

# Cabinet

Tuesday 8 December 2020

11.00 am

Online/Virtual: This meeting will be livestreamed on Southwark Council's YouTube channel here: <https://www.youtube.com/user/southwarkcouncil>

## Appendices – Part 2

### List of Contents

Item No.	Title	Page No.
16.	<b>Draft Housing Allocations Scheme for Consultation</b> Appendices 1 – 2.	1 - 119

#### Contact

[Paula.thornton@southwark.gov.uk](mailto:Paula.thornton@southwark.gov.uk) or [virginia.wynn-jones@southwark.gov.uk](mailto:virginia.wynn-jones@southwark.gov.uk)

Date: 30 November 2020

**APPENDIX 1**

**London Borough of Southwark Housing Allocation Policy**

---

Swift, Ian

This is draft 18 of a new Housing Allocation Policy for the London Borough of Southwark

DRAFT

Section 1: Introduction to the Policy	5
The key aims and objectives set for the Policy	6
Legal context	6
Regard to strategies	8
The Allocation policy applies when the council	8
Lettings not covered by the Policy	8
Allocations of Temporary Accommodation or Private Rented Sector Offers (PRSO)	9
Members of the Council, staff and their relatives	9
Making changes to the Policy	10
General Data Protection Regulations 2018	10
Privacy Notice	12
Right to information	12
Equality, accessibility and monitoring	12
Complaints	13
Statement on Choice	14
The Policy on choice: When the Council may make a direct offer outside of the choice based letting system and, in exceptional circumstances, outside of the Choice Based Lettings, band and date order system	15
The Policy on Choice: Offers of accommodation made to any applicant owed any statutory homelessness duty under Part 7 of the Housing Act 1996	16
Decisions on applications	19
Section 2: Who can apply to the Housing Register and the criteria for assessing applications	20
The eligibility persons from abroad qualification rules	20
The qualification rules adopted by Southwark Council	20
Qualification 1 Local Connection	21
Qualification rule 2 - Age	21
Qualification rule 3: The requirement to have an assessed housing need as defined in Bands 1-4	21
Qualification rule 4: The requirement to give permission to obtain and share an applicant's personal information	22
Qualification rule 5: Rules re applicants who own accommodation or have a legal interest in homeownership, or have sufficient financial resources to own or rent accommodation	22
Qualification rule 6: Failure to Bid	23
Qualification rule 7: Fraud or giving False Information	24
Qualification rule 8: Circumstances where an applicant has current or former social housing rent arrears or another relevant recoverable housing related debt	26
Qualification rule 9: Serious unacceptable behaviour	29
Qualification rule 10: Worsening Housing Circumstances	33
How Southwark Council will consider exceptional circumstances when applying any of the qualification rules	33
Notifications	34

Section 3: Applying to join the Housing Register	35
How to apply	35
Assessing Applications	36
Target timescale for making a decision on an application	37
Who can be included in the application?	38
How joint applications will be considered and when will a joint tenancy normally be granted?	38
Households with access to children/shared residency order or Child Arrangement Orders	39
The requirement to inform the Council of any change of circumstances	39
Reviewing the Register	40
Cancelling Applications	40
Deliberate Worsening of Circumstances	41
The Review Process	41
The Review procedure	42
Requests for Information	44
Section 4: How an applicant's housing needs and circumstances will be assessed	45
Reasonable Preference	45
Banding and the local connection rules	46
When the local connection band 4 rule will and will not be applied to applicants owed any homelessness duty under the Housing Act 1996 Part 7	48
Exemptions to the local connection rules where a band 1-3 would be awarded rather than a reduced preference band 4	49
Other circumstances where a case for an exemption may be considered	50
The Banding scheme explained	50
The Banding Table setting out the 4 Bands and the housing need criteria required to qualify for each	51
When exceptions will apply to the allocation by band and time within band rule?	59
Regeneration schemes	59
National Witness Mobility Scheme cases (NWMS)	59
Pan London Housing Reciprocal	60
Section 5: Management of the scheme	62
Letting target	62
Advertising properties	62
The Bidding Process	63
Offers of accommodation	63
Viewings	65
Sign up	65
Withdrawal of offers	65
Suitable offers	66
Feedback on let properties	66
Adapted/adaptable properties	66

Introductory tenancies	66
Private Registered Provider (PRP) nominations	67
Property Letting Criteria	67
Annual Lettings Plan	67
When decisions may be made outside of the rules set	68
Appendices	
Appendix A – Size criteria	69
Appendix B – The remit and terms of reference for the Social Welfare panel	71
Appendix C: How any local lettings policy will be applied and reviewed	74
Appendix D: assessing whether an applicant qualifies for a reasonable preference band on the basis of medical or welfare priority	76
Appendix E: definition of a reasonable offer	83
Appendix F – supporting documents checklist	85
Appendix G Voluntary Community Contributory Star	87

Section 1: Introduction to the Policy
---------------------------------------

## **1.1 Introduction**

Every local Housing Authority is required to have a Housing Allocation Policy. This document is the London Borough of Southwark's revised Allocations Policy in accordance with the requirements of The Housing Act 1996 (Part VI) as amended. The Policy (more commonly called an allocation scheme) determines priorities and defines the procedures to be followed in allocating social housing in Southwark as well as governing the way in which Southwark Council's Housing Register operates.

Southwark Council's Allocation Policy is a Choice Based Letting scheme where applicants are able to bid for advertised vacant properties. The Choice Based Lettings scheme is a partnership between the London Borough of Southwark and the majority of the Registered Providers (commonly referred to as Housing Associations) with housing stock in Southwark. The scheme makes it easier and convenient for applicants to look for affordable rented homes in one place rather than have to join many different landlords' registers.

Each of these Registered Providers have voluntarily 'signed up' to a common policy to ensure that all applicants applying for social housing in London Borough of Southwark are provided with a single route of access and assessed using a single policy. Where any individual housing association lets vacant properties to which the Council has nominations rights, this policy will apply to any nomination.

Participating Housing Associations have agreed to advertise their available vacant properties through the scheme and in accordance with this policy. That does not prevent an Association for urgent management reasons transferring an existing tenant to another property owned by that association outside of this Policy.

The Policy covers the allocation of the Council's vacant housing stock and the nomination of any applicant under the scheme to be an Assured or an Assured Short hold tenant of housing accommodation held by any participating Housing Association.

It sets out who is, and who is not, eligible for social housing in London Borough of Southwark and how the Council will make this assessment. It covers how applicants can apply for, and access social housing, the priority they will be given, and the order in which any offer of social housing will be made.

It should be noted that in certain circumstances a participating Housing Association might apply their own rules about allocating a property. Where there are rules set by a Housing Association that differ from the common policy the intention is to set this out in a link to the on-line policy.

This is a revised Housing Allocation Scheme and will take effect in respect of all allocations of housing on or after 1<sup>st</sup> July 2021. The assessment of need and qualifying criteria set out in this policy will be applied to all new and existing applicants from this date. This means that all existing applicants at this date will have to be reassessed for qualification and for priority and all allocations made from this

date will also follow the new provisions of the housing allocations scheme. However, no changes will take place relating to the award of the existing priority date of the applicant. Therefore, all existing applicants will retain the priority date regardless of any priority Band changes that may take place.

This is the Council's published Allocation Policy and can be viewed online at [southwark.gov.uk](http://southwark.gov.uk) along with links to any operational procedures or processes used by Council officers to implement the policy. A copy of the full Policy is also available free of charge, along with a summary document available on-line and in print form (including large print). These can be provided on request, or can be printed from any 'My Southwark' service point, libraries and advice agencies. The summary document is available in community languages

## **1.2 The key aims and objectives set for the Policy**

The overall aim of the policy is to ensure that social housing is allocated fairly and objectively to those in the greatest housing need.

More generally the policy aims to achieve the following key objectives:

- 1) A common housing register which will enable customers in housing need to access social housing across the London Borough of Southwark
- 2) To provide a high quality service to customers
- 3) Meet the legal obligations of the Council, namely to give appropriate priority to customers who fall within the Housing Act "reasonable preference" categories
- 4) Help prevent homelessness and offer realistic choice to those with a housing need
- 5) Improve local mobility across the London Borough of Southwark
- 6) Support residents to access employment and training and recognise residents, such as key workers, who make a contribution to the local community
- 7) To ensure that housing is allocated to those most in need and to ensure that, as far as possible, resources are targeted at local people;
- 8) To promote low cost home ownership schemes and private rented accommodation options to customers on the Housing Register
- 9) To contribute to creating balanced and sustainable communities, promote the council's Fairer Futures principles and be mindful of the communities we create
- 10) To ensure that every customer is treated fairly and consistently irrespective of race and ethnicity, disability, gender/gender reassignment, sexual orientation, religion and belief and age.
- 11) Be a Policy that is simple to understand, transparent and is seen as fair and accountable by applicants and Southwark residents generally

## **1.3 Legal context**

This is the Council's Housing Allocation Policy as required by Part 6 of the Housing Act 1996. Customers are able to apply for housing to the Council and all applications will be fully assessed.

In developing this policy the Council has followed and fully considered among others the following housing legislation, regulations, statutory guidance, and strategies:

- 1) The Housing Act 1996, Part 6 as amended by Localism Act 2011 (England)
- 2) The Housing Act 1996, Part 7 as amended by the Homelessness Reduction Act 2017
- 3) Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) “the Code”;
- 4) Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) “Supplementary Code”.
- 5) Right to Move guidance (DCLG, 2015)
- 6) Social Housing for Victims of Domestic Abuse in Refuges or other Types of Temporary Accommodation, guidance (MHCLG, 2018)
- 7) Homelessness code of guidance for local authorities (MHCLG, 2018)
- 8) Plus the following statutory regulations:
  - a. Allocation of Housing (Procedure) Regulations 1997, SI 1997/483;
  - b. Allocation of Housing (England) Regulations 2002, SI 2002/3264;
  - c. Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294 and all subsequent amendments
  - d. Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869;
  - e. Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989.
  - f. The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
  - g. ‘The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)’

In relation to f) above in accordance with the Right to Move statutory guidance on housing allocations for local housing authorities in England (Department for Communities and Local Government, March 2015) a limit of up to 1% of nominations will be set for people looking to move for employment purposes.

#### **1.4 Regard to strategies**

In framing our allocations scheme regard has also been had to the council's Homelessness Strategy, Housing Strategy, and Tenancy Strategy and the London Mayor's Housing Strategy.

#### **1.5 The Allocation Policy applies when the Council:**

- a) Selects a person to be a secure or introductory tenant of housing accommodation (i.e. in practice accommodation owned by the London Borough of Southwark).
- b) Nominates a person to be a secure or introductory tenant of housing accommodation (i.e. in practice accommodation held by another housing authority).
- c) Nominates a person to be an assured tenant or assured shorthold tenant of housing accommodation held by a Registered Provider (commonly referred to as Housing Associations).

The above includes Affordable Rent properties and Flexible (i.e. fixed term) tenancies.

#### **1.6 The Policy does not apply to the following lettings:**

- a) Introductory or probationary tenancies – Where an introductory/probationary tenancy becomes a secure or assured tenancy
- b) Family Intervention Tenancies – Introduced by the Housing and Regeneration Act 2008, Family Intervention Tenancies are a form of residential tenancy without security of tenure. They may be offered by either a local housing authority or a housing association to anyone who is a tenant of a secure (or assured) tenancy subject to a possession order on the grounds of anti-social behaviour or domestic abuse or anyone who (if they had a secure or assured tenancy) could have had such a possession order made against them.
- c) Succession under S89 of the Housing Act 1985 (secure tenancies), under S133(2) of the Housing Act 1996 (introductory tenancies) or under S90 of the Housing Act 1985 (fixed term tenancies).
- d) Non-Secure tenancies or 'temporary accommodation' – Any accommodation that is provided to meet an interim duty under Part VII of the Housing Act 1996.
- e) Temporary decants – Secure or introductory tenants of a local authority or assured or assured shorthold tenants of Registered Providers who need to be moved temporarily whilst major work is carried out on their home.
- f) Demoted tenancies - Following a successful application for a demotion order under sections 14 and 15 of the Anti Social Behaviour Act 2003.
- g) Mutual exchanges between existing tenants under S92 of the Housing Act 1985

or under S158 of the Localism Act 2011.

- h) Assignment to a person who would be qualified to succeed the tenant under S92 of the Housing Act 1985 (secure tenancies) or S134 Housing Act 1996 (introductory tenancies).
- i) Conversion of an introductory tenancy to a secure tenancy under S125 Housing Act 1996).
- j) Transfers of secure or introductory tenancies by a court order made under certain provisions contained within matrimonial, family, children and partnership legislation.
- k) Allocation to a person entitled to rehousing under section 39 of the Land Compensation Act 1973.
- l) Allocation to a person whose home is repurchased under sections 554 or 555 of the Housing Act 1985 (defective dwellings).
- m) The Allocation Scheme does not apply to an allocation to anyone who is already a secure or introductory tenant or an assured tenant of a private registered provider of social housing or registered social landlord unless the person has applied to the London Borough of Southwark for a transfer and the Council is satisfied that the person is to be granted reasonable preference under one of the reasonable preference categories in S166A (3) of the Housing Act 1996 or qualifies to be placed into priority Bands 1, 2, 3 or 4.

### **1.7 Allocations of Temporary Accommodation or private rented sector offers (PRSO)**

The Localism Act 2011 gave local housing authorities the power to discharge the main homelessness duty with an offer of private rented accommodation, and the Homelessness Reduction Act 2017 allows for the ending of the prevention or relief of homelessness duties through an offer of private rented accommodation available for at least 6 months. For administrative purposes the London Borough of Southwark have chosen to allocate private rented properties through the Housing Register.

It should be understood, however, that such provision does not involve an allocation within the provisions of Part 6 of the Housing Act 1996. Applicants subsequently housed through sections 148 and 149 of the Localism Act 2011 will then be placed in priority Band 2. This will also include applicants housed into the Private Rented Sector to end the prevention or relief duty contained within the Homelessness Reduction Act 2017.

### **1.8 Members of the Council, staff and their relatives**

Elected Councillors cannot be involved in assessing housing applications or the allocation of housing. However this does not prevent them from seeking or providing information on behalf of their constituents.

Their prime role, as outlined in statutory guidance, is developing and approving future policy and holding officers of the authority to account for their actions.

In order to ensure that the Council is treating all applicants fairly, any application for housing from Councillors or employees of the Housing and Modernisation Department of the Council will be assessed in the normal way, but an offer of housing must be approved by the Senior Officer in the Council with responsibility for administering the scheme. Housing Associations will apply their own rules in this respect.

Canvassing is not allowed in any circumstances by or on behalf of members of staff.

In addition, any Officer who knows an applicant personally or is related to the applicant will not be involved in the assessment of the application, in the allocation of a property to that applicant or in a nomination to a Housing Association. The Officer will be required to notify his/her manager of the situation.

Where an application is made from a member of staff within the Housing and Modernisation Department that application must be authorized by the Housing Choice and Supply Manager.

### **1.9 Making changes to the Policy**

The Policy cannot be the subject of major changes until a copy of the proposed amendments has been sent to every private registered provider of social housing and registered social landlord with which the Housing Association in London Borough of Southwark have, that is subject to a nominations arrangements, as per section 166A(13) Housing Act 1996. Each provider association will be given a reasonable opportunity to comment on the proposals .

