Heath District Council
 - e) Huntingdonshire District Council
 - f) South Cambridgeshire District Council
 - g) St Edmundsbury Borough Council
- 1.1.2 The CBL scheme and this lettings policy have been designed in collaboration with the sub regional Partnership Organisations listed above, with the aim of having as much consistency in the letting of social housing as is possible in a very diverse sub-region. The lettings policy aims to ensure that all people seeking social housing in the City of Cambridge are able to exercise choice in deciding where they wish to live and in the type of property they would prefer.
- 1.1.3 The policy enables Cambridge City Council to consider the individual needs of its applicants whilst making best use of the scarce resource of housing stock. The policy sets out:
- a) How to apply for housing.
 - b) Who will qualify to be accepted onto the housing register.
 - c) How priority for housing applicants will be given.
 - d) What the decision-making processes are.
 - e) How homes will be let.
- 1.1.4 You may view the CBL framework document and this lettings policy, at www.cambridge.gov.uk or request a copy from any of the Partnership Organisation's offices. (See Appendix 1 on p.31)

1.2 Objectives of the lettings policy

- a) To meet the legal requirements for the allocation of social housing as set out in the Housing Act (1996) as amended by the Homelessness Act (2002) and the Localism Act (2011).
- b) To assist applicants in the highest assessed need
- c) To let properties in a fair and transparent way and provide a consistent lettings process
- d) To make best use of housing stock
- e) To ensure that applicants are not unlawfully discriminated against, whether directly or indirectly
- f) To support vulnerable applicants
- g) To provide increased choice and information to applicants
- h) To provide information and feedback on homes that are let through the CBL scheme
- i) To improve mobility across the sub-region
- j) To promote social inclusion and help achieve sustainable communities

1.3 Statement on choice

- 1.3.1 Cambridge City Council is fully committed to enabling applicants to play a more active role in choosing where they live, whilst continuing to house those in the greatest need in the City of Cambridge.
- 1.3.2 The CBL scheme will enable applicants from the City of Cambridge to have access to a percentage of available homes from all the Partnership Organisations across the sub region.

1.4 Legal context

- 1.4.1 All applicants for housing will be assessed to determine their eligibility to be placed on the housing register. This is to ensure homes are let to those in the highest assessed need and ensures that the Council meets its legal obligations as set out in the Housing Act (1996) as amended by Homelessness Act (2002) and the Localism Act (2011).

This policy has also had regard to:

- a) Allocation of accommodation: guidance for local housing authorities in England, and
 - b) Cambridge City Council Homelessness Strategy, and
 - c) Cambridge City Council Tenancy Strategy (containing details of the types of social rented tenancies that may be offered by housing association landlords).
- 1.4.2 The law states that there are five groups of applicants where reasonable preference must be considered:
 - a) People who are homeless (within the meaning of Part VII (7) of the Housing Act 1996, as amended by the Homelessness Act 2002.)
 - b) People who are owed a duty by any local housing authority under section 190(2), 193(2), or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
 - c) People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
 - d) People who need to move on medical or welfare grounds (including grounds relating to a disability); and
 - e) People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others)
 - 1.4.3 The lettings policy has been designed to ensure applicants who fall into the above reasonable preference categories will be awarded reasonable preference.
 - 1.4.4 Every application received by Cambridge City Council will be considered according to the facts unique to that application as Cambridge City Council recognises that every applicant's situation is different. Applications will be considered on an individual basis and individual circumstances will be taken into account. However, all lettings will be made in accordance with this lettings policy.

1.5 Equal opportunities and diversity

- 1.5.1 The lettings policy will be responsive, accessible and sensitive to the needs of all. Cambridge City Council is committed to promoting equality of opportunity and will ensure that all applicants are treated fairly and without unlawful discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation,

1.6 Monitoring and reviewing the lettings policy

- 1.6.1 Cambridge City Council will monitor the operation of the lettings policy by regularly reviewing the policy to ensure that the policy meets its stated objectives and complies with legislative changes.

Chapter 2

2.1 How to apply for housing

- 2.1.1 To apply to go on the housing register, applicants are required to complete an on-line pre-assessment form. This will allow the applicant's housing options to be assessed and determine which options are most appropriate. If this includes social rented housing, and the applicant is eligible, they will then be required to complete a more detailed register application form. Where applicants are unable to use these on-line facilities a paper form will be available on request.

Both on-line forms can be completed at www.home-link.org.uk. A paper form if required can be requested from Cambridge City Council or any of the Partnership Organisation's offices as detailed in Appendix 1 on p.31.

- 2.1.2 An applicant may include anyone on their application who may reasonably be expected to live with them as part of their household.
- 2.1.3 Where two applicants wish to have a shared application they will be known as joint applicants. Although siblings, grandparents and friends may jointly apply to the register, due to the level of demand for family sized accommodation from family households (nuclear families with children), they will not be prioritised for an offer of this size of accommodation ahead of families.
- 2.1.4 On receipt of the application Cambridge City Council will assess this and may request additional information and supporting evidence so that the applicant's eligibility and housing need can be confirmed. Cambridge City Council will verify the information provided which may include inviting the applicant for an interview or visiting them at home.
- 2.1.5 Applications will only be accepted onto the register where:
- a) The applicant is eligible within the meaning of the Asylum and Immigration Act (1996) (see Chapter 3); and
 - b) The applicant qualifies for an allocation of accommodation. (See sections 3.2 to 3.4).
- 2.1.6 After assessment Cambridge City Council will write to applicants to inform them whether the applicant has been accepted onto the housing register, or give reasons if they have not. Where accepted they will be informed of:
- a) Their unique reference number, which allows them to bid for homes through the CBL Scheme
 - b) The Housing Needs Band in which the application has been placed
 - c) The date that the application was placed in the band (the "date in band")
 - d) The size of property for which the applicant is likely to be able to bid

If they have not been accepted onto the housing register they will be given reasons why and information on the review process (see Chapter 6).

2.2 Date of registration

- 2.2.1 The registration date of an application will be the date the online housing application form is received electronically and, if a paper application is submitted the date it is received at the offices of Cambridge City Council, or any of the Partnership Organisations is the date of registration.

2.3 Date in band

2.3.1 The principle of the policy is that normally no applicant should overtake existing applicants in a band. Therefore applicants will be placed within a band in date order.

- a) **New applications:** the date in band will be the same as the applicant's date of registration.
- b) **Change of circumstances which results in a higher band assessment:** the date in band will be the date the applicant provides evidence of the change of circumstances leading to the award of a higher priority band.

2.3.2 When applicants move down bands due to a change in their circumstances the following applies:

- a) **Returning to a band that they were previously placed in:** the date in band reverts to the date that applied when the applicant was previously in that band.
- b) **Moving into a lower band they have not previously been placed in:** the date in band will be the date that the application was first placed into a higher band. In most circumstances this is likely to be their date of registration.

2.4 Armed Forces¹ personnel – date in band.

2.4.1 Additional priority will be awarded to the following categories of people:

- (a) former members of the Armed Forces¹;
- (b) serving members of the Armed Forces¹ who need to move because of a serious injury, medical condition or disability sustained as a result of their service;
- (c) bereaved spouses and civil partners of members of the Armed Forces¹ leaving Services Family Accommodation following the death of their spouse or partner;
- (d) serving or former members of the Reserve Forces² who need to move because of a serious injury, medical condition or disability sustained as a result of their service.

2.4.2 Additional priority will be awarded to the above categories of people by awarding their application the appropriate priority band, as set out in this lettings policy, and backdating their date in band by the total cumulative period of their length of military service. This will have the effect of raising their priority above applicants in similar circumstances who have not undertaken military service.

2.4.3 Current members of the Armed Forces¹ may also request that this additional priority be applied to their housing application six months prior to the date when they are due to leave military service. Appropriate evidence of the end to military service will be required.

¹ Means the Royal Navy, the Royal Marines, Her Majesty's regular army or the Royal Air Force

² Means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force

2.5 Multiple applications

- 2.5.1 An applicant can only be included on one active application on the housing register at any time.

2.6 Change of circumstances

- 2.6.1 Where an applicant registered with Cambridge City Council has a change in their circumstances they must promptly inform Cambridge City Council. Applicants can obtain a change of circumstances form from any Partnership Organisation, but this must then be sent to the Partnership Organisation that is managing their application. Change of circumstances received by Cambridge City Council will be assessed based on the new circumstances. Examples of change of circumstances are detailed below, although this list is not exhaustive.

- a) Change of address
- b) People joining or leaving the household
- c) Pregnancy/birth of a child
- d) Relationship breakdown
- e) Change to the medical circumstances of anyone included on the application
- f) Death of a household member
- g) Death of a joint applicant
- h) Change of income and/or capital

2.7 Applicant's consent and declaration

- 2.7.1 When an applicant applies for housing, they will be required to sign a declaration to confirm that:
- a) The information they have provided is true, accurate and complete.
 - b) They will promptly inform Cambridge City Council of any change in circumstances.
 - c) They understand that information will be shared with all the Partnership Organisations .
 - d) They consent to Cambridge City Council making enquiries of any relevant persons to confirm the information on the application form is correct.
 - e) They consent to the release of any relevant information either to Cambridge City Council held by third parties, or by Cambridge City Council to third parties.
 - f) The information provided may be used to help in the detection and prevention of fraud.
- 2.7.2 Cambridge City Council may take legal action against applicants who withhold or provide false information regarding their housing application. Where an applicant has been let a property as a result of providing false information, their landlord may take court action to obtain possession of the property.

2.8 Data protection

- 2.8.1 Cambridge City Council policy on Data Protection is available on request or can be found at <http://www.cambridge.gov.uk/ccm/content/contact-us/data-protection/data-protection-policy.en>.

2.9 Application review

- 2.9.1 When an applicant has not bid for any available properties for one year, we will normally write to them to see if they still wish to be on the housing register. If there is

no response within the required time limit, (28 days from the letter being sent) the application will be cancelled. We will write to the applicant to notify them of this. If an applicant contacts Cambridge City Council within 28 days of their application being cancelled and indicates that they still want to be considered for housing, the application will be reinstated from their last applicable date in band (see s.2.3 above).

2.10 Cancelling an application

2.10.1 An application will be cancelled from the housing register in the following circumstances:

- a) At the applicant's request.
- b) If the applicant no longer falls within a qualifying class of applicant (see s.3.2).
- c) If the applicant becomes ineligible for housing (see s.3.1).
- d) When the applicant has been housed through the Lettings Policy.
- e) When a tenant completes a mutual exchange.
- f) Where an applicant does not maintain their application through the review process, or where they move and do not provide a contact address.
- g) Where the applicant has died.

2.10.2 When an application is cancelled, we will write to the applicant or their representative to notify them. Where an applicant has been highlighted as vulnerable, Cambridge City Council will contact the applicant to check their circumstances before cancelling the application. Any applicant whose application has been cancelled has the right to ask for a review of the decision, (see Chapter 6).

2.10.3 Where an applicant wishes to re-join the housing register at a later date their new date of registration will be the date they re-apply.

Chapter 3

3. Who can be accepted onto the housing register?

3.1 Eligible applicants

- 3.1.1 Cambridge City Council cannot, by law, allocate housing accommodation to anyone who is subject to immigration control within the meaning of the Asylum and Immigration Act (1996), unless they fall within a class exempted from this restriction by Government regulations. In addition, the council cannot allocate housing accommodation to other classes of persons from abroad if, by law, Government regulations dictate we cannot.
- 3.1.2 Applications whose immigration status makes them ineligible to be considered on the register will be notified in writing of the decision and the reason for the decision. If an applicant is accepted onto the register, but subsequently becomes ineligible, their housing application will be cancelled and the applicant notified. Applicants found to be ineligible have a right to ask for a review of the decision (see Chapter 6).

3.2 Qualifying categories of applicants

- 3.2.1 The Cambridge sub-region (the Home-Link area) is an area where the demand for social housing far exceeds the supply. For this reason only those applicants who meet the local connection criteria will qualify to join the housing register (see s.3.3).
- 3.2.2 Applicants will not qualify to join the housing register if they are considered to be unsuitable to be a tenant because of unacceptable behaviour (see s.3.4)

3.3 Local Connection

- 3.3.1 An applicant will be considered to have a local connection with Cambridge City Council and accepted onto the housing register if they meet one of the following criteria:
- a. The applicant works in the local authority area for sixteen hours or more per week; or
 - b. The applicant has lived in the local authority area for at least 6 of the last 12 months, or 3 of the last 5 years; or
 - c. The applicant has family members who are resident in the local authority area. Family members are defined as parents, sons and daughters or brothers or sisters who have been resident in the local authority for a period of 5 years or longer. Other close family ties will be considered on a case by case basis; or
 - d. The applicant is owed a full housing duty under the relevant homelessness legislation by Cambridge City Council; or
 - e. The applicant is a member of the Armed Forces¹ and former Service personnel, where their application is made within five years of discharge; or

¹ Means the Royal Navy, the Royal Marines, Her Majesty's regular army or the Royal Air Force

- f. The applicant is a bereaved spouse or civil partner of a member of the Armed Forces¹ leaving Services Family Accommodation following the death of their spouse or partner; or
- g. The applicant is a serving or former member of the Reserve Forces² who needs to move because of a serious injury, medical condition or disability sustained as a result of their service; or
- h. There are special circumstances that Cambridge City Council considers give rise to a local connection.

3.4 Applicants with a history of unacceptable behaviour

- 3.4.1 Where an applicant has a history of behaviour which in the opinion of Cambridge City Council is unacceptable and makes the applicant unsuitable to be a tenant the Council may decide that the applicant does not qualify to be accepted onto the housing register. Unacceptable behaviour can include domestic or other violence, harassment, anti social behaviour or tenancy related debt
- 3.4.2 When considering whether an applicant qualifies to be accepted on the housing register, notwithstanding a history of unacceptable behaviour, the council will consider the nature of the behaviour, when it took place, the length of time that has elapsed since and whether there has been any change in circumstances which would show that the applicant had amended their behaviour so that they are considered suitable to become a tenant.
- 3.4.3 If the Council decides that an applicant does not qualify to be accepted on the housing register because the applicant has a history of unacceptable behaviour that makes them unsuitable to be a tenant the applicant will be informed in writing of this decision and the reasons for the decision. They will also be informed how they can become a qualifying person, for example, by agreeing an arrangement to make payments towards rent arrears and adhering to this, or by the applicant showing that the circumstances or behaviour that made them unsuitable to be a tenant, has changed.
- 3.4.4 If an applicant is accepted onto the register but a change in their behaviour means that they are no longer a qualifying person, their housing application will be cancelled and the applicant will be notified in writing of this decision and the reasons for the decision.
- 3.4.5 Applicants considered as not qualifying due to unacceptable behaviour have a right to ask for a review of the decision (see Chapter 6).

3.5 16 and 17 year olds

- 3.5.1 Anyone aged 16 or over can apply for housing. However until the applicant reaches 18 years old any offer of accommodation will be subject to appropriate guarantor or trustee arrangements being in place. Applicants under 18 years old will be referred to a housing officer for advice regarding their housing rights and options.

¹ Means the Royal Navy, the Royal Marines, the regular army or the Royal Air Force

² Means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force

Chapter 4

4.0 Assessment of housing need

4.1 Legal background

- 4.1.1 All eligible and qualifying applicants will be placed in a housing needs band following an assessment of their household's needs. This is to ensure that Cambridge City Council meets its legal obligations as set out in the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011.

4.2 Advice and information

- 4.2.1 Cambridge City Council will ensure that advice and information on how to apply for housing in the City of Cambridge is available free of charge to everyone. If applicants are likely to have difficulty in making an application without assistance, then the council will make any necessary assistance they require available.

4.3 Assessment of housing need

- 4.3.1 Assessments of housing needs are based on an applicant's current housing circumstances. Assessments will be completed by housing officers of Cambridge City Council.

4.4 Local connection criteria

- 4.4.1 To ensure local housing needs are met, 90% of properties advertised through the CBL scheme will be labelled as available to applicants with a local connection to Cambridge City Council. 10% of advertised properties, plus those that are difficult to let, will be open to bidding from applicants with a local connection to any authority in the Cambridge Sub-region. 25% of new growth homes will be made available for cross boundary mobility. The relevant local connection requirement will be clearly labelled on the property advertisement.
- 4.4.2 Where a property has local connection criteria attached to it through a local lettings plan or s.106 agreement, then these properties will be let in line with the criteria within the s.106 agreement. This may differ from the local connection criteria contained within this lettings policy.

4.5 Housing needs bands

- 4.5.1 Eligible and qualifying applicants will be placed in one of the following four bands in date order. Applicants placed in Band A will have the highest assessed need, band D the lowest. When an applicant is placed in a housing needs band the same level of priority will apply with all Partnership Organisations in the sub-region.

4.6 Band A: Urgent Need

Applicants with the following circumstances will be placed into Band A:

a) Urgent transfer

Where an existing council or housing association tenant needs to move urgently because of circumstances that could include:

- a) Major repairs are required on the property in which they live and which cannot be undertaken with the tenant living in the property.

- b) The property is being demolished.
- c) Urgent social need to move.

b) Current supported housing resident

The applicant has been assessed through Cambridge City Council's Hostels Assessment and Resettlement Panel (HARP) procedure and the supported housing provider as ready to move into independent accommodation and the applicant has not been placed in band A for any other reason. The purpose of HARP is to:

- Ensure a steady flow of clients through the hostel system
- Scrutinise and approve assessments and ongoing support plans
- Approve cases to move into Band 'A' to give applicants enough priority to successfully bid on property.
- Identify cases that are appropriate for a move into the private rented sector
- Ensure timely move on for substance misusers who have stabilised and are ready to move on

In exceptional circumstances, and at the discretion of a senior officer within the Housing Advice Service at Cambridge City Council, arrangements can be made with a supported housing provider(s) for move on and assigning band A status outside of the HARP process.

c) Urgent health and safety risk

The applicant's current accommodation has been assessed by Cambridge City Council or a Partner Organisation as posing an urgent health and safety risk. This will apply where the assessment has classified the accommodation as unsafe, or where there is a risk of imminent harm as identified in the assessment, which cannot be remedied in a reasonable time and where the health and safety risk has not been caused intentionally by the applicant or a member of the applicant's household.

d) Urgent medical need

An assessment of medical need will be made by a medical professional or appropriately trained officer, using sub-regionally agreed criteria for assessment.

