

## ISLAND HOMEFINDER ALLOCATIONS POLICY

### 1. Background

1.1 The following organisations have joined together to form the Island HomeFinder scheme (IHf) a method of determining priority for affordable social housing and allocating accommodation through choice-based lettings.

#### "The Parties"

The participants  
Isle of Wight Council  
Vectis Housing Association  
Sovereign Housing Association  
Southern Housing Group

#### Reference in the Policy

"The Council" and "Registered Providers"  
"The Council"  
"Registered Provider/RP"  
"Registered Provider/RP"  
"Registered Provider/RP"

1.2 It is the aim of the IHf scheme to cover the whole range of housing needs on the Island and all parties are committed to a policy of fair housing, to ensure that all individuals and groups have access to their properties and services whilst taking in to account local housing needs.

### 2. Principal Objectives

2.1 The principal objectives of the Allocations Policy are as follows:

- To allocate housing fairly, consistently and transparently
- To facilitate choice for people in housing need, empowering applicants to make informed decisions about their own housing.
- A centralised method of identifying need on the Island
- A single point of contact for the customer accessible from various sites
- To make best use of the available Island housing taking in to account local housing needs
- To encourage people back into work and enable them to become contributing members of their communities
- To enable the IOW Council to meet their statutory responsibilities regarding housing, supporting the council's commitment to prevent homelessness.
- Improved partnership working with participants as well as other agencies
- The generation of up to date, accurate and easily accessible information
- To provide a clear and transparent allocations policy
- To promote sustainable communities

### 3. Basis of the Allocations policy

3.1 All social landlords within the scheme are committed to advertising where possible, a minimum of 80% of their empty properties through the IHf scheme. Adverts will include a description of the property and detail which applicants are eligible to place a bid on the vacancy. Applicants can then apply for the property of their choice provided they meet the stated eligibility criteria. The successful applicant will be selected from those who have applied for the property based on the level of their housing need and the length of time they have been registered on the IHf scheme.

3.2 The IHF allocations policy sits within a legal framework summarised in this section:

3.3 The 1996 Housing Act (as amended) requires local authorities to make all allocations and nominations in accordance with an Allocations Scheme. A summary of the Allocations Scheme must be published and made available free of charge to any person who asks for a copy. This document and a FAQ of the scheme are available on the Council's web site [www.iow.gov.uk](http://www.iow.gov.uk), and the Island HomeFinder website [www.islandhomefinder.org.uk](http://www.islandhomefinder.org.uk). Paper copies will be provided on request.

3.4 The Housing Act 1996, (as amended) requires local authorities to give Reasonable Preference in their Allocations Schemes to people with high levels of assessed housing need who are defined as:

- All homeless people as defined in Part VII of the Housing Act 1996 (whether or not the applicant is owed a statutory homeless duty and regardless of whether such cases have any local connection with the Isle of Wight)
- People who are owed a duty under s.189B, s.190 (2), 193 (2) or 195 of the Housing Act 1996 (or under s.65 (2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any Housing Authority under s.192 (3)
- People occupying unsanitary, overcrowded or otherwise unsatisfactory housing
- People who need to move on medical or welfare grounds (including grounds relating to a disability)
- People who need to move to a particular locality within the district to avoid hardship to themselves or others

3.5 The Act also requires local authorities to state within their Allocations Scheme what its position is on offering applicants a choice of housing accommodation or offering them the opportunity to express preference about the housing accommodation to be allocated to them. Our policy on choice is described below in Appendix 1.

Further amendments have been made to the Housing Act 1996, by Homelessness Reduction Act 2017, which now place duties on local authorities to intervene at an earlier stage to prevent homelessness in their areas.

3.6 The Allocations Scheme complies with the requirements of:

- The Housing Act 1996, Part VI as amended by Localism Act 2011
- The Homelessness Code of Guidance 2018 (published on 22 February 2018)
- The Children's Act 2004
- The Homelessness Reduction Act 2017
- Allocation of accommodation: guidance for local housing authorities in England June 2012
- Providing social housing for local people; Statutory guidance on social housing allocations for local authorities in England December 2013

3.7 The Allocations Scheme also complies with the following statutory regulations:

- Allocation of Housing (Procedure) Regulations 1997, SI 1997/483
- Allocation of Housing (England) Regulations 2002, SI 2002/3264
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294
- Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989
- The Homelessness (Suitability of Accommodation) Order 2012 (as amended by the Homelessness Reduction Act 2017)
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
- The Homeless (Review Procedure etc.) Regulations 2018
- In framing the IHF Allocations Scheme, we have also had regard to the Council's Homelessness and Rough Sleeping Strategy.
- Improving Access to Social Housing for Victims of Domestic Abuse in Refuges or Other Types of Temporary Accommodation 2018

3.8 The Allocations Scheme is subject to the provisions of the Equality Act 2010; and the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 (SI 2017/353); and specifically, s.149 which states that the Council has a duty to eliminate unlawful discrimination, advance equality of opportunity, and to foster good relations between persons who share a relevant protected characteristic and those who do not. The Council has undertaken an Equality Impact Assessment and has due regard to the protected characteristics as defined in Section 4 of the Equality Act 2010, which are age, race, disability, sex, pregnancy and maternity, sexual orientation, religion or belief and gender reassignment.