Any major proposed changes will require a full and detailed consultation process for those potentially affected by the changes and stakeholders. The Council will fully consider good practice guidance to public bodies on undertaking consultation on important policy matters when deciding the appropriate level and method of consultation for any changes.

All major changes must be approved by the Cabinet at Southwark Council.

For minor changes to the policy, decisions will be delegated to the Strategic Director of Housing and Modernisation in consultation with the Cabinet Member for Housing and Modernisation. They will be able to approve any minor amendments to the scheme not considered likely to affect more than five per cent of lettings, following a report produced by the Strategic Director and provided to the Head of Housing Solutions.

The Council will notify within a reasonable period, any major changes in policy to those it may affect.

### **1.10 General Data Protection Regulations 2018**

We will ensure for any person on the housing register their information is stored lawfully and we act in a fair and transparent way in processing their data. We will only collect data that is specific, explicit and legitimate for the purpose of the housing register application and data will be kept up to date and not held unnecessarily or without appropriate security measures in place. Information will only be shared with other organisations or individuals in order to legitimately progress a person's housing register application, for the prevention of fraud or with the person's explicit consent.

An Applicant's permission to share their personal information is a condition of being accepted on to the Council's housing register.

A Data Protection Impact Assessment (DPIA) will be undertaken for any proposed changes to the policy or procedures where those changes are likely to result in a high risk to individuals' interests to ensure we comply with the requirements of General Data Protection Regulation (Regulation (EU) 2016/679) and Data Protection Act 2018.

Personal information obtained from or about any applicant seeking to register or is already registered on the Housing Register. The data will only be used in ways that the applicant reasonably expects in order to process their application. Privacy and confidentiality will be respected and information normally will be shared only with the applicant's implied or express consent to deliver the service they are seeking, to verify information in order to assess eligibility and priority and to answer enquiries from elected representatives and/or authorised agents acting on behalf of the applicant. This will include the sharing of information with the Registered Housing Association partners to the scheme.

Where it is necessary for personal information to be shared with third parties for these purposes, it will be transferred in a secure way to ensure it is not compromised or accessed by anyone who is not entitled to it.

On a case by case basis, where the law requires or permits, and the disclosure is necessary and proportionate, information about an applicant may be shared in the absence of consent without breaching data protection, human rights or the common law obligation of confidence.

Usually this will involve striking a balance between the rights of the applicant and other legitimate interests, which may justify the information sharing.

An obligation of confidentiality/privacy may be set aside where the interference is in accordance with the law, necessary and proportionate to the legitimate aim being pursued to meet one or more of the following interests:

- a) National security
- b) Public safety
- c) The detection or prevention of disorder or crime
- d) Protection of health or morals
- e) The protection of the rights or freedoms of others (e.g. safeguarding public funds, protecting those at work)

### **1.11 Privacy Notice**

Southwark Council has a legal duty to protect the public funds we administer. The Council may share internally an applicant's personal data provided for housing application purposes, in order to provide statutory services or perform other functions the Council is empowered to exercise. We may pass the information to other agencies or organisations, as allowed by law. We may check information that has been provided, or information about the applicant that someone else has provided, with other information held by us.

We may also get information about the applicant from certain third parties, or give information to:

- Prevent or detect crime or fraud
- Protect public funds
- Make sure the information is correct

These third parties include government departments, local authorities and private sector companies, including companies that assist us in fraud detection and prevention, such as Credit Reference Agencies. We may also obtain information about an applicant from social media. We will not give information about an applicant to anyone else, or use information about them for other purposes, unless the law allows us to.

Any use of personal data will be in full accordance with the Data Protection Act 1998. A full copy of our Privacy Notice will be available on the Southwark Council Housing Application section of the website

### **1.12 Right to information**

The Freedom of Information Act 2000 makes it a requirement for every public authority to produce a Publication Scheme which sets out all the information it makes available to the public, and whether copies of that information are available free of charge. The Publication Scheme includes information that the Council is legally obliged to publish. The Scheme is also intended to assist in developing a culture in which openness and transparency are encouraged which supports the requirements of the Local Government Act 2000.

### **1.13 Equality, accessibility and monitoring**

London Borough of Southwark Council is committed to ensuring that its policy and procedures in the letting of property are non-discriminatory and that all customers are able to access the service, especially taking account of any vulnerability or other specific needs, and also the needs of different groups protected by the Equality Act 2010 as well as the Human Rights Act 1998 and (for Children) Section 11 of the Children Act 2004.

To identify the needs of our customers the application form will have specific questions relating to vulnerability, ethnic origin, sexual orientation, disabilities and

other relevant criteria. This information will be used to monitor the impact of the policy on minority and specific needs groups and to make such amendments, as may be required, to ensure no group is disadvantaged by the policy.

Under the Equality Act 2010 and in particular the Public Sector Equality Duty under section 149, Local Authorities are required to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, in their exercise of a public function.

The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Council will ensure that its policy complies with the current equality legislation and with the relevant statutory codes and guidance. The new policy will be subject to a full, detailed Equality Audit before it is adopted and this will be regularly reviewed as monitoring information about the impact of the policy is obtained.

The detailed Equality Audit will set out what information will be monitored to ensure that the Policy is working as fairly and effectively as possible.

The outcomes for customers identified as having specific needs or who meet the definition of a protected characteristic under the Equality Act will be monitored in relation to applications to join the register and offers of social housing.

The Council will monitor the policy and outcomes to ensure that it is meeting all legal requirements and that the aims and objectives set for the policy are being met. Monitoring will be used to ensure that:

- Those in the 'reasonable preference' categories are given priority for housing
- The Council is complying with its Equality Act duties
- There is overall customer satisfaction with the scheme

### **1.14 Complaints**

Complaints should first be made using the Council's complaints procedure. A copy of the current procedure is available on the Council's website.

Complaints regarding the handling of an application by a partner Housing Association should be made through that Association's complaints procedure which will be detailed on the Association's website.

Where a complaint relates to how an applicant has been dealt with under this policy an applicant has the right to continue with their complaint to the Ombudsman service.

The Local Government Ombudsman is an independent service run by Central Government to make sure that Local Authorities provide the required standard of service to their customers.

The Ombudsman can investigate complaints about how the Council has done something, but they cannot question what has been done simply because someone does not agree with it.

The Ombudsman will normally deal with a complaint if a customer feels they have been treated unfairly as a result of maladministration.

For example, if the Council has:

- Delayed taking action without good reason
- Taken into account facts which are not relevant or ignored facts which are relevant
- Not followed their own rules or complied with the law
- Not taken action that they had promised to
- Given a customer the wrong information
- Not reached a decision in the correct way

The Ombudsman will not normally investigate:

- ✓ Until after Council has had the opportunity to review its decision (normally by accessing the complaints process)
- ✓ Matters which have been, are, or could be dealt with by the courts or the internal review procedure
- ✓ Matters which the customer was aware of more than twelve months before making the complaint

The aim of the Ombudsman is to have the Council put right any wrongs which may have been done to the complainant and to ensure that things are done right in the future.

All complaints to the Ombudsman must be in writing. Applicants can request assistance from their local Councilor or get another advocate to write on their behalf. The contact details for the Local Government Ombudsman are:

Local Government Ombudsman  
 PO Box 4771  
 Coventry CV4 0EH  
 Tel: 0300 061 0614.  
 You can also text 'call back' to 0762 480 3014.  
 Fax: 024 7682 0001  
 Website: [www.lgo.org.uk](http://www.lgo.org.uk)

Please note the review process under section 3.12 of this Housing Allocations scheme is separate and additional to the complaints framework

### **1.15 POLICY STATEMENT ON CHOICE AND PREFERENCES**

The Council wishes as far as possible to give choice to customers who are looking to obtain social housing. This is why it operates a 'choice based letting scheme' to give applicants the best possible choice over where they may wish to live.

The Council also seeks to enable applicants to express a preference over the area in which they would like to live and the type of property they would ideally like. However, all applicants should be fully aware that the Council's ability to satisfy a preference might be severely limited by housing pressures.

The Council will ask all applicants to state those areas where they believe they cannot live due to fear of violence, harassment or domestic abuse. The Council must be satisfied such factors exist and that it should, on the facts, take into account the concerns stated by the applicant in these circumstances.

The degree of choice that the Council is able to offer is limited by housing pressures, the responsibility which the Council has to some groups in urgent housing need and the need to reduce the financial impact of temporary accommodation on the Council.

Demand for Social Housing (Council and Housing Association Housing) in Southwark far outstrips supply. It is estimated that only 6% of applicants will be housed through this housing allocations scheme due to the limited availability of accommodation and the growing demand for housing from the reasonable preference groups.

To help meet the huge gap between demand and supply of social homes Southwark Council is building 11,000 new council homes by 2043 and has also set a requirement that private developments in the borough must provide at least 35% affordable housing of which at least 75% must be council or housing association homes. The Council is also actively calling on national government to provide the investment in council housing needed to fully meet this demand. However building these homes will take time and as such demand for council and housing association housing in Southwark will continue to be much higher than the supply throughout the life of this policy.

Unfortunately, for most applicants registered the solution to their housing needs will not be met via an offer of social housing made through this Policy. The Council will therefore work with applicants to look at alternative ways of meeting their housing need, mainly through the provision of housing advice, assistance and support.

The Council will therefore support applicants to choose the Housing Option which is best for them including: promoting a wide range of options, such as low cost home ownership, mutual exchanges, and the private rented sector. Furthermore, by providing information and free advice about staying put options such as aids and adaptations and mobility schemes, the Council can ensure that it promotes independent living for all applicants wishing to be re-housed.

Expressing a preference over where an applicant would prefer to live does not mean that the Council will be able to meet that preference, or that the Council will not offer suitable accommodation outside of a preferred area.

Specifically, for applicants owed the section 189B(2) Relief of homelessness duty, or the Main section 193(2) duty under Part 7 of the Housing Act 1996, or where an applicant has an urgent housing need that must be met immediately, although the

Council supports the ability of applicants to express a preference for where they wish to live, the Council is of the view that what is paramount is the need to offer suitable housing, which may not be possible in the location preferred by the applicant.

### **1.16 The key policies adopted on choice explained**

A) The Policy on choice: When the Council may make a direct offer outside of the choice based letting system and, in exceptional circumstances, outside of the Choice Based Lettings, band and date order system

Not all properties that become available will be advertised and offered through the Choice Based Lettings (CBL) process and not all properties will be allocated by band and date order.

There may be circumstances where for urgent operational or financial reasons there is a need to make a direct offer of housing outside the Choice Based Lettings and, in exceptional circumstances, outside of the band and date order criteria set out in this policy. Specifically, this would be where there are urgent operational or financial reasons for example:

- 1) Situations where urgent re-housing is required due to an applicant's existing property being uninhabitable, or where there are serious health and safety or personal protection issues that need to be addressed or in discharge of a statutory homelessness duty.
- 2) Urgent housing need situations where it would not be reasonable in the circumstances to wait for the Choice Based Lettings process to take place.
- 3) Threat to life in the area in which an applicant currently resides
- 4) Tenants of the Council in emergency cases whose homes are damaged by fire, flood or other disaster may be provided with other alternative accommodation if it is not possible to repair their existing home
- 5) Households who, on police advice, must be moved immediately due to serious threats to one or more occupants of the household
- 6) To facilitate a three way (or greater) mutual exchange. Mutual exchanges are not an allocation, but where the Council is satisfied that to do so would make best use of its housing stock and support the needs of the tenants involved, rather than a direct swap (assignment) taking place, the Council may make available a property for a three-way exchange
- 7) Direct offers for tenants where Ground 10 or Ground 10a action has commenced and the vacant possession date is known to enable the estate regeneration to go forward. This relates to circumstances where the landlord intends, within a reasonable time of obtaining possession of the property to demolish or reconstruct the building or part of the building comprising the property, or to carry out work on that building or on land let together with, and thus treated as part of,

the dwelling-house, and cannot reasonably do so without obtaining possession of the property. The dwelling-house is in an area which is the subject of a redevelopment scheme approved by the Secretary of State or the Regulator of Social Housing and the landlord intends within a reasonable time of obtaining possession to dispose of the dwelling-house in accordance with the scheme, or part of the dwelling-house is in such an area and the landlord intends within a reasonable time of obtaining possession to dispose of that part in accordance with the scheme and for that purpose reasonably requires possession of the dwelling-house.

- 8) Direct offers to persons who the council has a duty to rehouse under section 39 of the Land Compensation Act 1973.
- 9) Direct offers to households in order to comply with the annual lettings plan.
- 10) Where an applicant is homeless and in temporary accommodation and owed a section 189B(2) Relief duty or 193(2) main duty and the Council decides it needs to move applicants out of temporary accommodation to manage the budgetary or legal impact on the Council, the Council may make a direct offer of suitable accommodation at any time.
- 11) If an applicant is not being realistic in the areas they are bidding for accommodation and as a result they may be occupying a temporary accommodation unit that may be needed for another newly presenting homeless applicant.
- 12) Where a vacant adapted property or a property designed to disability standards becomes available the Council may need to offer that property to an applicant whose disability needs best matches that property regardless of the date they were registered.
- 13) Where the Council considers that it is inappropriate for the applicant to participate in Choice Based Lettings. For example, vulnerable applicants nominated by Adult Social Care where the Council will work closely with social workers and care managers to decide on the best letting method for these applicants.
- 14) Other examples include cases where an applicant is subject to Multi Agency Public Protection Arrangements (MAPPA) or presents a risk to themselves or others

Furthermore the Council may decide to restrict the time an applicant is able to bid for accommodation in a small geographical area where they would prefer to live and given the housing pressures faced by the council this may be for a 12 month period. An offer of accommodation could be in any area of Southwark that the Council has assessed is suitable and safe for the applicant to live in.

The Council will provide information about the number and types of homes, and current vacancy rates, to help customers to make an informed choice. The more flexible applicants are in their choice of areas and property types, the sooner they are likely to be successful in being offered a property that meets their need.

All direct offers of accommodation outside of the Choice Based Lettings process or outside of Choice Based Lettings, band and date order will be authorised by the Housing Choice and Supply Manager or in their absence a senior officer for Choice and Supply and a detailed report will be produced monthly for the Head of Housing Solutions to scrutinise and check the balance of lettings via Choice Based Lettings versus direct offers.

B) The Policy on Choice: Offers of accommodation made to any applicant owed any statutory homelessness duty under Part 7 of the Housing Act 1996

If an applicant owed any of the statutory homelessness duties under the Housing Act 1996, as amended by the Homelessness Reduction Act 2017, refuses a written offer of suitable accommodation made through this policy, the homelessness duty owed to them will be discharged and they will lose any priority status afforded to them because of that duty owed to them.

In these circumstances unless they have another reason to be awarded a banding under this policy, they will no longer be allowed to remain on this Housing Register. If they have another housing need reason to be awarded a banding under this policy then this will take place, but they will no longer be owed any banding award for being owed a statutory homelessness duty as that duty would have been brought to an end when they refused the offer of accommodation.