Urgent medical need priority will be awarded when an applicant's current housing conditions have been assessed as having a major adverse effect on the medical condition or disability of the applicant or a member of their household and this will be improved by alternative accommodation.

e) Lacking two or more bedrooms

Means the household is assessed as lacking two or more bedrooms (see s.5.5).

f) Under-occupancy by two or more bedrooms or release of adapted property

Means where an existing council or housing association tenant:

- a) Is assessed as having two or more bedrooms that are not required by the household (see s.5.5).
- b) Where a property has been adapted and the adaptations are no longer required. For example if the person requiring the adaptations has moved or died.

g) Homeless households (Full homelessness duty owed under s.193 (2) of the Housing Act 1996 as amended by the Homelessness Act 2002)

Means where an applicant is not homeless intentionally or threatened with homelessness intentionally, is eligible for assistance and has a priority need for accommodation, and Cambridge City Council or a PO has accepted a duty under s193 (2) of the Housing Act 1996 as amended by the Homelessness Act 2002 (referred to as the full homelessness duty) and this duty has not been brought to an end.

h) Urgent multiple needs

This priority will be applied where an applicant is assessed as having two or more Band B needs. This may include an application where two household members have the same assessed need e.g. two high medical needs.

For multiple needs in Band A please see 'emergency housing status' (see Chapter 5)

4.7 Band B: High Need

Applicants with the following circumstances will be placed into Band B:

a) High health and safety risk

An applicant's current accommodation has been assessed by Cambridge City Council or a Partner organisation as posing a high health and safety risk to them or members of their household. This will apply where the assessment has identified that the applicant is living in a property, the condition of which places them or members of their household at a high risk of harm as identified in the assessment, which cannot be remedied in a reasonable time and where the health and safety risk has not been caused intentionally by the applicant or a member of the applicant's household.

b) High medical need

An assessment of medical need will be made by a medical professional or appropriately trained officer, using sub-regionally agreed criteria for assessment.

High medical need priority will be awarded where an applicant's current housing conditions have been assessed as having a significant adverse effect on the medical condition or disability of the applicant or member of their household and this will be improved by alternative accommodation.

c) Lacking one bedroom

This priority will be applied where the household is assessed as lacking one bedroom based on the bedroom calculation in Chapter 5.

d) Under-occupancy by one bedroom.

This priority will be applied where an existing council or housing association tenant is assessed as having one bedroom more than required by the household (see s.5.5).

e) Victims of harassment, violence or abuse

Where Cambridge City Council or a Partnership Organisation has investigated and identified that the applicant or a member of their household is being subjected to harassment or other conduct causing alarm and distress that will be improved by a move to alternative accommodation. Harassment might be, but is not limited to, harassment due to, race, sex, gender reassignment, sexual orientation, mental

health, physical disability, learning disability, religion, domestic abuse or harassment by a former partner or associated persons.

Cambridge City Council will offer advice and support to assist the applicant in identifying possible ways to resolve the situation.

f) Potentially homeless (prior to homelessness decision being made)

Where an applicant is threatened with homelessness within a period of more than 28 days, Cambridge City Council will work with the applicant to try and prevent their homelessness. Those applicants, who appear likely to have a priority need in the event of a homelessness application, will be placed in Band B whilst the prevention measures are being pursued

Where homelessness prevention has not been possible and an applicant remains threatened with homelessness within the next 28 days, they may choose to make a homeless application which will be assessed under part 7 of the Housing Act 1996 as amended by the Homelessness Act 2002.

g) Sleeping Rough

This priority will be applied where it has been confirmed that an applicant is sleeping rough and has no other accommodation available to them. The council will verify that an applicant is sleeping rough before awarding this priority. Rough sleeping priority will not be awarded when accommodation is available to the applicant, including a placement at a direct access hostel, but the applicant chooses not to take up this offer of accommodation. Applicants assessed as 'Sleeping Rough' will not be awarded additional priority on any other accommodation related factors.

h) Multiple needs

This priority will be applied where an applicant is assessed as having three or more Band C needs. This may include an application where more than two household members have the same assessed need e.g. three medical needs.

4.8 Band C: Medium Need

Applicants with the following circumstances will be placed into Band C:

a) Medium medical need

An assessment of medical need will be made by a medical professional or appropriately trained officer, using sub-regionally agreed criteria for assessment.

Medium medical need will be awarded where an applicant's current accommodation is having a minimal effect on the medical condition or disability of the applicant or member of their household, but a move to different accommodation would be likely to improve their quality of life.

d) Need to move for social reasons

Means where Cambridge City Council or a PO has assessed the applicant's need to move for social reasons. An applicant will only be awarded this factor once irrespective of the number of social needs that may apply to their situation.

Examples where a social need to move may apply may include where an applicant:

- a) Needs to move to or within an area of the sub-region to give or receive support, and a proven level of support is required and can be given

- b) Has found employment in the Cambridge City Council area and needs to move closer to work, or will otherwise lose their employment
- c) Has staying contact with a child/children and is living in accommodation where the child/children are not allowed to stay overnight.
- d) Is living in a first floor or above property and has children less than 10 years of age as part of their household, or is more than 24 weeks pregnant.

e) Housing conditions.

This priority will be applied where the applicant/s either lack or share one or more of these facilities with persons, who are not members of their household. Facilities may include:

- a) A living room
- b) Kitchen
- c) Bathroom

f) Other homelessness.

Applicants who are homeless or threatened with homelessness and are:

- a) Intentionally homeless.
- b) Homeless or threatened with homelessness but not in priority need.
- c) Owed a main homelessness duty by a local authority that is not a PO in the sub-region.

Applicants assessed as 'Other Homelessness' will not be awarded additional priority on any other accommodation related factors.

Applicants given this priority will have their application reviewed on the anniversary of the decision, unless there is a change in their circumstances in the meantime.

4.9 Band D: Low Housing Need

- 4.9.1 Any applicant who does not meet any of the criteria in Bands A, B and C will be assessed as having a low level of housing need and their application will be placed in Band D.
- 4.9.2 Anyone assessed as having sufficient financial resources to resolve their own housing need (see s.4.12) will be placed in band D. These applicants will only be considered for an offer of a property once all other bidding applicants who do not have sufficient financial resources to resolve their own housing need have been considered.

4.10 Low priority

- 4.10.1 In certain circumstances, applicants will be accepted onto the housing register, but their application will be considered as low priority as a result of behaviour or circumstances that affects their suitability to be a tenant. In these circumstances their application will be placed in a housing needs band but they will not be actively considered for an offer of a tenancy or be able to express interest in available properties. Their application will remain in low priority until the applicant has shown that the circumstances or behaviour has changed so that they are considered suitable to be a tenant.
- 4.10.2 The following categories will be considered as low priority:

- a. Applicants with rent arrears, former rent arrears or other housing-related charges or debts, where these are not sufficiently high to class them as not qualifying to join the register (see s.3.4). Other than in exceptional circumstances, an applicant with outstanding rent arrears, former rent arrears or other housing-related debts will not be considered for an offer of a tenancy or eligible to bid for housing until they have shown a regular repayment record. The council's housing related debt policy is available on request.
 - b. Applicants with a history of anti-social behaviour where this is not sufficiently severe to class them as not qualifying to join the register (see s.3.4).
- 4.10.3 All applicants who are considered low priority will be informed of this decision in writing, and how their application could be re-assessed, for example, by agreeing and keeping to an arrangement to make payments towards rent arrears, or by the applicant satisfying the council that the circumstances or behaviour that made them unsuitable to be a tenant have changed.
- 4.10.4 Cambridge City Council expects applicants to clear any housing related debts owed to any registered social landlord before an offer of a tenancy is made, where it is clearly within their means to do this (for example where the debt is relatively low and the applicant has a reasonable disposable income or has sufficient savings available).
- 4.10.5 When a financial assessment shows that the debt cannot be cleared immediately then a realistic and affordable repayment arrangement should be agreed to clear the debt. The applicant may become eligible to bid for property as long as they have made regular payments in line with the agreement they have made.
- 4.10.6 Applicants found to be low priority have a right to ask for a review of the decision (see Chapter 6). A designated senior officer will undertake the review.

4.11 Intentionally worsening housing circumstances

- 4.11.1 If an applicant is assessed as having intentionally worsened their housing situation in order to improve their housing priority, their level of housing need will be assessed on the basis of their previous accommodation.
- 4.11.2 Applicants found to have intentionally worsened their circumstances have a right to ask for a review of the decision (see Chapter 6).
- 4.11.3 All applicants deemed to have intentionally worsened their circumstances will have their application reviewed on the anniversary of the decision, unless there is a change in their circumstances in the meantime.
- 4.11.4 If Cambridge City Council has assessed and accepted the applicant is homeless or threatened with homelessness, has a priority need under the homeless legislation, but considers that they have become homeless intentionally; the applicant will be placed in Band C.

4.12 Financial resources

- 4.12.1 All qualifying applicants are entitled to apply for housing regardless of income levels. However if an applicant is assessed as having income and/or capital, which will enable them to resolve their own housing need through other tenures they will not receive any preference for rented housing and, when bidding, will appear on the shortlist after all other applicants that do not have the resources to resolve their own need.

This assessment will be based on the following

- a) The total income of the applicant/partner
- b) Any capital available to the applicant/partner
- c) Average property prices in the area for the type of accommodation needed by the household
- d) The ability of the applicant/partner to acquire a mortgage and maintain required repayments based on a realistic assessment of their financial position and commitments.
- e) The ability of the applicant/partner to meet the required mortgage repayments based on a realistic assessment of their financial position and commitments.

4.12.2 Excluded from the above financial assessment will be any member of the Armed Forces¹ who may have received a lump sum as compensation for an injury or disability sustained on active service.

4.13 Officer review for Band A applicants

4.13.1 Where an applicant has held Band A status for three months from their applicable date in band Cambridge City Council may carry out a review of their circumstances. This will result in either:

- a) A direct let – usually for statutorily homeless applicants living in temporary accommodation.
- b) Priority being maintained.
- c) Moving into a lower priority band if the circumstances under which they were placed in Band A no longer apply.

¹ Means the Royal Navy, the Royal Marines, Her Majesty's regular army or the Royal Air Force

Chapter 5

5.1 Assessment information and criteria

- 5.1.1 The following section outlines criteria taken into account when considering assessments of housing need.

5.2 Transfer applicants

- 5.2.1 Transfer applicants are those applicants who are tenants of a council or housing association property in the UK who wish to move to alternative accommodation.

5.3 Homeless applications

- 5.3.1 Applicants who are already on the housing register will remain in their existing housing needs band whilst a homeless assessment is carried out (unless the criterion in s.5.3.3 below applies).
- 5.3.2 When a decision has been made by Cambridge City Council that an applicant is owed a full homelessness duty under s.193 (2) of the Housing Act 1996 (as amended) their application will be placed and remain in Band A until that duty is brought to an end (See s.4.6 (g)).
- 5.3.3 Where a person is threatened with homelessness within a period of more than 28 days, the Council will work with the applicant to try and prevent their homelessness. Those persons, who appear likely to have a priority need in the event of a homelessness application being made, will be placed in Band B whilst the prevention measures are being pursued.
- 5.3.4 A person who is threatened with homelessness may have an existing housing register application. Applicants already in Band A will retain their existing Band A status whilst homelessness prevention measures are pursued.
- 5.3.5 An applicant who is statutorily homeless or threatened with homelessness but deemed not to have a priority need will be placed in Band C (unless other circumstances are such that they are eligible for placement within a different band).
- 5.3.6 Applicants who have been assessed as being in priority need but are intentionally homeless will be assessed as having band C status in line with 4.8(f), if an applicant has intentionally worsened their circumstances the housing needs assessment will take this into account (see s.4.11).

5.4 Split families

- 5.4.1 Where an application is made by family members where it would be reasonable to expect them to live together but they are unable to do so, the council will assess their particular circumstances to consider the best way of addressing their housing needs.

5.5 Bedroom requirement guidelines

- 5.5.1 Bedroom requirements are generally determined in line with the Local Housing Allowance (LHA) regulations and these regulations will be applied when calculating bedroom requirements in overcrowding and under-occupancy assessments. They will also be used when calculating the size of property (number of bedrooms in the property) that an applicant will be able to bid on and eligible to be offered through the letting process.

Bedroom requirements are determined by the applicant's size of household. Generally the LHA regulations allow one bedroom each for:

- a) Every adult couple
- b) Any other adult aged 16 or over
- c) Any two children (aged under 16) of the same sex
- d) Any two children, regardless of sex, under the age of 10
- e) Any other child aged under 16
- f) A non-resident carer (claimant/partner have disability and need overnight care)

Applicants requiring help in calculating their bedroom entitlement can use the Directgov online bedroom entitlement calculator at <https://lha-direct.voa.gov.uk/BedRoomCalculator.aspx>.

5.5.2 Single and joint applicants of pensionable age may be eligible to be considered for one and two bedroom older person/s and/or sheltered housing.

5.5.3 A pregnant woman expecting her first child will be assessed as requiring two bedrooms from week 24 of her pregnancy.

5.5.4 Applicants who have been accepted to receive foster care or adoption placements by Cambridgeshire County Council should be given bedroom entitlement which reflects their proposed household size.

5.5.5 An applicant may be assessed as requiring an additional bedroom where Cambridge City Council considers there are special circumstances.

5.6 Staying contact with children

5.6.1 A child, or children, living between parents at separate addresses will only be considered as having one main home unless there are exceptional circumstances that mean that both parents should provide a home. A Court Order allowing access to children, or confirming residence between separated parents does not mean that the council must consider that the child is part of an applicant's household for the purposes of a housing register application.

5.6.2 An assessment will be made by the council as to which parent's property is considered as the child's main home. If the council considers that an applicant does not provide the child with his or her main home then the child will not be considered as part of the register application. The child would then not be considered as part of the bedroom requirements when assessing overcrowding or under-occupation. They would also not be considered when assessing the size of property (number of bedrooms) that the applicant would be eligible to bid for and offered through the lettings process.

5.7 Medical assessments

5.7.1 Medical assessments will be carried out for any applicants who believe that their medical condition or disability is affected by their current accommodation. The applicant will be required to fill in a self-assessment medical form, or provide information from a medical professional, detailing the effect that their current accommodation has on their medical condition or disability. These forms will be assessed and where appropriate referred to a medical professional or appropriately trained officer for their opinion of how the medical condition is affected by the applicant's housing circumstances.

5.8 Harassment and domestic violence

- 5.8.1 Where the applicant is a victim of harassment, domestic violence or anti-social behaviour, Cambridge City Council will offer advice and support to assist applicants in identifying possible ways of resolving their situation.

5.9 Applicant subject to Multi Agency Public Protection Arrangements, (MAPPA)

- 5.9.1 Where an applicant is subject to Multi Agency Public Protection Arrangements (MAPPA), Cambridge City Council will liaise with the panel to ensure an appropriate housing solution to meet the needs of the applicant and the community as a whole.

5.10 Emergency housing status

- 5.10.1 An emergency housing status may be awarded to applicants in exceptional circumstances, where remaining in their current accommodation may cause risk of death or serious injury, or where an applicant has been assessed as having multiple needs that fall within Band A. An applicant with emergency housing status who bids for a home will be considered as a priority above all other applicants in any other band.

5.11 Direct Lets

- 5.11.1 Most properties will be advertised through the Choice Based Lettings (CBL) scheme. However in certain circumstances some properties may be let directly to applicants and these properties will be let outside of the allocation scheme. Where an applicant is identified as requiring a direct let the case will be referred to a the Senior Officer Review Panel (SORP) for approval (except in 'a' below where the decision will be made by the Housing Advice Operations Manager). The list below gives some examples of where this may happen.

- a) Where the council has accepted a full homelessness duty towards a household but the household has not found suitable accommodation during a period of choice through the CBL scheme.
- b) Where an applicant and their household require a specific size, type or adapted property and the applicant has not been able to find suitable accommodation through the CBL scheme
- c) Where an existing social housing tenant is required to move to make the best use of stock, and they have not been successful in finding a suitable property through the CBL scheme

- 5.11.2 Information as to which properties have been allocated though direct lets will be made available through the CBL feedback mechanism.

- 5.11.3 Direct lets will be made on the basis of a suitable property becoming available. Where a property becomes available that is suitable for more than one applicant with a direct let status, the date applicants were awarded a direct let status will be used as a deciding factor in deciding to whom the property will be let.

5.12 Direct lets to homeless applicants

- 5.12.1 Homeless applicants who are owed a full homelessness duty by Cambridge City Council (under s.193 (2) of the Housing Act 1996 as amended by the Homelessness Act 2002) will be placed in Band A and will be able to bid for properties via the CBL

scheme. Their date in band will be the date they originally applied to the council as homeless.

- 5.12.2 Where homeless applicants in Band A have not been have not been offered a tenancy through the bidding process within 3 months of their date in band, the council reserves the right to make a direct let of a property, either in the social or private rented sector, under the council's policy on discharging homelessness duties. The decision to make a direct let will depend on the extent to which homeless applicants have had the opportunity to bid for a property during the initial 3 month period of the full duty being accepted.
- 5.12.3 Where a homeless applicant bids for a property within the initial 3 month period of being owed the full homelessness duty, is offered the tenancy and subsequently refuses the offer, their application will remain within the same housing band and the s.193 (2) duty under the Housing Act 1996 as amended by the Homelessness Act 2002, will continue.
- 5.12.4 The full homelessness duty will come to an end, and a homeless applicant will lose their priority under this section, when any of the circumstances within s.193 (6) or (7) of the Housing Act 1996 Act are met. This will include an applicant:
- a) Accepting an offer of accommodation made through the CBL scheme
 - b) Accepting an offer made via the direct let mechanism within the policy (see s.5.11 above)
 - c) Accepting a suitable offer of accommodation in the private rented sector in line with section 193 of the Housing Act 1996 (as amended by the Localism Act 2011) and the Homelessness (Suitability of Accommodation) (England) Order 2012
- Having been informed of the possible consequences of refusal and the right to request a review of the suitability of the accommodation, refuses a reasonable offer of suitable accommodation made via the direct let mechanism or in the private rented sector as outlined in 'c' above
- S. 193(6) of the Housing Act 1996 Act gives the full circumstances under which the full homelessness duty comes to an end.
- 5.12.5 Where a homeless applicant is to be allocated a property through the direct let process Cambridge City Council has responsibility for determining the suitability of any allocation. They will do this by assessing the household's particular needs and circumstances within the context of the general housing conditions in the area as a whole.
- 5.12.6 Where a homeless applicant is offered accommodation via a direct let, but does not feel that this offer is suitable; they have the right to request a review of the decision that the offer is suitable. For details of the review process (see Chapter 6).
- 5.12.7 As the property does not have to remain available during the review of the suitability and reasonableness of a direct let, homeless applicants are advised to accept and move in to the accommodation pending the decision on review. If the review outcome is unsuccessful for the applicant they will still have accommodation to live in whilst they consider their further options.
- 5.12.8 If a homeless applicant refuses a direct let and it is then deemed suitable at review, the full homelessness duty will come to an end. They will also have to vacate any temporary accommodation that is being provided.
- 5.12.9 If, on reviewing an applicant's refusal of a direct let, the property offered is considered to be unreasonable or unsuitable, the duty under s.193 (2) will continue and the applicant will be made a further offer of suitable accommodation.