3.9 This Scheme has considered:

- The Council's statutory obligation to provide homelessness services to all eligible housing applicants affected by homelessness, not just those who have a "priority need", these include:

(a) An enhanced prevention duty extending the period a household is threatened with homelessness from 28 days to 56 days, meaning that housing authorities are required to work with people to prevent homelessness at an earlier stage ("the prevention duty"); and

(b) A duty for those who are already homeless so that the housing authorities will support households for 56 days to relieve their homelessness by helping them to secure accommodation. ("the relief duty")

- The Council's statutory obligation to carry out an assessment in all cases where an eligible applicant is homeless or threatened with homelessness and following this assessment the duty to develop a personalised housing plan which will include actions (or 'reasonable steps') to be taken by the authority and the applicant to try and prevent or relieve homelessness.
- The Council's statutory obligations and discretion as to who is eligible for housing allocation

- The Council's statutory obligation to provide Reasonable Preference to certain categories of applicants set down by law i.e. those who must be given a 'head start' under the Council's Allocations Scheme
- The Council's statutory discretion to grant "additional preference" and/or to determine priority between applicants with Reasonable Preference
- The general and specific statutory discretions the Council can exercise when allocating housing in support of its Community Strategy
- The Council also recognises its discretion to give additional preference to descriptions of people with urgent housing needs

#### **4. Eligibility**

4.1 Applicants must be 16 years of age or over, be eligible to apply for housing in terms of their immigration status and will need to be considered as a Qualifying Person to be eligible to join the IHF scheme.

Applicant will be a Qualifying Person if:

- they have lived on the Island and have done so for a minimum of five years immediately prior to application (a break of one year will be allowed for returning residents with a minimum five year's previous residency. Residency at university, service in the Armed Forces or other reasons for being temporarily away from the applicant's principal home on the Island who have an intention to return will not be construed as a break in residency)
- has close family who live on the Island and have done so for at least five years (close family being mother, father, siblings or adult children)
- has permanent paid employment on the Island and has been in continuous paid employment for a minimum of two years
- there are exceptional circumstances – such as those fleeing domestic violence, those wishing to move closer to relatives to give or receive support on severe medical or welfare grounds where there is no-one else who can give this support; those under the Witness Protection Scheme
- following the implementation of the Homelessness Reduction Act 2017, a young person owed leaving care duties under section 23C of the Children's Act 1989, looked after by the IOW Council (irrespective of whether they have been placed in a different local authority) will be considered to have established a local connection to IOW until they reach the age of 21 (when this duty will cease, but this does not affect whether they have a local connection with IOW under any other provision in the Housing Act 1996). In addition, a person who has been provided with accommodation under s.22A of the Children Act 1989 (provision of accommodation for children in care) who has resided on the IOW for a continuous period of at least two years will be considered to have established a local connection to the IOW even if some of that period accrued before that person turned 16 years old.

4.2 Service personnel as defined by the Allocation of accommodation: guidance for local authorities in England, chapter 3, Eligibility and Qualification, 3.27 cannot be disqualified under this criterion.

This applies:

(a) for persons who are serving in the regular forces or have done so in the five years preceding their application for housing;

(b) for 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;

(c) for seriously injured, ill or disabled reservists (or former reservists) whose injury, illness or disability is attributable wholly or partly to their service.

4.3 Owner occupiers who are adequately housed will not be considered as a Qualifying Person unless they have a housing need. Any such owner occupiers will be measured against the Income and Asset criteria to determine whether they are eligible to receive reasonable preference (see appendix 5).

4.4 Owner occupiers with severe needs to move on medical and welfare grounds or whose needs cannot be met by the intentions of the Income and Asset criteria will be banded accordingly.

4.5 Having considered the changes made to the Housing Act 1996 Part VI in the Localism Act 2011, the following classes of person will not normally qualify for a place on the IHF scheme. There is discretion to waive these classes in exceptional circumstances, as approved by a Housing Needs Service Manager. Examples of what the Council means by discretion can be found in Section 5.2

a) Applicants who have been convicted of housing or welfare benefits related fraud where that conviction is unspent under the Rehabilitation Offenders Act 1974

b) Applicants in serious breach of another condition of their Tenancy Agreement in respect of their current or former accommodation (including temporary accommodation). Examples of a serious breach could include subletting, deliberate damage to property, perpetrator of domestic abuse or anti-social behaviour.

c) Applicants in breach of s.214 of the Housing Act 1996 (False statements, withholding information and failure to disclose change of circumstances)

d) Applicants with lawfully recoverable arrears or other housing related debt within the meaning of this Allocations Scheme, which have been accrued through deliberate and wilful non-payment

e) Applicants whose income or assets exceeds the limits set by the Council using median income data taken from paycheck data (as these limits will change, Housing Needs Officers will use guidance to apply this test).

f) Applicants who owe arrears of rent or other accommodation charges to the Council or other social housing provider including participants to the scheme in respect of the current tenancy or former accommodation, unless an appropriate agreement has been reached and sustained for a minimum period of 8 weeks. In assessing the application for registration, the Council will consider the size of the

debt, the means to pay and the degree of need. Existing tenants with rent arrears because they have been affected by the under-occupancy charge will not normally be excluded where a move will prevent further arrears building up and they have made a reasonable contribution towards the charge

g) Applicants who have refused one reasonable offer of accommodation under the terms of the Allocations Scheme, see Section 6.11

h) Applicants that have in the 12 months prior to making an application voluntarily surrendered any tenancy that would have been reasonable for them to continue to occupy

i) Applicants with no residential connection to the Isle of Wight as set out at Section 4.1

4.6 Applicants will be disqualified from joining the IHF scheme until they can evidence that this criterion listed in 4.5 no longer applies.

4.7 Applicants who meet the qualifying criteria and are successful in joining the IHF scheme but whose circumstances change later leading to them no longer qualifying will be removed from the IHF scheme until they can evidence that they again meet the qualifying criteria.

4.8 Following the implementation of Homelessness Reduction Act 2017, the Council recognises that if eligible persons are threatened with becoming homeless within 56 days, it still owes them a statutory duty under s.179 to provide advisory assistance on preventing homelessness and securing accommodation when homeless; and a statutory duty under s.195 and s.189B of the Housing Act 1996 (as amended) to take the reasonable steps, set out in their personalised housing plan, to help them either remain in their existing accommodation or secure alternative accommodation.

