



# **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 1<sup>st</sup> April 2016**

## Appendix 3

### Contents page

<b>Chapter</b>	<b>Contents</b>	<b>Page No.</b>
<b>Chapter 1</b>	<b>Introduction</b>	
	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
<b>Chapter 2</b>	<b>Applying for housing</b>	
	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
<b>Chapter 3</b>	<b>Who can be accepted onto the housing register?</b>	
	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
<b>Chapter 4</b>	<b>Assessment of housing need</b>	
	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	
<b>Chapter 5</b>	<b>Assessment information and criteria</b>	
	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
<b>Chapter 6</b>	<b>Reviews of decisions</b>	
	6.1 Reviews of decisions	28
	6.2 Statutory reviews	28
	6.3 Homeless reviews	28
	6.4 The Local Government Ombudsman	29
<b>Chapter 7</b>	<b>Letting of accommodation</b>	
	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
<b>Chapter 8</b>	<b>Confidentiality and access to information</b>	
	8.1 Applicants' rights to information	33
	8.2 Data protection	33
	8.3 Requesting information	33
<b>Appendices</b>	<b>1 Partner organisation list</b>	34
	<b>2 Glossary of terms</b>	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](http://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](http://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 Forces<sup>1</sup> personnel – date in band.

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

- (a) former members of the Armed Forces<sup>1</sup>;
- (b) serving members of the Armed Forces<sup>1</sup> 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 Forces<sup>1</sup> leaving Services Family Accommodation following the death of their spouse or partner;
- (d) serving or former members of the Reserve Forces<sup>2</sup> 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 Forces<sup>1</sup> 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.

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

<sup>2</sup> 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 Forces<sup>1</sup> 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 Forces<sup>1</sup> 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 Forces<sup>2</sup> 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 if 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.

<sup>1</sup> Means the Royal Navy, the Royal Marines, the regular army or the Royal Air Force

<sup>2</sup> 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 Forces<sup>1</sup> 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.

<sup>1</sup> 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 chose 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](http://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](http://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](http://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.

## Appendix 3

### **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

###### Cambridge City Council

PO Box 700  
Cambridge  
CB1 0JH  
Email: [cbl@cambridge.gov.uk](mailto:cbl@cambridge.gov.uk)  
Website: [www.cambridge.gov.uk](http://www.cambridge.gov.uk)

###### South Cambridgeshire District Council

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA  
Email: [cbl@scambs.gov.uk](mailto:cbl@scambs.gov.uk)  
Website: [www.scambs.gov.uk](http://www.scambs.gov.uk)

###### East Cambridgeshire District Council,

The Grange  
Nutholt Lane  
Ely  
Cambs.  
CB7 4PL  
Email: [customerservices@eastcambs.gov.uk](mailto:customerservices@eastcambs.gov.uk)  
Website: [www.eastcambs.gov.uk](http://www.eastcambs.gov.uk)

###### Huntingdonshire District Council

Pathfinder House  
St Mary's Street  
Huntingdon  
Cambridgeshire  
PE29 3TN  
Email: [housingservices@huntsdc.gov.uk](mailto:housingservices@huntsdc.gov.uk)  
Website: [www.huntsdc.gov.uk](http://www.huntsdc.gov.uk)

###### Fenland District Council

Fenland Hall  
County Road  
March  
Cambridgeshire  
PE15 8NQ  
Email: [info@fenland.gov.uk](mailto:info@fenland.gov.uk)  
Website: [www.fenland.gov.uk](http://www.fenland.gov.uk)

###### LSVT Landlord

###### Sanctuary Housing

Avro House  
49 Lancaster Way Business Park  
Ely  
Cambs  
CB6 3NW  
Email: [contactus@sanctuary-housing.co.uk](mailto:contactus@sanctuary-housing.co.uk)  
Website: [www.sanctuary-housing.co.uk](http://www.sanctuary-housing.co.uk)

###### Luminus Group

Brook House  
Ouse Walk  
Huntingdon  
Cambridgeshire  
PE29 3QW  
Email: [homes@luminus.org.uk](mailto:homes@luminus.org.uk)  
Website: [www.luminus.org.uk](http://www.luminus.org.uk)

###### Cicle Housing Roddons

Beacon House  
23 Hostmoor Avenue  
March  
Cambridgeshire  
PE15 0AX  
Email: [roddensenquiries@circle.org.uk](mailto:roddensenquiries@circle.org.uk)  
Website: [www.circle.org.uk/roddons/](http://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](mailto:cbl@forest-heath.gov.uk)

Website: [www.forest-heath.gov.uk](http://www.forest-heath.gov.uk)

#### **St Edmundsbury Borough Council**

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

Email: [home-link@stedsbcb.gov.uk](mailto:home-link@stedsbcb.gov.uk)

Website: [www.stedmundsbury.gov.uk](http://www.stedmundsbury.gov.uk)

### LSVT Landlord

#### **Flagship Housing Group**

Keswick Hall  
Keswick  
Norwich  
Norfolk  
NR4 6TJ

Email: [info@flagship-housing.co.uk](mailto:info@flagship-housing.co.uk)

Website: [www.flagship-housing.co.uk](http://www.flagship-housing.co.uk)

#### **Havebury Housing Partnership**

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

Email: [office@havebury.com](mailto:office@havebury.com)

Website: [www.havebury.com](http://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.