

Appendix 1: Housing Allocations Scheme Consultation Draft Report approved by CEB on 13/2/13 (showing a summary of the proposed changes)

To: City Executive Board

Date: 13/2/13

Report of: Stephen Clarke – Head of Housing

Title of Report: Housing Allocations Scheme Consultation Draft

<u>Summary and Recommendations</u>	
Purpose of report:	For the new Draft Allocations Scheme to be approved to go out to consultation
Key decision?	No
Executive lead member:	Scott Seamons
Policy Framework:	Meeting Housing Needs
Recommendation(s):	To note the proposed changes to the existing Allocations Scheme To approve for the draft of proposed new Allocations Scheme to go out to consultation

Appendices to report – list here by Appendix number and description (already seen by the CEB on 13/2/13 – due to the size of this report already they have not been re-included)

- Appendix 1 Draft Allocations Scheme
- Appendix 2 Summary of Bands & Current Reasons
- Appendix 3 Mobility Levels
- Appendix 4 Risk Register

1.	<p>Introduction</p> <p>There is a high demand for social housing in Oxford and only a limited number of properties become available each year. There are over 5700 applicants on the housing register and it is expected only 550 properties will become available to let during 2011/12. The Allocations Scheme is the policy the Council uses to allocate social housing within Oxford to those in housing need. All housing authorities must have an allocation scheme. Housing authorities are required by s.166A(1) Housing Act 1996 to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme (s.166A(14)). All aspects of the allocation process must be covered in the scheme, including the people by whom decisions are taken. When framing or modifying their scheme, authorities must have regard to their current tenancy and homelessness strategies (s.166A (12)).</p>
2.	<p>Why do we need to review the Allocations Scheme?</p> <p>The current Allocations Scheme came into effect in July 2009. The scheme is also being revised to take into account the Council's new tenancy and homeless strategies and to balance local needs and aspirations with:</p> <ul style="list-style-type: none"> • Recent changes introduced by the Localism Act and changes that are due to be introduced by the Welfare Reform Act during 2013/14 (including the "bedroom tax") • The new Allocations Code of Guidance issued by Communities & Local Government • Recommendations from the Chartered Institute of Housing following their review of the Housing Needs Service last year • The ending of the Oxfordshire Sub-Regional Partnership for allocating properties through Choice-Based Lettings (the local CBL scheme used by Oxford will continue to operate) <p>Although the Allocations Scheme largely meets current legislation and recommendations set out in the Allocations Code of Guidance there are number of key areas that will need to be considered before revising the existing scheme.</p>
3.	<p>Qualification for Inclusion on the Housing Register</p> <p>The Council now has greater powers to decide who does and does not qualify for inclusion on the housing register (with some exclusions notably members/families of the armed forces). The Code of Guidance also recommends that the Allocations Scheme</p>

	has some discretion put in it to accept individual applicants who are considered to have exceptional circumstances.
4.	<p>Local connection – by residence, employment or close family members</p> <p>The Council currently maintains an open register – so applicants eligible for housing are able to apply to be included on the housing register in Oxford irrespective of where they live in UK and/or of their chances of being housed (apart from those excluded for serious anti-social behaviour). However, when allocating properties preference is normally given to applicant's with a local connection to Oxford through residence, work or family. So in practice most applicant's on the housing register, with no local connection, have little chance of ever receiving an offer of accommodation unless; they are an applicant living in the Oxfordshire Sub-Region applying for a property advertised sub-regionally through the Choice-Based Lettings scheme or are from elsewhere in the UK and are applying for a low demand sheltered property.</p>
5.	The draft Allocations Scheme proposes that in future the Council should be able to take into account whether an applicant has a local connection to Oxford when deciding whether they can qualify for inclusion on the Housing Register. In most cases it is proposed that access to the housing register is restricted to those with a local connection with some exceptions; including members of the armed forces.
6.	<p>Capital, savings & income</p> <p>Social housing is a scarce resource and applicants who are considered to have sufficient capital (including property), savings and/or income can be excluded from the housing register or given reduced priority because they have sufficient funds to resolve their own housing situation. The current Allocations Scheme allows applicants to be included on the housing register, even if they own a property &/or have sufficient capital and savings and income to resolve their own housing situation. However, they are normally placed in a low priority band and will be unlikely to shortlist for an offer of accommodation.</p>
7.	The draft Allocations Scheme proposes that in future the Council should be able to take into account Capital, Savings and Income when considering if an applicant should qualify for inclusion on the Housing Register and in some cases an applicant may be excluded (with some exceptions for complex or high needs cases unable resolve their own housing situation).

8.	<p>Rent arrears</p> <p>The current Allocations Scheme allows applicants with rent arrears to be included on the housing register but they will normally be overlooked for any offers of accommodation if they are a:</p> <ul style="list-style-type: none"> • Former tenant who has been evicted by the Council or another Registered Social Provider of social housing until their arrears are re-paid in full. • Current tenant of the Council or another Registered Social Provider with rent arrears outstanding covered by a court order • Current tenant with outstanding rent arrears that are in excess of £200 unless they have a re-payment arrangement in place to re-pay the arrears that has been kept to consistently by the tenant for at least 6 months.
9.	<p>Exceptions can be made by the Allocations Manager in some cases – such as social housing tenants seeking to downsize from their current accommodation where the arrears will be cleared in full by any “compensation” payment they are entitled to, homeless applicants living in temporary accommodation where they are considered to be engaging with re-payment of the rent and “life and limb” cases where a tenant would be at risk if they were not moved from their current home.</p>
10.	<p>Applicants with rent arrears can also be given reduced priority too, although this currently rarely happens, because if they are already being overlooked for offers it makes little difference to their chances of being re-housed.</p>
11.	<p>The changes being brought in by the Localism Act mean the Council could be stricter on those in rent arrears & could also extend the criteria currently being used to include other property related debts owed to the Council such as lost deposits paid for by the Private Sector Team &/or re-charges owed to other landlords. However, we also need to be realistic about the vulnerable applicants in housing need on the housing register and leave enough flexibility to ensure that we are not being too strict or inflexible.</p>
12.	<p>The views of other Private Registered Providers of Social Housing that work together with the Council and form the Oxford Register for Affordable Housing (ORAH) partnership will need to be considered as part of the consultation, as each will have their own tenancy policy and approach to those with rent arrears.</p>
13.	<p>The draft Allocations Scheme proposes that in future the Council should be able to take into account rent arrears when considering if an applicant should qualify for inclusion on the Housing Register (with some exceptions such as those with low level rent arrears,</p>

	tenants who have demonstrated that they can now pay their rent regularly and other for complex or high needs cases unable resolve their own housing situation where there is evidence appropriate support is in place to help them sustain their tenancy in the future).
14.	<p>Anti-Social Behaviour (ASB)</p> <p>Applicants guilty of ASB are currently overlooked for offers until they can demonstrate that they would be potentially suitable tenants and are also sometimes given reduced priority. Historically due to strict legislation it has been very hard to exclude applicants from the housing register on the grounds of ASB but the rules have now been changed and this is no longer a problem.</p>
15.	<p>The Council and ORAH partners will need to consider what behaviour is considered sufficient to exclude an applicant from qualifying for inclusion on the Housing Register. However, it is proposed the following types of behaviour are taken into account:</p> <ul style="list-style-type: none"> • Applicants who have been evicted from council, registered social provider or private rented property for, illegal subletting or antisocial behaviour in the last 5 years. • Breach of tenancy for behaviour which is a nuisance or annoyance to those in the locality of the dwelling; or conviction for using the dwelling for immoral or illegal purposes or committing an indictable offence in the dwelling house, or in the locality of it • Domestic violence causing a partner or other family member to leave the property • Deterioration of the dwelling house or furniture provided for use under the tenancy due to waste, neglect or fault • Tenancy induced by false statement
16.	<p>The draft Allocations Scheme proposes that in future the Council should be able to exclude an applicant from inclusion on the housing register where they, or a member of their household, have been responsible for ASB. With some exceptions such as where there is persuasive evidence behaviour has been amended and another tenancy has been successfully maintained for a reasonable period of time.</p>
17.	<p>Housing Need Priority Bands</p> <p>Applicants applying for housing are placed in a Housing Need Priority Band based on their current housing need.</p> <p>There are currently 5 housing need bands used to prioritise applicants for housing:</p> <p>Band 1 (very high housing need)</p>

	<p>Band 2 (high housing need) Band 3 (significant housing need) Band 4 (moderate housing need) Band 5 (no or little housing need)</p> <p>There are around 5700 applicants on the housing register and the majority (around 3700) are in Band 5 and unlikely to receive an offer of accommodation in the foreseeable future unless their circumstances change and housing need increases. To be placed in each Band an applicant must meet the Band criteria. If they do not meet the criteria for Bands 1 to 4 they are placed in Band 5. A summary of the current criteria used for each priority Band is shown in Appendix 2. To fall within Bands 1 to 4 an applicant must be in a “reasonable preference group” or an “additional preference group”.</p>
18.	<p>Reasonable preference groups</p> <p>The Council is required to give reasonable preference to the following categories of person who fall within “reasonable preference group”:</p> <ul style="list-style-type: none"> • Those who are homeless within the meaning of Part 7 of the 1996 Act (including those who are intentionally homeless and those not in priority need) • Those who are owed a duty by any 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 housing authority under s.192(3) • Those in insanitary or overcrowded housing or otherwise living in unsatisfactory conditions • Those who need to move on medical or welfare grounds, including grounds relating to a disability • Those who need to move to a particular locality in the district, where failure to meet that need would cause hardship to themselves or others <p>These categories are not discrete, and applicants can fall under different categories.</p>
19.	<p>Additional preference groups</p> <p>The Council <i>can</i> take into account local circumstances and is also able to give “additional preference” to applicants who fall within a “reasonable preference group” and have urgent housing needs. For example to:</p> <ul style="list-style-type: none"> • Those who need to move urgently because of life threatening illness or sudden disability • Families in severe overcrowding which poses a serious health

	<p>hazard</p> <ul style="list-style-type: none"> Those who are homeless and require urgent re-housing as a result of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic violence
20.	<p>The Council's Allocations Scheme <i>must</i> give "additional preference" to a person who falls into a reasonable preference group <i>and</i> is considered to have <i>urgent</i> housing needs where the person:</p> <ul style="list-style-type: none"> is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service, or formerly served in the regular forces, or has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.
21.	<p>Changes to existing priority bands</p> <p>Although applicants falling within a reasonable or additional preference group must normally be included on the housing register the Council can decide how to prioritise each group within priority bands 1 to 4 and can move some groups to a different band.</p>
22.	<p>Homeless Applicants</p> <p>There are two separate groups of homeless applicants:</p> <p>(1) Applicants found to be homeless by the Council, <i>in a priority need group</i> (such as homeless families, pregnant applicants or a vulnerable single applicant or couple with health issues) that the Council has a duty to place into homeless temporary accommodation and make a suitable offer of housing. Currently placed in band 2.</p> <p>(2) Applicants found to be homeless and <i>not in a priority need group</i> (such as a single applicant or couple who are not considered vulnerable and/or to have sufficient health needs to give them a "priority need") that the Council has no duty to place in homeless temporary accommodation and make an offer of suitable housing under homeless legislation. Currently placed in Band 3.</p>

23.	<p>The draft Allocations Scheme proposes that in future the following changes are made:</p> <p>Homeless applicants in a priority need group are moved from Band 2 to Band 3.</p> <p>To improve the chances of other applicants in similar housing need on the Housing Register receiving an offer of accommodation, such as applicants with children living with their parents in overcrowded or unsuitable accommodation or in the private sector, to help prevent them becoming homeless. While still continuing to give sufficient priority to those already accepted homeless in temporary accommodation.</p>
24.	<p>Homeless applicants not considered to be in a priority need group are moved from Band 3 to Band 4.</p> <p>To ensure that more priority is given to homeless applicants on the housing register within a priority need group than to those not in a priority need group. While still continuing to give them priority through the Allocations Scheme.</p>
25.	<p>“Policy” Successors</p> <p>Applicants living in social housing who are legally entitled to succeed to a tenancy after the previous tenant has passed away are referred to as “successors” in the Allocations Scheme and are placed in Band 1 if they are required to move to a smaller property. It is not proposed to change their priority.</p> <p>Applicants living in social housing who are not legally entitled to succeed to a tenancy after the tenant of the property they are living in has passed away are referred to a “policy successors” and are placed in Band 1 if they meet the criteria within the existing Allocations Scheme.</p>
26.	<p>The draft Allocations Scheme proposes that “policy successors” are restricted in future, to only include close family members that would have been entitled to succeed to the tenancy, if a succession had not already taken place. So more properties will be available to allocate to those in housing need on the housing register.</p> <p>The Allocations Scheme will still allow discretion for some cases to be referred to the Exceptional Circumstance Panel on social and welfare grounds to request the panel to consider awarding an applicant no longer able to stay in property after the tenant has passed away priority to move by awarding a “social and welfare” award.</p>

27.	<p>Time on List Compared To Time in Housing Need/Band</p> <p>There are two main ways of prioritising applicants in the same housing need (priority band) for housing:</p> <p>(1) Registration date - the time they have been on the housing register</p> <p>Or</p> <p>(2) Priority Band Start Date - the time they have been in housing need/band</p> <p>Although it simpler to prioritise applicants based on the time they have been on the housing register and possibly easier to understand, it is arguably fairer for applicants to be prioritised on the time they have actually been in housing need – for example the time they have been living in overcrowded accommodation or have spent being homeless.</p>
28.	<p>The draft Allocations Scheme proposes:</p> <p>To prioritise all applicants by Priority Band Start Date instead of their Registration Date.</p> <p>To have provisions to ensure that where an applicant’s housing need changes and they go down a priority band that they are not disadvantaged by this.</p> <p>To put in place transitional arrangements for existing applicants to minimise the initial impact of this change. So applicants currently on the housing register when new Allocations Scheme comes into effect will have their registration date used as their Priority Band Start Date if this is an earlier date.</p>
29.	<p>The Size of Property an Applicant Is Eligible To Apply For</p> <p>Social housing is a scarce resource and it is important that the Council and other Private Registered Providers of social housing within Oxford make the best use of the stock which is available.</p> <p>The existing Allocations Scheme has rules that are used to calculate number of bedrooms an applicant requires. However, they will need to be changed and made stricter due to changes being introduced through the Welfare Reform Act including the introduction of the “bedroom tax” from April 2013. So as to not place working age applicants and their families into accommodation that they cannot afford where their housing benefit could fall substantially short of the rent due. The recommendations in the new Allocations Code of Guidance, issued by the Department of Communities & Local</p>

	Government, also need to be taken into account.
30.	<p>Age of Household Members</p> <p>The draft Allocations Scheme proposes:</p> <p>(1) To increase the age at which children of the opposite sex are considered to be able to share a bedroom:</p> <p>From</p> <p>“Two children of the opposite aged under 7”</p> <p>To</p> <p>“Two children of the opposite sex aged under 10”</p> <p>(2) To increase the age at which children of the same sex are considered able to share a bedroom:</p> <p>From</p> <p>“Two children of the same sex where the oldest child is between 10 and 15 and the age gap is less than 10 years”</p> <p>To</p> <p>“Two children of the same sex aged under 16”</p>
31.	<p>Under-Occupiers & Other Exceptions</p> <p>The Draft Allocations Scheme proposes:</p> <p>To continue to allow some flexibility when offering social housing to tenants who are under-occupying their current home.</p> <p>To allow tenants on the Transfer List who are currently under-occupying a property to continue to be able to move to a property one-bedroom larger than they require. If they are downsizing to a smaller property or moving to non-family two-bedroom property (only considered suitable for 55+ and/or in a sheltered scheme) and they can still afford the rent.</p> <p>To continue to allow some discretion to the Allocations Manager &/or flexibility within the Allocations Scheme to offer some applicants properties larger than they would normally be considered to require where they are:</p> <ul style="list-style-type: none"> • A legal successor who needs to move from a three-bedroom

	<p>property or larger and they will still be able to afford the rent of the property they move to or will not be affected by the bedroom tax due to their age.</p> <ul style="list-style-type: none"> • Long Term Foster Carers (who have fostered children continuously for 3 years or more) and they will still be able to afford the rent. • Applicants (or household members) with very high housing needs due to a health or disability, for example a child who cannot share with another due to their disability, where they are still able to afford the rent • Applicants in high housing need with other exceptional circumstances.
32.	<p>Household Composition</p> <p>The draft Allocations Scheme proposes that:</p> <p>Expectant mothers no longer have their unborn baby “counted” for the purpose of assessing the number of bedrooms their household will require until the baby is actually born. To make better use of existing stock by ensuring applicants are normally only offered properties based on the number of children they have in their household and to ensure affordability under the new bedroom tax rules for those in receipt of housing benefit.</p> <p>To exclude existing adult children (or other adult members) from an applicant’s housing application and for the purposes of assessing the size of property they will require and assessing their housing need where:</p> <p>An adult (other than the applicant or joint applicant) in the household has sufficient savings, investments and/or income to resolve their own housing situation or is studying away from home and living elsewhere for part of the time in student, private rented or other accommodation.</p> <p>&</p> <p>There is not an over-riding health need for the adult child, or other adult resident, to live with the applicant and be included on their housing application as person requiring housing.</p>
33.	<p>Large Families</p> <p>A very low number of four-bedroom properties or larger become available to let each year. Only around 10 four-bedroom properties will become available during 2012/13.</p>

	<p>To improve the options available for large families living in overcrowded accommodation or homeless applicants living in temporary accommodation the draft Allocations Scheme proposes in future to allow:</p> <p>Large families with a four-bedroom housing need “lacking two-bedrooms or more” and living in a one or two bedroom property to be given the opportunity to apply for a suitable three-bedroom property if they choose to do so (and not just three-bedroom parlour or four-bedroom houses as now).</p> <p>&</p> <p>Homeless Applicant’s in temporary accommodation with a four-bedroom housing need, to whom the Council has accepted as duty to make an offer of housing, to be given the opportunity to apply for three-bedroom properties if they have a four-bedroom housing need, if they wish to do so (and not just three-bedroom parlour or four-bedroom houses as now).</p>
34.	<p>On the following conditions:</p> <p>The Council or ORAH partner that owned the property would need to be satisfied that the property was large enough for the family and agree to consider larger families for the particular property.</p> <p>The allocation of a large family to a particular property would not have significant impact on others living in the local area.</p> <p>If an applicant opted to do this, then they would not be able to apply for a Transfer again within a year moving in, unless the size of their household changed or in exceptional circumstances.</p>
35.	<p>Sub-regional Allocations Scheme</p> <p>The Council is currently in a sub-regional partnership, with three other District Council’s in Oxfordshire; Cherwell DC, Vale of the White Horse DC and South Oxfordshire DC. All four Councils are currently reviewing their allocations schemes. The priority bands and way housing needs are assessed by each District are expected to differ to the extent that in the future applicants will no longer be able to “compete” with each other equally when bidding for properties sub-regionally. Due to the limited amount of properties becoming available across the sub-region there has also been less movement between the Districts than hoped when the scheme was originally set up.</p> <p>All four Councils are proposing to leave the Sub-Regional Allocations Scheme so the draft Allocations scheme makes no</p>

	reference to the scheme any longer.
36.	<p>Choice-Based Lettings</p> <p>The Council allocates most properties owned by the Council and ORAH partners that become available, by advertising them through a Choice-Based Lettings Scheme. Applicants on the Housing Register are able to express an interest in being offered a property by placing a bid through the Choice-Based Lettings Scheme for properties they are eligible to apply for. The property is normally offered to the applicant in the highest housing need who has bid for the property once the lettings cycle ends each fortnight.</p>
37.	<p>Unreasonable Refusals</p> <p>Each advert includes details of the property type, location, size, rent and other additional details such as if the property is on the ground floor or adapted. If an applicant has successfully bid on a property they will be contacted where possible to check that they are still interested in the property before they are made an offer of accommodation. Once an offer has been made the applicant will be given the opportunity to view the property and make a final decision about whether they want to accept the offer.</p>
38.	<p>The majority of applicants accept the first offer they are made, however, some will refuse one or more offers. If an applicant's reasons for refusing are considered unreasonable there are limited actions that can be taken within the existing Allocations scheme. One in five offers are refused and each refusal incurs a cost to the Council and other ORAH partners in staff time and also in lost rent if the property is ready to let and the refusal results in a delay of the property being re-let.</p>
39.	<p>Applicants on the General Register or Transfer Lists can be treated differently from applicants on the Homeless List because they come under different parts of the Housing Act 1996. Although the Allocations Scheme must still give priority to homeless applicants to whom the Council has accepted a statutory duty homeless – which the Council currently does by placing them in Band 2. Homeless applicants do not need to be given the same level of choice. In order for the Council to discharge a homeless duty a homeless applicant needs to have been made a suitable offer of accommodation.</p>
40.	<p>The Council can allow homeless applicants to bid for properties through CBL but is under no obligation to do so and can offer a homeless applicant the first suitable property that becomes available. Once a homeless applicant has been offered a suitable property – by either successfully bidding for a property via CBL, or by having a bid placed for them if they are failing to bid or by being</p>

	<p>offered a property as a direct match outside of CBL – if they refuse without good grounds the Council’s duty under homeless legislation can cease and they can be asked to leave their temporary homeless accommodation.</p>
41.	<p>Applicants on the General Register & Transfer Lists</p> <p>The draft Allocations Scheme proposes in future:</p> <p>Applicants on the General Register & Transfer Lists who are considered to have unreasonably refused two suitable offers of accommodation within the last 12 months are suspended from bidding for 12 months.</p> <p>(Excludes homeless applicants on the Homeless List to whom the Council has accepted homeless duty who fall under homeless legislation).</p>
42.	<p>Applicants on the Homeless List (to whom the Council has accepted as homeless duty)</p> <p>The draft Allocations Scheme proposes in future:</p> <p>Applicants on the homeless list will now only be made <u>one suitable offer</u> of accommodation – this could be an allocation of social housing through the Allocations Scheme or an offer of suitable accommodation within the private rented sector made outside of the Allocations Scheme by the Housing Options Team to discharge the Council’s homeless duty. (Subject to Private Rented Offers being the sign off by members).</p>
43.	<p>If a homeless applicant refuses a suitable offer the Council will no longer have a duty to accommodate them and ask them to leave their temporary accommodation and to resolve their housing situation themselves. Homeless applicants who are considered to have unreasonably refused an offer by the Council because they consider the property is not suitable for them or a member of their family will continue to have the right to appeal. The Council will not be able to end the duty to accommodate the applicant unless they lose the appeal.</p>
44.	<p>Applicants already accepted as homeless or placed in homeless temporary accommodation awaiting for a decision on their homeless application, prior to the 9/11/12 will only be made offers of social housing and will not be offered private rented accommodation (unless they request the Council to assist them in moving into the private rented sector).</p>