4.9 Applicants that are registered for extra care properties, as defined by 6.25-6.26, will be registered to apply for these vacancies only and will have to evidence that they are a Qualifying Person for the purpose of being eligible to apply for general needs and sheltered accommodation via Island HomeFinder.

## **5. Assessment Procedure**

5.1 In order that the selection process can be seen to be as fair and reasonable as possible a system is operated whereby applicants are placed into one of 5 bands according to their specific housing need as identified through their answers on the standard application form.

The banding system is shown in section 12.

5.2 There may be circumstances where there are urgent strategic, operational or financial reasons to make a direct offer of housing outside of the band and date order criteria. In the interests of fairness to all applicants these circumstances are kept to a minimum and can only be authorised by the Housing Needs Manager or equivalent role. Specific examples of the circumstances where there may be urgent strategic, operational or financial reasons to allocate outside of the band and date order criteria are:

- People that need to move due to a fire or flood, or severe storm damage to their home
- People who are at imminent risk of violence and are to be housed through a Witness Protection Programme
- People who it has been agreed must be housed urgently as part of a - for example – a multi-agency protocol such as a MAPPA, MARRAC case or a protocol between the Housing and Social Care Departments of the Council where there is a need agreed between housing and social services to provide a specific property for a vulnerable household.
- Where a vacant adapted property or a property designed to disability standards becomes available it may be offered to those households with a need for this property type regardless of the date they were registered.
- Properties which are adapted or are suitable for adaptation, e.g. Extra Care. Applicants for such properties will be assessed either by Adult Social Care or another health/support provider authorised /approved by the Council as having a significant housing need and meets the Council's eligibility threshold for care and support services.

5.3 All applicants are assessed based on housing need. Where the application indicates the possible need for support attached to housing or have a more immediate housing need, additional assessments and information will be arranged by the Council (Housing Services) in liaison with the relevant agencies.

5.4 Applicants whose circumstances change once they have applied for housing must either update their application on line, complete a new application form or write to Housing Services before their application is reassessed. A change of circumstances could include the birth of a child, change in medical condition, change in the condition of present accommodation or the threat of homelessness. If the applicant moves into an alternative band as a result of the reassessment then their 'effective band date' will change to the date their circumstances changed.

5.5 If there is a query or clarification required regarding circumstances the Council will seek further information from the applicant or other agency supporting the applicant.

5.6 Any applicants have the right of review against any decision relating to their housing register application defined in section 7.

5.7 If the Applicant believes that their application has not been dealt with correctly, they may raise a complaint through the Council's complaints procedure. Applicants may further appeal to the Housing Ombudsman's Service, provided that the Council's complaints procedure has been exhausted.

5.8 A record is maintained on the IHF scheme database system of all applications to enable queries to be answered. Applicants may call at the Council's Housing Services office to inspect such information as is held about them at a pre-arranged mutually convenient time for which a charge may be applicable.

5.9 The Council will seek notification of a continuing requirement for housing from applicants at intervals of twelve months. All applicants will be sent circulars for this purpose. Applicants will be advised that failure to respond to the circulars will result in the application being closed down.

5.10 The council will determine the number of bedrooms required by each applicant by allowing one bedroom for:

- every adult couple
- any other adult aged 16 or over
- any two children of the same sex until they are 16
- any two children regardless of sex under age 10
- any other child under 16, (other than a second foster child or child whose main home is elsewhere, the first foster child being included in the household)
- a carer (or team of carers) who do not live with the claimant but provide them or their partner with overnight care on a regular basis
- an adult child whose principal home is with the claimant but who is on HM Forces deployment and away from home
- an adult child whose principal home is with the claimant but who is studying at University and away from home
- where there is a proven need for an extra bedroom on severe medical and welfare grounds as determined by the Medical and Welfare Panel

5.11 Households expecting a child can be registered for suitably sized accommodation to recognise the needs of the unborn child, as well as any existing family needs, upon production of proof of pregnancy from a qualified medical practitioner.

5.12 Households who need larger accommodation (4+ beds) can be given the choice as to whether they would like to be considered for smaller accommodation than the allocation policy states they require providing that it would still meet their needs and not overcrowd the property. This choice needs to be verified in writing from the applicant so it is evidenced. By doing so they would still retain the preference awarded for overcrowding should this choice result in a band change. Individual landlords letting policies may further restrict the size of families that may apply for properties – such restrictions will be included in the property details for each advert.

5.13 The actual size of property allocated will depend on the family's individual circumstances and may vary from the above where special reasons have been proven.

5.14 Because of the very high demand for properties on the Island, additional bedrooms cannot be given to applicants who have children or other family living separately, but who visit and stay on occasions.

## **6. Allocation procedure**

6.1 On notification of a potential void property, each Registered Provider will enter the agreed details of the property onto the IHF scheme database.

6.2 Each Registered Provider will determine the eligibility criteria for each property according to their Allocation and Letting Policies.

6.3 The Registered Provider will advertise a minimum of 80% of vacant properties to applicants through the IHF scheme.

6.4 Properties that have been deemed by the landlord to be subject to either a local lettings plan or a planning restriction will be allocated in accordance with that plan or restriction. Subject to exemptions as required by regulation (i.e. armed forces). Local lettings plans will be included with any property adverts that they apply to.

6.5 Available properties will be advertised in the next available bidding cycle, however properties may be withdrawn at a later date if it is not returned to the landlord as expected.

6.6 Properties will be advertised on the IHF scheme website, in each partner's offices, local area council offices and through a dedicated telephone service. The partnership will endeavour to review locations on a regular basis to ensure they are reaching the maximum number of applicants.