5.13 Applicants who require a specific size, type or adapted property.

5.13.1 Where an applicant requires a specific size, type or adapted property, they will be placed in the appropriate housing needs band, but may be offered a direct let if Cambridge City Council have a shortage of suitable properties. For example:

- a) An applicant requires a very large property to accommodate their household.
- b) An applicant requires a property of a specific type in a specific area of the district.
- c) An applicant requires a property with specific adaptations and such a property becomes available.
- d) Where an applicant is willing to move to release a property larger than required to meet their housing needs.

5.14 Sheltered housing

5.14.1 Sheltered housing will be advertised through the CBL scheme. Sheltered housing is available to applicants over 60 years of age and prior to an offer of a tenancy applicants will be subject to an assessment by the landlord of the accommodation to establish their prospective support needs and suitability to living in sheltered housing.

5.15 Extra care homes

5.15.1 Extra care homes are properties for older people where additional support services are provided. Allocation to extra care homes will not be advertised through CBL but will be made by an allocation panel.

5.16 Refusals of direct let

5.16.1 Where an applicant (other than a person owed the full homelessness duty) refuses a reasonable offer of a direct let a senior officer will review the reasons for the refusal and the applicant may lose any housing priority they held, dependent on the reasons for the offer refusal. Applicants have the right to ask for a review of this decision (see Chapter 6).

5.17 Local lettings plans

5.17.1 Local lettings plans are used within the sub region to help create balanced and sustainable communities or to help the council decant residents affected by a refurbishment programme in the district. Where a local lettings plan applies, it will be stated in the property details when advertised. Details of any local lettings plans will be available from the local authority in whose area the property is situated. Some local lettings plans may ask for an applicant to have a local connection to a specific parish or village. In those cases, the connection criteria will be stipulated in the legal agreement for that development.

Chapter 6

6.1 Reviews of decisions

- 6.1.1 The council's Senior Officer Review Panel (SORP) will carry out reviews of assessment decisions as required. The panel will be comprised of two senior officers.
- 6.1.2 Examples of decisions that may be reviewed include:
- a) Multiple need in band
 - b) Emergency housing status
 - c) Moving people up a band or down a band
 - d) Priority assessments, in complex cases.
 - e) Housing people in different accommodation to designated need size
 - f) Low priority decisions
 - g) Direct lets

The above list is not exhaustive.

6.2 Statutory reviews

- 6.2.1 An applicant has the right to request a review of certain decisions made under part 6 of the Housing Act 1996. These are:
- a) Decisions about the facts of the applicant's case which are likely to be, or have been, taken into account in considering whether to accept onto the housing register or to allocate housing accommodation to the applicant
 - b) Lack of any reasonable preference based on previous behaviour s167 (2C) Housing Act 1996
 - c) Ineligibility for an allocation based on immigration status s160A (9).
 - d) Decisions that an applicant does not qualify for entry on to the housing register (see sections 3.2 to 3.4)
- 6.2.2 Decision letters issued in respect of housing applications will advise the applicant of their right to request a review and provide appropriate guidance on how to do this. An applicant can obtain further details of the review procedure from Cambridge City Council.
- 6.2.3 A request for a review of a decision can be made in writing or verbally to a member of staff at Cambridge City Council. The request should be made within 21 days following the notification of the decision. Reviews will be considered within 28 days of the request being received and the applicant will receive a written response outlining the result of the review.
- 6.2.4 An applicant will only be entitled to one internal review. If an applicant is still unhappy following the review of a decision, they can make a complaint through the council's complaints procedures, contact the Local Government Ombudsman (see s.6.4) or seek to challenge the decision via a judicial review.
- 6.2.5 Statutory reviews will be undertaken by a senior housing advisor or Housing Advice Operations officer who was not involved in the original decision, and who is senior to the original decision making officer.

6.3 Homeless reviews

- 6.3.1 Homeless applicants have the right to request a review of certain decisions made by Cambridge City Council in respect of their homeless application. Within the context

of the council's lettings policy this includes the decision to bring to an end the full homelessness duty by making a suitable offer of permanent accommodation via the housing register through the direct let mechanism or in the private rented sector (see s.5.12).

- 6.3.2 If an applicant wishes to review the decision following a homeless application they must request this within 21 days of the date of the decision letter. Cambridge City Council will refer review requests to an external, independent organisation (qualified to interpret homelessness legislation) that will make a judgement on whether to uphold or overturn the council's decision.
- 6.3.3 If an applicant wishes to request a review of the reasonableness of an offer or the suitability of the property, this must be made within 21 days of notification of a decision to make the offer. Late review requests can be considered under exceptional circumstances at the discretion of the local authority.
- 6.3.4 Applicants who request reviews of decisions about suitability of accommodation will be advised to accept and move into accommodation pending the outcome of their review request. If the review goes in their favour alternative accommodation will be provided as quickly as possible. However if the reasonableness and suitability of the offer is upheld the applicant will still have accommodation to live in whilst they consider their further options.
- 6.3.5 The applicant has the right of appeal to the county court if he or she is dissatisfied with the decision on a review.

6.4 The Local Government Ombudsman

- 6.4.1 The Local Government Ombudsman investigates complaints of injustice arising from maladministration by local authorities and other bodies. They can be asked to investigate complaints about most council matters including housing.
- 6.4.2 If an applicant is not satisfied with the action the council has taken, and has exhausted the council's own complaints procedure, they can send a written complaint to the ombudsman.
- 6.4.3 The Local Government Ombudsman can be contacted at:

Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry CV4 8JB
Tel: 024 7682 0000
Website: www.lgo.org.uk

If an applicant wishes to make a complaint against a housing association, they should contact:

The Housing Ombudsman Service
Norman House
105 -109 Strand
London
WC2R 0AA
Tel: 08457 125 973
Website: www.ihos.org.uk

Chapter 7

7.1 Letting of accommodation

- 7.1.1 Properties will be advertised through the sub regional CBL scheme. The advertising will be carried out on a regular basis and for specific periods of time, known as advertising cycles.

7.2 Labelling property advertisements

- 7.2.1 All adverts will include a description of the property and any other relevant information, for example rent charge, property size, length and type of tenancy, local facilities, disabled adaptations or if the property is sheltered housing. The property will be labelled to show who is able to express an interest in it (known as bidding), for example, where a local connection is required, or if there is an age restriction on the property.
- 7.2.2 Applicants should check the information contained in the property advert labelling to see if they qualify to be considered for the property.

7.3 Bedroom requirements

- 7.3.1 Bedroom requirements will generally be determined in line with the Local Housing Allowance (LHA) regulations (see s.5.5).
- 7.3.2 Landlords may choose to allow the under-occupation of certain properties including those that they advertise. The property advert will explain this on those properties the landlord is willing to under-occupy. Where a landlord is willing to allow under-occupation this will generally be by allowing an applicant to be considered for one bedroom more than their assessed Local Housing Allowance (LHA) entitlement (for example allowing applicants with an assessed two bedroom LHA need to be considered for a 3 bedroom property). All households bidding for these properties and meeting the labelling criteria will be considered in line with the shortlisting criteria contained in 7.4.1 below.
- 7.3.3 Where a landlord is willing to allow under-occupation an affordability assessment will be completed to ensure that the applicant being considered for the property is able to meet rent payments. If the applicant is assessed as being unable to afford the rent payments the landlord may bypass them on the shortlist.

7.4 Shortlisting

- 7.4.1 After the end of an advertising cycle a shortlist of applicants bidding for the property and meeting the labelling criteria will be produced. Applicants will be ranked in order of their priority band with band A above band B, band B above band C, and band C above band D. Where more than one applicant in the same priority band appears on the shortlist they will be ranked in date order as determined by their date in band (see 2.3). In circumstances where there is more than one applicant in the same band with the same date in band, the applicant with the earliest registration date will appear higher on the shortlist. If there is more than one applicant with the same band, date in band and registration date a housing advisor will make an allocation decision based on the best use of the housing stock and needs of the applicants.
- 7.4.2 When a shortlist of applicants is completed the landlord of the available property will offer an accompanied viewing of the property to the highest priority applicants. This is to ensure that if the applicant who tops the shortlist decides not to take the tenancy, the property can be quickly offered to the next person on the shortlist.

7.4.3 After viewing the property the applicant at the top of the shortlist will be given 24 hours to accept or refuse the offer. If an applicant is offered a tenancy (verbally or in writing) and does not reply to accept that offer within the deadline given, the landlord will take this as a refusal of the offer. If the offer is refused the next person on the short list will be offered the property. The landlord will work down the shortlist in order.

7.4.4 In exceptional circumstances a housing advisor may make a decision to bypass an applicant on a shortlist e.g. if, in doing so, the offer could put a vulnerable person at risk of any harm. This is referred to as a 'sensitive let'. Any such decisions will be explained fully to the applicant in writing by the landlord making the decision.

7.5 Introductory tenancies

7.5.1 All new tenancies offered by Cambridge City Council will be introductory tenancies unless one of the following apply:

- The person/s being offered the tenancy is already a secure tenant with Cambridge City Council or another local authority.
- The person/s being offered the tenancy is already a tenant under an assured tenancy (other than an assured shorthold tenancy) of a Housing Association in or out of the City of Cambridge.

Further information on introductory tenancies can be obtained at www.cambridge.gov.uk

7.6 Formal offer of the property

7.6.1 Once the applicant has confirmed their acceptance of the tenancy the landlord of the property will write to confirm the formal offer of the tenancy. The CBL system will then not allow that applicant to be considered for any further properties and once the tenancy starts their housing register application will be cancelled.

7.6.2 Once the property is ready to let the landlord of the property will complete the tenancy sign up.

7.7 Withdrawal of offers

7.7.1 In exceptional circumstances an offer of a property may be withdrawn, for example:

- a) Where there has been a change in the applicants' circumstances
- b) Where the successful applicant has rent arrears or other housing related debts that had previously not come to light
- c) Following verification the applicant is not eligible for the property
- d) Where an error has been made in the advertising criteria
- e) Where an offer of accommodation could put a vulnerable person at risk of any harm.

7.8 Refusing an offer of accommodation

7.8.1 Usually, if an applicant refuses an offer of accommodation made through CBL, they will remain in their housing needs band. If an applicant refuses three offers of a property made through CBL, a housing officer may contact the applicant to offer support and assistance and verify their circumstances.

7.9 Allocations to staff, council members or their family members

7.9.1 Members of staff, their close family and elected members who require housing with Cambridge City Council may apply for housing in the same way as other applicants. Their status should be disclosed on the application form at the time of applying.

7.9.2 If an applicant who is a member of staff, elected member or a member of their direct family, makes a successful bid for a property the Director of Customer and Community Services or other designated officer. will be informed and must approve the letting prior to the formal offer being made.

7.10 Tenancy management outside the scope of the lettings policy

7.10.1 The following tenancy management areas are not included as part of this lettings policy as they are not included within part 6 of the Housing Act 1996:

- a) Mutual exchanges
- b) Introductory tenancies converted to secure tenancies
- c) Where a secure tenancy of a property is assigned by way of succession to the same property
- d) Where a secure tenancy is assigned to someone who would be qualified to succeed to that tenancy if the secure tenant died immediately before the assignment
- e) Where court orders are made under one of the following:
 - i. Section 24 of the Matrimonial Causes Act 1973
 - ii. Section 17 (1) of the Matrimonial and Family Proceedings Act 1984
 - iii. Paragraph 1 of schedule 1 to the Children Act 1989

Chapter 8

8.0 Confidentiality and access to information

8.1 Applicants' Rights to Information

- 8.1.1 Applicants have the right to request such general information as will enable them to assess:
- a. How their application is likely to be treated under the Lettings Policy (including in particular whether they are likely to be regarded as a member of a group of people who are to be given preference by virtue of this Policy, (see Chapter 3)
 - b. Whether housing accommodation appropriate to their needs is likely to be made available to them.
- 8.1.2 Applicants have the right to request information held about their application which is likely to be, or has been, taken into account when considering whether to allocate them housing.

8.2 Data protection

- 8.2.1 When an applicant applies to the Home-Link scheme the Partnership Organisations will only ask for information that they need to assess their eligibility and housing needs. The Partnership Organisations will collect and keep data in accordance with the council's guidelines on handling personal data.
- 8.2.2 These guidelines are in accordance with the Data Protection Act 1998 which covers both electronic and manual records and the Act governs everything we do with the personal data, including collecting, storing, using and disposing of it.
- 8.2.3 Confidential information held about applicants will not be disclosed to third parties apart from:
- a) Where the individual who is the subject of the confidential information has consented to the disclosure
 - b) Where the council or a Partnership Organisation is required by law to make such disclosures
 - c) Where disclosure is made in accordance with an information sharing protocol

8.3 Requesting information

- 8.3.1 Applicants are able to request copies of the information held regarding their application. This information is held in line with Data Protection Act guidelines. Please note that we cannot provide you with personal information about other people if doing so will breach the Data Protection Act 1998.

Appendix 1

Cambridge Sub regional Choice Based Lettings

Partner Organisation List

Local Authority

LSVT Landlord

Cambridge City Council

PO Box 700

Cambridge

CB1 0JH

Email: cbl@cambridge.gov.uk

Website: www.cambridge.gov.uk

South Cambridgeshire District Council

South Cambridgeshire Hall

Cambourne Business Park

Cambourne

Cambridge

CB23 6EA

Email: cbl@scambs.gov.uk

Website: www.scambs.gov.uk

East Cambridgeshire District Council,

The Grange

Nutholt Lane

Ely

Cambs.

CB7 4PL

Email: customerservices@eastcambs.gov.uk

Website: www.eastcambs.gov.uk

Sanctuary Housing

Avro House

49 Lancaster Way Business Park

Ely

Cambs

CB6 3NW

Email: contactus@sanctuary-housing.co.uk

Website: www.sanctuary-housing.co.uk

Huntingdonshire District Council

Pathfinder House

St Mary's Street

Huntingdon

Cambridgeshire

PE29 3TN

Email: housingservices@huntsdc.gov.uk

Website: www.huntsdc.gov.uk

Luminus Group

Brook House

Ouse Walk

Huntingdon

Cambridgeshire

PE29 3QW

Email: homes@luminus.org.uk

Website: www.luminus.org.uk

Fenland District Council

Fenland Hall

County Road

March

Cambridgeshire

PE15 8NQ

Email: info@fenland.gov.uk

Website: www.fenland.gov.uk

Roddons Housing Association

Beacon House

23 Hostmoor Avenue

March

Cambridgeshire

PE15 0AX

Email: roddensenquiries@circle.org.uk

Website: www.circle.org.uk/roddons/

Local Authority

Forest Heath District Council

College Heath Road
Mildenhall
Suffolk
IP28 7EY

Email: cbl@forest-heath.gov.uk

Website: www.forest-heath.gov.uk

St Edmundsbury Borough Council

West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

Email: home-link@stedsbc.gov.uk

Website: www.stedmundsbury.gov.uk

LSVT Landlord

Flagship Housing Group

Keswick Hall
Keswick
Norwich
Norfolk
NR4 6TJ

Email: info@flagship-housing.co.uk

Website: www.flagship-housing.co.uk

Havebury Housing Partnership

Havebury House
Western Way
Bury St. Edmunds
Suffolk
IP33 3SP

Email: office@havebury.com

Website: www.havebury.com

Appendix 2

GLOSSARY OF TERMS

Adapted properties – Means a property that has been adapted for an applicant with disabilities.

Advertising cycle – Means how often properties are advertised and available to make a bid on.

Advertised - Properties that are advertised and are available for applicants to bid for under CBL.

Age restrictions - Where a property is labelled, as only being available to applicants of a certain age.

Application number - A unique housing number generated by the computer system.

Bedroom eligibility - How many bedrooms a household is assessed as needing.

Bid – The process used by applicants in registering an interest in an available property.

Choice Based Lettings (CBL) - A method of allocating social and affordable homes which have become available for letting by openly advertising them, and allowing applicants to bid for these.

Customer/Applicant - Is either a tenant of a Partner Organisation (PO) (including those in temporary accommodation) or a housing applicant on the Home-Link sub-regional housing register.

Date of registration - The date an application form is registered with a PO

Date in band - The date an application is placed in a housing needs band and used as the applicable date when short-listing.

Decision making organisation - The organisation that made a particular decision with regard to a housing or homeless application.

Direct let - A property that is offered directly to an applicant, without them having to bid.

Domestic violence - Is threatening behaviour, violence or abuse (physical, psychological, sexual, financial or emotional) by a former partner or associated person.

Housing Associations - Also known as Registered Social Landlords RSL's) and Registered Providers (RP's). These are landlords who also provide social and affordable rented homes for which applicants/ customers can bid for through the Home-Link CBL scheme.

Housing options - Looking at the number of ways in which an applicant or customer might be assisted and supported to find a solution to their housing needs. Housing options may include private rented accommodation, mutual exchange, or even a home-buy product.

Housing needs register - A list of those requesting and qualifying for housing.

Housing Related Debts - Are defined as current rent arrears, former tenant arrears, outstanding re-chargeable repairs, current and former housing related service charge

arrears and court costs. They do not include Council Tax debts or Housing Benefit overpayments.