45.	<p>Homeless Applicants – Time In Temporary Accommodation</p> <p>The Council continues to seek to prevent homelessness and to reduce the number of homeless households in temporary accommodation. Although most homeless applicants, accepted as homeless and placed in temporary accommodation, bid regularly or are assisted in doing so if required some choose not to.</p>
46.	<p>The existing Allocation Scheme states homeless applicants failing to bid for properties through the Choice-Based Lettings Scheme can have bids placed for them or be offered a property as a direct match outside of Choice-Based Lettings.</p>
47.	<p>The new scheme proposes homeless applicants to whom the Council has accepted a homeless duty will be given a time-limited priority to bid for properties through CBL. During this time they could also be made an offer of suitable private rented accommodation to discharge the Council’s homeless duty by the Housing Options Team outside of the Allocations Scheme (if they have approached the Council as homeless and been accepted as homeless on or after 9/11/12).</p>
48.	<p>If a homeless applicant after a reasonable time has passed, 3 to 6 months normally, has not been actively bidding for properties and short listed for an offer, it is proposed that bids may be placed automatically for the applicant on all suitable properties. Regardless of the property or type or area in Oxford until the applicant shortlists for an offer or is offered a suitable property in the private sector by the Housing Options Team. The time limit can be extended where an applicant is actively bidding and/or no suitable properties have become available because they require a large property, an adapted property or it has been accepted that only certain areas of Oxford are suitable.</p>
49.	<p>The Choice-Based Lettings Cycle</p> <p>Properties advertised through Choice-Based Lettings are advertised every fortnight. The lettings cycle lasts for 13 days and applicants included on the housing register are able to bid for properties that are advertised as available to let that are considered suitable for their housing needs. On the 14th date the cycle is closed – historically this has been to allow time for OCC and the sub-regional partners to produce and distribute a newsletter for the next lettings cycle. The existing Allocations Scheme states the duration of “the length of the lettings cycle may be reviewed periodically”, however, it does not state specifically who can authorise for the duration of the scheme to be changed. Although it is not proposed at this stage to alter the length of the Lettings cycle (except when it is necessary to do so at Christmas as currently) it may be that in the future we wish to do so.</p>

50.	The draft scheme proposes the Head of Housing is given delegated responsibility within the Allocation Scheme to alter the length of the Choice-Based Lettings cycle on a temporary or permanent basis.
51.	<p>Short listing Rules</p> <p>These are the “rules” used to prioritise applicants who have bid for a property. Normally applicants are prioritised based on their Band and the registration date (or band start date if they are in Band 1). However, properties can also be advertised with preference to specific groups:</p> <ul style="list-style-type: none"> • Applicants with a local connection - used for most properties that become available except some general needs properties that are sometimes advertised sub-regionally (as part of the agreement with the other districts who do the same) • Larger families – for properties considered particularly suitable for larger families due to their size and layout • Applicants assessed as needing a ground floor property and/or an adapted property, ranging from; Mobility 1(ground floor level access flats and bungalows) to Mobility 4 (fully adapted wheelchair accessible properties). See appendix 3 for a summary of the different mobility levels. • Applicant type – some properties are advertised with preference to a specific housing list – Homeless List, Transfer List or General Register List to ensure properties are allocated in line with the Annual Lettings Plan targets set each year to ensure the number of properties allocated to each list represents the demand on each list balanced with housing those in homeless temporary accommodation. <p>Some properties are only considered suitable for applicants with an assessed need for sheltered accommodation and/or for older applicants aged 40, 55 or 60 years or older and are advertised as such. It is not proposed this is changed.</p>
52.	The rules used for short listing applicants for bungalows are slightly different from those above and need to be explicitly stated in the Allocations Scheme (following the Council’s decision to de-designate bungalows and to remove the minimum age restriction of 40 from 1/4/11). To allow younger applicants with mobility issues and requiring ground floor level access accommodation to be able to bid for bungalows too and younger existing social housing tenants seeking to downsize from family accommodation to apply for bungalows too.
53.	<p>The Draft Allocations Scheme proposes:</p> <p>To change the existing rules used to prioritise applicants with Mobility issues requiring Mobility 1, 2, 3 or 4 properties (see</p>

	<p>appendix 3). So applicants in Bands 4 or 5 in low housing need who would benefit from Mobility 1 & 2 properties are overlooked if an applicant in higher housing need in Bands 1 to 3 bids for the same property even if they don't have a Mobility 1 & 2 property on the ground floor.</p> <p>It is expected that usual practice will be to allocate some adapted properties meeting Mobility 3 and most of Mobility 4 standard as a direct match outside of Choice-Based Lettings scheme. In order to best meet needs and make best use of the limited stock available.</p>
54.	Any reference to sub-regional applicants or parish/village connection in the short listing criteria will also be removed as they are no longer required as it is proposed the sub-regional allocations scheme is ends.
55.	<p>The draft Allocations Scheme is proposed to have the following added to state that bungalows will normally only be allocated to:</p> <p>(1) Applicants aged 55+</p> <p>(2) Applicants with a need to move to ground floor level access property</p> <p>or</p> <p>(3) Existing tenants seeking to downsize from their current accommodation (irrespective of their age)</p> <p>&</p> <p>Only if no-one in groups (1) to (3) bids for a bungalow (which is unlikely) will the property be offered to another applicant.</p>
56.	The draft Allocations scheme proposes to allocate properties in Riverside Court (exact number to be confirmed) as supported housing for vulnerable applicants or couples. In order to accommodate applicants who otherwise might not be able to sustain a tenancy in general needs house with floating support alone. No existing tenants will be asked to move. However, the Council will help to facilitate the move of tenants in those properties that no longer require supported housing into general needs accommodation if they wish to move.
57.	<p>Additional Advert Labels are proposed:</p> <p>To clearly indicate Affordable Rent or Fixed Term Tenancies as a separate advert from traditional social housing. Customers will be able to make informed decisions about the type of property they are applying for and the type of tenure they will be offered.</p>

58.	<p>Officer Roles & Delegated Officer Responsibilities</p> <p>The Allocations Scheme includes details of the roles and responsibilities for the operation of the Allocations Scheme. Some areas could be made more streamlined to speed up the decision making process and ensure the scheme can be adjusted where minor changes following changes in legislation and/or best practice are identified.</p>
59.	<p>The draft Allocations Scheme proposes</p> <p>The Head of Housing is authorised to have delegated authority to:</p> <p>Approve the annual lettings plan targets proposed each year by the Allocations Manager – where the targets remain the same as the previous year or include only a small adjustment (up to 5% or less than 10 properties per annum) to the target of properties to be allocated to each list.</p> <p>Change the annual lettings plan targets after 6 months if the demand on the housing register has changed significantly and corrective action is required. Such changes should be subsequently reported to CEB if the annual lettings plan was approved by CEB.</p>
60.	<p>The draft Allocations Scheme proposes</p> <p>The Head of Housing is authorised to have delegated authority to:</p> <p>Authorise minor amendments to the Allocations Scheme proposed by the Allocations Manager where:</p> <ul style="list-style-type: none"> • Legislation changes and the Allocations Scheme needs a minor change to comply with new legislation <i>and</i> the change will have a low impact on those on the housing register. • Best practice or new guidance is introduced that needs to be reflected in the Allocations Scheme <i>and</i> the change will have a low impact on those on the housing register <p>Authorise offers of accommodation outside of the Allocations Scheme for “management cases” to make the best use of stock for existing tenants. To include:</p> <ul style="list-style-type: none"> • Adapted properties no longer required by the tenant • To facilitate a move as an alternative to adapting a property • To maximise bedroom occupation and ensure affordability

61.	<p>The Health & Housing Panel</p> <p>It is proposed to:</p> <p>Increase the delegated authority for Allocations Officers to grant applicant's both moderate (Band 4) <u>and</u> significant (Band 3) Health & Disability Awards without referring cases to the panel. (Currently Officers can only award a "moderate" Band 4 award)</p> <p>&</p> <p>Reduce the minimum number of members of the Health & Disability Panel from 3 members to 2 Senior Members of the Team or 1 Senior Member of the Team and 1 Health Professional depending on staff availability.</p>
62.	<p>Level of Risk</p> <p>This report is not requesting authority for the current Allocations Scheme to be changed only permission to consult on proposed changes so the risk to the Council is low and has been reflected as such in the risk register in appendix 4. The changes proposed if accepted in the future are considered to represent a low risk.</p>
63.	<p>Climate Change/Environmental Impact</p> <p>The allocation of social housing under the current scheme has a minimal impact on the climate and environment. As this report is not changing the current Allocations Scheme the report is not considered to have an impact. The changes proposed if accepted in the future are considered to have a minimal impact on the climate/environment. In the future the Council will introduce an on-line application form which should help to reduce the amount of paperwork required to administer the housing register.</p>
64.	<p>Equalities Impact</p> <p>The Council seeks to ensure under the current scheme, that the allocation of social housing does not indirectly discriminate against or disadvantage housing applicants within BME groups and/or those with disabilities, by effective monitoring of those applying for housing and those allocated social housing by the Council. As this report is not changing the current Allocations Scheme it will have no impact on these groups.</p> <p>In the future, the proposed changes will have an impact on some households on the Housing Register in housing need, including some in BME groups and/or those with disabilities. The Council will undertake an impact assessment which will take into account responses from the consultation to determine whether there will be</p>

	<p>any adverse impacts and to consider any mitigating action where appropriate before any final changes are implemented.</p> <p>The Council provides advice and assistance to those on the housing register and continues to monitor applicants in high housing need who are “not bidding”, to ensure they receive the support necessary to use the Choice-Based Lettings (CBL) scheme and receive a suitable offer of housing.</p>
65.	<p>Financial Implications</p> <p>The report does not change the existing Allocations Scheme so has no financial implications except for the cost of the consultation that will be kept to a minimum. The proposed changes to the size of properties applicants are eligible to apply for will help, if accepted in the future, to minimise the allocation of social housing to tenants who could be affected “bedroom tax” and fail to pay the shortfall in rent to the Council. The changes are also consistent with the Council’s aim to prevent homelessness and reduce the number of households in temporary accommodation and the cost to the Council.</p>
66.	<p>Legal Implications</p> <p>Before the Council makes any changes to Allocations Scheme reflecting a major change in policy, Section 166A(13) requires the Council to send a copy of the draft scheme to every Private Registered Provider of social housing within the ORAH partnership to ensure they have a reasonable opportunity to comment on the proposals.</p> <p>The report correctly requests authority to consult on the proposed changes before any major alternations are made to the existing allocations scheme.</p> <p>The proposed changes in the draft Allocations Scheme are considered to comply with current legislation. If the changes are put into effect and are later legally challenged it is considered unlikely any such challenge against the legality of the allocations scheme would be successful.</p>
67.	<p>It is proposed that following the authorisation of the draft Allocations Scheme, the report will go out to consultation and the final version with any amendments will be re-submit to CEB for approval before a request is made to full Council to authorise the new scheme. Subject to authorisation by full Council the new scheme is likely to come in to effect in Autumn 2013.</p>

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Appendix 2: Proposed new Allocations Scheme

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This document forms part of the Policy Framework of Oxford City Council.

Agreed by Council on: **tbc**

Effective from: **tbc**

1 Introduction

1.1 Preamble

Oxford is an area of high demand for social housing. There is a scarcity of affordable housing, and a high number of people who wish to be housed. There is also a substantial level of homelessness in the City.

Oxford City Council aims to allocate the resources available fairly, objectively and systematically.

Oxford City Council has formed a partnership with the major Private Registered Providers of Social Housing operating within the City. This is the Oxford Register for Affordable Housing Partnership (ORAH Partnership). The Council maintains a common register of social housing on behalf of the Partnership. There is a single application process for all housing.

Oxford City Council works within the legal and regulatory framework governing the allocation of social housing. This scheme also takes into account local need and demand as well as local housing conditions.

Oxford City Council operates a Choice Based Lettings scheme. This allows applicants to have as much choice as possible over where they live, within the limits of what types of accommodation they are eligible for. It is also a system which gives a range of information to applicants, allowing their choices to be informed and realistic, based on the limits of what stock is available.

This Allocation Scheme is subject to periodic review to ensure that the allocation of properties continues to be fair, objective and systematic whilst meeting local need and statutory obligations.

1.2 Definition of Terms

An Allocation

- a) the selection process by which a person becomes a secure or introductory tenant of accommodation held by a housing authority; *or*
- b) the nomination process by which a person becomes a secure or introductory tenant held by another housing authority; *or*
- c) the nomination process by which a person becomes an assured tenant of accommodation held by a Private Registered Provider.

The term 'assured tenant' includes a person with an assured shorthold tenancy, including of an Affordable Rent property. 'Secure tenant' includes a person with a flexible tenancy granted under s.107A of the Housing Act 1985.

Bidding

Applicants expressing an interest in a property where they would like to be housed. An applicant must be eligible for that type of property.

Children

Children are defined as dependents, in a household, under the age of 18 years of age.

Choice Based Lettings

The advert based system that Oxford City Council uses to let properties. Applicants are assessed, properties are advertised and applicants bid for them.

General Register List

The General Register is the waiting list held by Oxford City Council, on behalf of the ORAH Partnership, open to all persons over the age of 18 who are not current tenants of Oxford City Council or living in the city as one of our partner PRPs' tenants and who are eligible for an allocation of social housing, excluding those persons to whom Oxford City Council owes a duty under the homelessness legislation.

General Register Applicants

People who have been accepted onto the ORAH general register list as being eligible to apply for social housing.

Homeless List

Applicants to whom the Council has accepted a statutory homeless duty living in temporary accommodation provided by the Council or on behalf of the Council.

Oxford Register for Affordable Housing (ORAH)

Instead of the Council and PRPs keeping their own different waiting lists, applicants join a single waiting list for housing within Oxford City (ORAH). Social housing in the city owned by the Council and its partner PRPs is let through the Oxford Register for Affordable Housing. It is administered by Oxford City Council and managed by Oxford City Council and its partners.

Priority Band Start Date

The date on which an applicant is eligible to be included in Priority Bands 1 to 4. and the date used for prioritising order within each of these bands

Registration Date

The date on which an applicant is eligible to be included within Band 5. For assessed applications added to the Housing Register, this is the date the application was received. This is the Priority Band Start Date for applicants placed in Band 5.

PRP

A Private Registered Provider of social housing. The official name for housing associations, housing cooperatives and housing companies that are registered with the Homes & Community Agency.

REMS

The Removal Expenses and Mobility Scheme available to Council tenants living in family accommodation seeking to downsize to a smaller property.

Social Housing

Low cost housing that you rent or part rent/part buy from a council, PRP, charity or faith organisation.

Transfer Applicant

A secure tenant of Oxford City Council or an Assured tenant or Secure tenant of one of our partner PRPs who lives in the city and whose application has been accepted onto the ORAH Transfer List.

1.3 Oxford City Council's Principal Housing Objectives

- To allocate housing fairly, consistently and carefully
- To allocate suitable accommodation to households in housing need
- To work to meet the Council's responsibilities to homeless households in Oxford and to work to prevent homelessness
- To provide a high quality service with courteous and efficient staff
- To make the best use of the Council and our partner PRPs' stock, and any other stock available to us
- To ensure that empty properties are let quickly and efficiently
- To promote the widest possible access to housing to residents of Oxford or those assessed as having local connection to the City, including directing applicants to private rented stock in appropriate circumstances
- To allow applicants to express choice in selecting their accommodation wherever possible (with restrictions for applicants accepted under Part 7 of the Housing Act 1996 who may be made a Private Sector Offer outside of the Allocations Scheme by the Housing Team or made a direct offer)
- To provide clear and easy to understand information to allow applicants to make informed choices
- To set out clear standards so that applicants know what to expect
- To offer appropriate advice to applicants who we are unable to house, including accurate and timely referrals to other agencies
- To promote sustainable communities
- To act legally and adopt best practice
- To review the advice and allocation service with the intention of producing continuous improvement
- To not discriminate against members of the armed forces/former members of the armed forces in housing need, with regard to local connection

2 Responsibilities

2.1 The Council's Responsibilities

2.1.1 The Legal Framework

In framing this allocation scheme, Oxford City Council complies with the relevant legislation, including, but not exclusively: the 1985 and 1996 Housing Acts, as amended by the Homeless Act 2002; the Equality Act 2010; The Localism Act 2011 and other Acts specified within this document. The Council also takes due account of case law, best practice and government regulations and guidelines, such as the Code of Guidance on Allocations and Oxford City Council's Homelessness and Tenancy Strategies.

2.1.2 Reasonable Preference

The Council is required to give reasonable (but not over-riding) preference to the following categories of person:

- Those who are homeless within the meaning of Part 7 of the 1996 Act (including those who are intentionally homeless and those not in priority need)
- Those who are owed a duty by any 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 housing authority under s.192(3)
- Those in insanitary or overcrowded housing or otherwise living in unsatisfactory conditions
- Those who need to move on medical or welfare grounds, including grounds relating to a disability
- Those who need to move to a particular locality in the district, where failure to meet that need would cause hardship to themselves or others

These categories are not discrete, and applicants can fall under different categories.

2.1.3 Additional Preference

Under Section 167 (2) of the Housing Act 1996, the Council can give additional preference to applicants in urgent need. This means the Council can decide which applicants within a particular category should be given the greatest priority for housing, and which of the groups should be prioritised over others.

The Council's Allocations Scheme must also give "additional preference" to a person who falls into a reasonable preference group *and* is considered to have *urgent* housing needs where the person:

- is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's

service, or

- formerly served in the regular forces, or
- has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

2.1.4 Information Provision

The Council is required to provide information about Allocations Scheme.

The Council will provide a free summary of the Allocation Scheme to any member of the public who asks for one.

The Council will provide a full copy of the Allocation scheme, which can be inspected at our offices. The Council will provide a full copy of the Housing Allocation Scheme (at a reasonable cost) to any member of the public who asks for one.

The full copy and summary are available on the Council's website at www.oxford.gov.uk

Personal Information

Applicants have the right to see the information held about them, and receive a copy of information held on computer, or on paper file. This is a "subject access request" for which the Council charges a reasonable administration fee.

Personal information will be handled in accordance with the Data Protection Act 1998 and will be subject to appropriate confidentiality.

Additional Information

Applicants have the right to be told in writing if they are considered ineligible for housing or do not qualify for inclusion on the Housing Register.

2.2 Equality and Diversity

Oxford City Council:

- Acknowledges and values the diversity of people who live in Oxford
- Is committed to the promotion of equality of opportunity for all and the

prevention of discrimination. Oxford City Council aims to promote equal opportunities to contribute to a fair and socially inclusive City

- Recognises the importance of delivering services and running facilities that are accessible to all, and where these are managed by the Council directly, aims to ensure that no-one will be prevented from accessing services and facilities
- Has produced a housing strategy whereby it has committed to improve its monitoring of take up of housing services by different groups

2.3 Targets and Monitoring

2.3.1 Annual Lettings Plans

The Housing Register consists of three-separate housing lists:

- **The Homeless List** for applicants to whom Oxford City Council has accepted a statutory homeless duty and placed in temporary accommodation who are waiting an offer of permanent accommodation
- **The Transfer List** for Council and eligible Housing Association Tenants living in Oxford applying for a move to alternative accommodation
- **The General Register List** for all other households applying for social housing in Oxford

The Annual Lettings Plan is designed to set allocation percentages, which are targets set by the Council to determine the proportion of social housing offered to different lists within the Council's Housing Register, in order to best balance their competing demands and needs. The Head of Housing will approve the Annual Lettings Plan setting out the percentage of allocations to be made to each group. If any significant changes are proposed the Head of Housing will request the City Executive Board to approve these changes (see Appendix II).

Factors take into account in setting the Annual Lettings Plan each year will include:

Supply

- The number of properties that are expected to become available to let during the year (consisting of re-lets and new build properties)
- The proportion of properties expected to become available to let for single-applicants and couples, including designated elderly and sheltered accommodation
- The proportion of two-bedroom, three-bedroom and four-bedroom properties or larger that are expected to become available to let

Demand

- The number of applicants in assessed housing need on each Housing List waiting for one-bed, two-bed, three-bed and four-bedroom properties or larger

2.3.2 Local Lettings Plans

From time to time Oxford City Council may decide to develop Local Lettings Plans for specific blocks or areas, in order to develop balanced and sustainable communities, particularly where there are new developments of 100 units or more. The decision to implement a local lettings plan will be approved by the City Executive Board and be made available for members of the public.

Where local lettings plans are introduced, clear evidence will be required of the need to vary the usual policy. The decision will always take into account the implications for equal opportunities and consider the “reasonable preference” & “additional preference” criteria. A local lettings plan will generally be expected to be part of a wider action plan to address the issues in that locality.

Local lettings plans are designed to be time limited, and will be monitored to ensure that the plans do not discriminate directly or indirectly on racial or other equality grounds and that reasonable preference is given overall to applicants in the reasonable preference categories.

2.3.3 Monitoring the Allocation Scheme

Oxford City Council will monitor the allocation outcomes so that targets can be altered, should there be a risk that the reasonable preference requirements will not be adequately met.

2.3.4 Statistical Records

Statistical records by ethnic origin, gender and disability of those applying for and being allocated housing are essential for a proper examination of allocation systems, to enable analysis in terms of the type, age, location and quality of accommodation applied for and subsequently obtained. Such monitoring will demonstrate whether housing resources are distributed according to need, and will highlight any inequality in the allocation of particular property types, or within particular areas of the City.

This information is collated on an anonymous basis from data recorded on housing application forms.

Records are kept and monitored of the entire allocation process. The purpose is to identify how different groups are receiving and taking up offers and to highlight the quality and type of accommodation. This information will provide an indication of the length of time people wait, according to band, bidding patterns and refusal rates after viewing.