6.7 Applicants can apply for individual properties via the website, the telephone, through their support worker or in person at any of the parties' offices.

6.8 Applicants can apply for as many advertised properties as they wish but will only be considered for those properties where they meet the advertised eligibility criteria and where medical priority has been awarded, that also meets their medical needs.

6.9 Applicants that are identified by Housing Services as being vulnerable and unable to use the system themselves will be automatically registered for properties that match their requirements.

6.10 Applicants that are currently housed in temporary accommodation provided by the local housing authority under homelessness legislation will be monitored to ensure that they are actively bidding for available properties. Failure to do so may result in automatic bidding being implemented on their behalf. Failure to accept any offer of permanent accommodation may result in the ending of the Council's homelessness duty and the temporary accommodation.

6.11 Those households as defined in 6.10 accepted as statutorily homeless and owed a duty to house or have been granted homeless status under s.166A (3) (a) (people who are homeless within the meaning of Part VII of the Housing Act 1996) will no longer be eligible to register on Island HomeFinder as defined by 6.14. The one reasonable offer of accommodation made will also bring to an end any statutory homeless duty to any of these applicants owed a s.193(2) or 195(2) and they will be warned of this consequence at the point the property is formally offered to them. The suitability criteria used to determine whether an offer to end a full homeless duty will be the criteria set down in the Suitability of Accommodation Order England 2012, as amended by s.12 of the Homelessness Reduction Act 2017, relevant case law and statutory guidance. See Appendix 1 for procedures relating to applicants that have been deemed to be statutory homeless.

6.12 If an applicant does not reply to an offer within 2 working days of receiving the offer it will be deemed to have been refused unless there are exceptional circumstances as to why there is no response.

6.13 An applicant who has been removed from the banding system under section 6.11 will not be entitled to be reconsidered for housing under this Allocations Scheme for a period of 12 months from the date that the Council notified them of its decision, except where there has been a material change in circumstances such that the offer of re-housing would no longer be suitable, for example because of an enlargement of the applicant's household or a deterioration in ill health.

6.14 At the close of each bidding cycle, each Registered Provider will shortlist the applicants that applied for each property and consider the most suitable applicant in the highest band, in cases where there are more than one applicant in the highest

band then the applicant that has been registered in that band the longest will be considered first. In cases where there is more than one applicant in the highest band with the same band registration date, then the application that has been registered on the IHF scheme the longest will be considered first.

6.15 Shortlisting of applicants for extra care properties, defined in 6.25 – 6.27, will not follow the procedure in 6.14. Allocation of extra care will be determined by the provider based upon the level of needs that the property can accommodate and the specific needs of the applicants.

6.16 Where applicants that are being considered for a property have also applied for other properties in the same bidding cycle, the Registered Providers shall liaise with each other and consider joint visits and offering the applicant the choice of property. Once match approved to a property an applicant will no longer be able to bid on any further vacancies.

6.17 When short listing applicants, Registered Providers are permitted to overlook applicants for permitted reasons only:

- Applicant, or joint applicant, deemed to be ineligible as will not adhere to a payment plan to clear any outstanding debt relating to a current or previous tenancy
- Transfer applicant, or joint applicant, deemed to be ineligible as not complying with terms of current tenancy agreement
- Applicant deemed to be ineligible as applicant or member of household evicted from any tenancy for ASB in the past two years
- Applicant deemed to be ineligible as applicant or member of household has a court order made in respect of anti-social behaviour in the past two years
- Applicant deemed to be ineligible as applicant or member of household has had tenancy enforcement action for ASB in the past two years
- Applicant deemed to be ineligible as does not meet the criteria set out in the S.106 agreement
- Applicant deemed to be ineligible as does not meet the criteria set out in the Local Lettings Plan
- Applicant deemed to be ineligible as does not engage with the support package provided and / or not yet ready for move on
- Applicant deemed to be ineligible as the level of support required to sustain a tenancy would undermine other residents within a scheme.
- Applicant deemed to be ineligible as issues relating to drug misuse in the scheme/area would undermine sustainable tenancy
- Applicant or member of household expecting child which will result in imminent over-crowding should the tenancy be accepted.
- Applicants household exceeds property size.
- Applicant or a member of the household has medical needs that would make the property unsuitable.
- Applicant is match approved for an alternative property.
- Applicant's qualifying person status has changed before the point of allocation.

6.18 Where any applicant is overlooked for a property, the allocating Registered Provider will notify them of the reasons.

6.19 The Registered Providers will arrange to visit the short-listed applicant to verify application details, obtain further information, check arrears or issues relating to the current landlord, and introduce the RP to the potential tenant. All details of visit, offer, discussion and acceptance or refusal and the reason will be recorded on the System.

In the case of applicants from off the Island, the Registered Provider will determine the need for a home visit and seek assistance from the nearest Local Authority.

6.20 If an applicant rejects accommodation following one successful bid, the Registered Provider will alert the Council who will then decide if the applicants' reasons for refusal are valid and whether their application should be suspended for a period of at 12 months years (see appendix 3).

6.21 An important part of the scheme is the need to give applicants feedback on who has recently been allocated properties. Accompanying each bidding cycle will be a feedback section giving details of the properties allocated in that bidding cycle.

6.22 Applicant's personal details will, of course, not be included. However, the feedback form will include:

- (a) Property address, size, type and floor level
- (b) Property location
- (c) Whether sheltered or not
- (d) Number of applicants who applied for each property
- (e) Band of successful applicant
- (f) Effective Band Date of successful applicant

6.23 An overview of this information will be published on a regular basis to applicants on the IHF website shown as Recent Lets.