Joint Application - Where one or more applicant applies to join the housing register on one application form.

Labelling properties - Describing who is eligible to bid for a property

Local Connection - The connection an applicant has to a specific area within the sub region

Local elected members - Each local authority is governed by a group of elected members also known as councillors.

LSVT Landlord - Large Scale Voluntary Transfer, where a Local authority has sold its housing stock to a Registered Social Landlord

Mutual exchange - A scheme which allows two tenants to swap their homes.

Partner organisations (Partnership Organisations) - All the organisations that are partners to the Home-Link CBL scheme these may be local authority or RSL organizations.

The Cambridge Sub Region - The area covered by the seven Local Authorities that make up the Home-Link scheme..

Transferring tenant - An applicant who is currently a tenant of a local authority or housing association and who wishes to move.



Cambridge City Council

LETTINGS POLICY

This document sets out how Cambridge City Council, in partnership with Registered Providers (Housing Associations) with properties in the district, will allocate their properties through the
“Home-Link Choice Based Lettings Scheme”

Revised at 1st April 2016

Contents page

Chapter	Contents	Page No.
Chapter 1	Introduction	
	1.1 Introduction	4
	1.2 Objectives of the lettings policy	4
	1.3 Statement on choice	5
	1.4 Legal context	5
	1.5 Equal opportunities and diversity	6
	1.6 Child welfare	6
	1.7 Monitoring and reviewing the lettings policy	6
Chapter 2	Applying for housing	
	2.1 How to apply for housing	7
	2.2 Date of registration	8
	2.3 Date in band	8
	2.4 Armed Forces personnel – date in band	8
	2.5 Multiple applications	9
	2.6 Change of circumstances	9
	2.7 Applicant's consent and declaration	9
	2.8 Data protection	10
	2.9 Application review	10
	2.10 Cancelling an application	10
Chapter 3	Who can be accepted onto the housing register?	
	3.1 Persons subject to immigration control and certain persons from abroad	11
	3.2 Qualifying categories of applicants	11
	3.3 Local Connection	11
	3.4 Applicants with a history of unacceptable behaviour	12
	3.5 16 and 17 year olds	13
Chapter 4	Assessment of housing need	
	4.1 Legal background	14
	4.2 Advice and information	14
	4.3 Assessment of housing need	14
	4.4 Local connection criteria	14
	4.5 Housing needs bands	14
	4.6 Band A: Urgent need	14
	4.7 Band B: High need	16
	4.8 Band C: Medium need	17
	4.9 Band D: Low need	18
	4.10 Low priority	18
	4.11 Intentionally worsening housing circumstances	19
	4.12 Homeowners	19
	4.13 Financial resources	20
	4.14 Officer review of Band A applicants	20
Chapter 5	Assessment information and criteria	
	5. Assessment information and criteria	21
	5.1 Transfer applicants	21
	5.2 Homeless applications	21
	5.3 Split families	21
	5.4 Bedroom requirement guidelines	21
	5.5 Staying contact with children	22
	5.6 Medical assessments	22
	5.7 Harassment and domestic violence	23
	5.8 Applicants subject to Multi-Agency Public Protection Arrangements (MAPPA)	23
	5.9 Emergency housing status	23
	5.10 Direct Lets	23

Appendix 3

	5.11 Direct lets to homeless applicants	24
	5.12 Applicants who require a specific size, type or adapted property	25
	5.13 Applicants whose homes are to be demolished under one of the Council's redevelopment schemes	25
	5.14 Housing for older people (also known as sheltered housing)	26
	5.15 Extra care homes	26
	5.16 Refusals of direct lets	26
	5.17 Local lettings plans	26
Chapter 6	Reviews of decisions	
	6.1 Reviews of decisions	28
	6.2 Statutory reviews	28
	6.3 Homeless reviews	28
	6.4 The Local Government Ombudsman	29
Chapter 7	Letting of accommodation	
	7.1 Letting of accommodation	30
	7.2 Labelling property advertisements	30
	7.3 Bedroom requirements	30
	7.4 Shortlisting	30
	7.5 Introductory tenancies	31
	7.6 Formal offer of property	31
	7.7 Withdrawal of offers	31
	7.8 Refusing an offer of accommodation	31
	7.9 Allocations to staff, council members or their family members	32
	7.10 Tenancy management outside the scope of the lettings policy	32
Chapter 8	Confidentiality and access to information	
	8.1 Applicants' rights to information	33
	8.2 Data protection	33
	8.3 Requesting information	33
Appendices	1 Partner organisation list	34
	2 Glossary of terms	36

Chapter 1

1.1 Introduction

- 1.1.1 This is the letting policy for Cambridge City Council, and should be considered in conjunction with the Home-Link Partnership Guide , which outlines how the CBL scheme will work. The partner organisations to the Home-Link scheme are:
- a) Cambridge City Council
 - b) East Cambridgeshire District Council
 - c) Fenland District Council
 - d) Forest Heath District Council
 - e) Huntingdonshire District Council
 - f) South Cambridgeshire District Council
 - g) St Edmundsbury Borough Council
- 1.1.2 The Home-Link scheme and this lettings policy have been designed in collaboration with the sub regional partner organisations listed above, with the aim of having as much consistency in the letting of social housing as is possible in a very diverse sub-region. The lettings policy aims to ensure that all people seeking social housing in the City of Cambridge are able to exercise choice in deciding where they wish to live and in the type of property they would prefer.
- 1.1.3 The policy enables Cambridge City Council to consider the individual needs of its applicants whilst making best use of the scarce resource of housing stock. The policy sets out:
- a) How to apply for housing.
 - b) Who will qualify to be accepted onto the housing register.
 - c) How priority for housing applicants will be given.
 - d) What the decision-making processes are.
 - e) How homes will be let.
- 1.1.4 You may view the Home-Link Partnership Guide and this lettings policy, at www.cambridge.gov.uk or request a copy from any of the partner organisation's offices. (See Appendix 1 on p.35)

1.2 Objectives of the lettings policy

- a) To meet the legal requirements for the allocation of social housing as set out in the Housing Act (1996) as amended
- b) To assist applicants in the highest assessed need
- c) To let properties in a fair and transparent way and provide a consistent lettings process
- d) To make best use of housing stock
- e) To ensure that applicants are not unlawfully discriminated against, whether directly or indirectly
- f) To support vulnerable applicants
- g) To provide increased choice and information to applicants
- h) To provide information and feedback on homes that are let through the CBL scheme
- i) To improve mobility across the sub-region
- j) To promote social inclusion and help achieve sustainable communities

Appendix 3

1.3 Statement on choice

- 1.3.1 Cambridge City Council is fully committed to enabling applicants to play a more active role in choosing where they live, whilst continuing to house those in the greatest need in the City of Cambridge.
- 1.3.2 The Home-Link scheme will enable applicants from the City of Cambridge to have access to a percentage of available homes from all the partner organisations across Cambridgeshire and West Suffolk.

1.4 Legal context

- 1.4.1 All applicants for housing will be assessed to determine their eligibility to be placed on the housing register. This is to ensure homes are let to those in the highest assessed need and ensures that the Council meets its legal obligations as set out in the Housing Act (1996) as amended.
This policy has also had regard to:
 - a) Allocation of accommodation: guidance for local housing authorities in England, and
 - b) Cambridge City Council Homelessness Strategy, and
 - c) Cambridge City Council Tenancy Strategy (containing details of the types of social rented tenancies that may be offered by housing association landlords).
- 1.4.2 The law states that there are five groups of applicants where reasonable preference must be considered:
 - a) People who are homeless (within the meaning of Part VII (7) of the Housing Act 1996, as amended.
 - b) People who are owed a duty by any local housing authority under section 190(2), 193(2), or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
 - c) People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
 - d) People who need to move on medical or welfare grounds (including grounds relating to a disability); and
 - e) People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others)
- 1.4.3 The lettings policy has been designed to ensure applicants who fall into the above reasonable preference categories will be awarded reasonable preference.
- 1.4.4 Every application received by Cambridge City Council will be considered according to the facts unique to that application as Cambridge City Council recognises that every applicant's situation is different. Applications will be considered on an individual basis and individual circumstances will be taken into account. However, all lettings will be made in accordance with this lettings policy.

Appendix 3

1.5 Equal opportunities and diversity

- 1.5.1 The lettings policy will be responsive, accessible and sensitive to the needs of all. Cambridge City Council is committed to promoting equality of opportunity and will ensure that all applicants are treated fairly and without unlawful discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

1.6 Child welfare

- 1.6.1 Cambridge City Council will ensure that decisions made under this lettings policy have regard to the need to safeguard and promote the welfare of children.

1.7 Monitoring and reviewing the lettings policy

- 1.7.1 Cambridge City Council will monitor the operation of the lettings policy by regularly reviewing the policy to ensure that the policy meets its stated objectives and complies with legislative changes.

Chapter 2

2.1 How to apply for housing

- 2.1.1 To apply to go on the housing register, applicants are required to complete an on-line housing options pre-assessment form. This will allow the applicant's housing options to be assessed and determine which options are most appropriate. If this includes social housing, and the applicant is eligible, they will then be required to complete a more detailed register application form. Where applicants are unable to use these on-line facilities a paper form will be available on request.

Both on-line forms can be completed at www.home-link.org.uk. A paper form if required can be requested from Cambridge City Council or any of the partner organisation's offices as detailed in Appendix 1 on p.35.

- 2.1.2 An applicant may include anyone on their application who may reasonably be expected to live with them as part of their household.
- 2.1.3 Where two applicants wish to have a shared application they will be known as joint applicants. If an applicant lists a partner on his/her application it will be assumed that the partner is a joint applicant unless either party advises the council otherwise. Although adults who are not partners and need more than one bedroom may jointly apply to the register, due to the level of demand for family sized accommodation from family households (by "family" we mean households that have children (under 18) who are dependent on the adult(s)) they will not normally be prioritised for an offer of this size of accommodation ahead of families. The Senior Officer Review Panel (SORP) has discretion to alter this priority in exceptional cases.
- 2.1.4 On receipt of the application Cambridge City Council will assess this and may request additional information and supporting evidence so that the applicant's eligibility and housing need can be confirmed. Cambridge City Council will verify the information provided which may include inviting the applicant for an interview or visiting them at home.
- 2.1.5 Applications will only be accepted onto the register where:
- a) The applicant is eligible for an allocation of social housing (see Chapter 3); and
 - b) The applicant qualifies for an allocation of social housing (see sections 3.2 to 3.4).
- 2.1.6 After assessment Cambridge City Council will write to applicants to inform them whether the applicant has been accepted onto the housing register, or give reasons if they have not. Where accepted they will be informed of:
- a) Their unique reference number, which allows them to bid for homes through the CBL Scheme
 - b) The Housing Needs Band in which the application has been placed
 - c) The date that the application was placed in the band (the "date in band")
 - d) The size of property for which the applicant is likely to be able to bid

If they have not been accepted onto the housing register the Council will set out the reasons for this decision and will provide information about the review process (see Chapter 6).

Appendix 3

2.2 Date of registration

- 2.2.1 The registration date of an application will be the date the online housing application form is received electronically and, if a paper application is submitted the date it is received at the offices of Cambridge City Council, or any of the partner organisations is the date of registration.

2.3 Date in band

- 2.3.1 The principle of the policy is that normally no applicant should overtake existing applicants in a band. Therefore applicants will be placed within a band in date order.

- a) **New applications:** the date in band will be the same as the applicant's date of registration.
- b) **Change of circumstances which results in a higher band assessment:** the date in band will be the date the applicant provides evidence of the change of circumstances leading to the award of a higher priority band.
- c) **Current supported housing residents –moving on** - the date in band for current supported housing residents who are placed in Band A because they are ready to move on to independent accommodation will be the date that the decision is made to place them in Band A

- 2.3.2 When applicants move down bands due to a change in their circumstances the following applies:

- a) **Returning to a band that they were previously placed in:** the date in band reverts to the date that applied when the applicant was previously in that band.
- b) **Moving into a lower band they have not previously been placed in:** the date in band will be the date that the application was first placed into a higher band. In most circumstances this is likely to be their date of registration.

2.4 Armed Forces¹ personnel – date in band.

- 2.4.1 Additional priority will be awarded to the following categories of people:

- (a) former members of the Armed Forces¹;
- (b) serving members of the Armed Forces¹ who need to move because of a serious injury, medical condition or disability sustained as a result of their service;
- (c) bereaved spouses and civil partners of members of the Armed Forces¹ leaving Services Family Accommodation following the death of their spouse or partner;
- (d) serving or former members of the Reserve Forces² who need to move because of a serious injury, medical condition or disability sustained as a result of their service.

- 2.4.2 Additional priority will be awarded to the above categories of people by awarding their application the appropriate priority band, as set out in this lettings policy, and backdating their date in band by the total cumulative period of their length of military

Appendix 3

service. This will have the effect of raising their priority above applicants in similar circumstances who have not undertaken military service.

- 2.4.3 Current members of the Armed Forces¹ may also request that this additional priority be applied to their housing application six months prior to the date when they are due to leave military service. Appropriate evidence of the end to military service will be required.

¹ Means the Royal Navy, the Royal Marines, Her Majesty's regular army or the Royal Air Force

² Means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force

2.5 Multiple applications

- 2.5.1 An applicant can only be included on one active application on the housing register at any time.

2.6 Change of circumstances

- 2.6.1 Where an applicant registered with Cambridge City Council has a change in their circumstances they must promptly inform Cambridge City Council. Applicants can obtain a change of circumstances form from any partner organisation, but this must then be sent to the partner organisation that is managing their application. Change of circumstances received by Cambridge City Council will be assessed based on the new circumstances. Examples of change of circumstances are detailed below, although this list is not exhaustive.

- a) Change of address
- b) People joining or leaving the household
- c) Pregnancy/birth of a child
- d) Relationship breakdown
- e) Change to the medical circumstances of anyone included on the application
- f) Death of a household member
- g) Death of a joint applicant
- h) Change of income and/or capital

2.7 Applicant's consent and declaration

- 2.7.1 When an applicant applies for housing, they will be required to sign a declaration to confirm that:

- a) The information they have provided is true, accurate and complete.
- b) They will promptly inform Cambridge City Council of any change in circumstances.
- c) They understand that information will be shared with all the partner organisations.
- d) They consent to Cambridge City Council making enquiries of any relevant persons to confirm the information on the application form is correct.
- e) They consent to the release of any relevant information either to Cambridge City Council held by third parties, or by Cambridge City Council to third parties.
- f) The information provided may be used to help in the detection and prevention of fraud.

- 2.7.2 Cambridge City Council may take legal action against applicants who withhold or provide false information regarding their housing application. Where an applicant

Appendix 3

has been let a property as a result of providing false information, their landlord may take court action to obtain possession of the property.

2.8 Data protection

- 2.8.1 Cambridge City Council policy on Data Protection is available on request or can be found at <http://www.cambridge.gov.uk/ccm/content/contact-us/data-protection/data-protection-policy.en>.

2.9 Application review

- 2.9.1 Every year on the anniversary of an application being received, we will write to the applicant to see if they still wish to be on the housing register and to ask them to update their application if there has been any change to their circumstances. If there is no response within the required time limit, (28 days from the letter being sent) the application will be cancelled. We will write to the applicant to notify them of this. If an applicant contacts Cambridge City Council within 28 days of their application being cancelled and indicates that they still want to be considered for housing, the application will be reinstated from their last applicable date in band (see s.2.3 above).

2.10 Cancelling an application

- 2.10.1 An application will be cancelled from the housing register in the following circumstances:
- a) At the applicant's request.
 - b) If the applicant no longer falls within a qualifying class of applicant (see s.3.2).
 - c) If the applicant becomes ineligible for housing (see s.3.1).
 - d) When the applicant has been housed through the Lettings Policy.
 - e) When a tenant completes a mutual exchange.
 - f) Where an applicant does not maintain their application through the review process, or where they move and do not provide a contact address.
 - g) Where the applicant has died.
- 2.10.2 When an application is cancelled, we will write to the applicant or their representative to notify them. Where an applicant has been highlighted as vulnerable, Cambridge City Council will contact the applicant to check their circumstances before cancelling the application. Any applicant whose application has been cancelled has the right to ask for a review of the decision, (see Chapter 6).
- 2.10.3 Where an applicant wishes to re-join the housing register at a later date their new date of registration will be the date they re-apply.

Chapter 3

3. Who can be accepted onto the housing register?

The Council can allocate housing to anyone who qualifies for an allocation provided that they are not ineligible under the Housing Act 1996 section 160ZA

The Council cannot allocate housing to two or more persons jointly if one of them is ineligible

3.1 Persons subject to immigration control and certain persons from abroad

3.1.1 Cambridge City Council is required, by law, to decide that certain applicants are ineligible for an allocation of social housing. Eligibility can change with a change of immigration status and therefore the Council will keep an applicant's eligibility for housing under review. Applicants are responsible for informing the Council of any change in their immigration status.

3.1.2 Applicants whose immigration status makes them ineligible to be placed on the register will be notified in writing of the decision and the reason for the decision. If an applicant is accepted onto the register, but subsequently becomes ineligible, their housing application will be cancelled and the applicant notified. Applicants found to be ineligible have a right to ask for a review of the decision (see Chapter 6).

3.1.3 Where an eligible applicant includes people who are ineligible as part of his or her household the Council can, in deciding who forms part of the applicant's household for the purposes of housing allocation:

- (a) Have regard to the fact that members of a person's household would not be eligible for accommodation in their own right
- (b) Have regard to the fact that an ineligible person is not permitted to have recourse to public funds.
- (c) Conclude that an ineligible person does not form part of the household;

The Council will consider each application individually.

3.2 Qualifying categories of applicants

3.2.1 Cambridgeshire and West Suffolk (the Home-Link area) is an area where the demand for social housing far exceeds the supply. For this reason only those applicants who meet the local connection criteria will qualify to join the housing register (see s.3.3).