Diversity and equality monitoring is by self-assessment by the applicant as part of the application process. This includes disability but does not necessarily mean that the applicant will be considered for accommodation suitable for disabled people. Such property is usually allocated on the recommendation of the Council's Health and Housing Assessment Panel, or by using other assessments, for example, an Occupational Therapist report, and is dependent on the type of property and the level of adaptations an applicant is assessed as requiring.

2.4 Verification

All documents should be verified in line with the Council's verification processes and anti-fraud processes as appropriate.

2.5 Confidentiality

Confidentiality is about having a professional and lawful approach to handling disclosed information.

Information passed on to officers will be handled sensitively. All information provided by customers will be held securely under the provisions of current Data Protection legislation.

The purpose of information sharing is to:

- Assist in addressing housing need
- Enable the provision of appropriate assistance and support
- Combat fraud
- Improve risk assessment
- Help create sustainable tenancies
- Improve communities

Information will be passed on in the following circumstances *with* the customer's consent. Disclosure of any sensitive information will have to be authorised by an Allocation Officer and will be provided on a need to know basis only.

- Oxford City Council is under a duty to protect public funds and may use the information provided and match it against other information held by the Council and other public bodies, or similar external agencies, for the purpose of the prevention or detection of crime and fraud, and to verify the information provided.
- Oxford City Council and other ORAH partners will have consent to make such enquiries as is considered necessary in order to assess the application, and all other departments, organisations and agencies are authorised to provide such information as requested.
- Oxford City Council and other ORAH partners are consented to share information on the application form between themselves, with other statutory and voluntary agencies, including other housing providers,

health trusts, support providers, police, probation, social services and other local authorities, where deemed necessary, and/or to provide the applicant with advice or assistance regarding their re-housing, or other services that may assist the applicant. The Council and other ORAH partners will not give information about an applicant to anyone else, unless the applicant provides written authorisation to do so.

Customers should note that, where consent is refused, it may not be possible to process a housing application and they will not be included on or removed from the housing register

Information may be passed on in the following situations **without** the customer's express consent:

- For the purpose of the prevention or detection of crime and fraud
- Where not passing on the information is reasonably considered to constitute a serious risk to the customer or a third party. In such cases a risk assessment will be conducted and any actions must be proportionate.

2.6 Applicants' Responsibilities

2.6.1 Supplying Information

- Applicants are responsible for giving full and accurate details on all forms and correspondence about their application for housing.
- Applicants must inform the Council of any change in circumstances straight away, especially those which may affect their needs for re-housing
- Applicants should reply to any correspondence from the Council or ORAH partnership which needs a reply, within the specified timescales
- Applicants who are made an offer should let the Council know their decision about whether to accept it within the timescale specified
- If information is not supplied, the Council or an ORAH partner may cancel an application or withdraw an offer of housing

2.6.2 False Statements

Applicants who give false or misleading information can be removed from the ORAH housing register, and may be liable to prosecution. Tenancies obtained as a result of false or misleading statements can be terminated.

2.6.3 Deliberately Altering Circumstances

Applicants have a responsibility not to deliberately worsen their circumstances to progress to a higher band. They have the responsibility to make best use of the accommodation they have and will be assessed as if this is the case.

Should an applicant give up more suitable accommodation, or where a deliberate act results in the worsening of circumstances without good reason, the Council may assess the application based on the applicants housing need in

their previous accommodation, prior to the “deliberate” act. Furthermore, if an applicant is not using accommodation that they could reasonably be expected to use to improve their housing situation, their housing need and priority they are awarded will be assessed as if they are occupying this accommodation.

Applicants considered to have lost previous accommodation due their own actions or behaviour, or that of a member of their household or a visitor, may also be excluded from the Housing Register.

3 Application and Assessment

3.1 Applying for Social Housing through the Oxford Register for Affordable Housing (ORAH)

The ORAH is a single housing register operated by Oxford City Council, together with partner Private Registered Providers of Social Housing with stock in the City. The standards and expectations on all parties are set out in a Partnership Agreement. A Partnership Board comprising of senior representatives from the City Council and the partner Housing Associations manages the partnership.

There is a single application process with a set of information leaflets to guide applicants. These are available from local offices of the ORAH partners. Applicants can go to any of these offices for information, advice and support. Further information is also available on the Council website including information about the Housing Options available in Oxford.

3.2 How to Apply

New applicants who are not currently tenants of Oxford City Council or one of the partner PRPs in Oxford can apply for housing by completing a housing application form and supplying additional information to support their application. Before applying for housing, applicants are advised to consider other housing options that may help improve their housing situation. Applicants can also seek advice on the range of housing solutions that may meet their needs from the Housing Options team at the Council.

Older Applicants

There are some Sheltered Schemes in Oxford that are only considered suitable for older applicants (see the Sheltered Accommodation section 5.5.5)

Transfer Applicants

Applicants, who are already tenants of Oxford City Council, or one of its partner associations in Oxford City, should approach their own landlord for a transfer pack and return the completed form to their landlord. The landlord will check the form and complete a reference before forwarding this onto the Housing Needs Team. Transfer applicants are also encouraged to apply for a mutual exchange.

Joint Applicants

Applications from partners who are cohabiting may be registered as joint applicants giving both parties joint and several rights and responsibilities for any future tenancy. Partners include same sex couples.

In some cases one partner may be ineligible due to their immigration status. In this case the other partner will be registered as the sole applicant.

Dependents, family members or other adults who are not partners of the applicant (such as residential carers) cannot usually be joint applicants.

If joint applicants wish to change to sole applicants (for example due to a relationship breakdown) they will need to notify the Council and one of the applicants' will need to make a sole application. Normally the application will continue in the name of a partner with residency and/or parenting responsibilities. The remaining applicant can make a new application and may be issued with a new registration date.

There are number of other housing options for applicants which are dealt with in *section 6*

3.3 Eligibility and Qualification

Only applicants who are eligible for housing and who qualify for an allocation of housing will be included on the Council's housing register and considered for offers of accommodation. Applicants who are not eligible or do not qualify for housing will not be included on the housing register. If an applicant has already been included on the housing register and is found to no longer be eligible for housing, or to no longer qualify for housing, they will be removed from the housing register and notified.

3.3.1 Who is not Eligible

Persons from abroad

A person may not be allocated accommodation under Part 6 if he or she is a person from abroad who is ineligible for an allocation under s.160ZA of the 1996 Act. There are two categories for the purposes of s.160ZA:

(i) *a person subject to immigration control* - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)), and

(ii) *a person from abroad other than a person subject to immigration control* - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

The regulations setting out which classes of persons from abroad are eligible or ineligible for an allocation are the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (SI 2006 No.1294) ('the Eligibility Regulations').

Existing secure and introductory tenants - the Council does not need to question eligibility and an allocation can be made regardless of immigration status or habitual residence. (Transfer applicants)

Persons who are able to produce evidence of an in time appeal of their leave to remain will be treated as though they continue to have leave to remain.

Age of Eligibility

Applicants under the age of 18 who are eligible can only be considered for some supported properties held by our PRP partners unless accepted as statutory homeless (usually if they have a guarantor) and in other exceptional circumstances.

3.3.2 Who Qualifies For Inclusion on the Housing Register?

The sections below provide information on who will normally qualify to be included on the Oxford Register for Affordable Housing. Once on the Housing Register, applicants are prioritised in terms of housing need and waiting time. **However, inclusion on the register does not guarantee an offer of housing, as there are many more applicants than properties available.**

3.3.3 Qualification For Inclusion On the General Register List

Only applicants who have a local connection to Oxford will qualify to be included on the Housing Register.

A local connection is established by way of one or more of the following:

1. The applicant or joint applicant is permanently resident in Oxford and that residence is of their own choice.
2. The applicant or joint applicant was previously resident in Oxford as a matter of choice and the period of residence was either:
 - At least six out of the last twelve months or
 - Three out of the last five years
3. The applicant or joint applicant is employed in Oxford for a minimum of sixteen hours per week and the employment is not of a short-term or temporary nature.
4. The applicant or joint applicant has close family associations with Oxford.

Family association will normally be defined in relation to close relatives (i.e. parents, children or siblings) and where there is no estrangement. However, other family associations may be taken into account (e.g. grandparents, grandchildren and step relations) where there is evidence of frequent contact, commitment or dependency.

To qualify, the relatives must live in Oxford now and have been continuously resident for a minimum of five years.

With the exception of:

- Applicants aged 60 years or older with no local connection to the City assessed as eligible and suitable for sheltered accommodation
- Persons who are serving in the regular forces or have done so in the five years preceding their application for an allocation of housing accommodation;
- Bereaved spouses or civil partners of those serving in the regular forces where their spouse or partner's death is attributable (wholly or partly) to their service and the bereaved spouse or civil partner's entitlement to reside in Ministry of Defence accommodation then ceases;
- Seriously injured, ill or disabled reservists (or former reservists) whose injury, illness or disability is attributable wholly or partly to their service.
- "Life and Limb" and other exceptional cases that have moved to Oxford and approached the Council for housing assistance who are considered to be in urgent or exceptional housing need by the Exceptional Circumstance Panel. Such applicants may be allowed to qualify for inclusion on the Housing Register at the discretion of the Allocations Manager but it is expected these cases to be very rare due to the high levels of applicants in housing need with a local connection to Oxford already on the Housing Register.
- Homeless clients excluded from the Council's re-connection policy in relation to Rough Sleeping who have no local connection with any area *may* at the discretion of the Allocations Manager be included on case by case basis.

A local connection is **not** established in situations including, where the applicant is:

- in prison within Oxford or in a probation hostel
- detained in Oxford under the Mental Health Act
- living in temporary supported accommodation that would normally

be able to access the “Move-on” scheme within City, but whose only connection to Oxford is established through residence in such accommodation

An applicant on the General Register List or applying to be included on the General Register List who would normally fall into to a qualifying group can be disqualified under certain circumstances.

3.3.4 Qualification For Inclusion on the Transfer List

The ORAH transfer list is open to secure tenants of Oxford City Council, and secure/assured tenants (including tenants on fixed term tenancies that have successfully completed the first year of their tenancy) of one of our partner PRPs living in Oxford.

Tenants of our ORAH partners not living in Oxford are not eligible to be included on the Transfer List but they can apply for inclusion the General Housing Register if they meet the qualification criteria.

Transfer cases are given priority for an allocation of housing on the same basis as General Register applicants, each applicant being awarded a band according to housing need and taking into consideration both the statutory requirement to give reasonable preference to particular groups, and the locally established additional preferences, if any, which apply.

Where an applicant is an existing secure tenant of the Council or a secure/assured tenant of a PRP the tenant cannot be disqualified from receiving an allocation of housing on the basis of their immigration status - section 160ZA of the Housing Act 1996.

There are a number of locally determined additional preferences that, because they relate to specific rights of secure and assured tenants, or to the management needs of the Council, are applicable only to applicants on the Transfer List. These include additional preference for tenants who are currently under-occupying Council or PRP family properties and wish to move to a smaller home, and are dealt with in *Section 4* of this document.

See also section 7.2 on “under occupation” for details of the Removal Expenses and Mobility Scheme (REMS) for Council Tenants applying for a transfer to downsize.

An individual applicant on the Transfer List, or applying to be included on the Transfer List, who would normally fall into to a qualifying group can be disqualified under certain circumstances.

3.4 Who May Not Qualify

Individual Applicants Who May Not Qualify For Inclusion on the Housing Register

The Housing Act 1996 s.160ZA (amended by the Localism Act 2011) states that social housing may only be offered to a qualifying persons and the Council is given the power determine what classes of person are or are not qualified to be allocated social housing under s.160ZA.

Where the behaviour of an applicant or a member of the applicant's household is unacceptable, as described above; or where the applicant has not demonstrated financial responsibility; the Council may not register the application.

The Allocations Manager may exclude an applicant whose behaviour has been unacceptable. The reasons can include rent arrears and anti-social behaviour.

3.4.1 Applicants Unlikely to be Re-Housed due to Financial Circumstances

The Council may take into account the financial circumstances of housing applicants (including existing tenants living in social housing) and/or those who fall into one or more of the reasonable or additional preference groups within the Allocations Scheme, when considering if an applicant qualifies for inclusion on the Housing Register. Social housing in Oxford is a scarce resource, and those applicants with sufficient resources to secure alternative forms of accommodation without undue hardship may be excluded from the Housing Register. (See Appendix III).

3.4.2 Rent Arrears

The Council and the other ORAH partners treat the non-payment of rent very seriously.

Rent arrears are defined as including any money owed to Oxford City Council, another Local Authority, a PRP or a Private Landlord in the form of non-payment of rent, former tenant arrears, hostel charges, chargeable repairs (including any deductions from deposits paid for by the Council's Private Sector Team where the damage is considered to be wilful or unreasonable) and associated Possession Order court costs. Amounts under £200, when combined, may be disregarded for this purpose.

Housing applicants with rent arrears will fall into one or both of the categories below:

- Former tenants – with property related debts relating to a property/properties where they have previously lived
- Current tenants – with property related debts relating to where they currently live

Where a housing applicant has rent arrears they may be excluded from

qualifying for inclusion on the Housing Register.

3.4.3 Individual applicants that have previously held a tenancy and meet one or more of the following criteria will not normally qualify for inclusion on the Housing Register and will be excluded where they are:

(1) A former tenant of the Council, another Local Authority or a PRP and have been evicted from, or given up their former property, owing rent arrears and still have unpaid rent arrears outstanding (which are legally recoverable) and have not been re-paid in full.

(2) A former tenant of a Private Landlord and have been evicted from, or given up their former property, owing rent arrears in excess of 2 months or more (which are legally recoverable) and have not been re-paid in full. This includes the loss or partial loss of a deposit paid for the by Private Sector Team due to re-charges caused by wilful or unreasonable damage to a property (not due to reasonable wear and tear).

NB Criminal damage to a property is covered under ASB.

Where a former tenant has been excluded from the housing register and still owes rent arrears that have not been re-paid in full they will not usually qualify for inclusion on the housing register until the Council is satisfied that they have proved they are suitable to become a tenant. Suitability can be demonstrated by the applicant making a reasonable re-payment agreement with the landlord, and adhering to it consistently for at least 12 months. The exclusion may be re-imposed where an applicant who has kept to a re-payment arrangement later defaults after being included on the housing register.

3.4.4 Individual applicants that currently hold a tenancy and meet one or more of the following criteria will not normally qualify for inclusion on the Housing Register and will be excluded where they are:

(1) A tenant of The Council, another Local Authority or a PRP where a Court Possession Order has been issued regarding rent arrears, the tenant is in breach of the Court Order and/or on-going action is being taken to evict the tenant.

(2) A tenant of a private sector landlord where a Court Possession Order has been issued regarding rent arrears, the tenant is in breach of the Court Order and/or on-going action is being taken to evict the tenant.

If an applicant with rent arrears has been allowed to join, or remain on, the Housing Register they will not normally be considered for an offer of housing until they have demonstrated they are suitable to be a potential tenant and have paid their arrears in full or maintained a satisfactory payment arrangement for a reasonable period of time (see section 5.8.3).

3.4.5 Unacceptable Behaviour

Oxford City Council and its ORAH partners take anti-social behaviour very seriously.

Individual applicants where they, or members of their household, meet one or more of the following criteria will not normally qualify for inclusion on the Housing Register and will be excluded:

- Applicants who have been evicted from a Council, PRP or private rented property, for illegal subletting or antisocial behaviour.
- Breach of tenancy for behaviour which is a nuisance or annoyance to those in the locality of the dwelling; or conviction for using the dwelling for immoral or illegal purposes or committing an indictable offence in the dwelling, house, or in the locality of it
- Domestic violence causing a partner or other family member to leave the property
- Deterioration of the dwelling house or furniture provided for use under the tenancy due to waste, neglect or fault
- Tenancy induced by false statement
- Housing applicants or members of their household who are considered by the Council responsible for serious ASB
- Housing applicants or household members or who permit visitors that cause serious ASB.

Exceptions may be made by the Allocations Manager if there is persuasive evidence that behaviour has been amended and another tenancy has been successfully maintained.

3.4.6 Duration of Exclusion for ASB

Where an applicant has been dis-qualified for inclusion on the Housing Register:

1. For unregistered applications the sanction for anti-social behaviour will normally last for a minimum period of 5 years, after which the applicant must be able to prove that the exclusion is no longer valid
2. Where an applicant's circumstances change significantly they may reapply.

WHERE AN OFFENCE HAS BEEN COMMITTED WHICH POTENTIALLY COMPROMISES ANOTHER PERSON'S SAFETY, THIS CONDITION MAY BE INDEFINITE PENDING REVIEW

3.4.7 Applicants Not Meeting the Eligibility &/or Qualification Criteria

Applicants that do not meet the eligibility &/or qualification criteria to be included on the Housing Register will be notified of the reasons in writing.

Applicants no longer meeting the eligibility or qualification criteria will be

removed from the register, and notified in writing of the reason(s) why their application has been cancelled.

Applicants have the right to a review of this decision (see reviews and appeals).

3.5 Household Make-up/ Households with Dependants

3.5.1 Children in Care

Where care is:

- Compulsory: children are treated as though at home, subject to written confirmation from Social and Community Services that the children are to live with the parents on a permanent basis should they be allocated a suitable property. Failing such confirmation, children should not be included on the application
- Voluntary, children are treated as though at home

No offer should be made in either case without confirmation from Social and Community Services that the children are to live on a permanent basis with their parent(s)

3.5.2 Day To Day Residence and Parenting Responsibilities

In making an assessment of whether a child can legitimately appear on an application, officers should seek to determine who the child normally lives with by looking at the circumstances. The courts have held for instance that where children have social housing available with one parent it would only be in exceptional circumstances that another unit of accommodation would be made available. A child could live with its parents on a split week basis. The same child may therefore legitimately appear on two applications but this would be exceptional. In such cases, the tests below should be used, evidence for this must be available, for example a written agreement and/or sanction of Social and Community Services, or a residence order from the Courts. However, these are not determinative. The assessment can for example “look behind” a residence order to establish what the practicalities of the child care are such as taking the children to school, looking after them in school holidays and so on. In the absence of documentary evidence an investigation would be required to determine who cares for the child, takes them to school etc. A similar test to that contained in part 7 of the Housing Act 1996 should be used:

- Does the child currently **reside** with the applicant?
- Is the child **dependent** on the applicant?
- Is it **reasonable** in the circumstances for the child to reside with the applicant?

Generally, weekend access will not count as day-to-day residence. The applicant must have significant day-to-day parenting responsibilities. As a rule of

thumb, this would be for a minimum of three days and nights.

Possible types of documentary evidence which will be considered are:

- A parental responsibility order from a court
- A residence order
- Proof of receipt of current child benefit
- Legal guardianship

Generally there is a distinction between married /divorced parents and those formerly cohabiting.

- Where parents are or have been married there will often be a Residence order settling the arrangements as to where a child will live.
- Unmarried fathers may acquire parental responsibility by inclusion on the child's birth certificate, Residence Orders or making a written Parental responsibility agreement with the mother. This should be formalised by completing a signed agreement via a solicitor, which is then registered with the Family Division of the High Court.

Officers may discuss individual cases with senior officers in the first instance, and seek guidance from Oxford City Council Legal Services if required.

3.5.3 Extended Families – Minors

In cases where a minor is to be included in, or added to an application, but no parental responsibility exists within the household (e.g. grandchildren, nieces, nephews), proof must be obtained of legal guardianship or confirmation from Children and Family Services that this action is necessary and permanent

3.5.4 Adult Households Members

The Council seeks to make the best use of the very limited amount of family properties becoming available and will normally only offer family properties to households with dependent children.

Adults aged 18 years or older requesting re-housing will normally be expected to apply separately for inclusion on the Housing Register and not be included on another applicant's housing application as a household member unless they are applying as a joint applicant with their partner. This includes adult students studying and living elsewhere.

Established Household Members

Persons may request to continue to be considered as part of the household after they reach the age of 18 years of age, if they still reside with the applicant, and wish to continue to do so, and have continually resided within the household as a child up to that point. However, the Council reserves the right to exclude adult household members where they are not considered a permanent member of the

household, are considered to have sufficient funds to resolve their own housing situation (see Appendix III), have been responsible for Anti-Social Behaviour or where it is not considered reasonable by the Council for the adult to continue to be included on the applicant's housing application, for example older adult members.

Any adults excluded from an applicant's household will not be "counted" for the purposes of assessing the size of property they require or when assessing their housing need, such as any overcrowding they may be experiencing.

Persons aged 18 years or older may be required to provide a statement regarding their financial circumstances on request – failure to do so will result in them being excluded from applicant's housing application.

3.5.5 Adding Adults To An Application

Adults should not be added to an application where this results in the need for larger accommodation than for which the applicant's household was originally eligible, unless an over-riding need such as ill health or disability can be shown (for example, where an applicant needs to look after an elderly parent and live with the parent to provide full-time care, or where a new partner requires a separate bedroom). Such cases must be thoroughly investigated, and discretion rests with the Options/Allocation Officers in the first instance.

The desire to be part of the household is not sufficient reason for inclusion on the application in these circumstances.

Adults requiring an extra bedroom must only to be added to an application if they have a demonstrable need to live with the applicant and if they plan to make their long-term home on a permanent basis with the applicant.

Applicants who require a full time residential carer may include the carer on their application. Proof of the requirement should be sought from Social and Community Services or a primary health care professional. The carer should be assessed as part of the household even if not resident (i.e. lack of bedroom priority may be due) if 24-hour care is required. The requirement for a separate bedroom should be recorded so that the household is eligible for the correct size of property.

3.5.6 Expectant Mothers

Expectant mothers should provide a MATB1 form or other adequate proof of pregnancy from a health professional (followed by a MATB1 form). Expectant mothers will be placed in an appropriate band based on their current housing circumstances. The unborn child will not be 'counted' as a member of the household, for assessing over-crowding, until proof is received by the Council that the child has been born.

3.5.7 Fostering

Families undertaking long term fostering may be able to include foster children as part of their application to ensure that they are eligible for the appropriate sized property. Long term fostering is normally defined as being fostering for a period in excess of three years (not necessarily involving the same child or children). In exceptional circumstances fostering for less than 3 years will be considered where a long term relationship is evidenced – in such cases the Exceptional Circumstance Panel will consider whether to allow the child to be included on the housing application. It is essential that written confirmation of the fostering arrangement be obtained from Children and Family Services. Consideration will be given to this in assessing the application. This does not apply to households living in temporary accommodation to which the Council has accepted a statutory homeless duty. Short term fostering is discounted.