6.24 Using this information, applicants will begin to appreciate where properties are more likely to become available and where the best chances of making a successful application are. It is essential that with any choice based lettings scheme that applicant's have as much information as possible in order to help them make an informed evaluation of their housing options.

6.25 The IHF website will also include other housing options such as shared equity, shared ownership, extra care housing, affordable rented tenancies and intermediate rented properties and any additional tenure types to give applicants the fullest choice of housing.

6.26 Extra care housing allocations are governed through a separate policy that is supplementary to this document. (This document is currently being developed; the link will be embedded within this paragraph upon its completion)

6.27 The right is reserved to make selection on the basis of each RP's lettings policy, which may include reference to agreed Local Lettings Policies, and charitable and other rules by which the RP is governed.

## **7. Reviews**

7.1 An applicant has the right to request a review of any decisions about the facts of their case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation and the further right to request a review of the subsequent decision. The applicant also has a right to request a review of the decision to either exclude or remove them from the housing register (s166A(9)(c)).

7.2 The review will be made by a senior officer not involved in the original decision. Requests for reviews should be made within 21 days of being notified of the decision. The IOW Council will respond to the request for a review within 56 days and will inform the applicant of the decision in writing, with full reasons. If the applicant may

have difficulty in understanding the decision letter, arrangements will be made for further explanations.

7.3 Homeless applicants have the rights to review set out under homelessness legislation. These reviews will be conducted according to the relevant legislation.

## **8. Equality & Diversity**

Allocations made from the IHF scheme will be made in line with the Equality and Diversity Policy shown at Appendix 2.

## **9. Suspension Policy**

In some cases an applicant may be suspended from consideration for allocation of a property through the IHF scheme for a set period of time. The Suspension Policy and arrangements are outlined at Appendix 3.

## **10. Medical Assessment**

A procedure in respect of medical assessment is attached at Appendix 4.

## **11. Monitoring arrangements**

Monitoring of the advertising, bidding, nominations and reasons for allocation of a particular household to a home is carried out by the Council in order to ensure that allocations are made fairly and in accordance with this policy.

## **12. Choice Based Lettings Banding**

Band 1	<ul style="list-style-type: none"><li>• Exceptional Circumstances Welfare and Hardship Reasonable Preference cat s.166A(3)(e)</li><li>• Urgent medical or disability. Reasonable preference cat s.166A(3)(d)</li></ul>
Band 2	<ul style="list-style-type: none"><li>• Severe over occupation (two bedrooms or more) Reasonable Preference cat s.166A (3)(c)</li><li>• Severe under occupation (social tenants resident on the Island) Reasonable preference cat s.166A(3) (e)</li><li>• Severe medical/welfare issues Reasonable preference cat s.166A(3)(d)</li><li>• Additioinal preference</li><li>• Applicants identified as being ready for 'move-on' accommodation from IOW Council accredited schemes and or from local authority care. Reasonable preference cat s.166A(3) (e)</li><li>• Vacating adapted accommodation Reasonable preference cat s.166A(3) (e)</li></ul>
Band 3	<ul style="list-style-type: none"><li>• Multiples of Band 4</li><li>• Homeless households owed a full homeless duty under s. 193 (2) or 195 (2) Reasonable preference categories s166A(3)(a)</li><li>• Hazardous property condition as defined by the Housing Renewal team. Reasonable Preference cat s.166A (3)(c)</li></ul>

	<ul style="list-style-type: none"> <li>Foster Carers or providers of supported lodging approved by the IOW Council whose housing prevents them from being able to start, or continue, to provide foster care. Reasonable preference cat s.166A(3) (d) and (e)</li> </ul>
Band 4	<ul style="list-style-type: none"> <li>Homeless applicants. Reasonable preference categories s166A(3)(a)</li> <li>Significant medical/welfare issues Reasonable preference cat s.166A(3)(d)</li> <li>Lacking or sharing amenities. Reasonable preference categories s166A(3)(c)</li> <li>Households within insecure accommodation. Reasonable preference categories s166A(3)(a)</li> <li>Minor under occupation (owner occupiers or private rented tenants living on the Island) Reasonable preference categories s166A(3)(c)</li> <li>Minor over occupation (one bedroom) Reasonable preference categories s166A(3)(c)</li> </ul>
Band 5	<ul style="list-style-type: none"> <li>Households with secure accommodation and no other housing need</li> <li>Owner occupiers with housing need but subject to the Income and Asset policy</li> </ul>

### 13. Definitions

#### Urgent medical/welfare issues

As identified through medical/welfare matrix (see appendix 4)

An Applicant who has been awarded urgent priority and who meets the following criteria, will have their effective date escalated above any Applicants who have also received urgent priority but who do not meet the same criteria as per the Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012:

- (i) 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,
- (ii) formerly served in the regular forces,
- (iii) 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
- (iv) 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.

For this purpose, "the regular forces" and "the reserve forces" have the meanings given by section 374 of the Armed Forces Act 2006(a).".

#### Severe under occupation

Households living on the Island and who are tenants of social housing landlords (who participate in allocating their stock through the choice based lettings scheme) and who have more bedrooms in their current home than their household requires according to the Allocation Policy, excluding those in temporary accommodation provided via a homeless application, homelessness prevention referral or occupying move on accommodation

#### Severe over occupation

Households occupying accommodation on or off the Island (homelessness prevention referral or occupying move on accommodation) who need at least two or more bedrooms to accommodate their household, according to the Allocation Policy, than their current property allows

#### Severe medical/welfare issues

As identified through medical/welfare matrix (see appendix 4)

#### Applicants identified as being ready for 'move-on' accommodation

Applicants accommodated in a supported housing scheme listed below that are ready to 'move on' to independent living, which has been evidenced by completion of a 'move on' referral (excluding those who have been placed via a homeless application or a homelessness prevention referral when duties to assist with housing arise):

- Foyer, Ryde
- Atkinson House, Newport
- Sandham House, Sandown
- 54 St Johns Road, Ryde
- Carisbrooke Road Project, Newport
- Fairlee Road, Newport
- Yarborough House, Sandown
- YMCA, Winchester House
- Fellowship House
- The Priory
- Melville Street
- Applicants housed by Children's Social Care in supported lodgings within 6 months of their 18<sup>th</sup> birthday
- any additional or alternative supported housing accommodation developed during the life of this policy under the umbrella of the supporting people programme.