A statutory homeless duty means as:

- a) The prevention of homelessness duty under Section 195(2)
- b) The relief of homelessness duty under Section 189B(2)
- c) Where the relief duty has come to an end and an applicant is then owed a section 190 Intentionally homeless temporary accommodation duty to provide them with a reasonable opportunity to secure alternative accommodation for occupation (section 190(2) duty),
- d) The section 193(2) Main Homelessness duty or the section 193C(4) 'reduced' section 193 duty

Note 1: where it has been decided to refer the case to another authority at either the 'Relief Stage' or at the 'Main Duty stage' of their homeless application, an applicant will not receive any banding for being owed any homelessness duty as the Council will owe no duty (other than, depending on the circumstances) an interim accommodation duty. Being owed an interim accommodation duty pending the outcome of a local connection referral does not qualify an applicant to be owed a banding as defined by a-d above

Note 2: Where the Council has ended any statutory homeless duty and is exercising its power to provide accommodation pending a review decision (section 188(3) power) no statutory duty will be owed by the Council unless the outcome of any review is a positive for the applicant. Therefore where a review has been requested any banding priority for being owed any of the homelessness duties set out in a-d above will be removed.

### **1.17 Decisions on applications**

All decisions relating to housing applications will be taken by officers in the Housing Solutions service, unless otherwise or specifically provided within this Housing Allocations scheme.

DRAFT

**Section 2: Who can apply to the Housing Register and the criteria for assessing who is eligible to be included?**

The Common Housing Register is a single list of applicants across London Borough of Southwark (and others from outside the area who fulfill the local connection criteria) who have been accepted onto the scheme. It includes new customers and existing social housing tenants wishing to transfer who are owed a reasonable preference because of their housing need.

**2.1 THE ELIGIBILITY AND QUALIFICATION RULES TO BE INCLUDED ON THE HOUSING REGISTER**

**2.2 The eligibility persons from abroad qualification rules**

Everyone can apply to join the register but there are some groups of people who by law cannot join the register regardless of their housing need or circumstances. These are people who:

- Come under the Government's 'persons from abroad' eligibility rules and cannot lawfully be given housing help;
- Do not live habitually in the Common Travel Area (UK, Channel Islands, the Isle of Man or the Republic of Ireland) for tax purposes;
- Do not have the right to live in the UK;
- Plus other categories of people who the Government may in the future, decide are not eligible for housing assistance.

To clarify the Council cannot allocate a tenancy or nominate a person for housing if they are a person who is ineligible for an allocation of housing accommodation by virtue of being a person subject to immigration control or a person from abroad who is prescribed as ineligible shall not be allocated housing accommodation: s.160ZA (1), (2) and 4): The relevant Regulations that the Council applies are:

- Regulations 3 and 4 Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294
- All subsequent amendments including 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)'

The rules are complicated and anyone who is impacted or believes they may be impacted by the rules can approach the Council for advice on the rules or seek independent legal advice.

**2.3 The qualification rules adopted by Southwark Council**

In addition to the Government 'persons from abroad' rules that set out when a person is ineligible for an allocation of housing accommodation, local housing

authorities may only allocate accommodation to people who are defined as 'qualifying persons' (s.160ZA (6)(a)).

What this means is that under section 160ZA(7) the Council has been granted the power by the Government to decide the classes of people who the Council may decide are, or are not, qualifying persons. London Borough of Southwark has adopted a number of qualification rules. The rules and how they will be applied are set out below.

There are a number of defined exceptions to each qualification rule. These are also set out.

### **Qualification rule 1 Local Connection**

Applicants will be required to live in the London Borough of Southwark for 5 consecutive years. However, Southwark Council will not apply this qualification criteria which would exclude from the allocation schemes homeless households who would be entitled to reasonable preference in the allocation of housing, the provision for armed forces personnel under Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 and people who lived in Southwark for five consecutive year before leaving Southwark to undertake further or higher studies and return to Southwark immediately after the completion of these studies.

### **Qualification rule 2 - Age**

Anyone over the age of 16 is eligible to join the Council's Housing Register if their current address is their only home, or sole residence, they are not already registered on someone else's housing application and comply with qualification rule 1 above.

If an applicant is under 18 years of age they will not normally be offered a tenancy. This does not apply to young people living in a foster home or in residential care provided by Social Services for whom re-housing under the Children Act has been agreed and who are within 6 months of their 18th birthday. There is a protocol agreed between the Housing and Social Services departments that cover housing for applicants who are looked after or were formerly looked after.

Any offer to an applicant who is under the age of 18 will only be made after their ability to manage a tenancy has been fully assessed. This assessment is to make sure that they can cope with being a tenant at a young age and that they do not risk losing that tenancy offered through a lack of support.

This may include a referral and the need for an assessment to the Council's Social Services or other support services to ensure the appropriate support is in place. If a person who is 16 or 17 is granted a tenancy, this will be held in trust until they reach 18. This means that another suitable person (such as a parent, legal guardian, social worker or relative) will be responsible for the tenancy.

**Qualification rule 3:** The requirement to have an assessed housing need as defined in Bands 1-4

Applicants who do not meet the criteria for Priority Bands 1 to 4 will not be admitted to the Housing Register. This is because the level of housing demand in Southwark means that an applicant who is not assessed as being in a statutory housing need will not be able to receive an offer of accommodation as there will always be applicants in housing need who would qualify for an offer before them.

**Qualification rule 4:** The requirement to give permission to obtain and share an applicant's personal information

This is a condition of being accepted on to the Council's housing register and applies to the applicant or any member of the applicant's household.

**Qualification rule 5:** Rules regarding applicants who own accommodation or have a legal interest in homeownership, or have sufficient financial resources to own or rent accommodation

1) Homeownership, or legal interest in homeownership

An applicant cannot qualify for the housing register if they own or have an interest in residential property, including freehold, leasehold, joint ownership or shared ownership. Applicants who have been the owner of a residential property within the last 7 years will be required to provide proof of the proceeds from the sale and of the disposal of the proceeds. This includes:

- properties owned and rented out to other persons
- properties in the UK and other countries
- properties owned by a spouse, civil partner [or co-habitant?].

However, if a Court has ordered that, for a period likely to exceed 5 years, an applicant may not reside in a former matrimonial or civil partnership home in which they still have an interest, the Applicant will be treated as disqualified under this rule.

Exemption from the qualification rules regarding an applicant with a legal interest in homeownership, or have the financial resources where an applicant is substantially disabled or over pension age

Applicants may be considered as an exception if:

- a) They own or part own accommodation or have an interest in accommodation; and
- b) They are over state pension age or have a substantial disability; and their current home is not suitable for their specific needs and cannot be adapted, and
- c) They have insufficient financial resources to buy accommodation that meets their particular housing needs in the private market in London Borough of Southwark despite owning a property, or having income or savings above the 'sufficient resources' thresholds set out in this policy

The possible exemption is intended to cover situations where a person owns their own home but where it is agreed by the Council that they are no longer able to manage in it due to their advancing years, or due to developing a substantial disability that makes living in their home impracticable. This would be the

circumstances where selling up would not provide sufficient funds to purchase a more suitable alternative in the area leaving that person in a difficult position.

This rule does not apply to council led regeneration schemes. The council's Homeownership services will assess a household's individual needs and determine whether the household could be considered to join the Housing Register. A further assessment will be conducted to establish if the household will be considered for low cost homeownership schemes or re house the owner-occupier as a tenant into alternative accommodation following a Compulsory Purchase Order.

## 2) Sufficient financial resources to own or rent accommodation

Applicants who are considered to have sufficient financial resources to buy or rent suitable accommodation in London Borough of Southwark will not qualify for the register. 'Sufficient financial resources' are defined as sufficient capital to buy; or sufficient income to raise a mortgage to buy, or a combination of both; or sufficient income to rent. How an applicant will be assessed to determine if they have sufficient financial resources is set out below:

The income and savings limits set are:

- a) Applicants who have total savings, investments and/or assets of £60,000 or more (for single persons) or joint savings, investments and/or assets of £90,000 or more (for couples).
- b) Applicants whose households total gross income from all sources exceed an annual income of £60,000 (for single person household) or joint income of £90,000 or more (for family household).

'Sufficient capital' includes any assets or investments even if they are not immediately available to the Applicant, such as any residential or non-residential property that they own or part own anywhere in the world. Valuation evidence of any capital or assets will be required. However, any lump sum received by a member of the Armed Forces as compensation for an injury or disability on active service is disregarded.

Although this qualification rule will mean an applicant cannot join the active bidding register it does not prevent applicants being considered for any Low Cost Home Ownership schemes, such as Rent to Buy, Shared Ownership/Equity, Discounted Market Sale and Starter Homes. Advice can be given on request regarding which Housing Associations or developers are currently operating any of the above schemes and how applications can be made directly to any provider.

### **Qualification rule 6: Failure to Bid**

The Council will monitor the bidding patterns of applicants and are able to identify applicants who fail to bid. Any applicant who has failed to bid for more than twelve months will be removed from the Housing Register. These applicants will be required to reapply if they consider they still have a housing need. This will not apply to statutory homeless applicants.

If an applicant owed any of the statutory homelessness duties under the Housing Act 1996, as amended by the Homelessness Reduction Act 2017, refuses a written offer of suitable accommodation made through this policy, the homelessness duty owed to them will be discharged and they will lose any priority status afforded to them because of that duty owed to them. (For details see Policy on applying choice for applicants owed a statutory homelessness duty above).

#### **Qualification rule 7: Fraud or giving False Information**

Section 171(1) of the Housing Act 1996 makes it an offence for anyone, in connection with the exercise by a local housing Council of their functions under Part VI of the Housing Act 1996 (and therefore in seeking an allocation of accommodation) to:

- a) Knowingly or recklessly make a materially false statement or
- b) Knowingly withhold information that the Council has reasonably required him/her to give in connection with the exercise of those functions.

A person guilty of this offence is liable on summary conviction to a fine at the date of this scheme document of up to £5,000.

The circumstances in which an offence is committed could include:

- a. Any false information given on an application form for housing/accommodation (including transfer applications);
- b. Any false information given in response to subsequent review letters;
- c. Any false information given or submitted by customers during the proceedings of a review.

Ground 5 in schedule 2 of the Housing Act 1985 (as amended by section 146 of the 1996 Housing Act) enables the London Borough of Southwark to seek possession of a tenancy granted as a result of a false statement made by an applicant or a person acting on the instigation of the applicant.

In addition, making a fraudulent application for housing may constitute an offence under the Theft Act 1968 and/or the Fraud Act 2006.

Where an issue of fraud is suspected the relevant manager may seek advice from the Anti-Fraud Team, and should notify the Head of Housing Solutions in all cases where fraud is suspected.

Applicants who are found to have withheld or given false information may be disqualified and not able to reapply either for a period of 12 months or (see below) indefinitely and, if they have already been registered, removed from the register. Decisions to disqualify or remove the person from the register will be made based on the seriousness of the false information given and an assessment of why the information was withheld.

In many cases, applicants will have provided wrong or inadequate information on their application form but there may not be any reason to suspect deliberate fraud.

It will be for the Housing Applications Officer in the first instance to assess if any errors contained in an application were deliberately made or not. If the Housing Application Officer is satisfied that the errors were not deliberate or that it had no impact on the application, then the applicant's details will be amended on the Northgate computer system and the applicants application will thereafter be processed in the normal manner.

If the Housing Applications Officer has concerns, these will be discussed with the Re-Housing Manager who will decide if they:

- 1) Are satisfied that there is insufficient evidence to cancel the application on these grounds;
- 2) Want more information to be gathered locally before a decision can be made;
- 3) Feel that there is insufficient evidence at the moment but want a formal fraud investigation;
- 4) Are satisfied that the applicant has provided fraudulent information.

The Re Housing Manager may seek advice from the Anti-Fraud Team Manager, and should notify the Head of Housing Solutions in all cases where fraud is suspected.

If an applicant has given materially incorrect information at the time of the application or visit that subsequently comes to light, amounting to deliberate concealment of e.g. a debt or an eviction, their application will ordinarily be cancelled and a letter will be sent to the applicant to notify him/her of Southwark Council's decision and reasons.

In other cases the putative fraud may be reasonably obvious, for example, the applicant may admit that they have tried to claim a priority that they are not entitled to or have included a household member who does not exist. Southwark Council will consider whether to cancel the applicant's application or not. If Southwark Council decides not to cancel the applicant's application, the Housing Choice and Housing Supply Manager will issue the applicant with a warning letter and will thereafter correct the applicant's details on the Northgate computer system.

In other cases where an applicant does not admit to any fraud, but it is still obvious e.g. they have failed to demonstrate that they live where they are supposed to,, the applicant will be treated as a non-qualifying person, and his/her application will be cancelled from the housing register. If they cannot prove the household membership claimed they would be registered only on the basis of the family members Southwark Council is willing to accept. If they cannot provide evidence of the existence of the household members on the application, Southwark Council will not register those family members.

Where an applicant has not complied with the enquires made by the Anti Fraud team, the Housing Choice and Supply Manager will make a decision as to whether to close the application.

If there is a second offence, or the Housing Choice and Housing Supply Manager considers that the fraud to be deliberate and serious, and adequately proved, they may reject the application on grounds of fraud. However, this should be done in consultation with the Head of Housing Solutions, and the Anti-Fraud Manager who may also decide on further action that should be taken. This is an indefinite disqualification and will apply to any subsequent applications from another address. The applicant must be informed of the decision to disqualify him/her indefinitely from Southwark Council's Housing Register and the reasons for such decision. In these cases, the applicant's computer records will be updated with a text note that will read —Fraudulent Information Provided. There is no provision for lifting this disqualification other than through an exceptional circumstance report.

**Qualification rule 8:** Circumstances where an applicant has current or former social housing rent arrears or another relevant recoverable housing related debt that is not the result of the Welfare Reform Act 2012 legislation.

This section sets out the rules for when an applicant

- a) Will not be allowed to qualify for the Housing Register because of rent arrears or a housing related debt, or
- b) Will be allowed to qualify but will not be allowed to bid for properties advertised until the rent arrears or housing related debt have been resolved to the satisfaction of the Council using the criteria adopted in this policy.

For the purposes of this policy the Council, when carrying out an assessment, will take into consideration all housing related debts, associated with either a current or former tenancy where this relates to any social housing provider in the UK. Note the rules in this section apply only to social housing former or current rent arrears or housing related debt and not to any arrears for a private rented tenancy or licence. Where there is information regarding a debt owed to a private landlord from their last private rented tenancy the Council can treat that debt under the unacceptable behaviour rules set out in that section of the policy below.

Debts that are not statute barred will be taken into consideration.

The debt will be considered statute barred where an applicant, or their representative or someone else they held the account with hasn't:

- Made a payment in the last 6 years
- Written to the creditor acknowledging the debt in the last 6 years
- Had a county court judgement (CCJ) relating to the debt in the last 6 years

For the purposes of this policy housing related debt includes:

- a) Current or former tenancy rent arrears of a social housing tenancy;

- b) Outstanding re-chargeable repairs;
- c) Current and former housing related service charge arrears;
- d) Bed and breakfast or other temporary accommodation charge arrears
- e) Housing benefit overpayments for a social housing tenancy;
- f) Failing to adhere to the terms of an agreed payment plan in relation to rent arrears or housing debt for a social housing tenancy or temporary accommodation
- g) Any court costs associated with any of the above debts

Housing related debts apply to both the applicant and any members of their household included within their application for housing.