Due to changes introduced by the Welfare Reform act and the new “bedroom tax”, before an offer of family accommodation is made to an applicant on a low income with foster children, the Council will need to be satisfied that the applicant is able to pay any shortfall in rent that may be due from the applicant due to the “bedroom tax”. Foster children are not normally “counted” as household members under the new “bedroom tax” rules (but this may change).

3.6 Assessment of Housing Need and Priority for Housing

All applications require officer assessment before being entered onto the Housing Management Information System (HMIS). This section gives information and guidance on matters relating to the assessment process. It is vital that such assessments are carried out correctly, as an incorrect assessment could affect an applicant’s banding position, and therefore the applicant’s priority.

As a general principle, applicants/household members can only be registered on one application at any given time. However, there may be situations relating to the care of children where individuals are recorded on two applications. Household formation will be determined on the basis of evidence provided (it is the responsibility of applicants to make such evidence available).

If an applicant moves address, it is their responsibility to notify the Council as soon as practicably possible, and usually within 28 days. In such cases, a new application form should be completed, and the application re-assessed.

All applicants within Oxford City are expected to have normally been visited, at least once, by an ORAH officer or another member of staff from the Council, before an offer of permanent accommodation is made. Applicants applying from outside Oxford City will usually have their circumstances verified by their own Local Authority, or if they are a tenant in Social Housing, by their current landlord.

3.7 Calculation of Overcrowding and Under-Occupation

Definition of Bedroom Usage

Assessing bedroom usage is a major element in determining an applicant's current circumstances and determines what the situation could be, rather than how resources are currently being used.

An award of priority is given for each bedroom lacking in the applicants current accommodation, based on this assessment.

The two key aspects that must always be considered are:

The Best Use Principle - *The best use should be made of the bedroom resources available so that, for example, a bedroom used for storage should be counted as a bedroom available for use as defined by this principle.*

The Control Principle - *There may be sufficient bedrooms in a property but the applicant cannot control how the bedrooms are actually used. They may, for instance, be lodgers or living with a family who control how bedrooms are used.*

The most common issues relating to bedroom usage are listed below:

- Studios - Count as having a bedroom, lacking a living room
- Bedroom availability - Bedrooms available must be counted, even if not used. If claimed not used because unfit for use, advice of the Environmental Health Department must be sought
- Sharing a bedroom with non – applicant(s) - Counts as lacking a bedroom
- Size of bedrooms - Bedroom under 4.2 square metres (45 sq ft) discounted
- Best Use (mixture of sexes) - If bedrooms can be better used, assume they are for assessment purposes
- Need for carer - Where there is a recognised need for a full-time residential carer, then notionally a second bedroom may be lacking for the carer in the current accommodation. Priority can be awarded for the lack of this bedroom
- Under-occupiers - Under occupying transfer applicants in two bed or larger family properties, may be eligible for incentives to transfer to smaller properties
- 'Exceptional' cases* – Some cases that have been awarded a priority award by the Exceptional Circumstances Panel may be made eligible to under-occupy a property, by decision of the panel, where the panel considers that the existing housing circumstances of a transfer applicant should not be disadvantaged by having to move
- Decant cases* – Transfer Applicants requiring a permanent decant move can maintain their existing bedroom number, even if they are not eligible

for this size of property due to their current circumstances

- Succession cases* – Where a legal successor to a three bedroom, or larger, property is required to move to smaller accommodation, they may be allowed one additional bedroom more than they would normally be eligible for, at the discretion of the Allocations Manager

* Due to the introduction of the “bedroom tax” by the Welfare Reform Act applicants including the cases above will not normally be able to move to a property where they are under-occupying a property unless they are exempt from the “bedroom tax” or the Council is satisfied they will be able to afford the shortfall in rent.

The following rules will be used to decide whether a household has either too many or too few bedrooms available for its use when assessing priority.

Each of the following will be considered to require their own bedroom

- Each couple or a single applicant
- Each additional adult (aged eighteen and over) considered eligible to be part of the household
- Two children of the same sex aged under 16.
- Two children of the opposite sex aged under 10
- Any other child

3.8 Exceptional Circumstances Panel (ECP)

The Exceptional Circumstances Panel for the ORAH partnership is the body responsible for making priority awards to applicants whose circumstances are not otherwise adequately covered by the Banding Scheme (see Section 4). The Exceptional Circumstances Panel will hear evidence about exceptional cases of housing need.

The banding scheme has been devised to take account of most circumstances, but there will sometimes be applicants in exceptional circumstances, or whose needs are complex and cannot be accommodated by the banding scheme.

The objectives of the Exceptional Circumstances Panel are as follows:

- To make evidence based assessments of exceptional cases of housing need
- To make evidence based assessments of cases of complex need
- To award additional priority within the banding scheme, where appropriate
- To make decisions on whether to give a “commitment to re-house” to previous ORAH partner tenants within Oxford who have surrendered, or

- tenants who are about to surrender, their tenancies
- To ensure a fair and transparent process
- To comply with the statutory requirement to give reasonable preference to particular groups
- To assist in making the best use of the housing stock available to the ORAH partnership
- To assist in achieving the aims of settled communities and sustainable tenancies

The Exceptional Circumstances panel will:

- Hear and assess evidence about applicants on the Oxford Register for Affordable Housing
- Make awards as appropriate
- Impose conditions on awards as appropriate
- Give advice as appropriate, including alternatives to be pursued
- Be overseen and monitored by the ORAH partnership board

The Exceptional Circumstances Panel will usually meet monthly. In cases of emergency, where there is a threat to 'life and limb' the panel will be available to convene within 24 hours.

Referrals, in the first instance, can be made by officers within the Housing & Property Team including the Housing Needs Team or by their equivalents in our partner PRPs. Self-referral by applicants or their representatives is not possible.

Applicants should provide evidence to the referring officer, in the first instance, to support their application to the Exceptional Circumstances Panel. This can include (though not exclusively): a summary of events which led up to the application being made; reports from police; education professionals; social and community services, or other agencies involved with the case; details of any action being taken against alleged perpetrators, if applicable, and a proposal for future action to resolve the situation. Independent evidence must be produced for the Panel to be able to review the case. If not satisfied that there is adequate evidence the officer may decide not to refer until there is.

Any additional priority awarded by the Exceptional Circumstances Panel will be made for a minimum of 3 months in the first instance, with a date set for review by the panel. The Panel can impose other conditions, for example, ensuring that victims of domestic violence are not being re-housed in areas where there they are at risk. The applicant's circumstances will be monitored and the award can be renewed if appropriate, or withdrawn where the applicant's circumstances have changed, making them ineligible for the award. In cases where suitable properties have been advertised but the applicant has failed to place a bid, a direct offer may be made or the case referred back to the panel, for the panel to consider removing the original award. If an applicant is made a reasonable offer of accommodation and refuses the case may also be referred back to the panel to consider whether the award should be moved.

The Exceptional Circumstances Panel will consist of senior officers from the City

Council (and sometimes other ORAH partners)

The Exceptional Circumstances Panel can make the following awards:

- Exceptional Priority (Band 1)
- Urgent Social or Welfare Needs Priority (Band 2)
- Significant Social or Welfare Needs Priority (Band 3)
- Moderate Social or Welfare Needs Priority (Band 4)

Housing Needs Officers using the set protocols may make an award of Moderate Social or Welfare Needs Priority (Band 4) see Appendix II.

3.9 Commitment to Re-house

This 'award' may be made by the Exceptional Circumstances Panel as part of a 'negotiated surrender' of a social tenancy by the tenant. Applicants awarded a commitment to re-house are likely to be awarded an Urgent Social & Welfare Award and placed in Band 2 by the Exceptional Circumstance Panel. Conditions may be imposed on the award. The award will not normally be open ended and time restrictions will normally be placed on any commitment to re-house.

The purpose of this, is to give tenants, who may be unable to sustain their tenancy in the short term, the assurance that if they surrender the tenancy, they can be given increased priority on the housing register should they reapply when they are better able to manage a tenancy again. Such an agreement may be appropriate where elderly or unwell tenants are struggling to maintain a tenancy, and need a period of hospitalisation, respite care, or residential rehabilitation.

Should the panel make this award, the Manager Responsible for Allocations is delegated to apply the award should the person subsequently apply for housing to Oxford City Council, and if the Manager Responsible for Allocations is satisfied that the applicant is ready to take up and sustain a tenancy again.

3.10 Health and Housing Assessments (HAHA)

The Health and Housing Assessment Panel is the body responsible for making priority awards to applicants whose health is either detrimentally affected by their housing or where it is likely to affect their future housing need, and whose circumstances are not otherwise adequately covered by the Banding Scheme (see Section 4).

The objectives of the Health and Housing Assessment Panel are as follows:

- To make the best use of the social rented housing stock
- To make evidence based assessments of priority for housing where it is affected by health or disability
- To increase consistency of assessment
- To improve efficiency
- To improve partnership working

- To reduce the number of letters received from health care professionals

Oxford City Council and the Primary Health Care Trusts have an agreed method of assessing health and housing and all applications with a potential impact on health will be assessed through this. This process seeks to determine both housing requirements as well as relative priorities of applicants, and to consider whether any other options could address the issue.

The Health and Housing Assessment Panel can make the following awards:

- Urgent Health or Disability Need(s) (Band 2)
- Significant Health or Disability Need(s) (Band 3)
- Moderate Health or Disability Need(s) (Band 4)

Housing Needs Officers, using the set protocols, may also make an award of a Significant (Band 3) or Moderate Health (Band 4). See Appendix II.

Where a household has more than one person with a health need, the HAHA Panel (or Housing Needs Officers following the HAHA protocol) should award the applicant's household the highest appropriate band. Applicants may not move up to another band because more than one person is suffering a housing-related health issue. If Housing Needs Officers, or the HAHA Panel, feel that this award is inadequate given the multiple needs of the applicant's household, the matter may be escalated to the ECP. If the applicant requests a review based on multiple housing-related health needs of the household, the matter should also be escalated to the ECP.

3.11 How Applications are Processed

Once an application has been accepted at a local office it is sent through to the Housing Needs Team. This is done by hand, by courier or by recorded delivery to ensure safe arrival. In the future applicants may be required to normally apply on-line and assistance will be available should help be required to do this.

Once received in the team, applications are logged on to the database system and assessed by a Housing Needs Officer. The forms include a number of 'trigger' questions that may prompt, for example, a support needs assessment or health and housing assessment. Once the housing needs team has received an application and any supporting information required the Council will seek to assess an application within 10 working days.

Once assessed, applications are put into a Housing Need Priority Band (see Section 4) and the applicant will receive notification of their banding, the reason for it and the Registration Date (and Priority Band Start Date, if the applicant is placed in Bands 1 to 4). Applicant's not considered eligible and/or to qualify for inclusion the Housing Register will be notified. If in the future an applicant is no longer considered eligible and/or to qualify for inclusion on the Housing Register they will be notified and removed the Housing Register.

The Housing Needs team will maintain the database until the applicant is housed

or resolves their housing situation. This includes updating changes of circumstance, and carrying out regular reviews of the list.

3.12 Re-registering and Change of Circumstances

Applicants must re-register periodically when they are sent a review form. If the form is not returned by the date stated on the review form the application will be cancelled.

Applicants have a responsibility to ensure they inform the council of any changes in their circumstances, such as someone joining or leaving the household, by notifying the Housing Needs Team in writing. If an applicant moves house they need to complete a new application form so that their housing need can be re-assessed. Where applicants' circumstances change they should inform the Council promptly within 28 days (or as soon as practicably possible if they have exceptional circumstances where it is not possible to inform the Council sooner) so their housing need can be re-assessed based on their new circumstances. If an applicant is unsure whether a change in their circumstances needs to be reported, they should contact the Housing Needs team, or make an appointment to visit the Council.

Where a General Register applicant moves and notifies the Council within 28 days their Housing Application will be treated as continuous and they will retain their original registration date, however, their Priority Band Start Date may change if their housing need has changed and they move into/or within one of Bands 1 to 4 (see section 4.10). Any applicants that move will have their housing need re-assessed based on their new circumstances and their priority band may change. General Register applicants failing to notify Oxford City Council within 28 days of a change of their address, will have their Housing Application cancelled and will be removed from the General Register unless they have exceptional circumstances (see above). In such circumstances if an applicant re-applies for housing in the future (after 28 days of moving) their registration date and Priority Band Start Date will be the date their new application is received and the application will not be treated as continuous.

4 The Banding Scheme

4.1 Banding

Once accepted as eligible and qualifying for inclusion on the Housing Register by the Council, applicants will be placed in one of the five bands, which have been designed to reflect broad categories of housing need. The Banding scheme enables the Councils and other ORAH partners to meet their legal responsibilities for housing and also provides a fair and easily understood way of selecting applicants to receive offers of accommodation.

Some applicants' circumstances may make them eligible to be placed in more than one band. In this case, they will normally be placed in the highest band for which they are eligible.

4.2	Band 1 (Exceptional Housing Need)
4.2.1	Exceptional Circumstances
	<p>Any applicant awarded this priority by the Exceptional Circumstances Panel, where there is an immediate risk to health and safety, complex needs cases, 'place of safety' cases or other exceptional or emergency needs.</p> <p><i>This category is intended to be reserved for only the most urgent cases. This includes cases where rehousing is needed to protect the health or safety of the applicant or a member of their family, where there are complex needs, 'place of safety' cases etc. This could include the immediate threat of domestic violence and any other "life and limb cases".</i></p> <p><i>The award of Exceptional Circumstances priority will normally be time limited (to 3 or 6 months) and priority will be reviewed at the end of the period.</i></p>
4.2.2	Under-occupying by Two or More Bedrooms
	<p>Council tenants or other ORAH partner tenants living in Oxford with an assured or secure tenancy, who will be giving up permanent family accommodation with at least two bedrooms more than they require.</p> <p><i>Applicants should check whether they are eligible for any incentive schemes to assist with the cost of removals and associated expenses being operated by their landlord. See section 7.2 for more details and the assistance available to downsizing Council tenants through the Removal Expenses & Mobility Scheme.</i></p>

4.2.3	Decants and other Housing Management Moves
	<p>Council tenants, or tenants of partner Private Registered Providers living in Oxford, who need to move because refurbishment or repairs* are due to be carried out, which cannot be done with the tenant living there and who have been awarded 'decant' status by the Manager Responsible for Allocations.</p> <p><i>Awards of this priority will be time limited. Transfer applicants would normally qualify for this status 6 months before they are required to vacate the property. At the end of the six months the Council may decide to make a direct offer, if the applicant has not been successful in bidding for a suitable property. This would not prevent an applicant from registering for a transfer at any time before this and being assessed on their current circumstances.</i></p>
4.2.4	Successor Tenants
	<p>These fall into two categories:</p> <ul style="list-style-type: none"> • Legal successors other than spouses or civil partners • Policy successors i.e. Applicants (close family members) who would have been entitled to succeed to the tenancy but for the fact that one succession has taken place already <p>In both instances priority will usually be awarded where:</p> <ul style="list-style-type: none"> • they are occupying a property with adaptations for a disabled person which they do not need, <i>or</i> • they are occupying a property larger than they would qualify for under the allocation policy, <i>or</i> • where occupying the property gives the benefit of facilities and or services for which they would otherwise not qualify. <p>Legal successors will qualify as transfer applicants and policy successors will be classified as general register applicants for the purposes of the Allocations Scheme.</p>
4.2.5	Prohibition/ Demolition Notices
	<p>Households where a statutory notice of prohibition or demolition has been issued by the Environmental Health department and it is not possible to remedy the defects in a reasonable time.</p>
4.2.6	Statutory Overcrowding
	<p>Households where the level of overcrowding exceeds the statutory limit.</p>

4.3	Band 2 (Urgent Housing Need)
4.3.1	Urgent Social or Welfare Needs
	<p>Applicants assessed as having an urgent need to move on social or welfare grounds and awarded this priority by the Exceptional Circumstances Panel. Including applicants assessed as being in urgent housing needs where the applicants:</p> <ul style="list-style-type: none"> • formerly served in the regular forces, or • has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or <p>&</p> <p><i>This may also include applicants assessed as:</i></p> <ul style="list-style-type: none"> • <i>serious harassment cases</i> • <i>having multiple needs not already covered by other band categories</i> • <i>urgently needing to move to give or receive care or support</i>
4.3.2	Urgent Health or Disability Needs
	<p>Applicants assessed as having an urgent need to move because of a health problem or disability, and awarded this priority by the Health and Housing Assessment Panel. Including applicants assessed as being in urgent housing need where the applicant:</p> <ul style="list-style-type: none"> • is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service, or • is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.
4.3.3	Under-occupation by One Bedroom
	<p>Council tenants, or tenants of another ORAH partner living within Oxford, with an assured or secure tenancy, who will be giving up permanent family accommodation with one bedroom more than they require.</p> <p><i>Applicants should check whether they are eligible for any incentive schemes to assist with the cost of removals and associated expenses being operated by their landlord. See section 7.2 for more details and the assistance available to downsizing Council tenants through the Removal Expenses & Mobility Scheme (REMS).</i></p>

4.3.4	Move-on
	<p>Applicants who have been assessed as ready to move-on from supported accommodation, including:</p> <ul style="list-style-type: none"> • Applicants from voluntary sector hostels and move-on projects (including the Oxford Young Parents Project) • Care leavers: applicants who are former “relevant children” as defined by the Children (Leaving Care) Act 2002 <p><i>Applicants will be awarded this band category in accordance with the protocols of the council, when the council is satisfied that the applicant is ready to move to secure independent housing and that on-going support will be in place where this is needed to sustain the tenancy.</i></p> <p><i>Quota arrangements may be used to ensure a minimum supply of vacancies suitable for those ready to move on from supported housing</i></p>
4.3.5	Overcrowding by 2 or more Bedrooms Short
	Families assessed as being two or more bedrooms short of their needs
4.3.6	Band 3 Upgrade
	Any applicant who qualifies for two or more compoundable categories in Band 3

4.4	Band 3 (Significant Housing Need)
4.4.1	Priority Homeless (<i>not compoundable</i>)
	<p>Existing applicants living in homeless temporary accommodation accepted as homeless by the Council under s.193 of Part 7 of the Housing Act 1996</p> <p>Existing applicants living in private rented accommodation accepted as homeless by the Council under s.195A of Part 7 of the Housing Act 1996 where:</p> <p>If within two years beginning with the date on which an applicant accepts an offer under section 193 the applicant re-applies in the first incidence of homelessness for accommodation, or for assistance in obtaining accommodation, and the Council is:</p> <ul style="list-style-type: none"> • satisfied that the applicant is homeless and eligible for assistance, and • satisfied that the applicant did not become homeless intentionally, regardless of whether the applicant has a priority need and • a valid notice under section 21 of the Housing Act 1988 (orders for possession on expiry or termination of assured shorthold tenancy) has been given the applicant will be awarded this priority from the date the section 21 was issued.
4.4.2	Significant Social or Welfare Needs
	Applicants assessed as having a significant level of social or welfare need arising from their housing situation, and awarded this priority by the Exceptional Circumstances Panel
4.4.3	Significant Health or Disability Needs
	Applicants assessed as having a significant level of housing need as a result of health problems or a disability, and awarded this priority by the Health and Housing Assessment Panel

4.4.4	Unsatisfactory Housing: Level 1
	<p>Applicants living in sub-standard accommodation that a qualified officer has assessed as a category 1 hazard, where repair is not possible or it is not practical in a reasonable timescale.</p> <p>Applicants living in homes lacking the use of one or more of: A kitchen (or cooking facilities)*, a bathroom, an inside WC, running water, or electricity will usually be deemed to meet this criteria.</p> <p><i>Applicants whose existing housing is of a low standard will have their need assessed against the Housing Health and Safety Rating System (known as HHSRS). In the most urgent cases, or where an inspection is needed, the assessment will be carried out by an Environmental Health Officer or other qualified officer.</i></p> <p><i>A Category 1 Hazard is a defect where the consequences could include serious harm to applicants. For example: accommodation lacking any bathroom facilities, cooking facilities, or a water supply. The band category will not be awarded, if it is possible for repairs or other remedial action to be carried out within a reasonable timescale. Where a landlord has been served with an improvement notice but remedial work has not been carried out, the Council may decide to award priority at its discretion.</i></p> <p>* Persons living in Move-on Hostel accommodation, where meals are available, are excluded from this category unless a qualified officer has assessed as a category 1 hazard</p>
4.4.5	Overcrowding by One Bedroom Short
	Applicants assessed as being one bedroom short of their needs where they permanently reside
4.4.6	Insecure Tied Accommodation
	<p>Applicants who are living in accommodation tied to their employment and who have received a formal notice to quit from their employer and where the loss of employment is through no fault of the applicant. This category includes members of the armed forces in married quarters and agricultural workers.</p> <p><i>Priority category will only be given where there is clear documentary evidence that the employer is terminating the employment and the use of the accommodation in the near future.</i></p>

4.4.7	Insecure Private Rented Accommodation
	<p>Tenants of private landlords where the landlord is taking action to recover possession of the property and has demonstrated a real intention to proceed to eviction.</p> <p><i>Before priority for Insecure Accommodation can be given documentary evidence of the date of eviction will be needed by the Council, depending on the type of tenancy or licence held. The landlord must have shown a real intention to proceed with an eviction. Evidence of Court proceedings for Possession may be required to establish a genuine intention.</i></p>
4.4.8	Band 4 Upgrade
	Any applicant who qualifies for at least two compoundable categories in Band 4.
4.5	Band 4 (Moderate Housing Need)
4.5.1	Moderate Social or Welfare Needs
	Applicants assessed as having a moderate level of social or welfare need arising from their housing situation, and awarded this priority under the Exceptional Circumstances Panel protocols
4.5.2	Moderate Health or Disability Needs
	Applicants assessed as having a moderate level of housing need as a result of health problems or a disability, and awarded this priority by the Health and Housing Assessment protocols

4.5.3	Homeless and Not in a Priority Group (<i>not compoundable</i>)
	<ul style="list-style-type: none"> • Applicants who have been assessed as being of No Fixed Abode (NFA), or • Applicants who are Homeless but have been given a decision that they are not in Priority Need (or are Intentionally Homeless and allowed to remain on the Housing Register), or • Applicants living in Move-on Homeless Projects who could otherwise access the Move-on Scheme <p><i>This category is given where a formal assessment has been carried out under the homelessness legislation and the applicant is found to be homeless but not in a defined priority group. The category will also be given without a formal assessment, where it is clear that the applicant has No Fixed Abode. This includes those living in voluntary sector Move-on Projects.</i></p> <p><i>This category does not include applicants who have been assisted to access the private rented sector through a rent deposit scheme.</i></p> <p><i>This category is not compoundable with other factors. Those who are homeless and have other priority needs will be assessed in accordance with the Homelessness legislation and, if they qualify, will be given a Band 2 priority.</i></p>
4.5.4	Unsatisfactory Housing: Level 2
	<p>Applicants living in sub-standard accommodation that is deemed to have a category 2 hazard and where repair is not possible or it is not practical in a reasonable timescale.</p> <p>Applicants living in homes lacking a fixed heating system will usually be deemed to meet this criterion.</p> <p><i>The band category will not be awarded if it is possible for repairs or other remedial action to be carried out within a reasonable timescale. Where a landlord has been served with an improvement notice but remedial work has not been carried out, the Council may decide to award priority at its discretion.</i></p>
4.6	Band 5 (Low or No Housing Need)
4.6.1	Adequately Housed
	<ul style="list-style-type: none"> • Applicants who are adequately housed • Applicants with no immediate need for rehousing • Applicants sharing where the accommodation is of sufficient quality and there is no overcrowding • Applicants who do not meet any other category

	<p><i>This category includes applicants who may have a low level of housing need, but where the circumstances do not give rise to any exceptional problems. This includes:</i></p> <ul style="list-style-type: none"> • <i>formal and informal house-sharing arrangements where the size and standard of the accommodation is adequate for the needs of those living there</i> • <i>those living with family or friends where the size and standard of the accommodation is adequate for the needs of those living there</i> • <i>families living in flats where the internal accommodation is adequate for the family's needs but where there is no private garden.</i>
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4.7 Compound Needs

Where applicants in Bands 3 or 4 have compound needs (that is, they qualify for more than one compoundable category in the band) they will usually be upgraded to the next band. Compounding is not available for those placed in Bands 2 or 5 because Band 1 is reserved only for the most exceptional cases and Band 5 has no compoundable categories.