#### Homeless Applicants

Applicants who are rough sleeping or have been accepted by a local authority as being statutory homeless.

#### Significant medical/welfare issues

As identified through medical/welfare matrix (see appendix 4)

#### Hazardous property condition as defined by the Housing Renewal team

Significant health and safety risk associated with property that warrants intervention by the Isle of Wight Council's Housing Renewal Team

#### Lacking or sharing amenities

Households whose current accommodation lacks or those that have to share with another household, the following facilities:

- Toilet
- Bathing Facilities
- Cooking Facilities

Excludes households pending a decision on or accepted as statutory homeless or those in move on accommodation

#### Households within insecure accommodation

Households whose current accommodation is insecure, such as those applicants living at home with parents, renting privately under an assured shorthold tenancy, tied accommodation or on a license.

#### Minor under occupation

Households who currently live on the Island in owner occupied properties, or tenants of any tenure other than of social landlords who have more bedrooms in their current home than their households require according to the Allocation Policy, excluding those in temporary accommodation provided via a homeless application, homelessness prevention referral or occupying move on accommodation

#### Minor over occupation

Households occupying accommodation on or off the Island (excluding those in temporary accommodation provided via a homeless application, homelessness prevention referral or occupying move on accommodation) who need one more bedroom to accommodate their household, according to the Allocation Policy, than their current property allows

#### Households with secure accommodation and no other housing need

Households who are deemed to be adequately housed in terms of size and security of tenure who have no other identifiable housing need as listed above.

This includes owner occupiers who have a housing need but are subject to the Income and Asset Policy (see appendix 5), unless there is a severe need to move which will be considered by the Medical and Welfare Panel.

#### Vacating adapted accommodation

Households who are currently occupying affordable social housing accommodation on the Island that has been purposely built or adapted to wheelchair standard, but wish to move as they no longer require such facilities.

## **THE COUNCIL'S STATEMENT ON CHOICE**

The Housing Act 1996 requires that the council state its policy regarding offering applicants a choice of housing accommodation, or offering them the opportunity to express preference about the housing accommodation to be allocated to them.

The demand for social housing on the IOW far outstrips the supply and this impacts on the amount of choice that the council is able to offer housing applicants. The council operates a CBL scheme which allows the majority of applicants to express preferences over the types of properties and the areas in which they want to live. It is the case that the more restrictive an applicant is regarding their choices the more limited are their chances of being offered social housing.

The majority of applicants on the active housing register can bid on properties for which they are eligible with no restrictions. There are some circumstances where this does not apply as follows:

### **STATUTORY HOMELESS APPLICANTS**

The Choice Based Lettings Code of Guidance states that allocation policies must allow choice for applicants that have been deemed to be statutory homeless. However, it is recognised that in certain circumstances (for example, where there is a shortage of social housing and/or where applicants owed the main homelessness duty do not have high priority under an authority's allocation scheme) providing choice for applicants owed the main homelessness duty for an unrestricted period could mean that such applicants wait an unreasonably long time before they are offered suitable Part 6 accommodation. This is unlikely to be in the best interests of applicants or authorities, particularly where it leads to extended periods in temporary accommodation.

Therefore it would be appropriate to limit the period during which applicants can exercise choice and refuse offers without bringing the homelessness duty to an end.

As a result of the above, applicants that have been accepted as statutory homeless under the Housing Act 1996 will be dealt with separately under this allocations policy as follows:

1. Application on the IHF scheme be amended (if necessary) to band 3 from the date of the homelessness decision.
2. Applicant notified that they have a period of 6 months to freely bid for available properties
3. At end of this period the Temporary Accommodation Officer (TAO) will review their application in conjunction with the Senior Homelessness Officer (SHO) and the applicant's current landlord, should this be a member landlord.
4. TAO and SHO to review cases on a weekly basis and determine whether applicants will be offered an extended period.

In determining whether an applicant will be given an extended period, TAO and SHO will review each case individually and consider:

- Vacancies that have arisen during the initial 6 months period
- If the applicant has been deemed unsuitable for an allocation by a member landlord and any subsequent action by the applicant to remedy this. (refer to the section 6 of the allocations policy for list of reasons)
- Any offers made and any subsequent refusal reasons
- Particular needs of the applicants i.e. whether adapted property required or size of family requiring re-housing
- Reasons for applicant not actively bidding
- Any suggestions of support or training issue

If after reviewing this information, TAO and SHO agree that the applicant has had opportunities to bid for reasonable alternative accommodation but failed to do so, the applicant will be informed in writing of this decision. The TAO and SHO are responsible for recording this decision and the reasons for reaching it.

Applicant will then be registered for automatic bidding and any subsequent refusal of a final and reasonable offer will be deemed to have ended the homelessness duty.

If applicant is allowed extended period to exercise their choice, they will be notified in writing. The length of time given to be determined by the HO and SHO but should be for no more than 6 months. At the end of this extended time, the application shall be reviewed again.

Should an applicant wish a review of the decision to enable the automatic bidding function, this can be obtained by writing to the Service Manager for Housing Needs within 21 days of the notification detailing why they feel this decision is wrong.