The following procedure will be applied to applications where information obtained evidence that there is a social housing related debt:

- The Council will consider whether the applicant still owes that debt, and if they do, the extent of the arrears/debt and whether it is a recoverable debt.
- The Council will consider whether there are exceptional circumstances and if there are exceptional circumstances then the applicant may not be subject to the rules set out here.
- The Council will consider whether the claimant has taken debt advice acted on it, and entered into and begun to implement any arrangement to clear the arrears/debt.
- The Council will consider whether an arrangement has been made, the amount of arrears/debt paid off, any amount outstanding, and the regularity of any payments made.

After applying the above procedure the Council may decide that a person does not qualify for the housing register or may be allowed to qualify but not allowed to actively bid until the matter has been resolved to the Council's satisfaction.

Note the Council will consider any new application following disqualification and, when assessing that application, if the Council is satisfied that appropriate action has been taken by the applicant to address the arrears, the Council will decide if the qualification criteria have been met.

1. Applicants who owe less than £1,000 in rent arrears will be allowed to qualify and banded to reflect their housing need but will not be allowed to bid until they have:
  - a) Either paid the outstanding amount or
  - b) Reached agreement with their former landlord to pay off the arrears in stages and have made regular payments normally this will need to be over a 13-week period. The officer assessing the application will however, on the facts and circumstances of the case, decide what pattern of payments is required and over what period. The repayment pattern or amount decided on by the assessing officer must then be met before the applicant is to be allowed to bid.
2. Applicants who owe more that £1000 will not normally be allowed to qualify for the Housing Register until that figure has been reduced to under £1000. Then the policy at 1) above will apply.

However, the assessing officer can use their discretion if there is evidence that even though the debt remains at more than £1000, the applicant has reached agreement with their former landlord to pay off the arrears in stages and have already made regular payments (normally this will need to be over a 13-week period) but on the facts and circumstances could be less than 13 weeks.

Once applicants who have been registered but not allowed to bid have either:

- a) Repaid their housing related debt in full, or
- b) Made regular payments that have paid off the sum that the assessing officer decided was required to be paid off, they will then be allowed to bid. The applicant will still have been placed in the band that reflects their housing need and shall continue to accrue 'time' on the register for the band awarded, despite not being able to bid. Once they have resolved their arrears their date within the Band awarded will be the date they were awarded that band based on their housing and will not be the date they resolved the debt to the satisfaction of the Council.

Note the assessment of whether the arrears/debt has been resolved will normally require either the debt to be paid in full or a pattern of regular payments to substantially reduce the arrears. Where an applicant has taken out a loan to pay off all or a substantial proportion of the debt this will not normally be accepted as evidence that an applicant is committed to meeting their rental obligations for a future tenancy. A key purpose of requiring regular payments to pay off the debt is that this provides evidence that an applicant is less likely to default on their rental obligations in the future.

Applicants who are disqualified for a housing related debt of £1,000+ should notify the Council immediately when they have reduced their debt below £1,000 and apply again to be included on the Housing Register. If it is agreed that the matter has been resolved and they can register, their effective date will be the date they have been assessed as qualifying for the Housing Register and will not be the date of their first application which resulted in their disqualification.

The only exceptions to this policy are those who can demonstrate that their circumstances are exceptional and that the household face serious hardship through not being allowed to qualify despite the debt. The Council may also consider cases where current tenants have accrued rent arrears due to the bedroom tax and have been assessed that the arrears have occurred due to the tenant being unable to pay the full rent.

Note 1: Where an applicant has cleared their former arrears/debt under this policy it may still be the case that any Housing Association where a debt was owed may apply their own policy not to consider an applicant for housing. This will be down to the rules adopted by each housing association. However, it will not prevent an applicant from being considered for housing by the council itself or another Housing Association.

Note 2: This rule also applies to applicants currently on the register. An applicant's qualification to remain on the Housing Register will be kept under review during their time on the register. An applicant may be disqualified (or allowed to remain on the register but not be allowed to bid) at anytime during the process should the Council

become satisfied that there is new evidence or a change of circumstances that mean the rule relating to former rent arrears or a housing related debt should be applied to their case.

Note 3: Applicants who have had their rent arrears included in a Debt Relief Order, bankruptcy declaration or individual voluntary agreement (IVA) may still have the qualification rule applied to their case. The issue is not whether there is an enforceable debt, but whether or not the debt was accrued in the first place.

**Qualification rule 9: Serious unacceptable behaviour**

This will apply where an applicant, or any member of their current or prospective household, has a history of serious unacceptable behavior that, in the view of the Council, makes them at the point of their application unsuitable to be a tenant. Whether an applicant's behavior means that they are not allowed to register is entirely a matter for the Council. The Council is not restricted to applying a test of whether the unacceptable behavior would entitle the Council to an outright Possession Order if the applicant were to be a tenant.

The Council will decide on the facts of the case whether:

- a) The applicant does not qualify for the Housing Register due to their serious unacceptable behaviour, or
- b) Will be allowed to qualify but will not be allowed to bid until the applicant or household member has demonstrated to the satisfaction of the Council that their behavior has changed. In these circumstances the applicant will still have been placed in the band that reflects their housing need and shall continue to accrue 'time' on the register for the band awarded, despite not being able to bid. Once they have resolved their unacceptable behavior their date within the Band awarded will be the date they were awarded that band for their housing need and will not be the date they resolved the unacceptable behavior to the satisfaction of the Council.

This rule will apply for example where the Council is satisfied, having considered all available evidence, of any of the following in relation to an applicant (or a member of their current or prospective household):

- 1) A serious failure to adhere to the terms of any current or previous social housing or private rented sector tenancy agreement. This includes failing to maintain any previous social rented or private sector rented property within the terms of their tenancy agreement, or committing acts causing or likely to cause nuisance or annoyance to neighbours or others in the locality of where they live or where they previously have lived. Non-qualification will apply until the applicant (or a member of their prospective household) has demonstrated, to the satisfaction of the Council, that circumstances have changed such that the previous conduct is unlikely to reoccur. In many cases this could include demonstrating cooperation with support agencies leading to a substantial improvement in behaviour.
- 2) Conduct likely to cause nuisance or annoyance if they were to be offered a tenancy. This is conduct or behavior that does not only relate to a previous social housing or private rented sector tenancy agreement but conduct or behaviour that the Council has assessed is still current. This includes where an applicant or

a member of their current or prospective household is the subject of actions being taken by the Council (or some other competent body) on grounds of alleged Anti Social Behaviour (ASB).

- 3) Rent arrears for their last private rented tenancy where the Council has been able to obtain information and after documentation received show that on the balance of probabilities the debt is owed.
- 4) They, or any member of their household, have assaulted a member of staff whether or not an injunction is being sought or has already been obtained
- 5) They, or any member of the household, who have knowingly given false or misleading information, or withheld information, that has been reasonably requested in an attempt to obtain social housing. This will be considered on the facts of the case.

Further examples of serious unacceptable behaviour are:

- a) Being subject to a court order (including an interim order) for breach of tenancy conditions
- b) Conviction for illegal or immoral use of your home
- c) Causing nuisance and annoyance to neighbours or visitors
- d) Committing criminal offences in or near the home and still posing a threat to neighbours or the community
- e) Being violent towards a partner or members of the family
- f) Allowing the condition of the property to deteriorate
- g) Obtaining or attempting to obtain a tenancy by deception, for example giving untrue information
- h) Paying money illegally to obtain a tenancy for example a corrupt payment
- i) Unlawfully subletting your home
- j) Applicants that have been convicted of housing or welfare benefit related fraud, where that conviction is unspent under the Rehabilitation Offenders Act 1974.
- k) Acts of violence and aggression to employees will not be tolerated by the London Borough of Southwark and any applicant who threatens or uses violence towards any employee, a partner organisation for example a housing association employee, or contractor of the London Borough of Southwark will be removed from the Housing Register immediately.
- l) Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there

- m) Having unspent convictions where the Police consider an applicant to be unsuitable to be a tenant due to the applicant being a significant risk to potential neighbours and/or communities.
- n) An applicant giving false information on their housing application. This includes information that may be missing from the application. This will be material information that would potentially lead to the applicant being offered a property that they otherwise would not be entitled to.
- o) An applicant or any member of their household has been responsible for any racial harassment or other hate crime. Racial harassment and Hate Crimes is defined as racist, religiously aggravated, faith, gender, age, disability, and trans phobic or homophobic or gender re-assignment harassment or hate crime. A hate crime or racist incident is defined as any incident which is perceived to be racist or hate crime related by the complainant or any other person.
- p) An applicant or any member of their household has committed domestic abuse.

Note: This rule applies to applicants currently on the register as well as new applicants. An applicant's qualification to remain on the Housing Register will be kept under review during their time on the register. An applicant may be disqualified (or allowed to remain on the register but not be allowed to bid) at anytime during the process should the Council become satisfied that the rules relating to unacceptable behaviour should be applied to their case.

If an applicant who has been disqualified under this rule reapplies, as a guideline the Council will consider whether there has been no reasonable cause for complaint or concern against the applicant (or members of their prospective household) for a period of 12 months.

Where an applicant is disqualified for unacceptable behaviour they will be told in writing the reasons why and informed of the actions they are expected to take to resolve the problem. They will also have a right to ask for a review of the decision made to disqualify them.

Note, where an applicant has demonstrated a change in their behaviour to the satisfaction of the Council it may still be the case that any Housing Association who may have previously evicted an applicant for their unacceptable behaviour may apply their own policy not to consider an applicant for housing. This will be down to the rules adopted by each housing association. However, it will not prevent an applicant from being considered for housing by the council itself or another Housing Association.

This policy applies to both the applicant or applicants and any members of their household or prospective household

The assessing officer will be guided by the following considerations:

1. The behaviour need not have led to possession, prosecution or other enforcement action by a statutory agency, provided that, on the balance of probability, the household is responsible
2. In normal circumstances the behaviour concerned should have occurred within the last two years. In cases of a more serious nature, for example, those involving criminal prosecution, a longer time-scale may be appropriate.
3. There must be reasonable grounds for believing that the behaviour could continue or be repeated. For example, the applicant may have issued threats or there might be a history of repeat offending.

The assessing officer will specifically consider:

- a) The seriousness of the applicant's behaviour
- b) The duration of the behaviour and/or the number and frequency of incidents
- c) The length of time that has elapsed since the behaviour took place
- d) Any relevant vulnerabilities and support needs
- e) Whether there has been meaningful engagement with support agencies
- f) Whether there has been a significant and sustained change in the applicant's behavior
- g) Whether they believe on the evidence that the behavior is likely to still reoccur now or at the point a tenancy was offered or commenced

This Policy will apply where an applicant, or any member of their current or prospective household, has a history of serious unacceptable which in the view of the Council makes them, at the point of their application, unsuitable to be a tenant.

The Council will decide on the facts of the case whether:

- a) The applicant does not qualify for the active bidding register due to their behaviour, or
- b) Will be allowed to qualify but will be not be allowed to bid until the behaviour has changed and been resolved to the satisfaction of the Council using the guidance adopted in this policy and set out below.

Applicants disqualified by this rule will be informed:

- a) That the unacceptable behaviour rule has been applied to their case i.e. that they do not qualify, or they qualify but cannot bid until the behavior has been resolved to the Councils satisfaction
- b) What they must do to resolve the problem
- c) That it is the applicant's responsibility to notify the Council when they have in their view resolved the issue and need to present evidence to demonstrate this
- d) That any new application will normally only be reconsidered at the request of the applicant and only where there has been no reasonable cause for complaint or concern against the applicant (or members of their prospective household) for a continuous period of 12 months.
- e) That a manager responsible for the operation of the allocations scheme will consider the circumstances of any new application. If required they may refer the case to the Social Welfare Panel.

### **Qualification rule 10: Deliberate Worsening Housing Circumstances**

Where there is clear evidence, and a conclusion can properly be drawn, that an applicant has deliberately worsened their own circumstances in order to qualify to join the Housing Register or to gain a priority on the Housing Register, and made their housing situation worse in order to gain a higher priority on the register, the assessment of their needs will be based on the circumstances before their situation changed through their worsening of their circumstances and this assessment will correspond with section 3.11 of this Housing Allocations scheme.

Examples of this include:

- a) Selling a property that is affordable and suitable for the applicant's needs.
- b) Moving from a secure tenancy or suitable private rented tenancy that they are able to afford and maintain to insecure or less settled or overcrowded accommodation.
- c) Requesting or colluding with a landlord or family member to issue them with a Notice to Quit.
- d) Overcrowding property by moving in friends and/or other family members who have never lived together previously and/or have not lived together for a long time, then requesting re-housing to larger accommodation.
- e) Obtaining accommodation that leads to a situation of overcrowding where suitable sized accommodation was affordable.

The above list is not exhaustive.

On overcrowding this will ensure that households will not be treated as occupying overcrowded accommodation unless the overcrowding has come about by natural growth/increases due to birth/adoption of a child, a child or children reaching the age of 10 or above, or the addition of other persons to the household with the written consent of the London Borough of Southwark.

This section does not apply to refugees and former asylum seekers who have no choice about leaving their previous housing for their own safety or to be reunited with their families.

#### **2.4 How Southwark Council will consider exceptional circumstances when applying any of the qualification rules**

The Council retains the ability, in exceptional circumstances, to exercise its discretion when making decisions with regard to the qualification and disqualification rules. A claim by the applicant that discretion should be applied based on evidence

of exceptional circumstances will normally be exercised by Re-Housing Manger responsible for the Housing Allocation scheme or their deputy. However, where a manger is of the view that a claim of exceptional circumstances is complex and would benefit from being considered by the 'Social and Welfare Panel' a referral can be made.

The terms of reference for the Social and Welfare Panel, and how it will operate is set out at appendix B

The Panel in such cases will consider:

- 1) Whether the application would result in the applicant being awarded reasonable preference Band 1-3, under the Council's scheme, and if so
- 2) Whether the applicant's circumstances (or those of a member of the applicant's household) are so exceptional that the qualification rules should be waived.

The Panel will assess the case for exceptional circumstances and will record all decisions reached with full reasons for that decision. The applicant will then receive a written decision with the full reasons set out.

Please note that the Council cannot waive the eligibility rules for applicant's who are legally not allowed to access social housing under the 'person from abroad' eligibility rules set by Central Government and therefore these cases cannot be referred to the Panel.

In deciding whether an applicant's circumstances are exceptional the Council will fully consider the Equality Act duties placed upon the Council and the Children Act responsibilities. For the Equality Act the Council will specifically consider:

- a) Whether the person, or a member of their household that they wish to be housed with them, meets the definition for one or more of the 9 protected characteristics in listed in the Equality Act 2010
- b) If the Council agrees that the applicant or a member of their household comes under the definition for a protected characteristic it will fully comply with section 149 of 2010 Equality Act and ensure that it has obtained all relevant information relating to the applicant's protected characteristic and will consider, if they were not able to qualify for the scheme, whether this would have an exceptionally detrimental impact on the person with the protected characteristic.
- c) Any decision that the applicant's circumstances are not exceptional and that the applicant does not qualify for the Register will be a decision that is a proportionate means of achieving a legitimate aim.

## **2.5 Notifications**

If Southwark Council decide that an applicant is ineligible or not qualifying, Southwark Council will always comply with the duty under s160ZA(9) and (10) to notify the applicant of our decision and the grounds for it in writing.