3.2.2 Applicants will not qualify to join the housing register if they are considered to be unsuitable to be a tenant because of unacceptable behaviour (see s.3.4)

3.3 Local Connection

3.3.1 An applicant will be considered to have a local connection with Cambridge City Council and accepted onto the housing register if they meet one of the following criteria:

- a. The applicant works in the local authority area for sixteen hours or more per week; or
- b. The applicant has lived in the local authority area for at least 6 of the last 12 months, or 3 of the last 5 years; or

Appendix 3

- c. The applicant has family members who have been resident in the local authority area for a period of 5 years or longer and are currently resident in the local authority area. Family members are defined as parents, sons and daughters or brothers or sisters Other close family ties will be considered on a case by case basis; or
- d. The applicant is owed a full housing duty under the relevant homelessness legislation by Cambridge City Council; or
- e. The applicant is a member of the Armed Forces¹ and former Service personnel, where their application is made within five years of discharge; or
- f. The applicant is a bereaved spouse or civil partner of a member of the Armed Forces¹ leaving Services Family Accommodation following the death of their spouse or partner; or
- g. The applicant is a serving or former member of the Reserve Forces² who needs to move because of a serious injury, medical condition or disability sustained as a result of their service; or
- h. The applicant is a “relevant person” as defined by Regulation 4 of the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
- i. The applicant, or a member of the applicant’s household, needs to move away from another area to escape violence or harm
- j. The applicant is a care leaver who has been placed outside the local authority area
- k. The applicant or a member of the applicant’s household needs support to rehabilitate or integrate back into the community
- l. There are special circumstances that Cambridge City Council considers give rise to a local connection.

3.4 Applicants with a history of unacceptable behaviour

- 3.4.1 Where an applicant or a member of their household has a history of behaviour which in the opinion of Cambridge City Council is unacceptable and makes the applicant unsuitable to be a tenant the Council may decide that the applicant does not qualify to be accepted onto the housing register. Unacceptable behaviour can include (but is not limited to) domestic or other abuse, harassment, anti-social behaviour, drug dealing or other criminal activity, failing to maintain or repair their home or associated garden or garage, noise nuisance or tenancy related debt
- 3.4.2 When considering whether an applicant with a history of unacceptable behaviour qualifies to be accepted on the housing register, the council will consider the nature of the behaviour, when it took place, the length of time that has elapsed since and whether there has been any change in circumstances which would show that the applicant or member of the applicant’s household had amended their behaviour so that they are considered suitable to become a tenant.

Appendix 3

- 3.4.3 If the Council decides that an applicant does not qualify to be accepted on the housing register because the applicant or a member of their household has a history of unacceptable behaviour that makes them unsuitable to be a tenant the applicant will be informed in writing of this decision and the reasons for the decision. They will also be informed how they can become a qualifying person, for example, by agreeing an arrangement to make payments towards rent arrears and adhering to this, or by the applicant showing that the circumstances or behaviour that made them unsuitable to be a tenant, has changed.
- 3.4.4 If an applicant is accepted onto the register but a change in their behaviour means that they are no longer a qualifying person, their housing application will be cancelled and the applicant will be notified in writing of this decision and the reasons for the decision.
- 3.4.5 Applicants considered as not qualifying due to unacceptable behaviour have a right to ask for a review of the decision (see Chapter 6).

3.5 16 and 17 year olds

- 3.5.1 Anyone aged 16 or over can apply for housing. However until the applicant reaches 18 years old any offer of accommodation will be subject to appropriate guarantor or trustee arrangements being in place. The guarantor could be a family member, adult friend, or a professional body. Applicants under 18 years old will be referred to a housing officer for advice regarding their housing rights and options.

¹ Means the Royal Navy, the Royal Marines, the regular army or the Royal Air Force

² Means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force

Chapter 4

4.0 Assessment of housing need

4.1 Legal background

- 4.1.1 All eligible and qualifying applicants will be placed in a housing needs band following an assessment of their household's needs. This is to ensure that Cambridge City Council meets its legal obligations as set out in the Housing Act 1996 as amended

4.2 Advice and information

- 4.2.1 Cambridge City Council will ensure that advice and information on how to apply for housing in the City of Cambridge is available free of charge to everyone. If applicants are likely to have difficulty in making an application without assistance, then the Council will make any necessary assistance they require available.

4.3 Assessment of housing need

- 4.3.1 Assessments of housing needs are based on an applicant's current housing circumstances. Assessments will be completed by housing officers of Cambridge City Council. Medical assessments will be made by a medical professional or appropriately trained officer.

4.4 Local connection criteria

- 4.4.1 To ensure local housing needs are met, 90% of properties advertised through the Home-Link scheme will be labelled as available to applicants with a local connection to Cambridge City Council. 10% of advertised properties, plus those that are difficult to let, will be open to bidding from applicants with a local connection to any authority in the Cambridge Sub-region. 25% of new growth homes will be made available for cross boundary mobility. The relevant local connection requirement will be clearly labelled on the property advertisement.
- 4.4.2 Where a property has local connection criteria attached to it through a local lettings plan or s.106 agreement, then these properties will be let in line with the criteria within the s.106 agreement or local lettings plan. This may differ from the local connection criteria contained within this lettings policy and will be mentioned in the property advert.

4.5 Housing needs bands

- 4.5.1 Eligible and qualifying applicants will be placed in one of the following four bands in date order. Applicants placed in Band A will have the highest assessed need, band D the lowest. When an applicant is placed in a housing needs band the same level of priority will apply with all partner organisations in the Home-Link scheme.

4.6 Band A: Urgent Need

Applicants with the following circumstances will be placed into Band A:

a) Urgent transfer

Where an existing council or housing association tenant needs to move urgently because of circumstances that could include:

- a) Major repairs are required on the property in which they live and which cannot be undertaken with the tenant living in the property.

Appendix 3

- b) The property is being demolished.
- c) Urgent social need to move.

b) Current supported housing resident

Applicants leaving Social Services care or other supported accommodation and are ready to move to a permanent home of their own. This will be subject to the applicant being assessed through Cambridge City Council's Hostels Assessment and Resettlement Panel (HARP) procedure and the supported housing provider as ready to move into independent accommodation and the applicant has not been placed in band A for any other reason. The purpose of HARP is to:

- Ensure a steady flow of clients through the hostel system
- Scrutinise and approve assessments and ongoing support plans
- Approve cases to move into Band 'A' to give applicants enough priority to successfully bid on property.
- Identify cases that are appropriate for a move into the private rented sector
- Ensure timely move on for substance misusers who have stabilised and are ready to move on

In exceptional circumstances, and at the discretion of a senior officer within the Housing Advice Service at Cambridge City Council, arrangements can be made with a supported housing provider(s) for move on and assigning band A status outside of the HARP process.

c) Urgent health and safety risk

The applicant's current accommodation has been assessed by Cambridge City Council or a partner organisation as posing an urgent health and safety risk. This will apply where the assessment has classified the accommodation as unsafe, or where there is a risk of imminent harm as identified in the assessment, which cannot be remedied in a reasonable time and where the health and safety risk has not been caused intentionally by the applicant or a member of the applicant's household.

d) Urgent medical need

An assessment of medical need will be made by a medical professional or appropriately trained officer, using sub-regionally agreed criteria for assessment.

Urgent medical need priority will be awarded when an applicant's current housing conditions have been assessed as having a major adverse effect on the medical condition or disability of the applicant or a member of their household and this will be improved by alternative accommodation.

e) Lacking two or more bedrooms

Means the household is assessed as lacking two or more bedrooms (see s.5.4).

f) Under-occupancy by two or more bedrooms or release of adapted property

Means where an existing council or housing association tenant:

- a) Is assessed as having two or more bedrooms that are not required by the household (see s.5.4).
- b) Where a property has been adapted and the adaptations are no longer required. For example if the person requiring the adaptations has moved or died.

Appendix 3

g) Homeless households (Full homelessness duty owed under s.193 (2) of the Housing Act 1996 as amended by the Homelessness Act 2002)

Means where an applicant is not homeless intentionally or threatened with homelessness intentionally, is eligible for assistance and has a priority need for accommodation, and Cambridge City Council or a partner organisation has accepted a duty under s193 (2) of the Housing Act 1996 as amended (referred to as the full homelessness duty) and this duty has not been brought to an end.

h) Urgent multiple needs

This priority will be applied where an applicant is assessed as having two or more Band B needs. This may include an application where two household members have the same assessed need e.g. two high medical needs.

For multiple needs in Band A please see 'emergency housing status' (see Chapter 5)

4.7 Band B: High Need

Applicants with the following circumstances will be placed into Band B:

a) High health and safety risk

An applicant's current accommodation has been assessed by Cambridge City Council or a partner organisation as posing a high health and safety risk to them or members of their household. This will apply where the assessment has identified that the applicant is living in a property, the condition of which places them or members of their household at a high risk of harm as identified in the assessment, which cannot be remedied in a reasonable time and where the health and safety risk has not been caused intentionally by the applicant or a member of the applicant's household.

b) High medical need

An assessment of medical need will be made by a medical professional or appropriately trained officer, using sub-regionally agreed criteria for assessment.

High medical need priority will be awarded where an applicant's current housing conditions have been assessed as having a significant adverse effect on the medical condition or disability of the applicant or member of their household and this will be improved by alternative accommodation.

c) Lacking one bedroom

This priority will be applied where the household is assessed as lacking one bedroom based on the bedroom calculation in Chapter 5 (see s.5.4).

d) Under-occupancy by one bedroom.

This priority will be applied where an existing council or housing association tenant is assessed as having one bedroom more than required by the household (see s.5.4).

e) Victims of harassment, violence or abuse

Where Cambridge City Council or a partner organisation has investigated and identified that the applicant or a member of their household is being subjected to harassment or other conduct causing alarm and distress that will be improved by a move to alternative accommodation. Harassment might be, but is not limited to, harassment due to, race, sex, gender reassignment, sexual orientation, mental

Appendix 3

health, physical disability, learning disability, religion, domestic abuse or harassment by a former partner or associated persons.

Cambridge City Council will offer advice and support to assist the applicant in identifying possible ways to resolve the situation.

f) Potentially homeless (prior to homelessness decision being made)

Where an applicant is threatened with homelessness within a period of more than 28 days, Cambridge City Council will work with the applicant to try and prevent their homelessness. Those applicants, who appear likely to have a priority need in the event of a homelessness application, will be placed in Band B whilst the prevention measures are being pursued

Where homelessness prevention has not been possible and an applicant remains threatened with homelessness within the next 28 days, they may choose to make a homeless application which will be assessed under part 7 of the Housing Act 1996 as amended

g) Sleeping Rough

This priority will be applied where it has been confirmed that an applicant is sleeping rough and has no other accommodation available to them. The Council will verify that an applicant is sleeping rough before awarding this priority. Rough sleeping priority will not be awarded when accommodation is available to the applicant, including a placement at a direct access hostel, but the applicant chooses not to take up this offer of accommodation. Applicants assessed as 'sleeping rough' will not be awarded additional priority on any other accommodation related factors.

h) Multiple needs

This priority will be applied where an applicant is assessed as having three or more Band C needs. This may include an application where more than two household members have the same assessed need e.g. three medical needs.

4.8 Band C: Medium Need

Applicants with the following circumstances will be placed into Band C:

a) Medium medical need

An assessment of medical need will be made by a medical professional or appropriately trained officer, using sub-regionally agreed criteria for assessment.

Medium medical need will be awarded where an applicant's current accommodation is having a minimal effect on the medical condition or disability of the applicant or member of their household, but a move to different accommodation would be likely to improve their quality of life.

b) Need to move for social reasons

Means where Cambridge City Council or a partner organisation has assessed the applicant's need to move for social reasons. An applicant will only be awarded this factor once irrespective of the number of social needs that may apply to their situation.

Examples where a social need to move may apply may include where an applicant:

Appendix 3

- a) Needs to move to or within an area of the sub-region to give or receive support, and a proven level of support is required and can be given
- b) Has found employment in the Cambridge City Council area and needs to move closer to work, or will otherwise lose their employment, or suffer hardship
- c) Has staying contact with a child/children and is living in accommodation where the child/children are not allowed to stay overnight.
- d) Is living in a first floor or above property with children of less than 10 years of age as part of their household, or is more than 24 weeks pregnant.

c) Housing conditions.

This priority will be applied where the applicant/s either lack or share one or more of these facilities with persons, who are not members of their household. Facilities may include:

- a) A living room
- b) Kitchen
- c) Bathroom

d) Other homelessness.

Applicants who are homeless or threatened with homelessness and are:

- a) Intentionally homeless.
- b) Homeless or threatened with homelessness but not in priority need.
- c) Owed a main homelessness duty by a local authority that is not a partner organisation in the Home-Link scheme.

Applicants assessed as 'Other Homelessness' will not be awarded additional priority on any other accommodation related factors.

Applicants given this priority will have their application reviewed on the anniversary of the decision, unless there is a change in their circumstances in the meantime.

4.9 Band D: Low Housing Need

4.9.1 Any applicant who does not meet any of the criteria in Bands A, B and C will be assessed as having a low level of housing need and their application will be placed in Band D.

4.9.2 Anyone assessed as having sufficient financial resources to resolve their own housing need (see s.4.13) will be placed in band D. These applicants will only be considered for an offer of a property once all other bidding applicants who do not have sufficient financial resources to resolve their own housing need have been considered.

4.10 Low priority

4.10.1 In certain circumstances, applicants will be accepted onto the housing register, but their application will be considered as low priority as a result of behaviour or circumstances that affects their suitability to be a tenant. In these circumstances their application will be placed in a housing needs band but they will not be actively considered for an offer of a tenancy or be able to express interest in available properties. Their application will remain in low priority until the applicant has shown that the circumstances or behaviour has changed so that they are considered suitable to be a tenant.

4.10.2 The following categories will be considered as low priority:

Appendix 3

- a. Applicants with recoverable rent arrears, former rent arrears or other housing-related charges or debts, where these are not sufficiently high to class them as not qualifying to join the register (see s.3.4). Other than in exceptional circumstances, an applicant with outstanding rent arrears, former rent arrears or other housing-related debts will not be considered for an offer of a tenancy or eligible to bid for housing until they have shown a regular repayment record. The council's housing related debt policy is available on request.
- b. Applicants with a history of unacceptable behaviour but where this is not sufficiently severe to class them as not qualifying to join the register (see s.3.4).

4.10.3 All applicants who are considered low priority will be informed of this decision in writing, and told how their application could be re-assessed, for example, by agreeing and keeping to an arrangement to make payments towards rent arrears, or by the applicant satisfying the council that the circumstances or behaviour that made them unsuitable to be a tenant have changed.

4.10.4 Cambridge City Council expects applicants to clear any recoverable housing related debts owed to any registered social landlord before an offer of a tenancy is made, where it is clearly within their means to do this (for example where the debt is relatively low and the applicant has a reasonable disposable income or has sufficient savings available).

4.10.5 When a financial assessment shows that the debt cannot be cleared immediately then a realistic and affordable repayment arrangement should be agreed to clear the debt. The applicant may become eligible to bid for property as long as they have made regular payments in line with the agreement they have made.

4.10.6 Applicants found to be low priority have a right to ask for a review of the decision (see Chapter 6).

4.11 Intentionally worsening housing circumstances

4.11.1 If an applicant is assessed as having intentionally worsened their circumstances, the effect of which would be to improve their housing priority irrespective of whether they had prior knowledge of the lettings policy, their level of housing need will be assessed on the basis of their previous accommodation, or previous circumstances at their current accommodation.

4.11.2 Applicants found to have intentionally worsened their circumstances have a right to ask for a review of the decision (see Chapter 6).

4.11.3 All applicants deemed to have intentionally worsened their circumstances will have their application reviewed on the anniversary of the decision, unless there is a change in their circumstances in the meantime.

4.11.4 If Cambridge City Council has assessed an applicant and accepted that the applicant is homeless or threatened with homelessness and has a priority need under the homeless legislation, but considers that they have become homeless intentionally; the applicant will be placed in Band C.

4.12 Homeowners

4.12.1 In line with the 'Allocation of accommodation: guidance for local housing authorities in England', Cambridge City Council will usually only allocate social housing to homeowners in exceptional circumstances. However, the Council may allocate

Appendix 3

housing that is in low demand. Applicants who are homeowners will be allocated a band D status. In exceptional circumstances SORP may consider a homeowner's status for example the Council may allocate housing to applicants who require support and whose age qualifies them for housing for older people but who have insufficient financial resources to access housing for older people in the private sector.

4.13 Financial resources

- 4.13.1 All qualifying applicants are entitled to apply for housing regardless of income levels. However if an applicant is assessed as having income and/or capital, which will enable them to resolve their own housing need they will not receive any preference for social housing and, when bidding, will appear on the shortlist after all other applicants that do not have the resources to resolve their own need.

This assessment will be based on the following

- a) The total income of the applicant/partner
 - b) Any capital available to the applicant/partner
 - c) Average property prices and rents in the area for the type of accommodation needed by the household
 - d) The ability of the applicant/partner to rent a property in the private sector based on a realistic assessment of their financial position and commitments.
 - e) The ability of the applicant/partner to acquire a mortgage and maintain required repayments based on a realistic assessment of their financial position and commitments.
- 4.13.2 Excluded from the above financial assessment will be any member of the Armed Forces¹ who may have received a lump sum as compensation for an injury or disability sustained on active service.

4.14 Officer review for Band A applicants

- 4.14.1 Where an applicant has held Band A status for three months or more from their applicable date in band or the applicant has refused more than three reasonable offers of accommodation or has made little or no attempt to bid for accommodation Cambridge City Council may carry out a review of their circumstances. This will result in either:
- a) A direct let – usually for statutorily homeless applicants living in temporary accommodation.
 - b) Priority being maintained.
 - c) Moving into a lower priority band if the circumstances under which they were placed in Band A no longer apply.
 - d) Making the applicant unable to bid for a specified period, not exceeding 6 months where the applicant has refused more than three reasonable offers of accommodation or made little or no attempt to bid for accommodation and following review, the Council considers that there has been a change in assessed need.

¹ Means the Royal Navy, the Royal Marines, Her Majesty's regular army or the Royal Air Force

Chapter 5

5. Assessment information and criteria

5.1 Transfer applicants

- 5.1.1 Transfer applicants are those applicants who are tenants of a council or housing association property in the UK who wish to move to alternative accommodation.