Those applicants in Band 4 with a category of 'Homeless and not in a Priority Group' cannot compound this category to move up to Band 3 because the assessment of their homelessness takes into account all other relevant circumstances. If they have additional needs then this would be reflected in a decision to award either an Exceptional Need category placing them in a higher category band or a Priority Homeless category (Band 3).

4.8 Time Limited Priority

In certain cases priority will be time limited. For example, a decision to grant a high band on the grounds of an urgent social or welfare need might be for a limited period. This will normally be three to six months. In all cases the applicant will be given a reasonable amount of time to bid for alternative accommodation, and the length of time may be adjusted according to the availability of suitable accommodation. Priority will be re-assessed at the end of the period.

4.9 Date Order

The time an applicant has been in housing need is taken into account when prioritising applicants for an offer of accommodation. Where two or more applicants in the same priority band have bid for the same property, through choice-based lettings scheme, the applicant who is considered to have been in housing need for the longest period of time will be normally be offered the property. In some circumstances there are exceptions (see 5.8)

4.9.1 Priority Band Start Date

The Priority Band Start Date is the date used for comparing applicants who are in the same band and who have bid for the same property.

The Priority Band Start Date is normally the date an applicant is placed into a particular band. Most applicants who apply for housing remain in the same band so their Priority Band Start Date does not change and is the date they first applied to be included on the housing register (also known as the Registration Date). If an applicant's circumstances change and their housing need changes their Priority Band Start Date may change.

4.10 Change of Circumstances

Changes of Circumstance & Priority Band Start Dates

Where an applicant's circumstances have changed they should notify the housing needs team within 28 days to check whether this has affected their housing need and whether they need to supply any further information.

If the change in an applicant's circumstances (including a change of address) has resulted in:

- Their priority band going up because of an increase in their housing need and they have moved to a higher band they will be issued with a new Priority Band Start Date from the date the change took place or they were awarded additional priority to move.
- Their priority band going down because of a decrease in their housing need if they move down to Bands 2 to 4 their Priority Band Start Date will remain the same, however, if they go down to Band 5 their Priority Band Start Date will change back to their registration date (the date they first applied for housing).
- Their priority band staying the same the applicant should retain their original priority band start date.

Where an applicant has failed to notify the Housing Needs Team of a change of their circumstances within 28 days without good reason, if the change in the applicant's circumstances has resulted in:

- Their priority band going up because of an increase in their housing need and they have moved to a higher band they will be issued with a new Priority Band Start Date from the date the Housing Needs Team were *notified* of the change and not the date the change took place.
- Their priority band going down because of a decrease in their housing need they will be issued with a new Priority Band Start Date from the date the change took place and not keep the same date.
- Their priority band staying the same the applicant will be issued with a new Priority Band Start Date if they have moved. If the applicant has not moved their Housing Needs Priority Band Start date will remain the same.

5 Choice Based Lettings

5.1 Statement on Choice in Allocation

The Council operates a Choice-Based Lettings Scheme to advertise the limited number of properties becoming available to let each year for those who are eligible and qualify for inclusion on the Housing Register. The Choice Based Lettings Scheme increases the choice available to most applicants (with restrictions for homeless applicants) but cannot make more social housing available, which will remain a scarce resource. The availability of feedback on previous lettings enables applicants to make informed choices about their future housing options; including whether to look at alternatives to social rented housing, and what types of properties are available.

Below is Oxford City Council's Choice Based Lettings Scheme. This applies to permanent social housing in Oxford; it does not apply to temporary accommodation.

5.2 Assisting Vulnerable Applicants

Staff from Oxford City Council (and its partner PRPs where technology allows) may assist applicants to view property advertisements and to make bids through the website.

Oxford City Council may make information available to staff at support agencies on how the scheme works, and may provide updates when changes happen, so that they are able to offer the most appropriate support to their clients.

Oxford City Council is aware that some applicants with support needs may need longer to obtain advice or support and will endeavour to work with them to help to participate in the scheme.

5.3 Advertising

All the members of the ORAH partnership and are committed to advertising their properties as widely as possible. Empty properties will normally only be excluded from the CBL scheme for exceptional reasons, for example when the property is needed to deal with an emergency or is particularly suitable for a household assessed as in high housing need – such as an adapted property suitable for a disabled person.

- Properties will be advertised on a regular cycle. The length of the cycle may be reviewed periodically
- Properties will be advertised in the following locations:
 - On the website
 - In newsletters available in Council and PRP offices
 - In a PDF format on the website suitable for downloading by

statutory and voluntary support agencies

- The Council may choose to advertise in other locations in the future
- All advertisements will carry a deadline by which the bids for the property must be received. It is not possible for an applicant to make bids after the bidding cycle closes
- The advertisement will carry a photograph of the type of property, where available
- The advertisement will carry a floor plan of the property, where available
- The advertisement will carry a full description of the property, including the following details, where available:
 - Type of property
 - Number of bedrooms/ number of people the property is suitable for
 - Location (street and area)
 - Any adaptation or a description of the level of accessibility for people with mobility difficulties
 - Services provided e.g. warden, caretaker, key worker
 - Heating type
 - Communal/own entrance
 - Floor level (for flats)
 - Availability of a garden, if any
 - Parking
 - Rent
 - Service charge
 - Landlord
 - Property reference number
 - Expected tenancy start date where available
 - Tenancy type and conditions (for PRPs this will include details of whether the property is being let as a Fixed Term Tenancy or at an “Affordable Rent” where applicable)

5.4 Properties in the Choice Based Lettings Scheme

As far as possible all properties will be entered into the Choice Based Lettings scheme and will be available for applicants to make bids. However, at certain times, and in order to meet our objectives of assisting in the development of sustainable communities and meeting the Council’s letting targets, some properties will be labelled as being available to certain categories of applicant only; for direct match only; or with initial preference being given to certain categories of applicant. See *section 5.14* on properties not in the choice based lettings scheme.

5.5 Advert Labels

The following labels will be used for certain properties. The Council uses these labels to ensure the Council meets its letting plan targets to distribute social housing fairly amongst different groups of applicant.

The descriptions used below will be represented by symbols in the property advertisements. A key to the symbols will be provided in the scheme guide and in the advertising medium. This will be clearer and easier to interpret than text, as well as making the descriptions shorter.

Statutory Homeless Applicants

The label will say 'preference for statutory homeless applicants'

To qualify applicants will need to have confirmation that Oxford City Council has accepted a duty under the homelessness legislation and placed them on the Homeless List (see 4.4.1 of the Banding Scheme).

General Register Applicants

The label will say 'preference for general register applicants'

To qualify applicants will need to have been included on to the general register, and not to have been accepted as homeless and in priority need and placed on the General Register List.

Transfer Applicants

The label will say 'preference for applicants on the transfer list only'

To qualify applicants will need to be a secure tenant or an Assured tenant of the Council or another ORAH partner and living within Oxford. They will have been verified as eligible to be on the transfer list through the application process.

This label is used to ensure the Council and other ORAH partners, can make optimum use of the stock. When a tenant transfers this creates a further vacancy which will normally be available for letting. This helps ensure there is mobility within the stock.

Supported Accommodation

The label will say 'Supported housing. For applicants with an assessed support need only'.

Supported Housing will have accommodation-based support provided as part of the scheme to give additional care and support to the residents of the scheme and include some properties at Riverside Court.

Sheltered Accommodation

The label will say 'Sheltered housing. For applicants with an assessed support need only'.

Sheltered housing is defined as housing with communal facilities and with

visiting or residential staff support. Facilities usually include a communal common room, a laundry and a guest room. Properties are also linked to 24hour emergency call centres for total cover 365 days a year. A property that is designated as sheltered housing will be clearly indicated on the advert label.

This housing is usually let to people aged 60 or over who have an identifiable support need. Some properties have an age criteria of 55+. This housing may sometimes be let to younger applicants who would benefit from the support provided.

Sheltered properties are let to applicants who would like to move to sheltered accommodation and who have been assessed as having suitable support needs by a member of the housing needs team or a member of staff at one of our partner PRPs, and/or who meet the age criteria for the scheme. Support needs are assessed by carrying out a standard support needs assessment at the application stage or where an applicant's support needs have increased.

Some sheltered housing is suitable for people with disabilities and this will be specified in the advert label.

The reason for labelling properties as for 'assessed support needs only' is to ensure these properties attract applicants who will benefit from the support provided. These properties also carry a 'support charge' that needs to be paid either by the tenant or through the Supporting People Fund. The fund is restricted to those with a need for the support provided (more information on how to apply for assistance from the supported people fund is available on Oxfordshire County Council website).

Other Specialist Housing for Older People

The Council has two types of designated elderly accommodation:

Designated elderly accommodation only suitable for applicants aged 55 years or older that the Council has no plans to currently de-designate.

Designated elderly accommodation only currently considered suitable for applicants aged 40 years or older that *may* in the future be de-designated to allow younger applicants to apply for these properties too.

Designated Elderly Housing (with a Community Alarm)

The label will say 'Housing with a community alarm. For applicants over 55 with an assessed support need only' and includes flats at North Place.

This housing is usually let to people over 55 (or over 40 for some properties) who have an assessed support need for the community alarm service. A community alarm provides 24-hour cover through a telephone link to a Care-line service, staffed by operators who can respond to calls and summon help as appropriate. (Such property may also be referred to a Category One Sheltered Property.)

This need will be assessed through a support needs assessment. However the level of support required to be considered for this type of housing is generally lower than that for sheltered housing.

Designated Housing Minimum Age 40+

The label will say 'for applicants aged over 40 with no dependent children'.

This is housing that is let to people aged 40 or older with no dependent children. There is no support provided although tenants can be assessed for a community alarm if they require this.

Disabled Adapted Properties

The label will say 'for applicants with an assessed need for disabled adapted property only' and will specify the level of adaptation using the four categories set out below

Disabled adapted properties are defined as properties that have been specially built or adapted for people with disabilities. The level of adaptation will be specified in the property advertisement. An adapted property is one containing one or more of the following features:

- Level access shower
- Ramps/ Level access
- Stair lifts
- Walk-in Bath

Assessment of a need will normally be validated through the Health and Housing Assessment process.

Oxford City Council will attempt to make the closest match between the applicant's housing need and the level of adaptation needed by short listed applicants. The reason for this is to ensure these properties are used to their maximum potential and to make best use of resources by not having to adapt properties elsewhere.

Applicants choosing to live in disabled adapted properties should not expect to have adaptations removed or to reinstate properties to their original condition (and for example remove a level access shower and install a bath again)

There are a number of properties which have been specially built or adapted for people with disabilities. Where these met the Mobility Standard or Wheelchair Standard, Oxford City Council will attempt to match these most closely to applicants that specifically require this type and standard of accommodation and will specifically label these properties as such. The Council may allocate some adapted Mobility 3 and 4 standard properties outside of Choice-Based Lettings, to applicants in high housing need requiring an adapted property by offering an applicant a property as a direct match when a particularly suitable property becomes available.

	Level Access. Level access into the property (from the street to the front door) and level access throughout the property (no internal steps)
	Mobility Standard. Level access into and throughout the property, although all rooms may not be accessible by a wheelchair. Meets part M of the Building Regulations (e.g. minimum door widths)
	Disabled Adaptations. The property may not meet the other standards, but it has a significant adaptation, such as a level access shower; a stair-lift; or a walk-in bath. Specific details available
	Wheelchair Standard. The property is specifically designed for wheelchair users. Design features include parking and level access; enhanced circulation space; and specialist fixtures and fittings

Other Properties that may carry an Advert Label

Properties do become available that are for a defined client group (an example would be supported projects for young people). These will be labelled to indicate the client group for the particular scheme and bids will be restricted to this group. These schemes have specialist support for the identified client group.

Advert labels may also be applied to properties where a Local Lettings Plan is in operation in order to comply with its requirements, or where a priority may be given to larger families.

Bungalows will normally only be allocated to applicants aged 55 years or older, or to applicants under 55 who have been assessed by the Housing Needs Team as requiring a ground floor level access property (or an adapted property if the bungalow is adapted) or existing tenants on the Transfer List seeking to downsize from a their current accommodation.

5.6 Bidding

Applicants who are eligible for a property advertised as available to let can express an interest in the property by placing a “bid” through the Choice-Based Lettings scheme. Applicants will normally only be able to bid for a property suitable for their needs and for which they are eligible. This means that applicants will not normally be able to bid for more bedrooms than they need or for properties specifically designated for other groups of applicants (such as the elderly or disabled).

Bids can be made by the following methods:

- By phone

- Website
- Assisted bidding in the offices of Oxford City Council, or it's ORAH partners

The Council may offer other methods as appropriate in future

Property Size Eligibility

The rules used to calculate the number of bedrooms an applicant is eligible to apply for are set out in section 3.9. Applicants will notified in writing of the size of property they are eligible to apply for and will not normally be able to bid for a smaller or larger property.

5.7 Lettings Cycle

A letting cycle will normally consist of the following:

- All ORAH partners upload properties available to let onto the Council's Choice Based Lettings database in a pre-agreed format
- The Council produces and distributes adverts, as described elsewhere, on behalf of the partners
- The advertising and "bidding" period commences
- The bidding period closes
- The Council generates shortlists
- Council officers check shortlists for eligibility and verification purposes and make an offer or nomination for each property to the successful applicant and notify the landlord
- Landlords arrange a viewing
- Landlords offer a tenancy
- If the successful applicant at the top of the shortlist refuses the property or is rejected by the landlord, the offer or nomination is made to the next suitable short-listed applicant. This continues until a tenancy is agreed

Where no tenancy is agreed the property goes back into the next available letting cycle.

5.8 The Selection Process

The successful applicant for each property will normally be the one who is eligible for the size and type of property being offered, and who is in the highest band. Where there is more than one applicant in that band, priority will normally be by date (see below).

However, the council and ORAH partners reserve the right not to offer the property to the person highest on the short-list, if the property offers a better match with the needs of another high priority applicant. The property may be offered to another housing applicant in such cases.

Applicants will be able to bid for up to three social rented properties and any number of shared ownership or private rented properties in any one

advertisement cycle. Applicants can withdraw bids and add new ones in the course of the cycle. The Council may also place bids for some applicants (including applicants on the Homeless List and other high needs cases) if a property is identified as being potentially suitable.

5.8.1 Priority Order

Short-lists will be created with the following priority order:

1. Applicant Type (only if an applicant type preference is specified for property)
2. Mobility Level (only if a mobility level preference is specified for the property)
3. Band – Band priority order is: 1, 2, 3, 4, 5.
4. Local Connection
5. Size of household (only if a preference to larger families is specified for the property) – larger household has priority
6. Priority Band Start Date (when applicants in the same priority band are compared)

The Council reserves the right not to offer an applicant in Band 4 or 5 with a need for a ground floor level access (Mobility 1) or Mobility 2 property if another applicant in higher housing need in Band 1, 2 or 3 has bid for the property. Even if the applicant in Band 1 to 3 does not require a Mobility 1 or 2 property.

5.8.2 Shortlists

Each potentially successful applicant will be checked to ensure they are eligible and suitable for the property and an applicant will only be offered a property where they meet the criteria.

Allocations Officers will investigate whether or not the property matches all the needs of the applicant in first place on the resulting shortlist. There may, for example, be a good reason not to offer an otherwise suitable property to an applicant because health advice has been received that the applicant needs a property in a quiet location and the property on offer is adjacent to a major road, or that the person cannot sustain the tenancy without adequate support arrangements and these arrangements are not able to be set up before the proposed start of the tenancy – such issues cannot be catered for in the generation of the shortlist.

If it can be demonstrated that the property does not match the needs of the applicant, then this is recorded, and the decision verified by the manager responsible for allocations. The allocating officer then proceeds to investigate the suitability of the property for the next applicant on the list, and the process continues until a suitable match is found.

If an applicant is successful for more than one property they will be contacted where possible and asked to express their preference over which property they would like to be offered.

The Manager Responsible for Allocations is responsible for:

- a) Checking paperwork relating to all allocations and nominations, to ensure that correct procedure has been followed
- b) Authorising offers and nominations, including decisions as to the reasonableness or otherwise of an allocation or nomination
- c) Deciding whether to make an allocation of housing where the applicant has been guilty of anti-social or unacceptable behaviour
- d) Decisions relating to the authorisation of “like-to-like transfers, outside the Allocations Scheme, in sheltered accommodation and other schemes
- e) Authorising the making of a Direct Offer to an applicant (see Section 5.14)

5.8.3 Housing Applicants with Rent Arrears on the Housing Register

This section is concerned with making an allocation of a property to applicants who have made a bid.

Where a housing applicant has rent arrears and/or a poor payment history they will not normally be considered suitable for an offer of housing. In order for an applicant to successfully maintain a tenancy they must be able to comply with the terms of the tenancy and to pay the rent regularly and keep up to date with the rent. When considering whether a housing applicant is suitable for an offer of housing their ability to pay the rent and their rental payment history will be taken into account.

Housing applicants who owe rent to their current landlord or a previous landlord can be excluded from qualifying for inclusion on the Housing Register (see section 3.5.2 and the definition of “rent”).

Where a housing applicant with rent arrears has been allowed to remain on the housing register and they bid for a property and shortlist for a potential offer, an Allocations Officer will make further enquiries into the applicant’s ability to sustain a tenancy before considering them for an offer of housing. If a Transfer Applicant has rent arrears covered by a Court Possession Order and has been not been excluded from the Transfer List, no offer will usually be made, unless:

- the tenant has an Exceptional Band 1 Social & Welfare award sanctioned by the ECP & payments have been received in line with the order made, or
- the tenant is seeking to downsize from a general needs property suitable for a family and any compensation due through the REMS (or a similar scheme provided by another ORAH landlord) will clear the debt in full or
- the debt is cleared in full by the tenant.

If a housing applicant is allowed to be included on the Housing Register but has any outstanding rent arrears (but no Court Possession Order), they will not usually receive an offer of accommodation unless:

- either the debt is cleared in full, or

- they have made an agreement to repay the debt, and kept to it for a minimum of 6 months.

The following cases will usually be exempt from this:

- Applicants awarded an “Exceptional” Band 1 Social and Welfare award and permission to apply for a move with rent arrears has been sanctioned by the ECP panel *and* agreed by the landlord of the property the applicant is applying for
- All Temporary Decants, or Permanent Decants where the Council may incur a significant expense if the person is not moved
- Transfer applicants under-occupying a family home eligible for assistance through the Council’s REMS (or the tenant’s landlord) where the compensation will clear the debt in full.
- Technical arrears, where it is confirmed that a Housing Benefit award is due that will clear the arrears
- Persons accepted as statutory homeless and housed in temporary accommodation where a satisfactory payment arrangement is in place and the housing applicant is considered to be engaging and suitable for an offer of housing in order to minimise temporary accommodation costs to the Council (unless possession action is being taken due to a breach of tenancy)

The Manager responsible for Allocations may also exempt other cases. This discretion might be exercised where the applicant has made an agreement to clear the debt and has made consistent payments for a period of time (usually a minimum of 6 months) or where the situation was deemed to be out of the applicant’s control; or relates to physical, mental or learning disability.

The Allocations Manager may also consider authorising an offer in other exceptional cases where an applicant has fallen into rent arrears as a direct result of the introduction of changes introduced by the Welfare Reform Act including the “bedroom tax” or “benefit cap”. Where an applicant is in high housing need and considered to be taking reasonable steps to pay their on-going rent and the rent arrears they have accrued. In such cases an offer may be considered where the Allocations Manager and landlord of the property the applicant has applied for agree that the housing applicant is considered suitable for an offer and the accommodation is more affordable.

Where a former tenant has been evicted by a PRP within the ORAH partnership and allowed to re-join the housing register, they will not normally be nominated to the same PRP once they have demonstrated they are suitable to be a tenant, without prior agreement with the PRP.

5.9 Feedback

Feedback on previous bidding rounds will be available to help applicants assess whether accommodation appropriate to his or her needs is likely to be made available and, if so, how long this is likely to take.

General information about the profile of the stock will be made available, including: the type, size and location of the stock, whether it is accessible or could be adapted, and how old it is. In the case of stock, which is in short supply, an indication of how frequently it is likely to become available will also be included.

Specific information will be published each cycle about accommodation, which has been let through the CBL scheme. This will specify the number of bids received for the property, the band and priority band start date of the applicant who finished first at the end of the cycle. The information will be available in the same media in which the properties are advertised, and will be regularly reported.