## Section 3: Applying to join the Housing Register

### 3.1 How to apply

Applications should be made online by accessing the housing allocations section of the website at [www.southwark.gov.uk/mysouthwark](http://www.southwark.gov.uk/mysouthwark) and completing the application form. If they meet the eligibility and qualification rules they will be registered and can then bid on advertised social homes in the Southwark area.

Where a person is unable to make an application online – due to age, disability, literacy or other reasons – then help and assistance is available from the Housing Solutions service at 25 Bournemouth Road, London, SE15 4UJ. In addition to this the council provides substantial funding to the voluntary sector (Citizens Advice Bureau, Southwark Law Center etc.) where advice, assistance and support can also be provided.

All Applicants will be required to submit a passport size photograph of him/herself and any partner included on their application. The photograph has to comply with current British passport standards.

The website also contains a list of all of the supporting documents that an applicant must produce in order to progress their application.

Where the applicant indicates that they have medical problems they will be requested to complete a change of circumstances/medical assessment form. This is completed on line by accessing the Southwark Council web site which is [https://forms.southwark.gov.uk/ShowForm.asp?fm\\_fid=864](https://forms.southwark.gov.uk/ShowForm.asp?fm_fid=864)

Note: People in prison who apply to join the Register will be unable to join, as they will be classified as not having a housing need whilst in prison. However, 56 days before release they can apply as threatened with homelessness and if they qualify and are owed a prevention of homelessness duty will be able to bid through being owed a prevention of homelessness duty. For other applicants who are not threatened with homelessness and have accommodation to go to on release they will be able to apply upon being released from prison and their housing needs will be assessed for the accommodation occupied at that point.

Assistance to any applicant in making an application is available from the Housing Solutions service located at 25 Bournemouth Road, London, SE15 4UJ. This assistance includes:

- 1) Translation of all written material given to an applicant into the relevant language. This will be given together with a copy of the English version.
- 2) An interpretation service if their first language is not English
- 3) Signing interpretation if speech or hearing is impaired

- 4) Provision of documents in large print if an applicant is visually impaired
- 5) An interview to explain the content of the Housing Application online form and any content of notifications arising out of their application.

Applications will need to be supported by additional information. Customers will receive a phone call, email, text message or letter setting out any additional information needed.

If accepted onto the register, customers will be told by letter or email:

- The band they have been placed in (this determines priority)
- The date of application (may be used to determine priority within the band)
- The size and type of properties for which they can bid
- The application reference number (customers will need this to bid)
- How to appeal against the banding if they think it is wrong

If the applicant meets the eligibility and qualification rules they will be registered and will then receive a registration letter and a 'Welcome Pack' that contains a user guide.

The band start date is the date that the housing register application was received for assessment, unless an applicant's housing need and/or circumstances change and they are as a result placed in a higher band. In these circumstances they will have their band start date reset as the higher band reflects how long they have had the higher level of housing need.

Note for homeless applicants the following will apply:

- a) Owed a section 195(2) Prevention of homelessness duty – Band date is the date the duty was owed and not the date of the homelessness application
- b) Owed a section 189B (2) Relief of homelessness duty – Band date is the date the duty was owed and not the date of the homelessness application
- c) Owed the Main section 193(2) duty – Band date is the date the Relief of homelessness duty was owed and not the date the Main duty was owed. To start the date at the date the Main duty was owed would disadvantage an applicant by 56 days who has been found to be in priority need and unintentionally homeless
- d) Relief duty has ended and the applicant is assessed at this point as not being in priority need - Band date is the date the Relief of homelessness duty was owed and not the date the Relief duty is ended and the non-priority decision confirmed. To start the date at the date the Relief duty was brought to an end would disadvantage an applicant by 56 days who has been found to be homeless but not in priority need

### **3.2 Assessing Applications**

In order to assess an applicant's housing need and therefore their place on the Housing Register the scheme uses a needs based Banding system scheme. The Banding system is set out in section 4 below.

The Bands are awarded to reflect housing need, whereby the needs reflected in the highest Band indicates the greatest need for housing.

Applicants will be required to sign a declaration, or to give informed consent, to:

- a) Confirm that the information given is correct and that they will notify the Council of any change in their circumstances.
- b) Give consent to allow enquiries to be made concerning their eligibility and qualification for housing and level of priority.
- c) Give consent to allow information to be provided to another partner organisation in the scheme.

It is the responsibility of the applicant to provide the Council with all the information requested to assess their circumstances, and to provide any supporting information or documents that are requested. Incomplete applications will not be made active until such time as the Council is satisfied that it has in its possession all of the information it requires to complete its assessment. All incomplete applications will be cancelled after a period of 28 days measured from the date information has been requested and not provided. If canceled this does not prevent the applicant making a subsequent application at a later date, although all applicants should note that in such cases the effective date of registration would not be backdated to the earlier application date.

The Council will request information or a reference from an applicant's current or previous social landlord and may, depending on whether the application gives rise to any concern, request a reference from the most recent private sector landlord if there has been a private sector tenancy.

Where a landlord does not reply a reminder will be sent and if still not forthcoming any other information or records available will be checked to try to determine whether there have been any concerns over the way an applicant may have conducted their tenancy. An applicant should not be disadvantaged if, despite every effort, it is not possible to obtain a reference from their current or previous landlord.

Applications are subject to verification checks and may be assessed:

- At the point of initial application
- Following any change of circumstance notified to the Council by the applicant
- Following routine validation audits
- Following an annual review of the application
- At the point of an offer of accommodation
- At the point of letting

### **3.3 Target timescale for making a decision on an application**

Within 28 days of the information in support of the application being complete and the Council has all the necessary information to assess an application then a decision will be made and notified on the following, including brief reasons:

- Whether or not to admit the applicant to the Housing Register

- If the applicant is admitted to the Housing Register, what priority they will be given
- That there is a statutory right of review

### **3.4 Who can be included in the Application?**

The Application can include the following household members:

- a) Spouses or Civil Partners where the applicant lives with and/or intends to live with their Spouse or Civil Partner.
- b) Partners where the applicant is currently cohabiting with a member of the same or opposite sex.
- c) Children who reside with and are dependent upon the applicant. Children are defined as under 18 for these purposes. Where there is any dispute as to whether children reside with and are dependent upon the applicant, the Council will apply the test in Section 189(1)(b) of Part 7 of the Housing Act 1996.
- d) In respect of Social Services/Children's Services nominations only, children will be included where it has been agreed by the Council that they will live with the applicant.
- e) A Carer where the Re Housing Manager has agreed that on the evidence there is a need for a live in Carer. The Carer is a person who provides or intends to provide care for another adult. It is either a relative or friend who assists another person in their day-to-day life. This is different from someone who offers care professionally or through a voluntary organisation. Even if a carer is in receipt of Carer's Allowance this does not necessarily mean that it is necessary for them to reside with the person who is being cared for. An application to include a carer in a housing application will be considered by the Re Housing Manager if the carer has been assessed by Social Care and Health as needing to provide overnight support. In these circumstances the applicant must provide supporting evidence from other agencies e.g. Social Care or a Health professional.
- f) Any other household member at the discretion of the appropriate senior officer with delegated Council.
- g) Individuals can only be on 1 application. Where someone has an application in their own name (or with a partner) they cannot also be included as a household member (e.g. a non-dependent child) on another application

### **3.5 How joint applications will be considered and when will a joint tenancy normally be granted?**

Joint applications will be accepted and will be treated as one application. The housing need of the full household will be considered in assessing housing need.

Joint tenancies are normally granted where applicants have a long-term commitment e.g. married and unmarried couples, civil partners.

However, in relation to the Housing Associations that are part of this policy the individual association will decide whether to allow a joint tenancy depending on their own rules.

Note that under section 160ZA(1)(b) of the Housing Act 1996, a Council must not allocate a joint tenancy to two or more people if they are persons from abroad who are ineligible or if they do not satisfy the London Borough of Southwark's qualifying criteria. However, where two or more people apply and one of them is eligible and meets the qualifying criteria, the London Borough of Southwark may allocate a tenancy to the person who is eligible and meets the qualifying criteria. In addition, while ineligible and non-qualifying family members must not be granted a tenancy, they may be taken into account in determining the size of accommodation, which is to be allocated.

### **3.6 Households having contact with children, a shared residency order or Child Arrangement Orders**

As part of the assessment process the Council will record whether the applicant claims to have children that live with them part of the week whether or not this arrangement is set by the court or not. The Council will apply the test in Section 189(1)(b) of Part 7 of the Housing Act 1996 to decide whether any child both lives with and is dependent on the applicant. Unless this test is passed an applicant will only be considered for the size of accommodation relevant to the decision made by the Council on whether any child lives with and is dependent on the applicant.

### **3.7 The requirement to inform the Council of any change of circumstances**

Applicants are not required to annually re-register their housing applications after first applying. They are however required to inform the Council of any changes in their circumstances, which affect their housing application.

Examples of a change in circumstances include but are not limited to:

- a. A change of address or contact details, for either themselves or members of their prospective household;
- b. A change in their medical condition or disability (either existing or newly acquired);
- c. Additional family members or other people they wish to add to their application (It will be for the Council to decide whether they will allow additional people to join the application);
- d. Any family member or any other person on the application who has left the accommodation; and

- e. Any significant changes in income, savings or assets, which may require a reassessment under the income and savings qualification rule.

Where there is any change in an applicant's circumstances, a change of circumstances form must be completed, and supporting documents must be provided. If there is any change to the banding, applicants will be informed in writing within 28 working days. The onus is on applicants to inform the Council when there is a relevant change in their circumstances. The form can be found here: [https://forms.southwark.gov.uk/ShowForm.asp?fm\\_fid=864](https://forms.southwark.gov.uk/ShowForm.asp?fm_fid=864)

If an applicant's circumstances change that result in a higher priority banding being awarded it will be the date of moving in to the higher banding that will be treated as the priority date. If the applicant moves to a lower priority Band there will be no change to the priority date from the previous priority date.

A failure to notify the Council of changes in circumstances may lead to the offer of any housing being withdrawn and the application suspended whilst the changes are verified.

The Council will check periodically whether there has been a change of circumstances of applicants on the Housing Register. This offers the Council an opportunity to discuss broader housing options with those applicants who are unlikely to be allocated accommodation in the near future.

It does not follow that every change in circumstance will result in a change in priority. However, a change may mean an applicant qualifies for additional priority and may move up a band or may mean that an applicant no longer qualifies for a higher band. The Council will verify and assess the extent of the change to ascertain whether this will result in a change in priority. Applicants will not actively be considered for housing whilst the change of circumstance is being verified and the Council will endeavor to assess the change of circumstances as quickly as possible to avoid any disadvantage to an applicant.

### **3.8 Reviewing the Register**

Every applicant on the Register will have their application reviewed annually, or more frequently as decided by the Council in order to manage the administration of the register. A letter will be sent to all customers requesting confirmation of their current circumstances and that they wish to remain on the register. If a reply is not received within 28 days of the date sent their application would be cancelled.

### **3.9 Cancelling Applications**

An application will be cancelled in the following circumstances:

- At the request of an applicant
- Where an applicant does not respond to an application review, within the specified time limit set out in any correspondence sent to them
- Where Southwark Council, any other Council, or a Registered Provider has housed the applicant (unless it is assessed that their housing circumstances still qualify for an award of reasonable preference)

- When a tenant on the housing register completes a mutual exchange
- Where the applicant moves and does not provide a contact address
- Where the applicant has died
- Where the applicant has not supplied the relevant information requested within 28 days

Where an applicant has been highlighted as potentially vulnerable, the Council will contact the applicant, or agency that they are working with if appropriate, to check their circumstances before cancelling the application.

If an applicant has moved into private rented accommodation rather than social housing the application will not be automatically cancelled but if the result of a reassessment at that stage is that the applicant no longer has a statutory housing need then they will be removed from the Housing Register under the 'no housing need' qualification rule.

Any applicant whose application has been cancelled has the right to ask for a review of the decision.

### **3.10 Deliberate worsening of circumstances**

Where there is evidence that a customer has made their housing situation worse in order to gain a higher priority on the register, the assessment of their needs will be based on the circumstances before their situation changed through their worsening of their circumstances.

Examples of this are:

- Customers who have allowed family members or others to move into their property, who previously had suitable accommodation or the financial means to secure their own accommodation, and this has resulted in the property being overcrowded.
- Customers who have moved from previously suitable or more suitable accommodation which it were reasonable for them to continue to occupy, into a less suitable property.
- Homeowners who have transferred their property to another family member within the last 5 years from the date they make their application to the Register.
- Giving up affordable and suitable private rented accommodation which they are able to maintain, to move in with other relatives or friends, creating a situation of overcrowding and/or sharing of bathroom/kitchen and/or a split household;
- Requesting or colluding with a landlord or family member to issue them with a Notice to Quit

These are examples only. There will be other circumstances considered to decide whether an applicant has worsened their circumstances

### **3.11 The Review Process**

The Council is committed to making the correct decisions on applications to the Housing Register. Letters notifying an applicant of ineligibility or non-qualification for

joining the Housing Register, or about the band that they have been awarded, or about any other decision concerning the facts of an applicant's case, will state that the applicant has a right to request a review of such a decision.

There is a legal right to a review of a decision in the following circumstances:

- a) A decision is made that the applicant is ineligible or not a qualifying person and therefore has not been admitted to the Housing Register.
- b) As to which Priority Band an applicant has been admitted to.
- c) As to the priority date of the application.
- d) Removal from the Housing Register.
- e) An applicant has their priority reduced.
- f) Where an applicant is informed of any decision about the facts of his case which is likely to be, or has been, taken into account in considering whether to allocate them housing accommodation.
- g) An applicant considers that a decision has been reached based on incorrect information.

### **3.12 The review procedure**

- 1) A review must be requested within twenty-eight days of the date of the letter advising of the decision. The Council has discretion to extend the time limit or consider a request made out of time if it considers this would be reasonable. Any request for a review out of time should state why the applicant considers that the time limit should be extended.
- 2) The request for review should be made to the Rehousing team at 25 Bournemouth Road, London, SE15 4UJ or via email. Please email [housingapplicationreviews@southwark.gov.uk](mailto:housingapplicationreviews@southwark.gov.uk).
- 3) If an applicant requires assistance with the process he/she should contact a member of the Housing Solutions service at 25 Bournemouth Road, London, SE15 4UJ.
- 4) Requests for reviews must be in writing. A representative of an applicant may submit them. All reviews will be conducted by Southwark Council's Housing Solutions service and these reviews do not form part of the separate homelessness review process contained within section 202 of the 1996 Housing Act and they will not be subject to an appeal process pursuant to section 204 of the Housing Act 1996.
- 5) The applicant or their representative must give reasons why they wish to have the decision reviewed including where they believe an incorrect decision has been made on the facts.