5.2 Homeless applications

- 5.2.1 Applicants who are already on the housing register will remain in their existing housing needs band whilst a homeless assessment is carried out (unless the criterion in s.5.2.3 below applies).
- 5.2.2 When a decision has been made by Cambridge City Council that an applicant is owed a full homelessness duty under s.193 (2) of the Housing Act 1996 (as amended) their application will be placed and remain in Band A until that duty is brought to an end (See s.4.6 (g)).
- 5.2.3 Where a person is threatened with homelessness within a period of more than 28 days, the Council will work with the applicant to try and prevent their homelessness. Those persons, who appear likely to have a priority need in the event of a homelessness application being made, will be placed in Band B whilst the prevention measures are being pursued.
- 5.2.4 A person who is threatened with homelessness may have an existing housing register application. Applicants already in Band A will retain their existing Band A status whilst homelessness prevention measures are pursued.
- 5.2.5 An applicant who is statutorily homeless or threatened with homelessness but deemed not to have a priority need will be placed in Band C (unless other circumstances are such that they are eligible for placement within a different band).
- 5.2.6 Applicants who have been assessed as being in priority need but are intentionally homeless will be assessed as having band C status in line with 4.8(d). If an applicant has intentionally worsened their circumstances the housing needs assessment will take this into account (see s.4.11).

5.3 Split families

- 5.3.1 Where an application is made by family members where it would be reasonable to expect them to live together but they are unable to do so, the Council will assess their particular circumstances to consider the best way of addressing their housing needs.

5.4 Bedroom requirement guidelines

- 5.4.1 Bedroom requirements are generally determined in line with the Local Housing Allowance (LHA) regulations and these regulations will be applied when calculating bedroom requirements in overcrowding and under-occupancy assessments. They will also be used when calculating the size of property (number of bedrooms in the property) that an applicant will be able to bid on and eligible to be offered through the letting process.

Bedroom requirements are determined by the applicant's size of household. Ineligible household members may not be included (see paragraph 3.1.3) Generally the LHA regulations allow one bedroom each for:

Appendix 3

- a) Every adult couple
- b) Any other adult aged 16 or over
- c) Any two children (aged under 16) of the same sex
- d) Any two children, regardless of sex, under the age of 10
- e) Any other child aged under 16
- f) A non-resident carer (claimant/partner have disability and need overnight care)

Applicants requiring help in calculating their bedroom entitlement can use the Directgov online bedroom entitlement calculator at <https://lha-direct.voa.gov.uk/BedRoomCalculator.aspx>.

If, in exceptional circumstances, the Council considers that a room designated by a landlord as a bedroom is not capable of being used as a bedroom they may refer the case to SORP for a decision.

- 5.4.2 Single and joint applicants of pensionable age may be eligible to be considered for one and two bedroom properties considered to be housing for older people.
- 5.4.3 A pregnant woman expecting her first child will be assessed as requiring two bedrooms from week 24 of her pregnancy.
- 5.4.4 Applicants who have been accepted to receive foster care or adoption placements by Cambridgeshire County Council should be given bedroom entitlement which reflects their proposed household size.
- 5.4.5 An applicant may be assessed as requiring an additional bedroom where Cambridge City Council considers there are special circumstances.

5.5 Staying contact with children

- 5.5.1 A child, or children, living between parents at separate addresses will only be considered as having one main home unless there are exceptional circumstances that mean that both parents should provide a home. A Court Order allowing access to children, or confirming residence between separated parents does not mean that the council must consider that the child is part of an applicant's household for the purposes of a housing register application.
- 5.5.2 An assessment will be made by the Council as to which parent's property is considered as the child's main home. If the council considers that an applicant does not provide the child with his or her main home then the child will not be considered as part of the register application. The child would then not be considered as part of the bedroom requirements when assessing overcrowding or under-occupation. They would also not be considered when assessing the size of property (number of bedrooms) that the applicant would be eligible to bid for and offered through the lettings process.

5.6 Medical assessments

- 5.6.1 Medical assessments will be carried out for any applicants who believe that their medical condition or disability is affected by their current accommodation. The applicant will be required to fill in a self-assessment medical form, or provide information from a medical professional, detailing the effect that their current accommodation has on their medical condition or disability. These forms will be assessed and where appropriate referred to a medical professional or appropriately trained officer for their opinion of how the medical condition is affected by the applicant's housing circumstances.

Appendix 3

5.7 Harassment and domestic violence

- 5.7.1 Where the applicant is a victim of harassment, domestic violence or anti-social behaviour, Cambridge City Council will offer advice and support to assist applicants in identifying possible ways of resolving their situation.

5.8 Applicant subject to Multi Agency Public Protection Arrangements, (MAPPA)

- 5.8.1 Where an applicant is subject to Multi Agency Public Protection Arrangements (MAPPA), Cambridge City Council will liaise with the panel to ensure an appropriate housing solution to meet the needs of the applicant and the community as a whole.

5.9 Emergency housing status

- 5.9.1 An emergency housing status may be awarded to applicants in exceptional circumstances, for example where remaining in their current accommodation may cause risk of death or serious injury, where an applicant has been assessed as having multiple needs that fall within Band A, or where the applicant is terminally ill, is already in band A and, in the opinion of a qualified medical practitioner, is likely to have less than 12 months to live, where their home is to be demolished under one of the Council or partner organisation redevelopment schemes. An applicant with emergency housing status who bids for a home will be considered as a priority above all other applicants in any other band. Emergency housing status can only be awarded via referral to SORP.

5.10 Direct Lets

- 5.10.1 Most properties will be advertised through the Choice Based Lettings (CBL) scheme. However in certain circumstances some properties may be let directly to applicants and these properties will be let outside of the allocation scheme. Where an applicant is identified as requiring a direct let the case will be referred to the Senior Officer Review Panel (SORP) for approval (except in 'a' below where the decision will be made by the Housing Advice Operations Manager). The list below gives some examples of where this may happen.

- a) Where the council has accepted a full homelessness duty towards a household but the household has not found suitable accommodation during a period of choice through the Home-Link scheme.
- b) Where an applicant and their household require a specific size, type or adapted property and the applicant has not been able to find suitable accommodation through the CBL scheme
- c) Where an existing social housing tenant is required to move to make the best use of stock, including where their home is to be demolished, and they have not been successful in finding a suitable property through the CBL scheme
- d) Where the applicant has emergency housing status
- e) Use and occupation cases
- f) Where an applicant in Band A has refused 3 reasonable offers or made little or no effort to bid

- 5.10.2 Information as to which properties have been allocated through direct lets will be made available through the CBL feedback mechanism.

- 5.10.3 Direct lets will be made on the basis of a suitable property becoming available. Where a property becomes available that is suitable for more than one applicant with a direct let status, the date applicants were awarded a direct let status will be used as a deciding factor in deciding to whom the property will be let.

Appendix 3

5.11 Direct lets to homeless applicants

- 5.11.1 Homeless applicants who are owed a full homelessness duty by Cambridge City Council (under s.193 (2) of the Housing Act 1996) will be placed in Band A and will be able to bid for properties via the Home-Link scheme. Their date in band will be the date they originally applied to the council as homeless.
- 5.11.2 Where homeless applicants in Band A have not been offered a tenancy through the bidding process at the point at which the Council has accepted the full homelessness duty, the council reserves the right to make a direct let of a property, either in the social or private rented sector, under the council's policy on discharging homelessness duties.
- 5.11.3 The full homelessness duty will come to an end, and a homeless applicant will lose their priority under this section, when any of the circumstances within s.193 (6) or (7) of the Housing Act 1996 Act (as amended) are met. This will include an applicant:
- a) Accepting an offer of accommodation made through the Home-Link scheme
 - b) Accepting an offer made via the direct let mechanism within the policy (see s.5.10 above)
 - c) Accepting a suitable offer of accommodation in the private rented sector in line with section 193 of the Housing Act 1996 as amended) and the Homelessness (Suitability of Accommodation) (England) Order 2012
 - d) Having been informed of the possible consequences of refusal and the right to request a review of the suitability of the accommodation, refuses a reasonable offer of suitable accommodation made via the direct let mechanism or in the private rented sector as outlined in 'c' above
- S. 193(6) of the Housing Act 1996 Act gives the full circumstances under which the full homelessness duty comes to an end.
- 5.11.4 Where a homeless applicant is to be allocated a property through the direct let process Cambridge City Council has responsibility for determining the suitability of any allocation. They will do this by assessing the household's particular needs and circumstances within the context of the general housing conditions in the area as a whole.
- 5.11.5 Where a homeless applicant is offered accommodation via a direct let, but does not feel that this offer is suitable; they have the right to request a review of the decision that the offer is suitable. For details of the review process (see Chapter 6).
- 5.11.6 As the property does not have to remain available during the review of the suitability and reasonableness of a direct let, homeless applicants are advised to accept and move in to the accommodation pending the decision on review. If the review outcome is unsuccessful for the applicant they will still have accommodation to live in whilst they consider their further options.
- 5.11.7 If a homeless applicant refuses a direct let and it is then deemed suitable at review, the full homelessness duty will come to an end. They will also have to vacate any temporary accommodation that is being provided.
- 5.11.8 If, on reviewing an applicant's refusal of a direct let, the property offered is considered to be unreasonable or unsuitable, the duty under s.193 (2) will continue and the applicant will be made a further offer of suitable accommodation.

Appendix 3

5.12 Applicants who require a specific size, type or adapted property.

5.12.1 Where an applicant requires a specific size, type or adapted property, they will be placed in the appropriate housing needs band, but may be offered a direct let if Cambridge City Council have a shortage of suitable properties. For example:

- a) An applicant requires a very large property to accommodate their household.
- b) An applicant requires a property of a specific type in a specific area of the district.
- c) An applicant requires a property with specific adaptations and such a property becomes available.
- d) Where an applicant is willing to move to release a property larger than required to meet their housing needs.

5.13 Applicants whose homes are to be demolished under one of the Council's redevelopment schemes

5.13.1 When the Council has made a decision to demolish tenants' homes so that the site can be redeveloped the Council will aim to ensure that the tenants and their households are re-housed in line with the Council's Home Loss Policy.

5.13.2 The Council will tell tenants the date when their home has to be empty. This is called the vacant possession date.

5.13.3 The Council will talk to the tenant about all the re-housing options that are available. Some schemes may involve new homes being built. The Council will try to help the tenant to make an informed decision about the best choices for them. The tenants will be asked to fill in an application to go on the housing register (see chapter 2 of this policy). Tenants required to move will be given priority to return to suitable alternative accommodation on the redeveloped or refurbished scheme provided that there is sufficient new accommodation of the type required available.

5.13.4 Tenants whose homes are to be demolished will be given "emergency housing status" when the vacant possession date is one year or less away

5.13.5 Where more than one tenant with emergency housing status has bid for a property priority for shortlisting will be given to the tenant with an earlier priority date.

5.13.6 Where more than one tenant with emergency housing status and the same priority date has bid for a property a Cambridge City Council housing adviser will decide priority for shortlisting taking into account the needs of the applicants and the best use of housing stock .

5.13.7 Tenants with emergency housing status can continue to bid for any homes that interest them up to six months before the site vacant possession date

5.13.8 If a tenant has not moved six months before the vacant possession date the Council may take one or more of the following actions:

- (a) Make an offer of the next property that the Council reasonably considers is suitable to meet the minimum housing needs of the tenant;
- (b) Serve a formal notice (a Notice Seeking Possession) that allows the Council to ask the County Court for an order requiring the tenant to leave their home. The Council must satisfy the Court that suitable alternative accommodation is available for the tenant to move into.
- (c) Refer the case to SORP where suitable alternative accommodation has not been available for the tenant to move into or other, extenuating circumstances explain why the tenant has not been able to move. SORP can choose to extend the bidding period,

Appendix 3

seek a direct let from a registered provider partner within the Home-link partnership or take another course of action aimed at resolving the tenant's housing situation.

Serving a Notice Seeking Possession is always a last resort, where the tenant has not accepted any of the other housing options available to them. The Council has to do this to ensure that the redevelopment scheme can proceed.

5.13.9 If a tenant with emergency housing status whose home is being demolished under a redevelopment scheme is successful in bidding for an advertised property and the Council considers that the property is suitable for them the Council will expect them to move into the property. If the tenant does not move and a Notice Seeking Possession has been served, the Council will either hold the property or make an offer of the next property that the Council considers reasonable to meet the minimum needs of the tenant's household. If the tenant still does not move the Council may ask the Court for an order requiring them to move.

5.13.10 Leaseholders who are required to leave their homes as the result of Council redevelopment schemes will be offered advice on a range of housing options including open market opportunities, shared ownership and equity share (in line with the Council's Home Loss Policy). If, following a financial assessment, it is clear that no full or part home ownership options are viable for the affected leaseholder a direct let will be offered when the vacant possession date is one year or less away. If, however, the financial assessment shows that full or part home ownership options are viable the leaseholder will not qualify for a direct let.

5.13.11 Leaseholders who consider that the direct let offered in these circumstances is not reasonable are entitled to have this reviewed by SORP under 6.1.2 (g) of this policy.

5.13.12 SORP decisions are subject to an appeals process which is outlined in the SORP procedure

5.14 Housing for older people (also known as sheltered housing)

5.14.1 Housing for older people will be advertised through the Home-Link scheme. Housing for older people is available to applicants over 60 years of age and prior to an offer of a tenancy applicants will be subject to an assessment by the landlord of the accommodation to establish their prospective support needs and suitability to living in housing for older people.

5.15 Extra care homes

5.15.1 Extra care homes are properties for older people where additional support services are provided. Allocation to extra care homes will not be advertised through Home-Link but will be made by an allocation panel.

5.16 Refusals of direct let

5.16.1 Where an applicant (other than a person owed the full homelessness duty) refuses a reasonable offer of a direct let, a senior officer will review the reasons for the refusal and the applicant may lose any housing priority they held, dependent on the reasons for the offer refusal. Applicants have the right to ask for a review of this decision (see Chapter 6).

5.17 Local lettings plans

5.17.1 Local lettings plans are used within the sub region to help create balanced and sustainable communities or to help the council decant residents affected by a

Appendix 3

refurbishment programme in the district. Where a local lettings plan applies, it will be stated in the property details when advertised. Details of any local lettings plans will be available from the local authority in whose area the property is situated. Some local lettings plans may ask for an applicant to have a local connection to a specific parish or village. In those cases, the connection criteria will be stipulated in the legal agreement for that development.

Chapter 6

6.1 Reviews of decisions

6.1.1 The council's Senior Officer Review Panel (SORP) will carry out reviews of assessment decisions as required. The panel will be comprised of at least two senior officers.

6.1.2 Examples of decisions that may be reviewed include:

- a) Multiple need in band
- b) Emergency housing status
- c) Moving people up a band or down a band
- d) Priority assessments, in complex cases.
- e) Housing people in different accommodation to designated need size
- f) Low priority decisions
- g) Direct lets
- h) Being restricted from bidding

The above list is not exhaustive.

6.1.3 SORP cannot review banding decisions made by the medical assessor, for which there is no right of appeal.

6.2 Statutory reviews

6.2.1 An applicant has the right to request a review of certain decisions made under part 6 of the Housing Act 1996. These are:

- a) Decisions about the facts of the applicant's case which are likely to be, or have been, taken into account in considering whether to accept onto the housing register or to allocate housing accommodation to the applicant
- b) Lack of any reasonable preference based on previous behaviour s167 (2C) Housing Act 1996
- c) Ineligibility for an allocation based on immigration status s160A (9).
- d) Decisions that an applicant does not qualify for entry on to the housing register (see sections 3.2 to 3.4)

6.2.2 Decision letters issued in respect of housing applications will advise the applicant of their right to request a review and provide appropriate guidance on how to do this. An applicant can obtain further details of the review procedure from Cambridge City Council.

6.2.3 A request for a review of a decision can be made in writing or verbally to a member of staff at Cambridge City Council. The request should be made within 21 days following the notification of the decision. The Council will usually consider a review within 28 days of the request being received but this may take up to 8 weeks. The applicant will receive a written response outlining the result of the review.

6.2.4 Statutory reviews will be undertaken by a senior housing advisor or Housing Advice Operations officer who was not involved in the original decision, and who is senior to the original decision making officer.

6.3 Homeless reviews

6.3.1 Homeless applicants have the right to request a review of certain decisions made by Cambridge City Council in respect of their homeless application. Within the context of the council's lettings policy this includes the decision to bring to an end the full homelessness duty by making a suitable offer of permanent accommodation via the

Appendix 3

housing register through the direct let mechanism or in the private rented sector (see s.5.11).

- 6.3.2 If an applicant wishes to ask for the review of the Council's decision following a homeless application they must request this within 21 days of the date of the decision letter. Cambridge City Council will refer review requests to an external, independent organisation (qualified to interpret homelessness legislation) that will make a judgement on whether to uphold or overturn the council's decision.
- 6.3.3 If an applicant wishes to request a review of the reasonableness of an offer or the suitability of the property, this must be made within 21 days of notification of a decision to make the offer. Late review requests can be considered under exceptional circumstances at the discretion of the Council.
- 6.3.4 Applicants who request reviews of decisions about suitability of accommodation will be advised to accept and move into accommodation pending the outcome of their review request. If the review goes in their favour alternative accommodation will be provided as quickly as possible. However if the reasonableness and suitability of the offer is upheld the applicant will still have accommodation to live in whilst they consider their further options.
- 6.3.5 The applicant has the right of appeal to the county court if he or she is dissatisfied with the decision on a review.

6.4 The Local Government Ombudsman

- 6.4.1 The Local Government Ombudsman investigates complaints of injustice arising from maladministration by local authorities and other bodies. They can be asked to investigate complaints about most council matters including housing.
- 6.4.2 If an applicant is not satisfied with the action the council has taken, and has exhausted the council's own complaints procedure, they can send a written complaint to the ombudsman.
- 6.4.3 The Local Government Ombudsman can be contacted at:

Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry CV4 8JB
Tel: 024 7682 0000
Website: www.lgo.org.uk

If an applicant wishes to make a complaint against a housing association, they should contact:

The Housing Ombudsman Service
Norman House
105 -109 Strand
London
WC2R 0AA
Tel: 08457 125 973
Website: www.ihos.org.uk

Chapter 7

7.1 Letting of accommodation

- 7.1.1 Properties will be advertised through the Home-Link scheme. The advertising will be carried out on a regular basis and for specific periods of time, known as advertising cycles.