The Service Manager for Housing Needs will then review the decision taking into account the information supplied by the applicant, during the review the applicant will be free to bid for any available properties. The Service Manager for Housing Needs will write to the applicant informing them of the decision of the review within 20 working days.

Should the Service Manager for Housing Needs uphold the original decision, the automatic bidding function will be applied from the date of the review decision.

## **EQUALITY & DIVERSITY POLICY**

The IHF scheme will be operated in relation to the Equal Opportunities Policy of the Council. All participant landlords on signing the Service Level Agreement are expected to assent to this.

The participants in the IHF scheme aim to ensure equality of treatment for all people making applications to it in accordance with the requirements of the Equality Act 2010.

Nobody applying for housing will be treated less favourably than anybody else on the grounds of the following protected characteristics as described in the Equality Act:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race – this includes ethnic or national origins, colour or nationality
- Religion or belief – this includes lack of belief
- Sex
- Sexual orientation
- Marital status or civil partnership

and particular regard will be paid to needs relating to:

- People living with disability or chronic illness
- Older people
- People on low incomes
- The needs of carers and people responsible for children and other dependants
- People with mental health problems
- People with learning disabilities
- Other disadvantaged groups as identified

The Equality Act provides that the Council must have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not share it.

The scope of the Policy extends to:

- Enquiries, advice and interviews by phone or in person
- Speed and treatment of applications
- Assessment for property suitability
- Assistance in the offer process
- Assistance in the bidding process
- Regard to reasons given for refusal

The nature of the allocations policy allows for applicants to apply for available properties that they wish to be considered for. The IHF scheme Partnership understands that not all applicants may be able to participate in this way and therefore provisions have been made for formal or informal support workers to apply on behalf of an applicant.

In instances where it has been recognised by Housing Services that applicants don't have sufficient support networks, automatic bidding can be enabled for every vacancy for which they are suitable.

It is not the intention of the partnership to exclude or impede an applicant from the process.

Applicants subject to immigration control

It is noted that the IHF scheme is required to operate within the terms of the Housing Act 1996 and any other applicable legislation in force from time to time in relation to access to housing by persons who are subject to immigration control.

In relation to the above, all investigations will be carried out fairly and with respect to the applicant; regardless of the anticipated or actual outcome.

## **PROTOCOL FOR SUSPENSION OF APPLICATIONS**

### **Principles**

The IHF scheme will allow for applicants to be suspended from the register for the reasons listed below.

In all cases, the decision to suspend an application from the IHF scheme will be taken by a senior officer from the Council. The applicant will be notified in writing of the decision to suspend their application detailing the length of the suspension and the reasons why. Wherever possible, the applicant will be provided with the relevant support or signposted to a relevant agency that can provide such support, to enable them to remedy the reason for suspension.

A suspended applicant may request a review of this decision, which will be undertaken by the Review Body, which consists of all scheme members.

Housing Services are responsible for actioning any suspensions and reviewing suspended applications quarterly.

#### **1. Any outstanding housing debt**

##### **Period of suspension**

Until debt is cleared or applicant is making regular agreed payments for no less than 6 months.

#### **2. Applicant turns down suitable offer/s made through the IHF scheme**

(The Council will allow one reasonable offer of accommodation to be made. Applicants who have received one reasonable offer of accommodation and refused it will be excluded from being considered under the IHF allocation Scheme)

##### **Period of suspension**

12 months

#### **3. False declarations on application**

(Actual deliberate untruths or non-declarations of interest)

##### **Period of suspension**

2 years

#### **4. Deliberate worsening of circumstances**

(Where it has been **proved** that an applicant has deliberately worsened their housing circumstances in order to improve their chances of being re-housed)

##### **Period of suspension**

1 year

## **MEDICAL AND WELFARE ASSESSMENT FRAMEWORK**

The IHF scheme recognises that applicants may have differing levels of medical/welfare needs and therefore the Council will make an assessment of that level of need upon receipt of information from the applicant.

Having a health or medical problem will not in itself guarantee any additional priority being awarded. Instead, additional priority will be targeted at individuals whose current accommodation is adversely affecting a health or medical complaint, and where the partner landlords can assist in terms of its availability of stock.

Members of the IHF scheme are committed to allocating properties that are suitable for medical allocations on the basis of greatest medical need.

The IHF scheme members recognise that where it is necessary to take account of medical advice, housing authorities may contact the most appropriate health professional who has direct knowledge of the applicant's medical condition, as well as the impact their medical condition has on their housing needs.

This does not imply a GP, a specific doctor working for the Authority, or a panel.

The "most appropriate person" might be from amongst those stated on the application:

- Social Worker or Care Manager
- Occupational Therapist
- Health Visitor or District Nurse
- Community Psychiatric Nurse
- GP or consultant

### **Process**

The IHF scheme has three levels of medical/welfare need, significant, severe, or urgent as defined in the matrix below.

Upon receipt of a completed IHF scheme application, if the applicant has stated that their medical condition or that of a member of their household affects present or future housing needs, a medical assessment form should be sent for their completion and the applicant may be required to provide evidence of their need from a medical professional. An assessment may not be carried out until this evidence has been submitted. In addition, there is no automatic entitlement to a higher priority simply because the relevant information has been provided.

On receipt of the completed medical form and any documentation from a medical professional, the assessing officer will review the application and level of medical priority.

If the assessing officer feels, in conjunction with a senior officer, that no further medical/welfare need has been identified, the application will be written to explaining the reasons why.

If the assessing officer, in consultation with a senior officer, feels that the applicant meets the criteria for a significant level of medical need, they will make any necessary arrangements to the IHF scheme system and notify the applicant.

If the assessing officer, in conjunction with a senior officer, feels that a higher level of medical need should be considered, then the decision will be referred to the Medical and Welfare Panel for consideration.