- 6) Upon receipt of a request for a review the Housing Applications and Choice Manager will send an acknowledgement letter explaining the review process and procedure to be followed.
- 7) The Re Housing Manager will undertake a review of any decision that has been requested. This officer will not normally have been involved in an original decision, and will not sit on the Welfare Panel to review the case. Where the Housing Applications and Choice Manager was involved in the original decision then the review will be conducted by The Head of Housing Solutions.
- 8) If in the opinion of the Re Housing Manager the review cannot be conducted without interviewing the applicant then the applicant will be invited for interview.
- 9) An applicant asked to attend an interview can be accompanied by an advisor or friend providing that they do not frustrate the purposes of the interview.
- 10) Where it appears that the applicant needs an interpreter, this must be arranged for this and any subsequent interviews with an applicant. In addition, where it becomes apparent during the course of an interview that an applicant has language difficulties, the Applications Officer must ask them if they want an interpreter to be present or if they have a member of their family or a friend who can assist them. A record will be made on the file to confirm the applicant's request. The Housing Applications and Choice Manager will ensure that the appropriate arrangements are put into place. Whenever an interpreter is present, a note of their name and relationship to the applicant should be noted on the interview notes.
- 11) The notes of all interviews will be saved on Northgate.
- 12) The review will be carried out and the decision and the reasons for it will be given to the applicant in writing within 56 days of the request being received. There is no right to request a review of this review decision.
- 13) In cases where the Council believes that an applicant may have difficulty in understanding the implications of a decision on ineligibility or disqualification, then Southwark Council will make arrangements for the information to be explained to the applicant verbally.
- 14) The right to review under part VI Housing Act 1996 is in addition to the statutory right to review homelessness decisions under Part VII Housing Act 1996. Applicants must request a review under part VII within 21 days of notification of the decision. Such reviews are conducted by the Homelessness Review Manager rather than the Housing Choice and Housing Supply Manager.
- 15) The Council will aim to complete and inform the applicant in writing of the decision within 21 working days, after taking into account any additional information that has been provided by the customer. Alternatively, the customer will be advised of any time extension required to make the decision.

### 3.13 Requests for Information

In addition to the formal review appeal process any applicant has the right to see the information held regarding their application for housing. Although they may make such a request to the Council's Information Governance Manager (in which case the Council's central procedure applies) they may also make a request to the Housing Applications team.

Where a request is made to the Housing Applications team this will be responded to within 28 days through the provision of all information held on the application, unless doing so conflicts with the Data Protection Act 1998. The response will inform the applicant of their right to request a review.

Any request must be made in writing and a Housing Applications Officer will need to verify that the request is being made by the applicant, before disclosing any data.

Information will only be shared with other organisations or individuals in order to legitimately progress a person's housing register application, for the prevention of fraud or with the person's explicit consent.

Southwark Council must comply with the duty under s166A(9) to frame their allocation scheme so as to secure the following (described here in summary only):

- a. the right for applicants to request general information about (broadly) their prospects,
- b. the right to request information about decisions concerning the facts of an applicant's case, and
- c. the right to request reviews of such decisions and decisions that a person is not eligible or qualifying, and to be informed of the review decision and the grounds for it.

Southwark Council will inform applicants of the above rights at the time of application and at the time of notification of decisions.

**Section 4: How an applicant's housing needs and circumstances are assessed.**

**4.1 How an applicant's housing needs and circumstances are assessed.**

The demand for social housing (also known as affordable rent housing) exceeds supply in the London Borough of Southwark and therefore this Allocation Policy intends to prioritise the rehousing of those households who are in the greatest need in a fair and transparent way.

Each year the total amount of vacant social housing stock available varies but unfortunately the majority of applicants on the Register will not receive an offer of housing due to the fact that demand far outweighs the supply of vacant or new homes that become available. That is why homes are allocated in accordance with the rules set out in this policy and the rules prioritise applicants in the greatest housing need through a Banding system.

**4.2 Reasonable Preference**

The Council is required by law to determine the relative priority that housing applicants are awarded. This is particularly important when, as is the case in Southwark, the demand for social housing is greater than the availability of homes.

The Council also wishes to allocate housing to residents of the Borough of Southwark who have the greatest housing need.

The law, as it applies to local housing authorities, requires that the scheme be framed so as to secure that Reasonable Preference for housing is given to those in the categories set out in the Housing Act 1996 (as amended). The statutory Reasonable Preference categories cover:

- a) People who are homeless within the meaning of Part VII of the Housing Act 1996.
- b) People who are owed certain homelessness duties by any local housing authority.
- c) People occupying unsanitary, overcrowded or otherwise unsatisfactory housing.
- d) People who need to move on medical or welfare grounds (including grounds relating to a disability).
- e) People who need to move to a particular locality within the district to avoid hardship to themselves or others.

All applicants who are admitted to the Housing Register will be placed in one of four Bands depending upon the applicant's level of housing need, and whether or not the household has a local connection to Southwark.

### 4.3 Banding and the local connection rules

Any applicant who qualifies to join the housing register but does not meet the local connection criteria set out below and does not come under one of the local connection rule exemptions (also set out below) will not be admitted into Bands 1, 2 or 3 of the Housing Register regardless of their housing need. They will be admitted to Band 4 until they acquire a local connection and then will be allocated the Band that reflects their assessed housing need.

The local connection criteria are:

- a) The applicant must live in Southwark and have done so continuously for the last 5 years to be in a position to join the Housing Register. Alternatively, priority need homeless applicants will need to live in Southwark and have done so for 6 of the last 12 months or 3 of the last 5 years.
- b) The applicant is a key worker working in Southwark. Key workers for this purpose are defined as:
  - Nurses and other clinical staff employed in the NHS who work in London Borough of Southwark (“LBS”) (at hospitals, health centres or in the community).
  - Social workers, educational psychologists and occupational therapists employed by LBS or the NHS who work in LBS.
  - Fire-fighters who work in LBS.
  - Police officers and Police Community Support Officers (PCSO) who work in LBS.
  - Teachers and teaching assistants who work in State schools, Faith schools, Free schools and Academies (i.e. non-fee charging schools) located within London Borough of Southwark.

Please note the main applicant is required to be the Key Worker

- c) There is another very specific and exceptional reason why an applicant (and any household) may need to live in Southwark, (for example if they have been assessed as having severe social or medical needs). A Social and Welfare Panel will assess this. The Social and Welfare Panel will consider any exceptional circumstances that are not covered in this policy, as not every circumstance can be reflected within this policy document.

For the purposes of determining local connection the Council will include:

- a) Residency in a non-traditional dwelling, such as a mobile home that is placed on a residential site in the area, or an official pitch
- b) People who are forced to sleep rough in the area

#### **4.3.1 When the local connection band 4 rule will and will not be applied to applicants owed any homelessness duty under the Housing Act 1996 Part 7**

The local connection Band 4 rule will be applied to any applicant owed a section 195(2) prevention of homelessness duty whether that duty is owed by Southwark or any other Council.

The local connection rule will not be applied to applicants who do not meet the 5 year residence or keyworker rules if the applicant is:

- 1) Homeless and Southwark Council has accepted a main duty to them under the Housing Act 1996 (as amended) S193(2), or
- 2) Homeless and owed a Section 189B Relief duty by the Council for as long as that duty is owed to the applicant

Furthermore regarding homelessness cases and the local connection rules:

- 1) Where an applicant accepts an offer of accommodation in the private sector outside of Southwark to end the Council's homelessness duties under the prevention, relief or main duties, then the applicant will continue to be treated as being currently resident in Southwark for local connection rule purposes
- 2) Where an applicant has been placed by Southwark Council into temporary accommodation outside Southwark, the applicant will continue to be treated as being currently resident in Southwark for local connection rule purposes

#### **4.3.2 Applicants owed, or have previously been owed, any homelessness duty by any other Council and have been placed by that Council into accommodation in the London Borough of Southwark**

The local connection rules will be applied in all of the following circumstances:

Applicants who have:

- a) Been placed into temporary accommodation by another council into Southwark, or
- b) Been placed into private rented accommodation of any tenure in Southwark by another local authority to end any homelessness duty owed to that applicant. A homeless duty includes any accommodation to end a section 195 prevention duty, 189B relief duty, any 193 duty or to meet any intentional homelessness duty under section 190 of the Housing Act 1996 Part 7. These applicants will not be classified as an exemption to the local connection rule and will be placed into Band 4 until the period of time resident in Southwark is longer than 5 years since they were placed, or
- c) Do not reside in the district but have applied to join the council's housing register but are owed a statutory homeless duty by another local authority. Households owed a homeless duty by any other local housing authority under the Housing Act 1996 Part 7 (this includes households owed a s.188, s.190, s.198, 195, 189B, 193(2) or 193C(4) duty will be regarded as non-qualifying persons regardless of whether they have been placed in this district or not. This rule is justified because that other local authority retains the responsibility for housing or helping the applicant to obtain housing

#### **4.3.3 Other exemptions to the local connection rules where a band 1-3 would be awarded rather than a reduced preference band 4.**

An applicant will retain their local connection where they have left the area due to being placed into an institution located outside of Southwark and this is not of the applicant's own choice. This includes where the applicant is currently or formerly:

- a) Been detained in prison or custody
- b) Been detained under the Mental Health Act,
- c) Is in Hospital
- d) Is or had been owed a looked after duty by Southwark Council and been placed out the area
- e) Is or had been accommodated in supported accommodation outside of Southwark
- f) Gypsy or traveler households

For these exemptions to be applied the applicant must, prior to their placement out of Southwark, have been continuously resident in Southwark for a period of 5 years.

The Council will consider under exceptional circumstances any application from a gypsy or traveller household that does not meet the continuous period of residence rule as the period may have been broken by periods of travelling. The Council will consider the facts of each case to decide whether circumstances are exceptional and will make its decision in full consideration of the policy intention behind the local connection qualification rule which is that due to there being limited social housing resources available in Southwark the Council wishes to prioritise offers of social housing to applicants who have a strong connection to the area based primarily but not exclusively on residence.

Southwark Council will always have regard to any housing strategy prepared pursuant to s87 Local Government Act 2003 and to our assessment of the needs of gypsies and travelers undertaken pursuant to s225 Housing Act 2004. Section f) above reflects this in particular to equality.

Care Leavers below the age of 21 years who are owed a duty under section 23C of the Children Act 1989 by any local authority Children Services Department and have been accommodated within Southwark for a continuous period of at least 2 years (including some time before they were 16 years of age) will be exempt from the Band 4 local connection rule.

The following will be exempt from the local connection Band 4 rule. These are:

- a) Applicants who are serving members of the regular armed forces
- b) Applicants who served in the regular armed forces within the 5 years immediately prior to the date of their application
- c) Applicants who are serving or former serving members of the regular armed forces or reserve forces who suffer from a serious injury, illness or disability sustained as a result of their service
- d) Applicants who are a bereaved spouse/civil partner of a former serving member of the regular armed forces and have recently ceased (or will soon cease) to be

entitled to reside in services accommodation following the death of their spouse/civil partner.

Applicants who satisfy the right to move criteria as set out below will be exempt from the Band 4 local connection rule. The criteria are:

The criteria in order to avoid hardship are:

- Be social housing tenant living in England defined as either a secure or introductory tenants of housing accommodation in England, or an assured tenant of housing accommodation in England held by a private registered provider, and
- Have a reasonable preference within the meaning of s166A(3)(e) of the Housing Act 1996 because of a need to move to a particular locality in Southwark where failure to meet that need would cause hardship (to themselves or to others); and
- Need to move because the relevant person works or has been offered work in the district of the Council, and the Council are satisfied that the person has a genuine intention to take up the offer of work, and
- The work is not short-term and/or below 16 hours per week or is voluntary work as these are excluded from this criteria, and
- Their wish to join the Housing Register in Southwark due to work related reasons has been assessed as required to avoid hardship based on evidence provided that the Council accept satisfies the test of hardship.

In determining whether the tenant needs to move to Southwark due to hardship the will consider the following factors:

- a) The distance and/or time taken to travel between work and home
- b) The availability and affordability of transport, taking into account level of earnings
- c) The nature of the work and whether similar opportunities are available closer to home
- d) Other personal factors, such as medical conditions and childcare, which would be affected if the tenant could not move
- e) The length of the work contract
- f) Whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects.

#### **4.4 Other circumstances where a case for an exemption may be considered:**

Where there are significant and special circumstances with overriding reasons requiring the move into the area the Council will consider exempting an applicant from the local connection rules. This will be decided on a case-by-case basis following a request from the applicant or from the information submitted on their housing register application. Examples include:

- a) Reasons of safety; i.e. when an applicant is fleeing domestic abuse or hate crime from another area,
- b) Is on a witness protection program or
- c) Where by not moving to the area this would be detrimental to their wellbeing or cause significant hardship.

This will require approval from the Re Housing Manager.

#### **4.5 The Banding scheme explained**

The banding system will normally be used to decide priority between applicants for an offer of accommodation, but further information is given in Section 5 about details of the bidding and nomination process in particular cases. Additionally, the Council may apply the 'direct offer' procedure in particular cases, as set out in this policy.

Where the bidding process applies, priority is generally awarded in descending order between Band 1, Band 2, Band 3, and Band 4. Within bands, priority is generally awarded according to the band date. The sub-categories within each band do not affect relative priority within that band, unless specifically indicated.

The following section provides details of the bands into which applications are placed. The band in which an applicant's application is placed will be determined by their housing need as set out in the table below. Where further details (beyond that contained in the table) of how the needs criteria will be assessed these are set out in appendix D, for example, assessing medical impact claims

It is important to note that applications are placed in the appropriate priority band according to assessed need. An applicant who qualifies under more than one element of the scheme will be awarded the highest priority that any one of their assessed needs is entitled to. For example, an applicant with a need that is awarded band 3 and another need that is awarded band 2 will be awarded band 2. An applicant with two or more needs all of which would be awarded band 2 will be awarded band 2.

Southwark Council through revising its Housing Allocation Policy has chosen to adopt a far simpler and transparent system, reducing the Bands to 4 bands and removing the previous complicated star system. Applicants in housing need will be better able to understand the logic of why they have or have not been placed in a band and be clear as to the level of housing need required to qualify for a band.

**Band 1 - Urgent housing need to move:** These are applicants that are owed a statutory award of reasonable preference but whom the Council believes should also be awarded additional preference based on their urgent and exceptional housing need.

**Band 2 – Statutory housing need to move (High):** These are applicants that are owed a statutory award of reasonable preference under the policy and have been awarded Band 2 priority based on their assessed high housing need.

**Band 3 – Statutory housing need to move (Medium):** These are applicants that are owed a statutory award of reasonable preference under the policy and have been awarded Band 3 priority based on their assessed medium housing need.

**Band 4 – Reduced preference (Low):** These are applicants who would otherwise be in Bands 1 – 3 but who lack a local connection with the Council, or who have had their banding reduced through the application of a reduced preference rule. These applicants will also be awarded priority status in priority Band 4.