7.2 Labelling property advertisements

- 7.2.1 All adverts will include a description of the property and any other relevant information, for example rent charge, property size, length and type of tenancy, local facilities, disabled adaptations or if the property is housing for older people. The property will be labelled to show who is able to express an interest in it (known as bidding), for example, where a local connection is required, or if there is an age restriction on the property.
- 7.2.2 Applicants should check the information contained in the property advert labelling to see if they qualify to be considered for the property.

7.3 Bedroom requirements

- 7.3.1 Bedroom requirements will generally be determined in line with the Local Housing Allowance (LHA) regulations (see s.5.4).
- 7.3.2 Landlords may choose to allow the under-occupation of certain properties including those that they advertise. The property advert will explain this on those properties the landlord is willing to under-occupy. Where a landlord is willing to allow under-occupation this will generally be by allowing an applicant to be considered for one bedroom more than their assessed Local Housing Allowance (LHA) entitlement (for example allowing applicants with an assessed two bedroom LHA need to be considered for a 3 bedroom property). All households bidding for these properties and meeting the labelling criteria will be considered in line with the shortlisting criteria contained in 7.4.1 below.
- 7.3.3 Where a landlord is willing to allow under-occupation an affordability assessment will be completed to ensure that the applicant being considered for the property is able to meet rent payments. If the applicant is assessed as being unable to afford the rent payments the landlord may bypass them on the shortlist.

7.4 Shortlisting

- 7.4.1 After the end of an advertising cycle a shortlist of applicants bidding for the property and meeting the labelling criteria will be produced. Applicants will be ranked in order of their priority band with band A above band B, band B above band C, and band C above band D. Where more than one applicant in the same priority band appears on the shortlist they will be ranked in date order as determined by their date in band (see 2.3). In circumstances where there is more than one applicant in the same band with the same date in band, the applicant with the earliest registration date will appear higher on the shortlist. If there is more than one applicant with the same band, date in band and registration date a housing advisor will make an allocation decision based on the best use of the housing stock and needs of the applicants.
- 7.4.2 When a shortlist of applicants is completed, the landlord of the available property will offer an accompanied viewing of the property to the highest priority applicants. This is to ensure that if the applicant who tops the shortlist decides not to take the tenancy, the property can be quickly offered to the next person on the shortlist.

Appendix 3

7.4.3 After viewing the property the applicant at the top of the shortlist will be given 24 hours to accept or refuse the offer. If an applicant is offered a tenancy (verbally or in writing) and does not reply to accept that offer within the deadline given, the landlord will take this as a refusal of the offer. If the offer is refused the next person on the short list will be offered the property. The landlord will work down the shortlist in order.

7.4.4 In exceptional circumstances a housing advisor may make a decision to bypass an applicant who is at the top of a shortlist, for example, where there is a risk that a vulnerable person could be at risk of harm. This is known as a “sensitive let”.

7.5 Introductory tenancies

7.5.1 All new tenancies offered by Cambridge City Council will be introductory tenancies unless one of the following apply:

- The person/s being offered the tenancy is already a secure tenant with Cambridge City Council or another local authority.
- The person/s being offered the tenancy is already a tenant under an assured tenancy (other than an assured shorthold tenancy) of a Housing Association in or out of the City of Cambridge.

Further information on introductory tenancies can be obtained at www.cambridge.gov.uk

7.6 Formal offer of the property

7.6.1 Once the applicant has confirmed their acceptance of the tenancy the landlord of the property will write to confirm the formal offer of the tenancy. The Home-Link system will then not allow that applicant to be considered for any further properties and once the tenancy starts their housing register application will be cancelled.

7.6.2 Once the property is ready to let the landlord of the property will complete the tenancy sign up.

7.7 Withdrawal of offers

7.7.1 In exceptional circumstances an offer of a property may be withdrawn at any time up to completion of the tenancy agreement. These circumstances may include (but are not limited to) the following:

- a) Where there has been a change in the applicants' circumstances
- b) Where the successful applicant has rent arrears or other housing related debts that had previously not come to light
- c) Following verification the applicant is not eligible for the property
- d) Where an error has been made in the advertising criteria
- e) Where an offer of accommodation could put a vulnerable person at risk of any harm.
- h) Where the property is no longer available to let

7.8 Refusing an offer of accommodation

7.8.1 Usually, if an applicant refuses an offer of accommodation made through Home-Link, they will remain in their housing needs band. If an applicant unreasonably refuses three or more offers of a property made through CBL or has made little or no attempt to bid for accommodation, a housing officer may contact the applicant to offer support and assistance and verify their circumstances. The applicant may be moved into a lower priority band or be unable to bid for a specified period not exceeding 6 months.

7.9 Allocations to staff, council members or their family members

- 7.9.1 Members of staff, their close family and elected members who require housing with Cambridge City Council may apply for housing in the same way as other applicants. Their status should be disclosed on the application form at the time of applying.
- 7.9.2 If an applicant who is a member of staff, elected member or a member of their direct family, makes a successful bid for a property the Director of Customer and Community Services or other designated officer. will be informed and must approve the letting prior to the formal offer being made.

7.10 Tenancy management outside the scope of the lettings policy

- 7.10.1 The following tenancy management areas are not included as part of this lettings policy as they are not included within part 6 of the Housing Act 1996:
- a) Mutual exchanges
 - b) Introductory tenancies converted to secure tenancies
 - c) Where a secure tenancy of a property is assigned by way of succession to the same property
 - d) Where a secure tenancy is assigned to someone who would be qualified to succeed to that tenancy if the secure tenant died immediately before the assignment
 - e) Where court orders are made under one of the following:
 - i. Section 24 of the Matrimonial Causes Act 1973
 - ii. Section 17 (1) of the Matrimonial and Family Proceedings Act 1984
 - iii. Paragraph 1 of schedule 1 to the Children Act 1989

Chapter 8

8.0 Confidentiality and access to information

8.1 Applicants' Rights to Information

- 8.1.1 Applicants have the right to request such general information as will enable them to assess:
- a. How their application is likely to be treated under the Lettings Policy (including in particular whether they are likely to be regarded as a member of a group of people who are to be given preference by virtue of this Policy, (see Chapter 3)
 - b. Whether housing accommodation appropriate to their needs is likely to be made available to them.
- 8.1.2 Applicants have the right to request information held about their application which is likely to be, or has been, taken into account when considering whether to allocate them housing.

8.2 Data protection

- 8.2.1 When an applicant applies to the Home-Link scheme the partner organisations will only ask for information that they need to assess their eligibility and housing needs. The partner organisations will collect and keep data in accordance with the council's guidelines on handling personal data.
- 8.2.2 These guidelines are in accordance with the Data Protection Act 1998 which covers both electronic and manual records and the Act governs everything we do with the personal data, including collecting, storing, using and disposing of it.
- 8.2.3 Confidential information held about applicants will not be disclosed to third parties apart from:
- a) Where the individual who is the subject of the confidential information has consented to the disclosure
 - b) Where disclosure is made in accordance with an information sharing protocol
 - c) Where data protection law allows the Council or a partnership organisation to make such disclosures

8.3 Requesting information

- 8.3.1 Applicants are able to request copies of the information held regarding their application. This information is held in line with Data Protection Act guidelines. Please note that we cannot provide you with personal information about other people if doing so will breach the Data Protection Act 1998.

Appendix 3

Appendix 1

Cambridge Sub regional Choice Based Lettings

Partner Organisation List

Local Authority

LSVT Landlord

Cambridge City Council

PO Box 700
Cambridge
CB1 0JH
Email: cbl@cambridge.gov.uk
Website: www.cambridge.gov.uk

South Cambridgeshire District Council

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA
Email: cbl@scambs.gov.uk
Website: www.scambs.gov.uk

East Cambridgeshire District Council,

The Grange
Nutholt Lane
Ely
Cams.
CB7 4PL
Email: customerservices@eastcambs.gov.uk
Website: www.eastcambs.gov.uk

Sanctuary Housing

Avro House
49 Lancaster Way Business Park
Ely
Cams
CB6 3NW
Email: contactus@sanctuary-housing.co.uk
Website: www.sanctuary-housing.co.uk

Huntingdonshire District Council

Pathfinder House
St Mary's Street
Huntingdon
Cambridgeshire
PE29 3TN
Email: housingervices@huntsdc.gov.uk
Website: www.huntsdc.gov.uk

Luminus Group

Brook House
Ouse Walk
Huntingdon
Cambridgeshire
PE29 3QW
Email: homes@luminus.org.uk
Website: www.luminus.org.uk

Fenland District Council

Fenland Hall
County Road
March
Cambridgeshire
PE15 8NQ
Email: info@fenland.gov.uk
Website: www.fenland.gov.uk

Cicle Housing Roddons

Beacon House
23 Hostmoor Avenue
March
Cambridgeshire
PE15 0AX
Email: roddensenquiries@circle.org.uk
Website: www.circle.org.uk/roddons/

Appendix 3

Local Authority

Forest Heath District Council

College Heath Road
Mildenhall
Suffolk
IP28 7EY

Email: cbl@forest-heath.gov.uk

Website: www.forest-heath.gov.uk

St Edmundsbury Borough Council

West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

Email: home-link@stedsbcc.gov.uk

Website: www.stedmundsbury.gov.uk

LSVT Landlord

Flagship Housing Group

Keswick Hall
Keswick
Norwich
Norfolk
NR4 6TJ

Email: info@flagship-housing.co.uk

Website: www.flagship-housing.co.uk

Havebury Housing Partnership

Havebury House
Western Way
Bury St. Edmunds
Suffolk
IP33 3SP

Email: office@havebury.com

Website: www.havebury.com

GLOSSARY OF TERMS

Adapted properties – means a property that has been adapted for an applicant with disabilities.

Advertising cycle – means how often properties are advertised and available to make a bid on.

Advertised - properties that are advertised and are available for applicants to bid through Home-Link.

Age restrictions - where a property is labelled, as only being available to applicants of a certain age.

Application number - a unique housing number generated by the computer system.

Bedroom eligibility - how many bedrooms a household is assessed as needing.

Bid – the process used by applicants in registering an interest in an available property.

Choice Based Lettings (CBL) - a method of allocating social and affordable homes which have become available for letting by openly advertising them, and allowing applicants to bid for these.

Customer/Applicant - is either a tenant of a partner organisation (including those in temporary accommodation) or a housing applicant on the Home-Link housing register.

Date of registration - the date an application form is registered with a partner organisation

Date in band - the date an application is placed in a housing needs band and used as the applicable date when shortlisting.

Decision making organisation - the organisation that made a particular decision with regard to a housing or homeless application.

Direct let - a property that is offered directly to an applicant, without them having to bid.

Domestic violence/abuse - is threatening behaviour, violence or abuse (physical, psychological, sexual, financial or emotional) by a former partner or associated person.

Housing Associations - also known as Registered Social Landlords (RSL's) and Registered Providers (RP's). These are landlords who also provide social and affordable rented homes for which applicants/ customers can bid for through the Home-Link CBL scheme.

Housing options - looking at the number of ways in which an applicant or customer might be assisted and supported to find a solution to their housing needs. Housing options may include private rented accommodation, mutual exchange, or even a home-buy product.

Housing needs register - a list of those requesting and qualifying for housing.

Housing related debts - are defined as recoverable current rent arrears, former tenant arrears, outstanding re-chargeable repairs, current and former housing related service charge arrears and court costs.

Appendix 3

Joint Application - where one or more applicant applies to join the housing register on one application form.

Labelling properties - describing who is eligible to bid for a property and if there will be a preference applied.

Local Connection - the connection an applicant has to a specific area.

Local elected members - each local authority is governed by a group of elected members also known as councillors.

LSVT Landlord - Large Scale Voluntary Transfer, where a Local authority has sold its housing stock to a Registered Social Landlord

Mutual exchange - a scheme which allows two tenants to swap their homes.

Partner organisations - all the organisations that are partners to the Home-Link scheme these may be local authority or housing associations/registered providers

Registered Providers – also known as housing associations. These are social landlords who also provide social and affordable rented homes for which applicants/customers can bid for through the Home-Link scheme.

Social Housing – homes that are owned by councils or registered housing providers that are let at social or affordable rents.

Transferring tenant - an applicant who is currently a tenant of a local authority or housing association and who wishes to move.

This page is intentionally left blank

Appendix 4

Cambridge City Council – Lettings Policy consultation August 2015

Members of the public and Home-Link applicants were consulted on the key Lettings Policy changes via a questionnaire at the Annex listed below. The consultation was advertised on the Council's website and all Home-Link applicants were sent an email encouraging them to respond to the consultation. Table 1 below provides a summary of the responses received

Table 1: Summary of responses from members of the general public and housing applicants

Proposed change	Number of respondents	Number in favour	Number against	Most prevalent comments from those not in favour	Actions/further amendments
Discounting those subject to immigration control as household members	57	53*	4	<ul style="list-style-type: none"> It will cause overcrowding and is unfair Cases should be treated individually rather than having a blanket rule A blunt instrument to deal with potential exploitation of the rules It will lead to unintended consequences 	<p>Each application will be considered individually. We propose to add a sentence to paragraph 3.1.3 to clarify this.</p> <p>The new paragraph 3.1.3 sets out matters that the Council can take into account in deciding whether the person subject to immigration control forms part of the applicant's household</p>
Amendment to clause for those assessed as having intentionally worsened their housing circumstances to gain an advantage on the housing register	56	48*	8	<ul style="list-style-type: none"> People may be forced to move to smaller properties for financial reasons People should not be penalised for well-intended mistakes 	<p>No further amendments proposed.</p> <p>In assessing</p>

Appendix 4

Proposed change	Number of respondents	Number in favour	Number against	Most prevalent comments from those not in favour	Actions/further amendments
				<ul style="list-style-type: none"> • People with medical issues may move for good reason even if it technically 'worsens their circumstances' • People may move to a less suitable property to avoid homelessness • Worsening circumstances is a subjective assessment • Does not allow for sufficient discretion 	<p>applications the Council will consider individual circumstances and the reasons for the changes in housing circumstances.</p> <p>Paragraph 4.11</p>
Proposed sanction for band A applicants who refuse more than 3 reasonable offers of accommodation	57	50	7	<ul style="list-style-type: none"> • Sometimes adverts are not clear enough • It's a choice based system and people should not be forced to accept offers that are not right • Unfair and unreasonable • Proposed change is too vague on when this should apply 	<p>Paragraph 4.14</p> <p>This paragraph gives the Council discretion to carry out a review of Band A applications. Sub-paragraph (d) would only apply if the refusals evidenced a change in assessed need.</p> <p>It is proposed to add a sentence to (d) to clarify this.</p> <p>One of the actions identified by the EQIA is to provide</p>

Appendix 4

Proposed change	Number of respondents	Number in favour	Number against	Most prevalent comments from those not in favour	Actions/further amendments
					a clear guidance document for officers on carrying out these reviews.
Offer 'emergency housing status' to terminally ill applicants who are already in band A	57	53	4	<ul style="list-style-type: none"> No reason to award additional priority as housing requirement is temporary 	<p>No further amendments proposed.</p> <p>While it may be true that the housing requirement is temporary, the nature of terminal illness is that it is not finite in length and the change in policy should allow more people to live out their final days in a property that is suitable for their needs.</p>
Offer 'emergency housing status' or make direct offers of accommodation to Council tenants who are losing their homes because the Council wishes to redevelop the houses where they live.	56	52	4	<ul style="list-style-type: none"> The Council should not be permitted to evict people simply because they wish to redevelop their homes Not fair on others on the register who have waited a long time Health & social care services and/or family should provide housing solutions for the terminally ill 	<p>No further amendments proposed.</p> <p>Two respondents considered that the Council's approach to redevelopment was wrong and</p>

Appendix 4

Proposed change	Number of respondents	Number in favour	Number against	Most prevalent comments from those not in favour	Actions/further amendments
				<ul style="list-style-type: none"> The whole redevelopment process needs a rethink – more houses need to be built to match those redeveloped 	<p>one considered that it was unfair to people who had been waiting a long time.</p> <p>The Council's long term approach to redevelopment is to replace units on a like for like basis. The Council is committed to maintaining high standards across its housing stock.</p>
Make direct offers to homeless applicants at the point the Council accepts a duty rather than allowing an additional 3 month bidding period.	56	52	4	<ul style="list-style-type: none"> Reducing choice for homeless applicants is not just Should be looked at on a case by case basis Puts too much pressure on people to move when they are already in a difficult situation 	<p>No further amendments proposed.</p> <p>Although choice will be reduced, the proposal will mean that homeless households are able to move into long term homes more quickly. Applicants can request a "suitability review"</p>

Appendix 4

Proposed change	Number of respondents	Number in favour	Number against	Most prevalent comments from those not in favour	Actions/further amendments
					if they consider that the offer of accommodation that the Council has made to discharge statutory homeless duties is unsuitable.