Applicants who have expressed an interest in the particular vacancy but are unsuccessful may request more personalised feedback on why they were unsuccessful.

Periodically, Oxford City Council will extract generalised information from feedback data to help inform applicants' bidding strategies. This will include tables giving estimated waiting times by area and property type.

Oxford City Council will process all personal data in line with the Data Protection Act 1998 and relevant successive legislation. Where information is published about particular accommodation that has been allocated, the information shall not enable a member of the public to ascertain the identity of the individual applicant who has been allocated the accommodation, or to put them at risk of violence or intimidation by other individuals or members of the public. In some cases, the Manager responsible for allocations may make the decision not to publish the fact that a property has been let.

Oxford City Council will provide more detailed feedback to unsuccessful bidders at regular intervals, particularly after they have made a number of unsuccessful bids. This will involve advising applicants about the need to change their bidding strategy, or providing them with advice about alternative housing options available to them.

Applicants will be able to review their own bidding history through the website, or ask a member of Oxford City Council or its partner PRP to help them do so.

5.10 Refusals

Oxford City Council acknowledges that a "bid" is an expression of interest in a property and that applicants may not be in a position to make a firm decision until the property has been viewed. However, there is a high demand for social rented accommodation and the Council and its partner PRPs want to let homes advertised through Choice Based Lettings as soon as possible so applicants should be choose carefully before making a bid. If an applicant refuses an offer after a bid has been placed on the property without good reason the Council reserves the right to apply a penalty (see 5.13).

5.11 Failure to Bid

Oxford City Council will look at who is bidding and how often. If an applicant in a high priority group is not bidding despite properties of the right size being advertised, the Council may contact the applicant to make sure that they have understood the CBL system and that they have found a method of bidding that suits them. If they are struggling with the system we may be able to offer help ourselves or we may be able to refer the applicant to a support agency. We may also place a bid for an applicant or make a direct offer of accommodation in some circumstances, such as where a homeless applicant lives in temporary accommodation supplied by Oxford City Council, or is a “legal” or “policy” successor required to move, and is not bidding, despite suitable accommodation being advertised and help being offered (see 5.13).

5.12 Time Limits

Most applicants will have no time limits placed on how often they should bid in recognition of the scarcity of social housing in Oxford. Although all applicants are encouraged and expected to actively engage with the scheme once they have registered. If they no longer wish to be included on the Housing Register they should contact the Housing Needs Team to inform them so their housing application can be cancelled.

There will, however, be some exceptions where housing applicants in high priority bands are given time limits in which to bid for a property and penalties may be applied (see section 5.13). Including:

- Applicants accepted as homeless and placed in temporary accommodation (in Band 3) in order to minimise to the Council
- Applicants assessed as ready to “move-on” from supported accommodation (placed in Band 2) in order to ensure supported housing becomes available to those that require it within the City.
- Applicants awarded “policy successor” priority (placed in Band 1) in order to ensure that they move out of the accommodation they are occupying promptly so the property to can be re-let to another applicant in housing need

5.13 Penalties for Unreasonable Refusals or Non-bidders

The Allocations Manager will be responsible for authorising penalties. Before imposing a penalty the applicant will be contacted by a member of the Housing Needs Team, Tenancy Management Team or an equivalent ORAH officer to ensure they are satisfied the applicant understands the process. Where an applicant is not considered to have understand the process they may be given a further opportunity to bid at the discretion of the Allocations Manager.

Penalties will only be imposed where, after investigation, it appears that either:

- An applicant is deliberately failing to bid (or withdrawing bids placed on

- their behalf) when suitable properties have been advertised, or
- An applicant has turned down a property when they are deemed to have no valid reason for refusing the property when offered

5.13.1 **Penalties for Statutory Homeless Applicants to whom the Council has accepted a duty and placed in temporary accommodation**

Applicants on the homeless list will normally be made one suitable offer of accommodation – this could be an allocation of social housing through the Allocations Scheme or an offer of suitable accommodation within the private rented sector made outside of the Allocations Scheme by the Housing Options Team or Private Sector Team to discharge the Council's homeless duty.

Applicants accepted as homeless before 1/4/13 changes will only be made offers of social housing and will not be offered private rented accommodation (unless they request the Council to assist them in moving into the private rented sector).

Homeless applicants will be given a time-limited priority to bid for properties through CBL. During this time they could also be made an offer of suitable private rented accommodation to discharge the Council's homeless duty by the Housing Options Team or Private Sector Team outside of the Allocations Scheme.

Homeless applicant will normally be given 3 to 6 months to successfully bid for a property, or longer, if for example a household requires a very large property, an adapted property or the Council accepts that they cannot go to certain areas within Oxford. If a homeless applicant has not successfully bid for a property or been offered a suitable property in the private rented sector they may have bids placed for them automatically on all suitable properties becoming available (all suitable property types and in all areas) by the Allocations Team and will be offered the first property they shortlist for an offer on, irrespective of whether they have bid for the property or not.

Penalties for an Unreasonable Refusal

If a homeless applicant refuses a suitable offer without good reason the Council will no longer have a duty to accommodate them and ask them to leave their temporary accommodation and to resolve their housing situation themselves. If the applicant does not move out the Council will take action to take possession of the property.

Homeless applicants who are considered to have unreasonably refused an offer by the Council because they consider the property is not suitable for them or a member of their family will continue to have the right to appeal. The Council will not normally be able to end the duty to accommodate the applicant unless they lose the appeal.

5.13.2 Penalties for Applicants on the General Register & Transfer Lists

Unreasonable Refusals

Unreasonable refusals delay other applicants in housing need moving into a property, cost the Council and other landlords in lost staff time and can result in the landlord losing rental income from having longer void periods

Applicants on the General Register or Transfer Lists who are considered to have unreasonably refused two suitable offers of accommodation within the last 12 months will be suspended from bidding for 12 months. With the exception of tenants on the Transfer List occupying a property suitable for a family and seeking to downsize to a smaller property. Other exceptions may also be made on a case by case basis by the Allocations Manager.

If the applicant is suspended from bidding and disagrees with this decision they have the right to request a review of this decision (see Reviews & Appeals). If the appeal is successful they will be able to continue to bid. If the appeal is unsuccessful they will remain suspended for 12 months.

Policy “successors” will normally be given up to 6 months to bid for a suitable property, after this time, if they have failed to bid or failed to successfully bid for a property the Council will place bids for them on all suitable properties becoming available and may make a direct offer outside of CBL. Policy “successors” will normally be made only one suitable offer of accommodation. If they are made an offer and refuse without good reason the Council will ask them to leave the property and resolve their own housing situation and take action to gain possession of the property if they fail to leave.

5.14 Properties not advertised through CBL (Direct Offers)

Oxford City Council may choose not to advertise certain properties if they are needed for management reasons. This may include temporary lettings as emergency accommodation for homeless families, some types of supported housing, direct lettings to national mobility schemes, or permanent decants (where the properties are being sold, demolished or otherwise disposed of, or where tenants have been given the choice of not returning to a property following refurbishment or re-modelling, and it is not practicable to allocate the property through CBL).

In other cases, for example, very highly adapted properties or for applicants with very individual needs, it may be necessary to make a direct offer of a property in order to make the most effective use of the scarce resource of social housing and to obtain best value for money for the Council and its ORAH partners.

Oxford City Council will monitor the impact to ensure that it continues to comply with its duty to give reasonable preference to applicants in the reasonable preference categories and choice to General Register and Transfer List applicants wherever reasonably possible.

5.15 Temporary Decants

Where a temporary move is required while modernisation, refurbishment, or repair work is undertaken to any property of Oxford City Council, or its partner RSLs, and the tenant cannot remain in the property for a temporary period while this is being undertaken, the Manager responsible for Allocations may award a Decant category.

This category is authorised by the Manager responsible for Allocations, and only at such time as the need for the move and its programming has been confirmed by a senior manager in Housing or a partner PRP, as appropriate.

Officers seeking or authorising these categories must be assured that the move is necessary and that appropriate timescales are in place for work to begin on the vacated property, in order to minimise disruption for existing tenants.

Tenants must complete a transfer application where practicable and sign an undertaking to confirm that they will return to their original home once the work is completed, prior to transferring.

The Manager responsible for Allocations may make a Direct Offer outside of the CBL scheme to help facilitate such moves.

5.16 Hard to Let Properties

There are very few “hard to let” properties within Oxford, however, from time to time a sheltered property only suitable for an older applicant may have to be advertised more than once before a suitable applicant is offered the property.

A property will be declared “hard to let”:

- If it has been advertised over 2 consecutive bidding cycles and received no eligible bidders, or
- if it has been advertised over 3 consecutive cycles without a tenancy being created, or
- if an identical property (type, size & area) has been declared ‘hard to let’ within the previous 4 bidding cycles.

At the discretion of the Manager responsible for allocations, such properties may be let on a “first come, first served” basis; that is, any applicant may be granted a tenancy. The Manager responsible for allocations has the discretion to change eligibility criteria (including allowing under-occupation) in these circumstances. “Hard to let” properties will be advertised with other properties, but may also be let outside of the advertising cycle.

5.17 Inter-District Moves

The Council may from time to time agree a reciprocal arrangement with another District Council within Oxfordshire, or elsewhere, so that an applicant in high housing needs from Oxford can be housed outside of the City in

another District in return for the Council housing another similar case within Oxford. Even if the applicant does not have a local connection to Oxford. Any such allocation would need to be agreed by the Allocations Manager and the other District authority and be made outside of CBL as a direct match.

5.18. Priority for Local Connection

As part of the allocations policy priority will also be given to applicants who have a local connection over applicants in similar housing need without a local connection. Normally only applicants with a local connection will qualify for inclusion on the Housing Register; however, there are some exceptions (see 3.5.1).

Local Connection

Most housing vacancies will be advertised as giving priority to those applicants with a local connection to Oxford.

The following rules will be used to define Local Connection:

A local connection is established by way of one or more of the following:

1. The applicant or joint applicant is permanently resident in Oxford and that residence is of their own choice and has continuously been so for at least 6 months.
2. The applicant or joint applicant was previously resident in Oxford as a matter of choice and the period of residence was either:
 - At least six out of the last twelve months or
 - Three out of the last five years.
3. The applicant or joint applicant is employed in the Oxford for a minimum of sixteen hours per week and the employment is not of a short-term or temporary nature.
4. The applicant or joint applicant has family associations with Oxford:

Family association will normally be defined in relation to close relatives (i.e. parents, children or siblings) and where there is no estrangement. However, other family associations may be taken into account (for example Grandparents, grandchildren and step relations) where there is evidence of frequent contact, commitment or dependency.

To qualify the relatives must live in Oxford now and have been continuously resident for a minimum of five years.

A local connection is **not** established where the applicant is:

- is in prison within the district or
- is detained in Oxford under the Mental Health Act.

6 Housing Options

6.1 Housing Options and Choice

Oxford City Council will give all home-seekers and applicants information on other housing options that may be available to them, to assist the applicant in making a reasonable choice as to their best prospect of securing suitable accommodation. This will include information on low cost home ownership, private sector rented property (including any rent deposit schemes which may be operated by Oxford City Council) mutual exchanges and key worker accommodation, as appropriate.

6.2 Home Choice

This is a scheme managed by the Private Sector Team within the Housing Needs Team that provides people who might otherwise become statutorily homeless with advice, support and financial assistance to be able to successfully secure tenancies in the private rented sector.

Only applicants towards whom the Council has or would have a statutory duty to re-house (i.e. statutorily homeless or threatened with homelessness applicants) can be housed under by this team.

6.3 Private Renting

From time to time there may be opportunities to advertise privately rented properties, with the agreement of the landlord. These are most likely to be properties being made available for lettings with the help of rent deposit assistance from the local authority.

The adverts will appear in the Housing Options area of the web site and in the property newsletter.

6.4 HomeBuy and Other Low Cost Home Ownership Options

Lower cost home ownership includes a number of schemes designed to enable people who wish to buy a property and cannot afford to do so. It is targeted at people on housing waiting lists, social housing tenants, key workers as defined by current government legislation and other priority groups identified by the HomeBuy website.

Lower cost home ownership schemes are co-ordinated by the HomeBuy Agent who manages a register for all schemes in the Oxford. There are a number of different scheme types. Depending on your individual circumstances, and subject to availability, you may find that one or more of these are available to you.

HomeBuy includes the following schemes.

- **Shared Ownership**, also often referred to as part-buy/part-rent, allows you to buy a part share of a property and pay a subsidised rent for the part that you don't own. This gives you the opportunity to buy additional shares as your financial situation evolves or save a deposit for the next step on the property ladder. *Nominations for vacancies for New Build HomeBuy are made by Oxford City Council and anyone interested in the scheme must apply to the Oxford Register for Affordable Housing as well.*
- **Equity Loans Scheme** - offer low-interest loans that boost your affordability by topping up your mortgage. These schemes allow you to purchase a property that you would normally be unable to afford. The loans offered will have varying repayment requirements depending on the specific scheme provider and will sometimes offer interest free periods,
- **Intermediate Rental Schemes** - offer properties at rents at least 20% lower than private rental. Sometimes individuals will also have the opportunity to purchase their property at a discount later on. Applicants will usually be first time buyers but assistance is sometimes given if someone needs to buy due to circumstances such as relationship breakdown or because a family has outgrown their current property.

Eligibility criteria including financial criteria will vary between schemes.

Applicants should register with HomeBuy and because the Council needs to prioritise applications for New build HomeBuy, applicants for schemes in Oxford City also need to complete an application form for the Oxford Register for Affordable Housing. Please note the schemes listed above can change, for up to date information on the schemes currently available check the Homebuy Website.

Advertising and Bidding for Home Ownership Properties

Partner housing associations and private developers offering subsidised forms of home ownership will from time to time be able to advertise their properties via the Choice-Based Lettings website and Property Newsletters. These properties will be listed separately from properties for rent. Registered applicants may apply by bidding in the same way as for rented properties.

Applicants registered with the Council may bid for any properties advertised as available for sale. The short-list will be prioritised in the same way as for rented vacancies. However, the PRP or developer will be supplied with the contact details of all qualifying* applicants and those selected to proceed to purchase may not necessarily be those highest on the list.

*Qualifying applicants are those who are eligible to register who have been assessed as having sufficient income and savings to proceed to make a purchase on the terms on offer by the Homebuy Agent.

7 Special Circumstances

7.1 Reviews and Appeals

The Right of Review

An applicant has the right to request an internal review of a decision taken that:

1. The Council has decided that an applicant is not a qualifying person for an allocation.
2. Not to register the application even if the applicant is in a reasonable preference group
3. Not to allow applicants to bid for a specific period of time, or overlook them in shortlists while an outstanding issue is being resolved (for example investigations into certain circumstances or the agreed payment of tenancy arrears).
4. Not to make an offer to the highest bidding applicant, where information is available that would make the new tenancy unsustainable or unsafe (for example where an applicant has been allowed to register and has been given a priority, there may be certain properties or areas where it is inappropriate for them to be housed) - also see section 5.8.2
5. They are ineligible for an allocation by virtue of being a person subject to immigration control who is ineligible for a housing allocation.
6. They do not qualify for inclusion on the Housing Register.

Where an authority decides an applicant is ineligible, by reason of their immigration status or serious unacceptable behaviour or any other reason that they do not qualify for inclusion on the Housing Register, it must notify them of the decision and grounds for it in writing.

An applicant has the right on request (under s167 4A(c)) to be informed of the facts which will, or will likely, be taken into account in considering whether to make an allocation and has the right to request a review of the facts of their case

An applicant also has the right to request a review of any adverse allocation decision.

Review of Material Facts (Reassessment)

Any decision may be reassessed at any time on the following basis:

- The applicant's circumstances have changed materially since the decision was made, meaning that their eligibility has changed
- Substantive new information has become available, not previously available to the Allocations Team, meaning that the new information changes the applicant's eligibility.
- The Council has made an administrative error, which is substantially detrimental to the applicant

Process for Internal Reviews

1. The original officer will first consider the review, and in light of any new information, may wish to reverse the original decision. If not, the case will be passed to another officer to review.
2. The reviewing officer must not have been party to the original allocation decision and should be senior to the original decision maker.
3. A request for a review must be made, in writing, within 21 days of the date that the applicant is notified of the Council's decision
4. The review must be considered on the basis of policy, law and known fact at the date of review.
5. Reviews should be completed wherever practicable within a 56-day time limit. If the review exceeds 56 days, the applicant must be notified of the delay, in writing.
6. The applicant should be notified that s/he, or a representative acting on their behalf, may make representations in writing in connection to the review.
7. The applicant will be asked for any further information needed in order for the assessment to be completed.
8. Any adverse material must be put to the applicant for their comment.
9. The outcome of the review decision must be notified in writing, with reasons, to the applicant.

An applicant who has been accepted as statutorily homeless by the Council also has the right to request a review of the 'suitability' of a final offer of permanent accommodation. However such reviews are authorised under the regulations that apply to Homelessness decisions which are similar to the process described above, but are not the same, for example the factors to be taken into account are prescribed by the regulations.

The Right of Appeal

If the applicant believes that Oxford City Council has not acted reasonably or in accordance with its set procedure, they may have the right to seek a Judicial review of the decision.

7.2 Under Occupation (and the Removal Expenses & Mobility Scheme)

Under Occupation

Under occupation of properties is a concern for Oxford City Council, given the high demand for larger properties in the city. Under-occupation is listed in the Code of Guidance on Allocation of Accommodation as being one of the unsatisfactory housing conditions that may be used to determine additional priority within and between the groups to which any Allocation Scheme must give reasonable preference. In addition, the Council has the power (under the Housing Act 1996, Schedule 18, Part I, section 2) to make payments to encourage local housing authority tenants to move to other accommodation within the authority's stock, or accommodation supplied by a registered Social

landlord such as a Housing Association. (Powers are also provided for in sections 21 and 26 of the Housing Act 1985 and section 111 of the Local Government Act 1972.) PRPs may have their own expenses and other incentives schemes in place, and each PRP should be contacted for details of current schemes. These may also be supported by the Council.

In order to encourage under occupiers to move to smaller accommodation, the following arrangements are in force.

Any Oxford City Council tenants, or tenants of partner PRPs within the City, who have 2 or more bedrooms than they need, and who currently live in family accommodation, will be placed in Band 1.

Any Oxford City Council tenants, or tenants of partner PRPs within the City, who have 1 bedroom more than they need, and who currently live in family accommodation, will be placed in Band 2.

Permitted Under Occupation

There are situations where a degree of under-occupation may be permitted in making an allocation of accommodation:

- 'trading down' from larger accommodation to two bed accommodation
- medical recommendation
- mutual exchanges
- tenancy successions to a spouse or civil partner
- urgent or exceptional moves (e.g. on moving a victim of harassment) (at decision of ECP)
- decants
- where permitted by the provisions of a Local Lettings Plan

Under-occupation priority is not awarded to homeless applicants placed in temporary accommodation

The Removal Expenses and Mobility Scheme

Oxford City Council operates a Removal Expenses and Mobility Scheme (REMS). Oxford City Council Tenants who are granted REMS status are eligible for compensation based on the number of bedrooms released by any move, and expenses covering costs associated with moving. Details of the levels of compensation and expenses payable under this scheme are available to members of the public on request.

8 Tenancies which are Treated Separately from the Normal Allocation Process

8.1 Succession

Secure Tenancies for Oxford City Council tenants

Existing tenants at 1 April 2012

The rights of occupiers of council housing to succeed to a secure tenancy are governed by sections 87 and 88 of the *1985 Housing Act*. Secure tenants are able to pass on their tenancy to a spouse, civil partner or family member on the death of the tenant. Assured tenants can pass their tenancy on to a spouse or civil partner.

There is only one legal right to succession per tenancy.

Those entitled to succeed by law are:

- spouses and civil partners (secure and assured tenants)
- family relatives (including blood and step relatives but not cousins)
- co-habiting opposite sex couples, are regarded as family members
- co-habiting same sex couples, without a civil partnership are not entitled to succeed by law

The following conditions apply:

- A spouse or civil partner must have occupied the property as their only or principal home at the time of the tenant's death.
- A family member must have resided with the tenant continuously for 12 months as their only or principal home before the tenant's death.
- There can only be one successor to a tenancy.
- A spouse or civil partner will usually take precedence over a family member where more than one person is entitled to succeed.

If the tenant was a successor, there is no right to succeed.

A succession will also have been deemed to be created by:

- A joint to sole tenancy
- An assignment to a person qualified to succeed

Mutual exchanges are not successions unless the tenant was a successor in relation to the tenancy being assigned by way of exchange (s88 (3) 1985 Act)

Tenants after 1 April 2012

The *Localism Act 2011* has amended the succession rights of new tenants for

tenancies that began on or after 1st April 2012.

Now only the following have the legal right to succeed to a secure tenancy:

the tenant's:

- Spouse; *or*
- Civil partner; *or*
- Cohabiting partner (of either sex).

The successor must have been living with the tenant at the time of her/his death and the property must have been her/his only or main home.

A landlord may wish to provide additional rights in the tenancy agreement which would allow a family member to succeed, such as the tenant's son or daughter.

The law says that other people can only succeed to a secure tenancy which began on or after 1 April 2012, if, when the tenant dies:-

- there is no spouse, civil partner or cohabiting partner living in the property as her/his only or principal home; *and*
- the tenancy agreement allows for someone else to succeed.

Oxford City Council's position is set out in the Tenancy Agreement for secure tenants. From time to time the Council may revise the terms of the tenancy agreement and tenants are therefore strongly advised to check with the Council to confirm their position on succession and whether they are eligible to succeed.

Housing Association Assured Tenants/PRPs

Housing Association tenants' right to succeed is laid down in the Housing Act 1988, and advice should be taken from the Housing Association.

Points to Note on Successions

Where a succession results in the successor, other than spouses or civil partners, living in a property which:

- is too large; or
- has significant adaptations for disabled persons which are not required by the successor; or
- is otherwise inappropriate to their needs

the Council may require the successor tenant to move to alternative, more appropriate, accommodation;

If a successor refuses to move from the property, the Council will pursue possession proceedings in the County Court.

Where a succession results in the successor occupying a property of the appropriate size for their needs, they will normally be allowed to remain as a tenant of that property.

Otherwise Excluded Successors

In addition to legal successions, the Council may also agree to “policy successions”.