All other applicants will be placed into Band priority 4

For applicants owed Band 1 the Council will reassess an applicant's circumstances where they have been granted a Band 1 on the basis of their need to move urgently and they have not bid for any accommodation within what the Council considers is a reasonable period of time. This may be 6 months. The assessment may decide that:

- a) There is no longer an urgent need to move and therefore the Band 1 award should be removed, or
- b) There remains an urgent need to move and this may be better resolved by making a direct offer

#### 4.6 The reasonable preference criteria and the Band allocated for that criteria

<b>Band 1</b>	
1A	Applicants who have a statutory right of succession and wish to succeed to a London Borough of Southwark or Housing Association property, but that property is not suitable for their household type due to under-occupation, or being designated as sheltered housing and/or having been adapted and the applicant in question does not qualify for an adapted property.
1B	Tenants who are under-occupying their accommodation which is owned by the London Borough of Southwark or Housing Association and are in unsatisfactory housing within 166A(3)(c).
1C	<p>Emergency Moves for Council, Housing Association Tenants or Private Rented Sector tenants within the Borough in exceptional circumstances where there is urgent housing need. This type of move will be kept to a minimum, and all such landlord request transfers will be authorised by the Housing Choice and Supply Manager. Examples of these cases include, but are not limited to:</p> <ol style="list-style-type: none"> <li>a) Threat to life.</li> <li>b) Households who, on police advice, must be moved immediately due to serious threats to one or more members of the household, or whose continuing occupation would pose a threat to the community.</li> <li>c) An applicant who has an exceptional need that is not predicted or covered within the Allocations Scheme.</li> <li>c) Other circumstances as authorised by the Director of Resident Services.</li> </ol> <p>For example:            Gang related violence or threats: Applicants who are suffering violence or harassment where there is strong police evidence that an urgent move is required to protect the life of an applicant or a member of their household and can demonstrate to the</p>

	satisfaction of the Council that it is not safe for the applicant (and or their household) to remain in their present home.
1 D	Applicants with urgent housing needs who fall within one or more of paragraphs (a) to (e) of s166A(3) of the Housing Act 1996 and who: (i) are serving in the regular forces and suffering from serious injury, illness, mental ill health , or disability which is attributable (wholly or partly) to the person's service (ii) formerly served in the regular forces (iii) have recently ceased, or will cease to be entitled, to reside in accommodation provided by the MOD 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) are serving or have served in the reserve forces and suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.
1 E	Southwark tenants who need to move as their property falls under a regeneration programme.
1 F	Southwark Council tenants whom need a permanent move from their current accommodation due to major works required within the property, who have been assessed by the Council as requiring a permanent transfer to alternative accommodation.
1 G	Applicants who no longer require the adaptations in their current home. Applicants who release an adapted property where such an applicant no longer requires their current home and will therefore be releasing an adapted property by moving and are in unsatisfactory housing within 166A(3)(c).
1 H	Southwark Council, Housing Association and Private Rented Sector tenants and households living as licensees with family who are statutorily overcrowded and lack 2 or more bedrooms as measured by the adopted criteria.

<b>Band 2</b>	
2 A	Applicants who have urgent need to move due to their current housing so severely affecting their health or disability that it could lead to rapid deterioration if they are not rehoused and/or the applicants or member(s) of their household's condition is life threatening and their existing accommodation is seriously undermining their health.  This includes (the examples are to illustrate the level of housing need to be awarded Band 2A and is not an exhaustive list):  a) Applicants ready to be discharged from hospital who: have somewhere to live but their accommodation is unsuitable due to their medical needs and cannot be made suitable through adaptations because of cost effectiveness or structural difficulties or the property

	<p>cannot be adapted within a reasonable amount of time.</p> <ul style="list-style-type: none"> <li>b) Whose life is at risk due to their current housing conditions or who are housebound, effectively housebound or cannot access the essential facilities in their home and there are critical concerns about their safety, for example through falls due to difficulties with access</li> <li>c) Whose condition is terminal and rehousing is required to provide a basis for the provision of suitable care</li> <li>d) Whose condition is life threatening and their existing accommodation is a major contributory factor</li> <li>e) Whose health is so severely affected by the accommodation that it is likely to become life threatening for example, where an applicant has significant mental health problems which are exacerbated by their accommodation</li> <li>f) With disabilities, who have restricted mobility and are limited by their accommodation such that they are unable to carry out day to day activities or have difficulties accessing facilities inside and outside of their accommodation and require rehousing into accommodation suitable for their use</li> <li>g) In overcrowded accommodation which puts the applicant at risk of infection, for example, where an applicant is suffering from late-stage or advanced HIV infection</li> </ul> <p>The process adopted for how medical impact cases will be assessed by Southwark Council is set out in appendix D</p>
2 B	<p>Applicants without access at all to any of the following facilities: No access to:</p> <ul style="list-style-type: none"> <li>a) A bath or shower</li> <li>b) A toilet</li> <li>c) Cooking facilities</li> <li>d) Running hot water supplies</li> <li>e) Electric/gas needed for essential activities</li> </ul> <p>Applicants who have access to shared facilities re cooking; bathroom and toilet will not qualify under these criteria.</p> <p>Applicants who currently occupy a private sector property which has at least one Category 1 Hazard (excluding overcrowding) under the Housing Health and Safety Rating System (HHSRS) and where a Prohibition Order has been served under the Housing Act 2004 and the effect of the Prohibition Order is likely to mean that the applicant(s) will lose the use of their home on a permanent basis. The relevant conditions at the property must present an immediate threat of serious injury or a considerable risk to the occupant's health.</p>

	<p>This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, <u>and</u> there is no prospect of the problems being remedied within a period considered to be reasonable by the Council and the household are not able to afford to resolve their own housing problem by moving to alternative private sector accommodation.</p> <p>Note - this does not include Council or Housing Association homes as there is a legal requirement on social landlords to urgently remedy defects that pose a risk to their tenants.</p> <p>Demolition or Compulsory Purchase Order (CPO). Where the applicant's property is subject to demolition or subject to a Compulsory Purchase Order for redevelopment.</p>
2 C	<p>Applicants nominated by Adult Social Services/Children's Services, for example:</p> <ul style="list-style-type: none"> <li>• Southwark Care Leavers (Former Relevant children) as defined by the Children (Leaving Care) Act 2000, for example:</li> <li>• Care leavers</li> <li>• A need to move due to child protection issues</li> <li>• Fostering carers for the Council where there is a need to move to a larger home in order to accommodate a looked after child</li> <li>• Adoption arrangements the Council where there is a need to move to a larger home in order to accommodate a looked after child</li> <li>• Adult Social Services customers who would otherwise be in priority Band 3 or 4.( eligible under the Care Act 2014 / Mental Health Act 1983/2007)</li> </ul>
2 D	<p>Applicants who are occupying hostel accommodation and who have an agreed move on. This is commonly known as Hostel Move On accommodation. This is for the purpose of bringing about the efficient use of such accommodation.</p> <p>The requirements are:</p> <p>a) On the recommendation of a support worker, the resident is ready to move on from hostel to independent housing and</p> <p>b) The Council's assessing officer agrees that due to the nature and extent of their vulnerability, accommodation in the private rented sector would, through its short-term nature, have a detrimental effect on their well being.</p> <p>Before the award is made, ongoing support needs will need to have been assessed and, where appropriate, a support plan put in place to increase the chances of the tenancy succeeding.</p> <p>c) To apply the medical and welfare reasonable preference category to victims and their families who have escaped abuse and are being accommodated in a refuge or other temporary</p>

	<p>accommodation.</p> <p>Note: If an application for housing is made before it has been determined by the Council that the individual is ready for independent living, taking into account information from the applicant's support worker and other agencies, the applicant will not be able to bid until the support worker presents the evidence to the Council that the individual is ready to move on and the council agree with that evidence.</p>
2 E	<p>Applicants who are part of a multi-agency public protection agreement (MAPPA).</p> <p>a) On the recommendation of the MAPPA partnership the applicant requires and is suitable for independent housing and  b) The Council's assessing officer agrees that due to the nature and extent of the circumstances of the MAPPA case accommodation in the private rented sector would, through its short-term nature, have a detrimental effect on the multi agency planning for that individual.</p>
2 F	<p>Applicants who were owed under Part VII of the Housing Act 1996 either a prevention duty (section 195(2)) or relief duty (section 189B(2)), or a section 193 (2) main housing duty, who have accepted a private sector tenancy solution.</p> <p>A pregnant woman or applicant with a child who is sharing a home with family who are not part of their application where  a) They have no ownership or tenancy rights and the arrangement is short term and very insecure and only available whilst the applicant is actively seeking an offer of social housing or alternative accommodation with friends or in the private rented sector, and  b) They were owed a prevention of homelessness duty as they were assessed as likely to become homeless within 56 days, and that duty has ended because the family member with the interest in the home has agreed to allow the applicant to remain for at least 1 year.</p>
2 G	<p>Need to move on welfare grounds due to exceptional impact on the applicant or a member of their households well being  Not every circumstance that may present can be captured by the policy so below are examples of welfare ground cases that will be considered. The list is not exhaustive:</p> <p>a) Suffering extreme violence, harassment or discrimination, whether a hate crime or otherwise, and that it is not safe for them to remain in their present home/locality.</p> <p>b) Applicants who need to move due to domestic abuse threats from an ex partner or family member they do not live with, extreme threats of violence, extreme harassment, or other extreme circumstances deemed to significantly affect a household's welfare</p>

	<p>and wellbeing.</p> <p>c) Exceptional circumstances due to significant problems associated with the tenant's occupation of a dwelling in the social or private rented sector and there is high risk to the tenant or their family's safety if they remain in the dwelling/area.</p> <p>d) For applications in circumstances where there is a serious threat to the well-being of a child and their accommodation is a major contributory factor to that risk. This will be in circumstances where the relevant manager in Children's Services or equivalent assesses the level of risk exposure in relation to the child or children remaining in the current property as being so critical that no other reasonable options in relation to accommodation are available to protect the child.</p>
2 H	<p>Applicants fleeing domestic violence and abuse that have been assessed by:</p> <p>MARAC (or any subsequent multi agency arrangement) as needing to move urgently for the safety and security of themselves and or any dependent children and are assessed as being in immediate danger, and</p> <p>a) On the recommendation of the MARAC partnership the applicant requires social housing, and</p> <p>b) The Council's assessing officer agrees that due to the nature and extent of the circumstances of the MARAC case accommodation in the private rented sector would, through its short-term nature, have a substantial detrimental effect on individual or household.</p>

Band 3	
3 A	<p>Any statutory homeless duty owed by Southwark Council only is defined as:</p> <p>a) People where it has been verified by the authority that they are rough sleeping in the Southwark Council area and meet the local connection rules regardless of whether they have made a homeless application</p> <p>b) People owed the prevention of homelessness duty under Section 195(2)</p> <p>c) People owed the relief of homelessness duty under Section 189B(2)</p> <p>d) People who were owed the relief duty which has been brought to an end and are then owed a duty under s190.</p> <p>e) People who were owed the relief duty which has been brought to an end and are not in priority need.</p> <p>f) People who were owed the relief duty which has been brought to an end and are then assessed as being owed a duty under either s193(2) or s193C(4).</p>

	<p>Priority under s166A(3)(a) is dependent on any applicant being currently homeless (whether at the point of application or offer.</p> <p>Where an applicant where a decision made by Southwark Council on their Homeless Application is that the relief of homelessness duty has come to an end and the applicant is intentionally homeless and owed a section 190(2) duty for being intentionally homeless. Note: This award will only be for the period that the Council is under a section 190(2) intentional homeless duty. This is normally for no more than 1 month, this being the period that an intentionally homeless household is owed a temporary accommodation duty.</p> <p>Due to the particular shortage of 1 bedroom and studio accommodation, applicants assessed for these types of accommodation who are:</p> <ul style="list-style-type: none"> <li>a) Owed a relief of homelessness duty (189B) and are likely to be found unintentionally homeless and in priority need, or</li> <li>b) Owed a main homelessness duty (193(2)) after a finding of priority need, or</li> <li>c) Assessed as needing to leave hostel move on accommodation (as defined in this policy), will be given priority in any shortlist over other applicants in Band 3A.</li> </ul>
3 B	Tenants who are overcrowded as measured by the adopted criteria, but do not meet the criteria for an award under 1 H for being 2 bedrooms or more overcrowded or statutory overcrowded..
3 C	<p>Applicants who have need to move due to them having medical problems or disabilities where their housing conditions exacerbates a serious medical condition or disability but do not qualify for an award of Band 2A. This includes (the examples are to illustrate the level of housing need to be awarded Band 3C and is not an exhaustive list and the detailed assessment process is set out in Appendix D):</p> <ul style="list-style-type: none"> <li>a) The applicant's current accommodation to a significant extent directly exacerbates an existing medical condition, is the direct cause of a medical condition or impacts on the ease of use of the facilities within their home for a disabled person.</li> <li>b) Applicants who have mobility issues and it has been assess need to move to ground floor or level access accommodation</li> <li>c) Applicants who have mobility issues and need to move to accommodation that has level access showering facilities</li> <li>d) Applicants who have a significant physical or mental health condition that is directly affected by their accommodation and where a move to alternative accommodation would help to ease or resolve their condition</li> <li>e) Applicants who have a medical need for an additional bedroom (e.g. because they need an overnight carer or need to accommodate a substantial amount of medical equipment)</li> </ul>
3 D	Right to Move

	<p>Existing social tenants of accommodation in England who the Council have assessed and are satisfied that a relevant person has a need to move as defined under the Government's Right to Move regulations will be placed into Band 3.</p> <p>Applicants under the right to move criteria will be placed in Band 3 but will be given less priority than other Applicants in Band 3 who do have a local Connection to Southwark. Allocation to those Applicants who qualify is limited to a maximum of 1% of properties allocated each year, amounting to estimate 10 properties per year. The Council considers this to be reasonable; taking into account the particularly high demand that exists from other applicants who do have a Local Connection with the London Borough of Southwark.</p>
--	--

Band 4	
4 A	All applicants who would otherwise be in Bands 1 – 3 but who lack a local connection with the Council. These applicants will be awarded priority status within Band 4.
4 B	<p>Reduced priority due to failure of Pre-Transfer Inspection</p> <ol style="list-style-type: none"> <li>1) This applies to registered applicants who are tenants of the Council and applying for a transfer.</li> <li>2) A property must meet the standard required so that the property can be re-let within 3 days. The required standard is the void/lettable standard that is applied by the London Borough of Southwark.</li> <li>3) A home visit will be undertaken by an officer and a decision taken in line with the procedure as to whether the property could be re-let within 3 days. The applicant will be advised accordingly. The inspection will relate to both the inside and outside of the property including the garden.</li> <li>4) A visit may be made at any stage during the application process.</li> <li>5) Where it is determined that a property cannot be re-let due to damage or neglect caused by the tenants direct and deliberate actions within 3 days the applicant will have a reduced priority.</li> </ol> <p>The onus is on an applicant to contact the London Borough of Southwark should they subsequently resolve any issues identified and a further visit will be carried out to verify this.</p> <ol style="list-style-type: none"> <li>6) Once a property meets the correct standard the application can be placed in to the appropriate priority band.</li> <li>7) The following reasons allow an exemption from the existing Pre Transfer Inspection procedures: <ol style="list-style-type: none"> <li>a) Domestic Abuse.</li> </ol> </li> </ol>

	b) Fear of violence or c) Where a moving tenant is under-occupying their current home by 2 bedrooms or more and has been given Band 1 priority, and is over the Pension Credit age and has medical or welfare grounds to move which do not enable them to address the outstanding issues identified in the Property Inspection report e.g.; decorating. These applicants will be awarded priority status within Band 4.
4 C	All other applicants not placed into priority Bands 1 to 3. These applicants will <b>NOT</b> be awarded priority status within Band 4.

#### **4.7 When exceptions will apply to allocation by band and waiting time within band**

Priority within a Band will generally be determined by the length of time the application has been placed in that Band and most allocations will be made to applicants in the highest band, and then by the time they have waited within that Band. The sub-categorisations within the bands do not affect relative priority within that band unless specifically indicated.