A referral to the Panel will consist of a written summary of the applicants housing circumstances and how their health is being impacted upon by their housing. This should be accompanied by a Medical Information form that has been completed by the applicant and any other supporting information provided by medical professionals involved in the applicants care and treatment.

In cases where an urgent level of priority is to be awarded, the Panel will also need to see evidence of a home visit being carried out by a medical or housing professional confirming the home circumstances.

The Medical and Welfare Panel, which consists of housing, social care and medical professionals, will meet monthly or alternatively via a virtual medium to discuss cases where a severe or urgent level of medical priority is sought. The Panel will review the information provided and agree the level of priority for each application presented.

The Panel will also consider whether the partner landlords have any stock that will meet the housing need of the applicant. In some situations, an applicant may have a very particular housing requirement for a property that the partner landlords cannot provide, or for stock which rarely becomes available. In these circumstances, the Panel may not always be in a position to provide a recommendation for housing, despite an applicant having a recognisable need. In these situations, additional priority may be awarded, and further information will be offered to applicants in terms of other routes to appropriate accommodation or that they may need to widen their housing requirements or options.

For those cases where the highest priority is given, this will be given initially for a limited time only as determined by the panel to reflect the urgency of the need to move and then reviewed by the panel after this period to ensure the applicant is bidding where suitable properties have become available.

The decision of the Panel is final unless further significant evidence is available or that there is a significant change in the applicants circumstances. If such information is available, the applicants circumstances will be referred back to the next available Panel for further consideration to be given.

### Medical and Welfare Matrix

	Definition	Examples	Assessment By
<b>Urgent</b>	Applicant or member of their household with urgent medical or welfare need where failure to re-house could have life threatening consequences and where their current housing conditions are a major contributory factor	Severe medical condition that could be deemed to be life threatening if suitable alternative accommodation is not secured	Medical and Welfare Panel <ul style="list-style-type: none"> <li>• Medical Application Form <i>and</i></li> <li>• Housing Application Form <i>and</i></li> <li>• Home Visit Report <i>and</i></li> <li>• Supporting information from professional evidencing how housing impacts on the medical or welfare condition</li> </ul>
		Victims of domestic abuse or harassment or hate crimes who are at risk of significant harm and remain subject to violence or threats of violence and who are still residing in the accommodation from which they are subject to this abuse or harassment	
<b>Severe</b>	Applicant or member of their household with a medical or welfare need where failure to re-house will lead to a rapid decline in health and where their current housing is a significant contributory factor	Serious/chronic condition not immediately life threatening but is likely to result in severe impairment without a move to more appropriate accommodation	Medical and Welfare Panel <ul style="list-style-type: none"> <li>• Medical Application Form <i>and</i></li> <li>• Housing Application Form <i>and</i></li> <li>• Supporting information from professional evidencing how housing impacts on the medical or welfare condition</li> </ul>

<b>Significant</b>	Applicant or member of their household with a medical or welfare need and the location or condition of their home will have a continuing affect on their health	Stable or persistent medical health problem that could be more effectively managed in more appropriate accommodation	Housing Options Team <ul style="list-style-type: none"> <li>• Medical Application Form and</li> <li>• Housing Application Form and</li> <li>• Supporting information from professional evidencing how housing impacts on the medical or welfare condition</li> </ul>
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**CRITERIA FOR THE LEVEL OF INCOME, SAVINGS AND PROPERTY ASSETS  
TO BE TAKEN INTO ACCOUNT**

Applicants who are owner occupiers and who are adequately housed and have no housing needs will not be considered as a Qualifying Person regardless of any local connection which may exist and will therefore not be eligible to join the housing register.

Applicants who are owner occupiers with a housing need and who have a local connection will be measured against the Income and Asset criteria below. Any such applicants whose income or assets are above the criteria will be deemed to be placed into Band 5.

Applicants who are owner occupiers with a housing need and who have a local connection whose income or assets are below the criteria will be placed in the relevant Band according to their assessed housing needs.

This includes owner occupiers who have a housing need but are subject to the Income and Asset Policy unless there is a severe need to move which will be considered by the Medical and Welfare Panel.

Owner occupiers with severe needs to move on medical and welfare grounds or whose needs cannot be met by the intentions of the Income and Asset criteria will be banded accordingly

*Applicants who have sufficient income, savings or property assets to gain access to and maintain housing in the private sector that is suitable to their housing needs may be assigned to Band 5.*

All applicants will be required to supply evidence of their financial income and resources. Verification of income and savings will be required prior to applicants being offered accommodation. Income assessments will take into account the incomes of both the main applicant and their partner. The income that is assessed will include both gross earned income and income from benefits (excluding disability benefits). Households will not normally be placed in a band or offered social housing if their total income is above the median income level for their household size on the IOW. This is calculated using Paycheck data. Similarly, where applicants have resources above the level set by the Council (£30,000 capital or savings) they will not normally be placed in a band or offered social housing. Households with incomes or assets below these limits will only be banded if they meet the criteria set out in this scheme.

The following criteria will be considered.

**1. Income:**

Applicants who have the ability and income to purchase a property on the open market based on the average sale price on the Island at the point of application.

**2. Property Assets:**

Applicants who have property assets which, if sold would enable them to buy a home on the open market suitable to their needs at the point of application.

**3. Savings:**

Savings in excess of £23,250 will be assessed alongside income and/or property assets to determine ability to purchase in the private sector.

**4. Exceptions:**

It is recognised that even if an applicant has sufficient funds to access and maintain housing in the private sector, that their specific needs may limit their chances of finding such accommodation and therefore the private sector is not a viable option. Such cases will be referred to the Medical and Welfare panel for additional consideration and the appropriate level of priority awarded accordingly.