“Policy successions” generally apply to people who would have been entitled to succeed but for the fact one legal succession has happened, usually where a joint tenancy has become a sole tenancy. Band 1 priority may be awarded to a close family member who would have been entitled to a legal succession, but is not, because one previous succession has already taken place, by authorisation of the Manager responsible for Allocations, based on the recommendation of the Tenancy Management Manager or equivalent ORAH officer. If under the affordability guidelines a housing applicant is considered to be able to resolve their own housing situation they will not normally be included on the Housing Register.

A potential “policy successor” (persons potentially entitled to a new offer of accommodation through the Allocation Scheme) can be asked to move immediately to more appropriate accommodation where a “policy succession” would result in the occupation of a property, which, is more extensive than their needs; or has significant adaptations for disabled persons, which are not required by the occupant.

In this case if the “policy successor” refuses to move then the Council will treat them as an unauthorised occupant and pursue possession action.

Civil partners are treated the same as spouses.

“Policy successions” are not successions in law, but new tenancies, which bring their own rights of succession.

8.2 Assignment

Assignment of a secure tenancy can take place on the following grounds (s91(3) of the Housing Act 1985 Act). These are:

- the assignment is pursuant to a Property Transfer Order under Section 24 of the Matrimonial Causes Act 1973.
- the assignment is to a person who would be qualified to succeed if the tenant had died immediately before the assignment.
- mutual exchange

8.3 Mutual Exchange

Mutual Exchanges are exchanges by way of Assignment. All permanent social housing tenants are able to go onto the register (Assured Shorthold Tenants or Introductory Tenants are excluded). The Council encourages all eligible tenants who want to move to consider applying for an exchange, and the transfer application form allows applicants to register on the Mutual Exchange Register at the same time.

Oxford City Council is responsible for maintaining the mutual exchange register on behalf of ORAH. Exchanges are possible between multiple tenants – for example, a three way exchange.

Secure tenants have a right to exchange under section 92 of the Housing Act 1985. Assured tenants have a right to exchange under the 1988 Housing Act. Mutual exchanges may be refused in accordance with the Housing Act 1985 (for Council properties) or the Housing Act 1988 (for RSL properties). Consent will only be made conditionally on the breaches of tenancy being rectified. All mutual exchanges can only proceed with the written consent of both landlords.

8.4 Joint To Sole and Sole To Joint Tenancies

Joint to Sole

On receipt of written notice (normally 4 weeks notice) that one party wishes to end the tenancy, a new sole tenancy for the same property may be granted at the discretion of the Tenancy Management Manager. (The receipt of this confirmation will not necessarily lead to an automatic eviction of the other tenant).

Sole to Joint

On written notice by the sole tenant and the proposed joint tenant, a new, joint, tenancy for the same property may be granted at the discretion of the Tenancy Management Manager. The decision will be confirmed in writing.

Other Properties Within The ORAH Partnership

It is at the discretion of each landlord how they treat applications to transfer from either joint to sole, or sole to joint tenancies.

Appendices

- I People not Eligible for Social Housing in Oxford, including those subject to Immigration Controls
- II Officer Roles in Relation to the Allocation of Housing and Associated Processes
- III Guidelines for Calculations on Affordability

Appendix I – Classes Of Person Ineligible for an Allocation of Housing By Reason Of Their Immigration Status

The following classes of persons are not eligible for an allocation of housing by reason of their Immigration status or lack of habitual residence, unless they are already a secure or introductory tenant of a housing authority, or an assured tenant of accommodation allocated to them by a housing authority. The requirement to be habitually resident in the UK does not apply to “qualifying” EEA nationals such as those working lawfully in the UK. Non-qualifying persons such as EU nationals who are not economically active or exercising their initial 3 month right of residence are ineligible.

- a) A person registered with the Home Office as an asylum seeker.
- b) A visitor to this country (including an overseas student) who has limited leave to enter or remain in the UK granted on the basis that he or she will not have recourse to public funds.
- c) A person who has a valid leave to enter or remain in the UK which includes a condition that there shall be no recourse to public funds.
- d) A person who has a valid leave to enter or remain in the UK which carries no limitation or condition and who is not habitually resident in the Common Travel Area.
- e) A sponsored person who has been in this country less than five years (from date of entry or date of sponsorship, whichever is the latest) and whose sponsor(s) is still alive.
- f) A person who is in the United Kingdom illegally, or who has overstayed his/her leave.

The Secretary of State may make regulations which allow allocations to be made to prescribed classes of persons subject to immigration control within the meaning of the Asylum and Immigration Act 1996, but such prescribed classes of persons shall not include any person who is excluded from housing benefit by Section 115 of the Immigration and Asylum Act 1999 (exclusion from benefits).

Further information and assistance on these matters is available on request.

The Council will refer to the relevant UK Border Agency Guidelines to ensure compliance with current immigration legislation.

Appendix II – Officer Roles In Relation To the Allocation of Housing and Associated Processes

(1) General. The power to operate the Allocation Scheme is a power delegated by full Council in accordance with Oxford City Council’s Constitution

(2) The Head of Housing, may further delegate operation of the Scheme to officers within the service (or on occasion to other officers)

Officer Roles and Responsibilities

Officer Designation	Role and Responsibilities
Housing Needs Assistant	<ul style="list-style-type: none"> a) Provision of advice and assistance in accessing appropriate accommodation for all applicants b) Inputting data relating to individual applications onto the HMIS computer system c) Answering general queries by telephone, in writing, and in person d) Verification of documents relating to applications for housing e) Home visits to applicants for housing
Allocations / Options Officer/ Housing Needs Officers/Assessment Officers/Assessment & Support Team Leader/Senior Allocations Officer	<ul style="list-style-type: none"> a) Assessment of incoming applications, including application forms and any additional material, carrying out home visits, verification, and any additional investigations required to ensure that those applications truthfully reflect the housing situation of the applicants concerned, and to determine eligibility and qualification for inclusion on the housing register and an allocation of housing b) Drawing up shortlists for allocations of housing, and nominations to PRP properties, investigation of suitability of short-listed applicants for such allocations and nominations, and ensuring that the most suitable allocation or nomination is made, in line with policy c) Provision of general housing advice and assistance to applicants, including signposting and referral to internal and external sources of further advice and assistance, ad home visits to applicants d) Initial determination of the reasonableness or otherwise of a refusal of an allocation of housing/nomination to a PRP property e) Awarding Band 3 or 4 priority based on a HAHA assessment as directed by the Allocations Manager f) Awarding Band 4 on an ECP assessment as directed by the Allocations Manager g) Answering general queries by telephone, in writing, and in person
Manager	<ul style="list-style-type: none"> a) Checking paperwork relating to all allocations and nominations,

<p>Responsible for Allocations (the Assessment & Support Team Leader and Senior Allocations Officer also have delegated authority to authorise day to day work on behalf of the Allocations Manager)</p>	<p>to ensure that correct procedure has been followed, and authorising offers and nominations, including decisions as to the reasonableness or otherwise of an allocation or nomination</p> <p>b) Monitoring allocations and nominations to ensure that the correct percentage of lettings are made to each re-housing list, in accordance with the allocations percentages set by Oxford City Council</p> <p>c) Decisions as to whether or not an applicant is eligible &/or qualifies for an allocation of housing in light of previous unacceptable behaviour (including outstanding rent arrears)</p> <p>d) Decisions as to whether or not an applicant should be excluded from qualifying for inclusion on the Housing Register, in light of previous unacceptable behaviour (including outstanding rent arrears), or in light of their financial resources</p> <p>e) Decisions relating to the authorisation of 'like-to-like' transfers, outside the Allocations Scheme, in sheltered accommodation and other schemes</p> <p>f) Authorisation of over-riding categories to applications where:</p> <ul style="list-style-type: none"> • a previous commitment to re-house has been made by the Exceptional Circumstances Panel • a status of permanent or temporary decant is required to facilitate works to the applicant's home • a successor or 'policy successor' award is required to Band 1 may be awarded to expedite this move <p>g) Decisions to make Direct Offers of accommodation</p>
<p>Principal Housing Facilitator</p>	<p>a) Responsible for carrying out all internal reviews of allocations decisions</p> <p>b) Advice and assistance to all officers in respect of, technical, policy, or other matters which may affect the progress of an application, including decisions regarding eligibility or the lack of it, for whatever reason</p>
<p>Exceptional Circumstances Panel</p>	<p>Responsible for review of cases in which circumstances not dealt with by the banding Scheme may have an impact on an applicant's housing need, and the award of increased priority, or other condition or restriction, as appropriate to reflect the applicant's situation.</p> <p>The panel does not have a fixed membership, but will be drawn from officers within the Housing Business Units and from ORAH partners, who have sufficient knowledge and experience to contribute to the Panel's effectiveness. The panel will comprise of a minimum of three persons, including two managers. The Panel will be chaired by a Senior Officer for the Housing Needs Team. Officers referring cases to the panel will make representations on behalf of the applicant in question, but may not sit on the Panel for cases they have referred to it</p>
<p>Head of</p>	<p>Resolution of disputes between officers regarding interpretation</p>

<p>Housing & Property</p>	<p>of the Allocations Scheme and decisions arising from that interpretation</p> <p>The Head of Housing & Property has delegated authority to:</p> <p>Authorise minor amendments to the Allocations Scheme proposed by the Allocations Manager where:</p> <ul style="list-style-type: none"> • Legislation changes and the Allocations Scheme needs a minor change to comply with new legislation <i>and</i> the change will have a low impact on those on the housing register. • Best practice or new guidance is introduced that needs to be reflected in the Allocations Scheme <i>and</i> the change will have a low impact on those on the housing register <p>Authorise offers of accommodation outside of the banding priority scheme for “management cases” to make the best use of stock for existing tenants, or other applicants (on an exceptional basis). To include:</p> <ul style="list-style-type: none"> • Adapted properties no longer required by the tenant • To facilitate a move as an alternative to adapting a property • To maximise bedroom occupation and ensure affordability <p>Approve the annual lettings plan targets proposed each year by the Allocations Manager – where the targets remain the same as the previous year or include only a small adjustment (up to 5% or less than 10 properties per annum) to the target of properties to be allocated to each list.</p> <p>Change the annual lettings plan targets after 6 months if the demand on the housing register has changed significantly and minor corrective action is required. Such changes should be subsequently reported to CEB if the annual lettings plan was approved by CEB.</p> <p>and</p> <p>Amend the Choice Based Lettings cycle (periods and dates) after appropriate consultation</p>
<p>Tenancy Management Manager, Area Housing Managers & Area Housing</p>	<p>a) Approval and counter signature of submissions to the Exceptional Circumstances Panel, and Health & Housing Assessment Forms.</p> <p>b) Decisions on Joint to Sole and Sole to Joint tenancy applications (Tenancy Operations Manager)</p>

Team Leaders (or equivalents in partner PRPs)	c) The authority to make a recommendation to award a succession status to an applicant
Senior Furnished Tenancy Officer/ Furnished Tenancy Officer	Responsibility for administering cases under the Removals Expenses Scheme.
Tenancy Management Officers (or equivalent role in within the Council or partner RSLs)	a) Approval, inspections, and tenancy changes relating to requests for Mutual Exchange of Tenancies b) Home visits to some transfer applicants c) Landlord references for tenants
Mobile Wardens	Home visits for all applications for sheltered housing, at application and offer stages of the allocation process.
Environmental Health Officers	Assessment of disrepair, and award of priority for housing condition, where requested by an applicant.
Customer Service Officers/ORAH equivalents	General advice and verification of documents provided by applicants.
Health and Housing Assessment (HAHA) Panel	<p>Responsible for awarding priority and assessing cases in which the health of the applicant, or their household, is worsened due to their current housing circumstances, in accordance with this Allocation Scheme. The award of increased priority, as appropriate, should reflect the applicant's situation.</p> <p>The panel does not have a fixed membership. This will be drawn from officers from Housing and ORAH partners, and may include a health professional, who have sufficient knowledge and experience to contribute to the Panel's effectiveness. The panel will comprise of a minimum of 2 persons, including 1 manager and health professional or 1 managers and another officer. The Panel will be chaired by a Senior Housing Needs Officer. Officers referring cases to the panel may make representations, but may not sit on the Panel for cases they have referred.</p>

Appendix III – Guideline Calculations for Affordability

Social housing is a scarce resource. New Applicants applying for housing or existing housing applicants may be excluded from the Housing Register, regardless of their housing circumstances, if there is evidence to suggest that they have sufficient income or assets to resolve their housing situation through the housing market by renting or buying a suitable home. Furthermore, other adult members (including their partner's where applicable) may also be excluded from being included on an applicant's housing application if there is evidence to suggest that they have sufficient income or assets to resolve their own housing situation (or if they refuse to provide this information when requested). Each case will be considered on its merits and where there would otherwise be hardship, priority may be awarded in accordance with the policies and protocols of the Allocations scheme.

Property

Housing applicants who own a property in the UK or overseas that is considered suitable for their households housing needs will not normally qualify for inclusion on the Housing Register. However, the property must be physically and legally accessible. If the equity in the property is £16 000 or more and this would provide sufficient funds to resolve their housing situation then the applicant would normally be expected to make their own housing arrangements.

Adult household members of housing applicants who own a property in the UK or overseas that is considered suitable for their housing needs will not normally qualify for inclusion on an applicant's housing application.

Property can include: narrow boats and caravans as well as other dwellings that are suitable for occupation and reasonable to occupy.

Savings/Investments/Assets

Housing applicants with savings/investments or assets of £16 000 or more will not normally qualify for inclusion on the Housing Register.

Adult household members with savings/investments or assets of £16 000 or more may also be excluded from an applicant's housing application if they are considered to have sufficient funds to resolve their own housing situation.

Income

Applicants with sufficient income to resolve their own housing situation may be excluded from the housing register. An applicant's income combined with savings less than £16000 could be taken into account when making this decision.

Exceptions

The Manager responsible for Allocations can agree for exceptions in appropriate cases.

Those applicants to whom the Council has accepted a duty under Homelessness Legislation may not be included in this policy as it would not be in the best interests of the Council to delay getting such persons housed due to the high cost of temporary accommodation. However, adult household members meeting the criteria for exclusion under the guidelines could still be excluded from an applicant's homeless application for the purposes of assessing the size of property they require.

Those applicants applying for Shared Ownership will be included on the Shared Ownership Register for the purposes of assessing their housing need, but they will not normally be included on the General Housing Register or another applicant's housing application.

Exclusion from the Housing Register

Should a decision be made to exclude an applicant, or a member of their household, they will be informed of this, with the right to request a review, and will be given information as to how to source alternative accommodation and resolve their own housing needs through the open market or private sector.

Verification

Applicants and their household members can be asked to provide evidence of their income, savings and assets in order to verify the affordability assessment. If applicant fails to provide sufficient evidence then their registration may not be able to proceed and they will not be included on the Housing Register or removed if they are an existing applicant. If a member of their household fails to provide sufficient evidence they will not be "counted" as a member of their household for re-housing purposes or assessing their housing need.

Appendix 3: Report on the results of the Allocations Review Consultation

1.	<p>Background</p> <p>The Allocations Scheme is the policy the Council uses to allocate social housing in Oxford and to prioritise those in housing need on the Housing Register for offers of housing.</p> <p>The existing Allocations Scheme came into effect in July 2009 and now needs to be changed to take into account:</p> <ul style="list-style-type: none"> • The Council’s new Tenancy and Homeless Strategies; • Recent changes in legislation, guidance and best practice, balanced with local needs and aspirations <p>A draft copy of the proposed new Allocations Scheme was approved by the CEB on 13/2/13 to go out to public consultation and the questionnaire to be used for the consultation was approved by the Public Involvement Board on 1/3/13. The consultation took place between 3/4 and 19/5/13. Registered Providers of Social Housing in Oxford, every applicant on the housing register (over 4700) and other key stakeholders (including the advice and support agencies) were given the opportunity to comment on the proposed changes and to complete an on-line questionnaire on E-consult. A paper version of the form was made available to those without access to a PC and the responses also logged onto E-consult. There were 271 responses received to the on-line survey (including paper versions of the form loaded on to E-consult by the Housing Needs Team).</p>
2.	<p>This report provides a summary of the responses received to the questionnaire in addition to the additional feedback and comments received during the consultation including the views of the Registered Providers of Social Housing with stock in Oxford.</p>
3.	<p>Qualification - Local Connection</p> <p>The proposal in the New Allocations Scheme to restrict access to the Housing Register in the future, in most cases, to those with a local connection through work, residence or close family connection was strongly supported by the majority of respondents including 84% of those who completed the survey. This is not surprising as most of the existing applicants on the Housing Register (around 4200) have an assessed local connection to the City. Comments on the proposed changes included suggestions to allow applicants with a health and disability needing to move to Oxford to still be able to apply for housing. The proposed Allocations Scheme already allows the Allocations Manager discretion to include such cases.</p>

4.	<p>Qualification – Capital of £16K &/or Sufficient</p> <p>The proposal to normally exclude access to the Housing Register to Housing Applicants and/or members of their household with £16 000 or more and/or income to resolve their own housing situation was supported by most (61%) of respondents and only 20% disagreed with this proposal. Comments on the proposed changes included that £16 000 might not be enough for some households to resolve their housing situation. The Allocations Scheme allows for this by considering each case on its own merits.</p>
5.	<p>Qualification – Rent Arrears</p> <p>The proposal the Council should be able to take into account rent arrears when considering if an applicant should qualify for inclusion on the housing register was strongly supported by Registered Providers of Social Housing and supported by the majority (71%) of respondents to the survey, only 11% disagreed with this proposal. Comments on the proposed changes included that the Council should allow some exceptions. The proposed Allocations Scheme already allows some exceptions; such as cases where housing applicants have low level rent arrears, have demonstrated that they can now pay their rent regularly and other for complex or high needs cases unable resolve their own housing situation where there is evidence appropriate support is in place to help them sustain their tenancy in the future.</p>
6.	<p>Qualification – Anti-Social Behaviour (ASB)</p> <p>The proposal the Council should be able to excluded applicants from the housing register where they or a member of their household has been responsible for ASB unless they can evidence their behaviour has been amended or another tenancy has been successfully maintained, was strongly supported by Registered Providers of Social Housing and supported by the vast majority (88%) of respondents to the survey. Only 5% disagreed. Comments including those from the Registered Providers was that the definition of what constituted ASB sufficient to exclude an applicant would need to be defined in more detail and consideration should be given, particularly for families in housing need, in providing support to address any ASB issues before excluding them from the opportunity of housing. This has been taken into account in the proposed Allocations Scheme.</p>
7.	<p>Priority on the Housing Register</p> <p>The overall feedback from the consultation is that while it is acknowledged different groups in housing need should be given priority through the Allocations Scheme there is no easy way to decide who should be given the most priority for the limited amount of properties that become available to let in Oxford. Registered Providers supported the</p>













	<p>use of the priority bands for assessing Housing Need. The response from those completing the survey was that the Council and its partner's should do more to build affordable and social housing within Oxford and to house those in housing need. The proposed Allocations Scheme seeks to give priority to those in the most assessed housing need. Plans for new affordable housing within Oxford including the new Barton West development will go some way to increasing the supply of housing in the City.</p>
8.	<p>Priority on the Housing Register to Statutory & Non-Statutory Homeless</p> <p>The proposal to reduce the priority on the Housing Register to homeless applicants owed a statutory homeless duty (placed in homeless temporary accommodation) and the non-statutory homeless received a mixed response. Although most, 47% of the respondents, agreed with this proposal there were 17% who disagreed, however, as 16% of the respondents stated they were homeless this is perhaps not surprising. Feedback from the Registered Providers and others was while they recognised priority needed to be given to the homeless this should be balanced against the needs of existing tenants and other households needing re-housing on the housing register including those with health or disabilities, households living in over-crowded accommodation and existing tenants affected by the bedroom tax needing to downsize (which the proposed Allocations Scheme seeks to do).</p>
9.	<p>Time In Housing Need</p> <p>The comments from the consultation were that “time” should in some way be taken into account when prioritising households in similar housing need for housing. The proposal in the new Allocations Scheme that “time in housing need/priority band” should be used for all five priority bands in the future, instead of just for applicants in Band 1 as currently, was supported by Registered Providers and agreed by a majority (71%) of respondents to the survey, only 11% disagreed with this proposal.</p>
10.	<p>Age of Household Members</p> <p>The proposal to change “rules” in the Allocations Scheme used, to calculate the size of property a family with children, is eligible for based on the age and sex of their children, by aligning them with the new “bedroom tax” rules has not surprisingly received a mixed response in the consultation. Registered Providers strongly supported this approach to avoid housing new tenants in unaffordable accommodation and to make the best use of the limited stock available. Although 48% of respondents to the survey agreed with the proposals to increase the age at which 2 children of the opposite sex are considered able to share from 7 to 10, 43% disagreed. Furthermore although 49% agreed with the proposal that in the future 2 children of the same sex should normally be</p>