*One respondent qualified the 'yes' vote by saying that this change should only apply to new applicants

Appendix 4

Home-Link Registered Providers (RPs) and partner local authorities that sit on Home-Link Operations Group and Home-Link Management Board (HLMB) have been formally consulted throughout the process culminating in a final agreement on the proposals at HLMB on 11th June 2015. Partners represented on these groups include the following:

- St Edmundsbury District Council
- Forest Heath District Council
- East Cambridgeshire District Council
- Fenland District Council
- South Cambridgeshire District Council
- Huntingdonshire District Council
- CHS Group
- Sanctuary
- Circle Anglia
- Havebury
- Luminus
- Axiom
- Jephson
- Aldwyck
- Cotman
- Cross Keys
- Flagship
- Guinness
- Hanover
- Hastoe
- Hyde
- Longhurst
- Orwell
- Paradigm
- Riverside English Churches Housing Group
- Stonewater (formerly Raglan)
- Accent Nene
- Bedfordshire Pilgrims Housing Association
- Broadland
- Circle Housing Wherry
- Home Group

Appendix 4

- Hundred Houses
- King Street
- Metropolitan
- Muir
- Orbit
- Papworth Trust
- Suffolk Housing

Home-Link RPs, partner local authorities and strategic homelessness partners in Cambridge were also consulted on the key proposed changes via the questionnaire listed below. There were 10 respondents to the questionnaire from this group. These were Havebury, Luminus, Circle Housing Wherry, Hundred Houses, Riverside ECHG, Flagship Homes, Kings Street Housing Society, Wintercomfort, Cambridge Women's Aid and Suffolk Housing and a summary of the responses is listed within table 2 below:

Table 2: Summary of responses from Home-Link partners and local homelessness strategy delivery partners

Proposed change	Number of respondents	Number in favour	Number against	Most prevalent comments from those not in favour	Actions/further amendments
Discounting those subject to immigration control as household members	10	10			
Amendment to clause for those assessed as having worsened their housing circumstances to gain an advantage on the housing register	10	8	2	<ul style="list-style-type: none"> • There should be special exemptions for medical cases where appropriate • Should be able to demonstrate an intent to worsen circumstances before penalising 	In assessing applications the Council will consider individual circumstances and the reasons for the changes in housing circumstances
Proposed sanction for band A applicants who refuse more than 3 offers of accommodation	10	9	1	<ul style="list-style-type: none"> • Applicants should be downgraded to a lower band rather than suspended 	Sub paragraph (d) would only apply if the refusals evidenced a change in assessed need.
Offer 'emergency housing status' to	10	9	1	<ul style="list-style-type: none"> • Priority date should be 	Response

Appendix 4

Proposed change	Number of respondents	Number in favour	Number against	Most prevalent comments from those not in favour	Actions/further amendments
terminally ill applicants who are already in band A				backdated rather than emergency housing status awarded	considered. No further amendments recommended
Offer 'emergency housing status' or make direct offers of accommodation to Council tenants who are losing their homes because the Council wishes to redevelop the houses where they live.	10	9	1	<ul style="list-style-type: none"> There is a disparity here because people in private rented homes being redeveloped would not be awarded the same status 	No further amendments recommended.
Make direct offers to homeless applicants at the point the Council accepts a duty rather than allowing an additional 3 month bidding period.	10	10			

It should be noted that there is an error in the consultation in that the draft policy does not say that people who are applying to join the register cannot include those who are subject to immigration control as members of their household. The Council will consider each application individually and the policy sets out matters that the Council can take into account in deciding whether a person who is subject to immigration control forms part of the applicant's household

Appendix 4

Annex – consultation questionnaire

1. The Council has proposed that people who are applying to join the register cannot include those who are subject to immigration control as members of their household. We are doing this because allowing housing applicants to add these individuals may favourably affect the priority we would give them and the number of bedrooms they would be entitled to and, it is felt that this is fair and reasonable given that housing is in short supply in the district.

Do you agree with this change?

Yes

No

If not, please state why below:

2. The Council has provision in its policy to ensure that housing applicants who have made their own circumstances worse should not get additional priority as a result. We have changed the policy slightly to ensure that applicants do not need to have known the policy before taking the action that they have to 'worsen their circumstances'.

Examples where applicants may be considered to have 'worsened their circumstances' are:

- *Deliberately overcrowding your own home*
- *moving to a smaller property which is inadequate for your family size*
- *selling a property and spending the proceeds without securing alternative housing*
- *moving to a property clearly unsuitable for the medical needs of an applicant or household member.*

Do you agree that applicants should not benefit under the lettings policy regardless of whether they knew the way the Council prioritises applications on the register?

Yes

No

Appendix 4

If not, please state why below:

3. The Council has proposed that housing applicants in the highest priority group (band A) on the register have their applications suspended if they refuse 3 offers of accommodation. This change is recommended because band A is considered to be an 'urgent' housing status and regular refusal of accommodation offers may call this into question. This provision would be at the discretion of the Council and not automatic.

Do you agree that applications in band A who reject more than 3 offers of accommodation should have their applications suspended for 6 months in certain circumstances?

Yes

No

If not, please state why below:

4. There is a proposal within the revised lettings policy to prioritise people who are in band A and are terminally ill above all others in band A and give them an 'emergency status'. This is because the date a banding priority is awarded determines which bid for accommodation finishes highest. People who are terminally ill do not have the luxury of time to wait for their priority date to become a significant factor in the bidding process.

Do you agree that people who are terminally ill and are already in the highest band should be given this extra level of priority over others also in urgent housing need?

Yes

No

If not, please state why below:

Appendix 4

5. The Council is also proposing to award 'emergency status' (see explanation in the previous proposed change) or make direct offers of accommodation to Council tenants who are losing their homes because the Council wishes to redevelop the houses where they live. The Council needs to rehouse people affected by redevelopments quickly so that the costs of improving such housing schemes are minimised.

Do you agree that people who are affected by redevelopments and asked to leave their homes should be given the opportunity to move as quickly as possible?

Yes

No

If not, please state why below:

6. The Council wants to minimise expenditure on the temporary accommodation it provides to housing applicants who are homeless. Under the existing policy the Council has to wait 3 months before making direct offers of accommodation to homeless applicants it has a duty to house. This change would mean that a direct let could be offered as soon as a duty is accepted. It would, however, mean that homeless applicants would have a shorter period of choice to bid for accommodation but will reduce the overall cost of temporary accommodation.

Do you agree with this change?

Yes

No

If not, please state why below:

This page is intentionally left blank

Appendix 5

Cambridge City Council Equality Impact Assessment

Completing an Equality Impact Assessment will help you to think about what impact your strategy, policy, plan, project, contract or major change to your service may have on people that live in, work in or visit Cambridge, as well as on City Council staff.



The template is easy to use. You do not need to have specialist equalities knowledge to complete it. It asks you to make judgements based on evidence and experience. There are guidance notes on the intranet to help you. You can also get advice from Suzanne Goff, Strategy Officer on 01223 457174 or email suzanne.goff@cambridge.gov.uk or from any member of the Joint Equalities Group.

1. Title of strategy, policy, plan, project, contract or major change to your service:

Lettings Policy

2. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

The Council allocates its own housing, and that provided by housing associations in Cambridge, via a scheme called [Home-Link](#). To determine how housing is allocated to those applying for it in Cambridge, the Council assesses the needs of housing applicants and awards a 'banding category' from A to D (with A being the highest and D the lowest) to reflect the priority given to each application. Those applying can 'bid' for accommodation which Councils and housing associations advertise. The [Home-Link User Guide](#) gives more information on this

The allocation of housing and the definition of these A to D banding categories are determined by a Lettings Policy. All local authorities operating a housing allocations scheme need to have one. [Cambridge City Council's Lettings Policy](#) can be found on the website.

The Council is proposing some changes to the policy and these are outlined in a Committee report for elected Members. The key changes are outlined at 3.6 and 3.7 of the [main Lettings Policy Review](#) report and are listed below:

3.6 The most significant amendments to the policy are as follows:

- When applicants, who are seeking to join the register, include on their application as members of their household people who are not eligible for an allocation of social housing in their own right because they are subject to immigration control the Council will, taking into account the individual circumstances of each case, decide whether the ineligible person forms part of the applicant's household for the purposes of housing allocation. Paragraph 3.1.3 of the draft policy sets out matters that the Council can take into account. This proposal has been made because allowing housing applicants to add these individuals may favourably affect the priority the Council would give them and the number of bedrooms they would be entitled to and, it is felt that this is fair and reasonable given that housing is in short supply in the district.
- The Council has provision in its policy to ensure that housing applicants who have intentionally made their own circumstances worse should not get additional priority as a result. We are proposing to change the policy slightly to ensure that applicants do not need to have known the policy before taking the action that 'worsened their circumstances'.
- The Council has proposed that housing applicants in the highest priority group (band A) may be prevented from bidding for up to 6 months if they refuse 3 reasonable offers of accommodation or make little or no attempt to bid for accommodation. This change is recommended because band A is considered to be an 'urgent' housing status and regular refusal of accommodation offers or failing to bid may call this into question. This provision would be at the discretion of the Council and not automatic and would only be applied if the refusals or failure to bid evidenced a change in assessed needs. The Council would consider the circumstances of

2. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

each refusal of accommodation.

- There is a proposal within the revised lettings policy to prioritise people who are in band A and are terminally ill above all others in band A and give them an 'emergency status'. This is because the date a banding priority is awarded determines which bid for accommodation finishes highest. People who are terminally ill do not have the luxury of time to wait for their priority date to become a significant factor in the bidding process.
- The Council is also proposing to award 'emergency status' (see explanation in the previous proposed change) or make direct offers of accommodation to Council tenants who are losing their homes because the Council wishes to redevelop the houses where they live. The Council needs to rehouse people affected by redevelopments quickly so that the costs of improving such housing schemes are minimised.
- The Council wants to minimise expenditure on the temporary accommodation it provides to housing applicants who are homeless. Under the existing policy the Council has to wait 3 months before making direct offers of accommodation to homeless applicants it has a duty to house. This change would mean that a direct let could be offered as soon as a duty is accepted. It would, however, mean that homeless applicants would have a shorter period of choice to bid for accommodation but will reduce the overall cost of temporary accommodation.

3.7 In addition to the key changes outlined in 3.6 officers have made additional changes to the policy based on the findings of R (on the Application of HA) v London Borough of Ealing (28th/29th July 2015) <http://www.bailii.org/ew/cases/EWHC/Admin/2015/2375.html> , which has implications for local authorities applying residence criteria in considering whether applicants can join the register. Accordingly, there are additional categories added at 3.3.1 (i), (j) and (k) in the new policy submitted for approval at appendix 3. These additional criteria reflect the examples of special circumstances given in the Statutory Guidance "Providing social housing for local people" An additional statement confirming that the Council will have regard to the need to safeguard and promote the welfare of children in applying the Lettings Policy has also been included at 1.6. As this is a very recent piece of case law Legal Services and the Home-Link partnership will be continuing to assess whether further changes are required.

Appendix 5

3. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)

☒ Residents

☐ Visitors

☐ Staff

A specific client group or groups (please state):

4. What type of strategy, policy, plan, project, contract or major change to your service is this? (Please tick)

☐ New

☒ Revised

☐ Existing

5. Responsible directorate and service

Directorate: Customer and Community Services

Service: Housing Advice Service

Appendix 5

6. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service?

☐ No

✓ Yes (please give details):

6 other local authority partners which form part of the Choice Based Lettings (CBL) sub-regional partnership ([Home-Link](#))

Appendix 5

7. Potential impact

Please list and explain how this strategy, policy, plan, project, contract or major change to your service could **positively** or **negatively** affect individuals from the following equalities groups.

When answering this question, please think about:

- The results of relevant consultation that you or others have completed (for example with residents, people that work in or visit Cambridge, service users, staff or partner organisations).
- Complaints information.
- Performance information.
- Information about people using your service (for example whether people from certain equalities groups use the service more or less than others).
- Inspection results.
- Comparisons with other organisations.
- The implementation of your piece of work (don't just assess what you think the impact will be after you have completed your work, but also think about what steps you might have to take to make sure that the implementation of your work does not negatively impact on people from a particular equality group).
- The relevant premises involved.
- Your communications.
- National research (local information is not always available, particularly for some equalities groups, so use national research to provide evidence for your conclusions).

(a) Age (any group of people of a particular age, including younger and older people – in particular, please consider any safeguarding issues for children and vulnerable adults)

- 1) **POSITIVE:** Older people may benefit disproportionately from the proposal to offer emergency housing status to those who are terminally ill and in band A. This assumes that older people are more likely to have a terminal illness diagnosed than people below the age of 60 and is supported by this [Kings Fund report](#) about the rate at which people develop illness according to age

Appendix 5

(b) Disability (including people with a physical impairment, sensory impairment, learning disability, mental health problem or other condition which has an impact on their daily life)

- 2) NEGATIVE: People with disabilities may be affected by the new proposals around suspending applications (not allowing applicants to bid for or be offered accommodation for up to 6 months) in band A if they have received 3 reasonable offers of accommodation. As at August 2015 applicants categorised as having an urgent medical need number 26. This represents 13.2% of all applications in band A.
- 3) POSITIVE: Terminal illness may disproportionately affect people who have a disability and applicants, who already have a band A status, will benefit from the new 'emergency status' provision for people who are terminally ill.
- 4) POSITIVE: The Council finds it difficult to source appropriate accommodation for people with disabilities because there is a limited supply of adapted properties in Cambridge. The proposed removal of the 3 month bidding period before homeless applicants (to whom the Council has accepted the full homelessness duty) are offered a 'direct let' (an offer of accommodation which is offered directly to the applicant without them having to bid for it) of accommodation should mean that people in this situation will be housed more quickly and, therefore, endure less time in temporary accommodation, which may not be purpose built or suitable to their needs.

(c) Gender

- 5) POSITIVE: The policy makes an explicit requirement that officers consider those fleeing domestic violence or abuse in determining whether a local connection should be awarded on a discretionary basis. Domestic violence [disproportionately affects more women than men](#). This is could have a positive impact for women who find themselves in this situation in larger numbers than men.

(d) Pregnancy and maternity

- 6) NEGATIVE: The proposed removal of the 3 month bidding period before homeless applicants (to whom the Council has accepted the full homelessness duty) are offered a 'direct let' of accommodation may have an adverse impact if not mitigated. Although Cambridge is a relatively small city, there is the potential to leave new and expectant mothers isolated if housed away from family and support networks if officers do not take location into consideration when making offers. This group is affected as they are cited in legislation as a priority group for consideration under homelessness legislation.

Appendix 5

(e) Transgender (including gender re-assignment)

No obvious positive or negative impact regarding transgender applicants

(f) Marriage and Civil Partnership

No obvious positive or negative impact regarding applicants who are married or are in a Civil Partnership

(g) Race or Ethnicity

- 7) **NEGATIVE:** The proposals, which would allow the Council discretion to disregard those 'subject to immigration control' as part of an applicant's household, even if they are part of the family, will, by definition, adversely affect racial and ethnic groups that feature prominently in the immigration figures for the UK.

The Council does not have reliable data on the nationality of those applying for housing and deemed to be 'ineligible for assistance' or 'subject to immigration control' but, anecdotally, Eastern European migrants might be disproportionately affected. While the Council does collect data on the race and ethnicity of applicants, it does not collect specific detail on nationality for all applicants unless it is required to assess it as part of the housing application.

Cambridge Eastern European migrants make up 17.1% of the register as at August 2015. The category that the Council uses is 'white other' - this means white but not of British or Irish origins.

The justification for the policy change is to bring the Lettings Policy approach into line with current homelessness legislation, which rules out consideration for ineligible applicants or household members for housing. It is also a necessary measure given the low supply, relative to demand, of social housing in Cambridge.

(h) Religion or Belief

No obvious positive or negative impact regarding applicants on the basis of religion or belief

Appendix 5

(i) Sexual Orientation

No obvious positive or negative impact regarding applicants on the basis of sexual orientation

(j) Other factors that may lead to inequality – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty (please state):

Many of the proposed Lettings Policy changes are intended to improve fairness and consistency in the assessment of housing need. Customers with incomes of over £40,000 per annum or savings in excess of this figure are not considered as a priority group on the register and the changes do not compromise this position.

8. If you have any additional comments please add them here

9. Conclusions and Next Steps

- If you have not identified any negative impacts, please sign off this form.
- If you have identified potential negative actions, you must complete the action plan at the end of this document to set out how you propose to mitigate the impact. If you do not feel that the potential negative impact can be mitigated, you must complete question 8 to explain why that is the case.
- If there is insufficient evidence to say whether or not there is likely to be a negative impact, please complete the action plan setting out what additional information you need to gather to complete the assessment.

All completed Equality Impact Assessments must be emailed to Suzanne Goff, Strategy Officer, who will arrange for it to be published on the City Council's website.

Email suzanne.goff@cambridge.gov.uk

Appendix 5

10. Sign off

Name and job title of assessment lead officer: **David Greening, Housing Advice Service Manager**

Names and job titles of other assessment team members and people consulted:

Harriet Morgan, Policy and Performance Officer

Suzanne Goff, Strategy Officer

Date of completion: 11th September 2015

Date of next review of the assessment: 10th September 2016

Appendix 5 Action Plan

Equality Impact Assessment title: Lettings Policy 2015-16

Date of completion: 27th August 2015

Equality Group	Age
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

Appendix 5

Equality Group	Disability
Details of possible disadvantage or negative impact	Please refer to point 2 in section 7 above
Action to be taken to address the disadvantage or negative impact	Write a clear procedure around suspending band A applications which have refused 3 reasonable offers. Provide a clear definition of 'reasonable' and ensure that officers making these decisions have carefully considered if a person with a disability has a) received adequate support in understanding what they are bidding for or b) is not a person with a mental health impairment who does not have a clear understanding of the implications of the refusals c) if relevant it should also take account of relevant occupational therapist reports and opinions before arriving at a decision to suspend
Officer responsible for progressing the action	Harriet Morgan
Date action to be completed by	By 31 st March 2016

Equality Group	Gender
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

Appendix 5

Equality Group	Pregnancy and Maternity
Details of possible disadvantage or negative impact	Please refer to point 6 in section 7 above
Action to be taken to address the disadvantage or negative impact	Officers offering direct lets should not be confined to offering accommodation in specific wards but the direct let procedure should be amended to ask offers to reflect on the location needs of the applicant in this respect so that they are not housed an unreasonable distance away from these support networks. The Council should review amend its homelessness duty acceptance letter and amend and highlight the sentence contained within it saying 'If there is any reason why a property might not be suitable for your needs you must let me know now.
Officer responsible for progressing the action	Ruth Trown
Date action to be completed by	September 30 th 2015
Equality Group	Transgender
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

Appendix 5

Equality Group	Marriage and Civil Partnership
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

Equality Group	Race or Ethnicity
Details of possible disadvantage or negative impact	Please refer to point 7 in section 7 above on race and ethnicity
Action to be taken to address the disadvantage or negative impact	The justification for this policy approach is outlined in point 7, section 7. Reviews of decisions on bedroom entitlement resulting from a decision to exclude household members should go to the Senior Officer Review Panel (SORP) as outlined in the policy but the Council should review its SORP procedure to ensure that this scenario is reflected as an example by way of guidance to officers – SORP should not consider challenges on the eligibility decision but whether there are special circumstances which the Council has not considered in deeming an ineligible person to not form part of the household. Where the applicant wants to request a review of the decision that one of his/her household members is ineligible the route of appeal is via statutory review as cited in 6.2.1 (a and c) Additionally, a short procedure should be written outlining these two routes for review and linking it to the relevant part of the policy (3.1.3)
Officer responsible for progressing the action	Ruth Trown
Date action to be completed by	31 st March 2016

Appendix 5

Equality Group	Religion or Belief
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

Equality Group	Sexual Orientation
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

Appendix 5

Other factors that may lead to inequality	
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	