	<p>able to share until the eldest in 16, 34% disagreed. The proposed Allocations Scheme seeks to reduce the impact of the proposed change, by leaving discretion in the Allocations Scheme for some households with children to be eligible for larger properties where a child has been assessed as requiring a separate bedroom on health or social and welfare grounds.</p>
11.	<p>Under-occupiers in Social Housing</p> <p>Tenants Downsizing</p> <p>The proposal to allow existing social housing tenants in Oxford who are currently in a property that is too big for them to be able to move to a smaller property, even if it is still has one more bedroom than they require, to free up a larger family property was supported. Registered Providers agreed with the proposal on the basis the downsizing tenant could still afford the rent at the smaller property. The majority of respondents to the survey (65%) also agreed this was desirable and only 13% disagreed. The proposed Allocations Scheme will only allow downsizing tenants to be offered a larger property than they require if they can afford the rent if they are of working age and will still be affected by the “bedroom tax” after the move.</p> <p>Long-term Foster Carers</p> <p>The vast majority (80%) also agreed with the proposal that long-term foster carers could be offered a property larger than they would normally require if they have fostered children continuously for 3 years or more. Registered Providers supported the proposal too as long as the tenant could afford to pay the rent at the property they were offered.</p> <p>Pregnant Applicants</p> <p>The proposal to “no longer” count an unborn baby when assessing an applicant’s housing requirements until the baby is born received mixed a response. While most (51%) respondents agreed with this proposal, 21% disagreed and 27% were undecided. Registered Providers confirmed they would consider accepting a housing applicant who was pregnant before the birth of the baby but only if they could afford to pay the rent. The Allocations Scheme allows some discretion in such cases in exceptional circumstances.</p>
12.	<p>Household Members – Adult Students Living Away from Home</p> <p>The proposal to no longer “count” adult children or household members who are who are studying and living away from home elsewhere for part of the time in student, private rented or other accommodation received a mixed response. Although 51% of the respondents agreed with this proposal, 21% disagreed and 27% were undecided. Comments ranged from requesting a clearer definition on what constituted “part of the time”</p>

	to concern over the lack of space for a student returning during term-time for studying and the impact this might have on student applications in Oxford from families on a low income. It is no longer proposed to include this change in the new Allocations Scheme.
13.	<p>Over-crowded Large Families</p> <p>The proposal to allow large families with a 4 bedroom housing need living in a 2 bedroom property or smaller, or in homeless temporary accommodation, to bid for 3 bedroom properties (as well as 3 bedroom parlour houses) to improve their housing situation was supported by 71% of respondents and only 8% disagreed. Comments received included that applicants should not be put under pressure to bid for smaller properties than they actually required unless they choose to. The Allocations Scheme allows for this and it is up to the housing applicant to make the decision if they want to request moving to a smaller property too. Registered Providers supported this proposal on the basis they would have the final decision on the maximum number of children that could be housed into any of their 3 bedroom properties as they vary in size and layout.</p>
14.	<p>Unreasonable Refusals</p> <p>The proposal the Council will normally suspend (with some exceptions) a housing applicant from the General Register or Transfer List from bidding for up to 12 months if they have refused two offers without good reason in less than 12 months was supported by Registered Providers and the majority (71%) of respondents to the survey. Only 14% disagreed. The new Allocations Scheme proposes to allow a housing applicant to appeal against this decision if they disagree.</p>
15.	<p>Offers To Homeless Applicants</p> <p>The proposal that Homeless Applicants placed in temporary accommodation provided by the Council to whom the Council has accepted a statutory homeless duty, will be made only one suitable offer of accommodation in the future, which could be in the Private Rented Sector was supported by Registered Providers. The majority of respondents (61%) to the survey agreed too. 20% disagreed.</p>

Appendix 4 Equality Impact Assessment

1.	<p>Equality Impact Assessment on the proposed changes to the Allocations Scheme</p> <p>Before drafting the final version of the proposed new Allocations Scheme an impact assessment has been completed profiling those potentially affected to ensure that BME groups, the disabled and other groups such as the homeless or older applicants are not inadvertently disadvantaged by the proposed changes. This document provides a summary of the main proposed changes and the potential impact.</p>														
2.	<p>Profile of the Housing Register</p> <p>There are 5 Housing Need Priority Bands ranging from Band 1 very high housing need down to Band 5 low/or no housing need.</p> <p>A summary of the total number of housing applicants with a live housing application on the Housing Register (including those without a Local Connection) by Housing Need Priority Band is shown in Table 1 below (1/7/13).</p> <p>Table 1</p> <table border="1" data-bbox="316 1072 1350 1339"> <thead> <tr> <th>Housing Need Priority Band</th> <th>Number of Housing Applicants</th> </tr> </thead> <tbody> <tr> <td>Band 1</td> <td>62</td> </tr> <tr> <td>Band 2</td> <td>363</td> </tr> <tr> <td>Band 3</td> <td>1079</td> </tr> <tr> <td>Band 4</td> <td>86</td> </tr> <tr> <td>Band 5</td> <td>2696</td> </tr> <tr> <td>Total</td> <td>4286</td> </tr> </tbody> </table>	Housing Need Priority Band	Number of Housing Applicants	Band 1	62	Band 2	363	Band 3	1079	Band 4	86	Band 5	2696	Total	4286
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Total	4286														
3.	<p>Due to the high demand for housing and the limited amount of properties becoming available each year most housing applicants in Bands 4 or 5 are unlikely to receive an offer of housing in the foreseeable future. Unless they are 60 years or older and are eligible to apply for low demand sheltered studio flats that become available more frequently, or require an ground floor level access property or adapted property. The majority of the proposed changes will have little or no impact on the chances of housing applicants in Bands 4 or 5 receiving an offer of housing.</p>														
4.	<p>Households with a Disability</p> <p>There are a number of properties which have been specially built or adapted for people with disabilities, where these met the Mobility Standard or Wheelchair Standard, Oxford City Council seeks to match these most closely to applicants that specifically require this type and standard of accommodation and will continue to specifically label these properties as such when they are advertised through Choice-Based</p>														

	Lettings.								
5.	<p>There are 4 Mobility Levels used to identify the type of property a housing applicant requires where they and/or another member of their household has a disability and requires ground floor level access and/or adaptations to a property.</p> <p>A summary of the Mobility Levels used is shown in Table 2 below.</p> <p>Table 2 Mobility Levels</p> <table border="1"> <tr> <td></td> <td>Mobility Level 1: Level Access. Level access into the property (from the street to the front door) and level access throughout the property (no internal steps).</td> </tr> <tr> <td></td> <td>Mobility Level 2: Mobility Standard. Level access into and throughout the property, although all rooms may not be accessible by a wheelchair. Meets part M of the Building Regulations (e.g. minimum door widths).</td> </tr> <tr> <td></td> <td>Mobility Level 3: Disabled Adaptations. The property may not meet the other standards, but it has a significant adaptation, such as a level access shower; a stair-lift; or a walk-in bath.</td> </tr> <tr> <td></td> <td>Mobility Level 4: Wheelchair Standard. The property is specifically designed for wheelchair users. Design features include parking and level access; enhanced circulation space; and specialist fixtures and fittings.</td> </tr> </table>		Mobility Level 1: Level Access. Level access into the property (from the street to the front door) and level access throughout the property (no internal steps).		Mobility Level 2: Mobility Standard. Level access into and throughout the property, although all rooms may not be accessible by a wheelchair. Meets part M of the Building Regulations (e.g. minimum door widths).		Mobility Level 3: Disabled Adaptations. The property may not meet the other standards, but it has a significant adaptation, such as a level access shower; a stair-lift; or a walk-in bath.		Mobility Level 4: Wheelchair Standard. The property is specifically designed for wheelchair users. Design features include parking and level access; enhanced circulation space; and specialist fixtures and fittings.
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6.

Table 3 below shows a summary of the total number of housing applicants on the housing register and shows those with a disability identified as requiring a ground floor level access property and/or an adapted property.

Table 3

Mobility Level Required	Number of Housing Applicants	Percentage
None	3960	92.61%
Mobility Level 1	208	4.86%
Mobility Level 3	102	2.39%
Mobility Level 4	6	0.14%
Total	4276	100%

7.

When assessing the impact of the proposed changes to the Allocations Scheme the Ethnicity of the households affected has also been considered to ensure that the changes do not adversely affect particular groups.

Each of the proposed changes and the potential impact on different groups has been gone into in more detail later on in the report. Table 4 overleaf shows the Ethnicity of Housing Applicants on the Housing Register (including those without a Local Connection). The number of applicants varies slightly from Table 1 because the data is based on a report slightly more recently on 16/7/13.

8. **Table 4 Ethnicity of Housing Applicants on the Housing Register**

Ethnicity	No of Housing Applicants	Percentage
ASIAN OR ASIAN BRITISH BANGLADESHI	74	1.73%
ASIAN OR ASIAN BRITISH INDIAN	56	1.31%
ASIAN OR ASIAN BRITISH OTHER	53	1.24%
ASIAN OR ASIAN BRITISH PAKASTANI	108	2.53%
BLACK OR BLACK BRITISH AFRICAN	318	7.44%
BLACK OR BLACK BRITISH CARRIBBEAN	120	2.81%
BLACK OR BLACK BRITISH OTHER	154	3.60%
DECLINED TO ANSWER	1	0.02%
MIXED OTHER	13	0.30%
MIXED WHITE AND ASIAN	13	0.30%
MIXED WHITE AND BLACK AFRICAN	17	0.40%
MIXED WHITE AND BLACK CARIBBEAN	58	1.36%
NONE STATED	825	19.29%
OTHER ETHNIC ORIGIN CHINESE	19	0.44%
OTHER ETHNIC ORIGIN OTHER	58	1.36%
WHITE BRITISH	1986	46.45%
WHITE IRISH	40	0.94%
WHITE OTHER	363	8.49%
Total	4276	100%

9. **Qualification for Inclusion on the Housing Register**

The new Allocations Scheme proposes that some housing applicants will in future be excluded from qualifying for inclusion on the Housing Register and being considered for offers of housing. Each housing applicant affected will be informed of the reasons why they do not qualify and be given the opportunity to appeal and provide supporting information if they disagree with the decision. If their appeal is successful they will be allowed to join or remain on the housing register.

10.	<p>Local Connection – by residence, employment or close family</p> <p>Although there are currently around 4300 housing applicants on the Housing Register and the majority have a local connection to Oxford, there are around 350 that do not have a local connection. Table 5 below shows a summary of the total number of housing applicants with a live housing application on the Housing Register without a Local Connection to Oxford by Housing Need Priority Band.</p> <p>Table 5 Housing Applicants with no Local Connection to Oxford</p> <table border="1" data-bbox="316 595 1323 898"> <thead> <tr> <th>Housing Need Priority Band</th> <th>Number of Housing Applicants with No Local Connection to Oxford</th> </tr> </thead> <tbody> <tr> <td>Band 1</td> <td>0</td> </tr> <tr> <td>Band 2</td> <td>5</td> </tr> <tr> <td>Band 3</td> <td>49</td> </tr> <tr> <td>Band 4</td> <td>6</td> </tr> <tr> <td>Band 5</td> <td>283</td> </tr> <tr> <td>Total</td> <td>343</td> </tr> </tbody> </table>	Housing Need Priority Band	Number of Housing Applicants with No Local Connection to Oxford	Band 1	0	Band 2	5	Band 3	49	Band 4	6	Band 5	283	Total	343
Housing Need Priority Band	Number of Housing Applicants with No Local Connection to Oxford														
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Total	343														
11.	<p>The Council already advertises properties becoming available in Oxford with preference to applicants with a local connection. So most applicants without a Local Connection on the housing register are unlikely to successfully bid for a property. The proposal to restrict access to the housing register in most cases to only those with a local connection will have a minimal impact. The Allocations Scheme proposes to allow exceptions and some individual high needs cases without a local connection to join the housing register, even if they don't have a local connection, where for example they are a member of the armed forces, fleeing domestic abuse or applying for sheltered accommodation.</p>														
12.	<p>Capital, Savings & Income</p> <p>There will only be around 500 properties becoming available to let within Oxford during 2013/14. Due to the high demand for social housing in Oxford and the low amount that become available it is important to prioritise those in housing need and unable to resolve their own housing situation. Although the Allocations Scheme proposes that applicants can be excluded from the housing register if they have sufficient capital, savings &/or income each case will be considered on its merits and where there would otherwise be hardship, priority may be awarded in accordance with the policies and protocols of the Allocations scheme. The exact number of households that are likely to be affected is not known as this information is not currently recorded. However, it is expected to be a low number since it will only affect those housing applicants in higher priority bands (1 to 3) likely to receive an offer of housing and based on past experience most are on a low income and/or in receipt of benefits which is why they are unable to secure alternative accommodation and request housing assistance. Housing applicants in</p>														

	<p>lower priority bands who may be affected are unlikely to shortlist for an offer anyway so the impact is expected to be low. It is proposed that following the new Allocations Scheme coming into effect to identify such households at either the point of application or if they are existing applicants at the point they are asked to re-register or shortlist for a potential offer.</p>
13.	<p>Qualification – Rent Arrears</p> <p>The proposed changes to exclude housing applicants from inclusion on the Housing Register with significant rent arrears owed to the Council, an ORAH partner, or a Private Landlord in the future will have little impact on the chances such applicants being re-housed. Under the existing Allocations Scheme tenants (or former tenants) with rent arrears are not normally considered for an offer of housing (with some exceptions) unless they have demonstrated they are suitable to be a potential tenant by clearing their rent arrears in full or making a satisfactory payment arrangement and maintaining it consistently for at least 6 months. So the proposed changes will have little impact on most housing applicants currently in rent arrears. However, to minimise the impact on some households, for example those affected by the new “bedroom tax” or benefit cap, the new Allocations Scheme proposes to continue to allow some exceptions and for the Allocations Manager to have the discretion to allow some high needs households to stay on the housing register and be considered for an offer of housing. The Welfare Reform Project Team and the Allocations Team will continue to work together to try and assist those households with rent arrears identified as being affected by the changes introduced by the Welfare Reform Act. It is proposed that following the new Allocations Scheme coming into effect to identify such households at either the point of application or if they are existing applicants at the point they are asked to re-register or the Council is advised that they have fallen into rent arrears. For example when a landlord reference stating an applicant has rent arrears is received at the point they have shortlisted for a potential offer.</p>
14.	<p>Qualification Anti-Social Behaviour</p> <p>Under the existing Allocations Scheme housing applicants responsible for ASB (or with a household member responsible for ASB) are not normally considered for an offer of housing. Unless they have demonstrated they are suitable to be a potential tenant by addressing their behaviour for a satisfactory period of time. So the proposed changes to exclude Housing applicants responsible for ASB will have a minimal impact on their chances of being re-housed. Where an applicant’s circumstances change significantly they can reapply for housing and a new housing application will be considered. If they disagree with being excluded they can still appeal against this decision.</p>

15.	<p>Priority on the Housing Register to Statutory and Non-Statutory Homeless</p> <p>There are currently 123 households (as of 30/6/13) living in homeless temporary accommodation provided by the Council and around half have been accepted a “Statutory Homeless” and are owed a duty to be offered housing. Although the proposal to move them from priority Band 2 to Band 3 will affect their priority relative to other housing applicants in housing need on the housing register, this will not significantly impact the time it takes to for them to receive an offer of housing. The Allocations Scheme proposes the Council should continue to be able to advertise some properties with preference to a specific housing list, such as the homeless list, to ensure sufficient homeless households are re-housed and the numbers in temporary accommodation are kept to a minimum. Where there homelessness cannot be prevented.</p>
16.	<p>There are currently 142 “non-statutory” homeless applicants on the Housing Register, the vast majority living in supported “move-on” accommodation across the City. Although under the proposals these households will move from Band 3 down to Band 4, this will have a low impact on their actual chances of being re-housed. As housing applicants living in “move-on” accommodation, are not normally considered for an offer of housing unless they have been assessed as ready to move to independent accommodation. The Council will continue to operate a “move-on” Scheme and normally allocate up to 50 places a year to house applicants considered as ready to move-on. These applicants will be placed into Band 2 once they are accepted as ready to move-on (the same high priority as in the current Allocations Scheme) and will not be impacted on by the changes.</p>
17.	<p>The breakdown of BME statutory and non-statutory homeless households (including those with a disability) is representative of the whole housing register so the proposed change does not inadvertently impact more on these groups although some individual households will be affected. The new Allocations Scheme continues to give priority to housing applicants requiring a ground floor and/or adapted property over others that do not in similar housing need so housing applicants with a disability and requiring a ground floor or adapted property will still have similar priority under the new Allocations Scheme.</p>
18.	<p>Time in Housing Need</p> <p>The proposal to use time in Housing Need Priority Band instead of the Registration date will have a low impact on housing applicants on the housing register because transitional arrangements are proposed to ensure that existing housing applicants are not disadvantaged. If a housing applicant’s registration date is earlier than the Housing Need Priority Band date, when the new Allocations Scheme comes into effect, the earlier date will be used so the housing applicant does not lose out.</p>

19.	<p>The Size of Property an Applicant is Eligible to Apply For</p> <p>Households with children</p> <p>The changes introduced by the Government through the Welfare Reform Act including the “bedroom tax” and “benefit cap”, effectively require Councils and Registered Providers of Social Housing across the UK to apply stricter “rules” when determining the number of bedrooms an applicant with children require to meet their housing need. In order to ensure tenants are not housed in unaffordable accommodation where they could potentially lose their homes due to non-payment of their rent. The Allocations Scheme proposes to continue to allow some households to apply for larger properties, for example, where households are assessed as requiring an extra bedroom due to a household member’s disability or if a tenant is downsizing to a smaller property and they are still able to afford the rent.</p>
20.	<p>The impact of the proposed changes will effectively mean that some households with younger children will no longer be considered over-crowded (or as over-crowded) until their children are older and they will only be able to apply for smaller properties until their children are older. For example, in the future some housing applicants with 2 children will only be able to apply for properties with two instead of three bedrooms properties and some applicants with 4 children will only be able to apply for properties with three instead of four bedrooms until their children are older. Households with older children sharing will continue to receive priority to move (and a small number will be awarded higher priority due to the changes).</p>
21.	<p>There are currently 252 housing applicants on the housing register lacking 1 bedroom in Housing Need Priority Band 3. Based on the proposed changes up to 70% will be unaffected, 27% will move down from Band 3 to Band 5 until their children are older and 3% will be assessed as “lacking 2 bedrooms” and move up to Band 2 (due to the change in rules).</p>
22.	<p>There are currently 53 housing applicants on the housing register lacking 2 or more bedrooms in Housing Need Priority Band 2. Based on the proposed changes 70% will be unaffected and up to 30% will be affected and move down to Band 3 because they will only be considered to be “lacking 1 bedroom” (unless one of their children has been assessed as requiring a separate bedroom due to health or social and welfare reasons). Those applicants affected will “move” up to Band 2 again as their children get older if they are not housed in the meantime and their circumstances remain the same.</p>
23.	<p>Expectant Mothers</p> <p>The proposal to exclude unborn babies from “counting” as a household</p>

	<p>member for determining the size of property an applicant is normally eligible for to ensure affordability under the new bedroom tax rules will affect a low number of housing applicants. The majority of housing applicants are unlikely to receive sufficient priority for an offer housing until after the birth of their child (except if they have children already) as their housing need and band will only be adjusted at this point. Although some housing applicants with children who are pregnant are offered properties from time to time this happens fairly infrequently. Those most affected by the change are likely to be homeless applicants living in temporary accommodation the Council has accepted a duty to house who are pregnant and have been placed in priority Band 2. These applicants it is proposed will no longer be considered eligible for 2 bedroom properties until after the birth of their babies (and they are considered ready for an offer of housing).</p>
24.	<p>Adult Household Members (other than the applicant)</p> <p>There is no information currently available on the number of households that are likely to be affected by the proposal to exclude adult household members who are considered to have sufficient capital, savings or income to resolve their own housing situation and there is no over-riding need on health grounds for them to remain part of the household. This information is not recorded, however, since many family properties are allocated to households with children under 18 and many adults who remain living at home do not do so out of choice, it is expected only a very small number of households will be affected.</p>
25.	<p>There is no information currently available on the number of households that are likely to be affected by the proposal to exclude adult household members who are studying and living away from home and living elsewhere in student, private rented or other accommodation. Based on feedback from the consultation it is no longer proposed to exclude these applicants, however it is proposed if two families in the same priority band bid for the same property that if one family has adult household members studying and living away from home for part of the time that the property is normally offered to the family where their children are permanent residents and have nowhere else to live. This is expected to only impact on a low number of households in high housing need who are competing with other similar households with children permanently living at home.</p>
26.	<p>Large Families</p> <p>The proposal to allow larger families with a 4 bedroom housing need lacking 2 bedrooms to apply for suitable 3 bedroom properties will affect up to 20 households and allow them to opt to bid for a smaller property in order to improve their housing situation should the wish to do so.</p>

27.	<p>Sub-Regional Allocations Scheme</p> <p>The proposal that all four districts, including Oxford, leave the Sub-Regional Partnership will have a very low impact due to the limited amount of properties that became available through this scheme due to the shortage of social housing in the region. However, the Allocations Scheme proposes that the Council can make reciprocal arrangements with other Districts to facilitate the move of high needs cases that need to move out of the district in exceptional cases.</p>
28.	<p>Penalties for Unreasonable Refusals: General Register & Transfer Lists</p> <p>The proposal to impose penalties for unreasonable refusals is only likely to affect a low number of housing applicants. Housing applicants will be notified when they are made an offer of the potential implications of refusing without good reason and only refusals that are considered unreasonable will be taken into account and may incur a penalty. Only those who refuse two reasonable offers of accommodation within 12 months will be affected and could be suspended for up to 12 months. Where a housing applicant has good reasons for refusing a property for example because they are disabled and the property does not meet their housing requirements they will not be penalised. If a housing applicant disagrees with a decision that they have refused an offer without good reason they will have the right to appeal against the decision.</p>
29.	<p>Penalties for Unreasonable Refusals: Homeless List</p> <p>The proposal to treat homeless applicants differently and to normally allow only one reasonable offer of accommodation to housing applicants accepted as homeless and placed in temporary accommodation by the Council (due to the cost and shortage of temporary accommodation) will impact on a low number of households. Although there are currently 74 homeless households who could be potentially affected most bid regularly for properties and accept the first offer they are made and only those that refuse a property without good reason could be affected by the changes. If a homeless applicant disagrees with a decision that they have not been bidding and have been made a direct offer and/or they have refused an offer without good reason they will have the right to appeal against the decision.</p>
30.	<p>Summary</p> <p>The changes proposed to the Allocations Scheme will not have a dis-proportionate impact on the chances of households within a BME group, the disabled and other groups such as the homeless or older applicants receiving an offer of housing. However, as with all changes some individual households will be affected by some of the proposed changes and this has been taken into account in the drafting of the Allocations Scheme.</p>

Appendix 5

Risk ID	Risk	Risk Description				Date raised	Owner	Gross Risk	Residual Risk	Current Risk	Control Description
Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence						
CEB-001-HP	Risk of legal challenge	T	Legality of the Allocations Scheme is challenged	Major changes in legislation or case law are introduced shortly after the new Allocations Scheme is introduced	The Allocations Scheme becomes more susceptible to successful legal challenge	1/8/13	Tom Porter	1	1	1	The Allocations Manager will keep update with changes in legislation or case law & where appropriate request for the scheme to be revised. By on-going monitoring
CEB-002-HP	Risk of delay in ICT implementation	T	Delay in the implementation of the ICT systems required for the new Allocations Scheme	ICT suppliers are unable to complete work required within specified timelines & budget	There is a delay in the new Allocations Scheme being implemented						Specifications for supply work prepared and meetings with suppliers already undertaken. Window for implementation of up to 3 months allowed within this report.