However, in some circumstances an offer may be made to an applicant outside the usual procedure. This is where there is an urgent need for an individual household to be housed, to enable sensitive lettings to take place or where there is an operational or financial need to house certain categories of applicants such as to comply with the Council's Annual Lettings Plan and any quotas contained within it. See the section on Choice for full details of when an offer may be made outside of the Choice Based Lettings process, or outside of the Band and date order process.

#### **4.8 Regeneration schemes**

Re-housing residents on regeneration schemes:

(i) Where it is necessary for council tenants to move out of their existing home because their home is to be demolished or because of major works, the council may use its discretion to prioritise a move to a suitable home by placing the tenant in Band 1 at an appropriate time or making a direct offer of accommodation.

(ii) Where council leaseholders qualify for rehousing assistance under the law or a council policy because their home is to be demolished or because of major works, the council may use its discretion to prioritise a move to a suitable home by placing the leaseholder in Band 1 at an appropriate time or making a direct offer of accommodation.

#### **4.9 National Witness Mobility Scheme (NWMS)**

The Council participates in the government-funded National Witness Mobility Scheme, which gives local authorities, other social landlords and the police services access to a nationally coordinated fast track witness relocation scheme.

Witnesses, who are intending to give evidence in civil and criminal cases such as cases involving domestic violence, hate crimes, anti-social behaviour, gun crimes, sexual abuse, child abuse and other serious crimes and consider that it is unsafe to remain in their home, will be assessed by their local Council and a designated police officer.

If there is a serious risk to the witness, and it is unsafe for them to pursue an application through the normal homelessness routes, they can be offered the opportunity to relocate quickly away from the unsafe area. Referrals are made to/from the NWMS office.

This includes Protected Persons as defined in Section 82 and schedule 5 of the Serious Organised Crime and Police Act 2005.

#### **4.10 Pan-London Housing Reciprocal**

Coordinated by Safer London, the Pan-London Housing Reciprocal is a housing pathway for people with a social housing tenancy in London who are at high risk of harm where they live.

People may be referred because of:

- Domestic abuse (see definition)
- Other types of Violence Against Women and Girls (VAWG) including sexual violence and exploitation (including prostitution and trafficking), so called 'honour' based violence, female genital mutilation (FGM), forced marriage and stalking
- Hate crime
- Gang related crime or serious youth violence
- Other high risk community safety reason

Who is the Pan-London Housing Reciprocal for?

Applicants must be at risk in their borough, have a social tenancy and wish to move to a different London borough. Their landlord needs to be signed up as a Pan-London Housing Reciprocal Partner.

How does the Pan-London Housing Reciprocal work?

The Pan-London Housing Reciprocal is an alternative housing route based on the voluntary collaboration between local authorities and registered housing providers, coordinated by Safer London. It is not a statutory duty of the housing partners offering this option.

Landlords who refer their tenants for a move agree in exchange to rehouse other applicants who are at risk where they live. In this way local authorities and registered providers in London work together to enable their tenants to move somewhere safe and keep a social tenancy. Moves are subject to suitable accommodation being available in the safe areas identified, may take time and might not be possible in all cases.

While we hope that moves can be facilitated quickly, this is not always the case and the Pan-London Housing Reciprocal should not be considered emergency accommodation. If someone is at immediate risk in their home, emergency accommodation should be identified in the interim.

Please note the Pan-London Housing Reciprocal moves fall outside of this Housing Allocations scheme.

DRAFT

SECTION 5: MANAGEMENT OF THE SCHEME
-------------------------------------

### 5.1 Letting target

Void (empty) properties affect the London Borough of Southwark in terms of a loss in rental income, the continuing provision of temporary accommodation for homeless families, and the possible deterioration of the property and increased risks of squatting and vandalism, and a poor public image. It is therefore essential that void properties be let quickly and without unnecessary delay.

The target for lettings is that 100% of voids that are ready for letting must be allocated within 15 days.

### 5.2 Advertising properties

Empty properties that are to be offered through the Choice Based Lettings scheme will be advertised on a weekly cycle. Details of available properties are available for collection at various locations around the borough including the London Borough of Southwark offices. Property details are also available on the Internet via the Choice Based Lettings web site.

Each advert will state the eligibility criteria required for individual properties.

Properties advertised will include a photograph of the home and a full description. The description will include:

- Type of property
- Whether the home is being let at an 'affordable rent' or on a fixed term tenancy
- Any age restrictions
- Any special criteria (e.g. local letting plans/ sensitive lets)
- Number of bedrooms
- The maximum size of household that can apply (for example '3 bed, maximum 5 person house')
- Location of property (street & city/town/village)
- Floor level (if appropriate)
- Any adaptations (for example disabled facilities)
- Access to the property (for example the number of steps, whether there is a ramp or lift)
- Type of parking (if any)
- Heating type
- Rent charged per week (& number of rent weeks per year)
- Any service charges
- Type of tenancy
- If relevant any services provided (for example warden, caretaker, cleaning)

Properties that will be registered on the Choice Based Bidding Lettings website will be the London Borough of Southwark properties, and Private Registered Provider landlord properties.

In the event that it is identified that incorrect property details or characteristics relating to the property advertised through the Choice Based Lettings scheme before the letting of the property then the service will write to a shortlist of the top three priority needs applicants who submitted bids for the property explaining that the allocation of this property will not continue and the property will be re-advertised through the Choice Based Lettings scheme.

### **5.3 The Bidding Process**

Registered applicants can make bids for properties up until the advertised deadline for that bidding round. Bids can be made by telephone or text bidding, online via the website, or at the Housing Solutions service at 25 Bournemouth Road. Full details of how to bid are set out in the scheme Bidding Guide, which will be sent out to all newly registered housing applicants. Bids received after the advertised deadline, will not be considered.

Applicants can bid for one affordable property each bidding cycle. Bids can be cancelled and reassigned to another property if desired.

All bids for a property are checked. Ineligible bids for a property will be excluded from consideration. So far as is possible the Council will use the Banding system, and waiting time within the band, to allocate accommodation. At times, properties advertised through Choice Based Lettings may be subject to restrictions affecting who may bid for them. This is to ensure that the Council meets its statutory obligations and help to achieve the outcomes of the Housing Strategy, Homelessness Strategy and Tenancy Strategy and the Annual Lettings Plan. This could apply, for example, to properties that have adaptations to meet the needs of disabled applicants or the allocation of sheltered housing accommodation.

Bidders are generally awarded priority in descending order between Band 1, Band 2, Band 3, and Band 4. Within bands, priority is generally awarded according to an applicant's band date. This is described in more detail in Section 4. However, there may be other reasons why it would be necessary or advisable to reject a bid that would otherwise have been successful: for example where the property would not be suitable for that particular applicant. The relevant manager will decide this.

The Council may choose not to advertise a property through the Choice Based Lettings Scheme and make a direct offer of it. This is described in more detail in Section 1.

The Council will undertake further verification of applications at the offer stage and if material changes of circumstances come too light or there is evidence that the information given in the application is materially incorrect then an offer may be withdrawn.

### **5.4 Offers of accommodation**

This section sets out the procedure that will apply to making the offer of accommodation once an applicant has been selected from all successful applicants bidding for that property.

Prior to an offer being made, the Council or Housing Association landlord for that property will carry out a further verification of the applicant's eligibility, qualification and priority and the suitability of making the offer. In certain situations the offer will not be made, or if made may be withdrawn if:

- Since joining the scheme an applicant has become ineligible or not qualified.
- On verification of the applicants' details, the priority band has been incorrectly awarded due to the information received by the applicant, or due to mistakes in the assessment of the application itself.
- The applicants' circumstances have changed since the priority band was awarded and the applicant is no longer entitled to the same level of priority.
- The landlord has good housing management reason not to offer a property.

If a customer does not reply to an invitation to view a property within 2 working days of receiving an offer then the offer will be deemed to have been refused and the property will be offered to the next customer on the shortlist who qualifies for that offer.

All offers will be formally made in writing. Notification in writing may be made by letter, e-mail or in an urgent situation by text.

There must be clear grounds recorded by the Council or a partner Registered Housing Association for refusing or bypassing applicants who are top of any shortlist. Where an applicant has been refused or bypassed because they have failed a verification check or that their circumstances have changed they will be informed of the reason and how it now affects their application. For all other reasons for example, issues of public safety, risk, or sustainability of the tenancy, an applicant, upon request, will be informed of the reason behind the decision to refuse or bypass them.

## **5.5 Viewings**

The Council operates multiple viewings and expects all partner agencies to follow a multiple viewing framework and more than one applicant may be invited to view the property. This will not apply to applicants who have a physical or mentally disability. All those invited will be required to bring proof of their identity and original documentation for verification. Where a joint tenancy is being offered both applicants must attend the viewing.

For all London Borough of Southwark properties an accompanied viewing is arranged to take place usually within three working days of the offer. However in some cases it may be longer. The Housing Officer for the area carries out the viewings.

## 5.6 Sign up

The applicant with the highest priority will usually be able to sign up for the property immediately. At that stage a photograph of the applicant together with his/her National Insurance number will be required as further verification of the applicant's identity.

The new tenant(s) will have to sign the tenancy agreement and the quality standard documentation that confirms the property meets the quality standard framework at the same time of signing the tenancy agreement. All London Borough of Southwark properties let will be habitable to the agreed 'Lettable Standard' (a copy of which accompanies all offer letters).

All applicants who have been allocated an Introductory London Borough of Southwark tenancy through the Choice Based Lettings scheme will be required to attend a Tenancy and Money Advice workshop. The attendance at these workshops will be compulsory and failure to attend will be considered a breach of the terms of the introductory tenancy.

## 5.7 Withdrawal of offers

There may, unfortunately, be exceptional circumstances where an offer is withdrawn following notification. This can be done up to the point when a tenancy agreement is signed. Examples of reasons when a property offer may be withdrawn are:

- The property is not suitable for the households needs
- The property fails to become available
- There is an issue and concern for community safety
- It comes to light that information has been withheld
- It comes to light that that the household or member of the household has a property related debt
- The offer has been made in error
- The households circumstances changed
- The property is required for an emergency
- It transpires that the rent would not be affordable

A written offer can only be withdrawn from an applicant, prior to the tenancy being signed, where:

- a) The applicant has made a false declaration, or failed to provide up to date information, and this materially alters their eligibility for the property offered:
- b) The information available at the time of offer about the vacant property was incorrect, and it is subsequently discovered that the size and type is no longer suitable to the applicant's needs
- c) As a result of incorrect information on the applicant's computer records, which means that the applicant's qualification to join the Housing Register and or priority status on the Housing Register is substantially altered.
- d) The applicant is unable to produce the relevant supporting documents to confirm their eligibility for the offered property.
- e) Due to unacceptable behaviour as described in the Policy.

### **5.8 Suitable offers**

Assessment as to whether an offer of accommodation is suitable and reasonable requires consideration of a number of factors, including size. Further detail is set out at Appendix A and Appendix E

### **5.9 Feedback on Let Properties**

All properties let will be listed in future advertisements showing the number of bidders for each property and the band, and date of registration of the successful bidder.

### **5.10 Adapted/adaptable properties**

When allocating adaptable properties, the Council will always exercise the best use of the property based on an applicant and his/her household needs and requirements:

- a) Where an applicant or another person on the application has a disability, which causes a mobility problem, then they will be prioritised for accommodation that has been adapted or can be reasonably adapted on the following criteria:
- b) Mobility 1- full wheelchair access. Property will include ramped or level access in and out of the property. Accessible kitchen and level access to the bathroom.
- c) Mobility 2- partial wheelchair access. Property will include ramped or level access. Accessible bathroom facilities.
- d) Mobility 3- assisted access. Property will include level access or shallow steps with handrail. Accessible bathroom facilities.
- e) Where a disabled applicant applies for accommodation which does not meet his or her needs, the London Borough of Southwark will need to take into account whether it is reasonable and practicable to adapt that property when assessing his or her bid (and will do so in accordance with the London Borough of Southwark's duties under the Equality Act 2010, and the Housing Grants, Construction and Regeneration Act 1996.)

### **5.11 Introductory tenancies**

All new tenants of the Council will be introductory tenants for the first twelve months of their tenancy. Introductory tenancies can be extended for a further six months provided a Notice of Extension has been served no later than eight weeks before the tenancy ordinarily would become secure.

This will not apply to current secure tenants of the Council who are transferring, or to new tenants who are already secure tenants of another Council or an assured tenant of a Private Registered Provider.

## **5.12 Private Registered Provider (PRP) nominations**

PRPs, which are usually known as Housing Associations, are non-profit making organisations providing homes for people in housing need.

The Council has an agreement with PRPs that own properties in Southwark and that a negotiated percentage of those properties will be made available and let to people on the Housing Register. The Council's PRP partners participate in a common housing register and advertise their properties through the Choice Based Lettings scheme, and all nominations to Private Registered Providers are prioritised using this Housing Allocations scheme.

This Housing Allocations Scheme operates in accordance with section 170 of the Housing Act 1996. The Council's PRP partners have a duty to co-operate to such extent as is reasonable in the circumstances in offering accommodation to people with priority under this scheme.

## **5.13 Property Letting Criteria**

The table in Appendix A shows the type of property that an applicant is eligible for. There may be some exceptions for example when an applicant requires an extra bedroom for medical equipment or a live in carer. Some properties will be advertised as only available to certain groups e.g. for pensioners. An applicant will be advised what type of property he/she can bid for when they receive their assessment letter. The carer is a person who provides or intends to provide care for another adult. It is either a relative or friend who assists another person in their day-to-day life. This is different from someone who offers care professionally or through a voluntary organisation.

The maximum number of bedrooms for which applicants are eligible to bid is set out in Appendix A and is determined by the size of their household but, as there is a shortage of large homes, applicants may be able to bid for smaller accommodation than they would prefer. Where this is possible this will be indicated on the advert for the property.

## **5.14 Annual Lettings Plan**

The Council will produce and publish an Annual Lettings Plan; this will set annual targets for property types across priority bands.

The Head of Housing Solutions will draw up the Annual Lettings Plan every January.

The Annual Lettings Plan will be published on the Council's website.

The Head of Housing Solutions is responsible for monitoring the Annual Lettings Plan. If monitoring shows that outcomes are not as per the Annual Lettings Plan the Council reserves the right to implement a quota system and adjust the / Annual Lettings Plan to ensure that it meets its strategic and or statutory obligations. This power is reserved to the Cabinet Member for Housing and Modernisation in consultation with the Strategic Director of Housing and Modernise to approve.

The Housing Allocations Scheme is also monitored to make sure that allocations made reflect the housing need, and meet with the requirements of legislation. This scheme will be reviewed internally periodically to ensure that its aims and objectives are met.

### **5.15 Decisions outside of the scheme**

Any provision in this scheme may be waived in exceptional and limited circumstances and at the discretion of the Strategic Director of Housing and Modernisation, following a report produced by the Strategic Director and provided to the Head of Housing Solutions.

There may be exceptional circumstances giving rise to a housing need not described or anticipated by this scheme. The Strategic Director of Housing and Modernisation may take account of such needs in deciding whether an applicant is entitled to qualify for the scheme, or receive additional priority or the backdating of a priority status. The Strategic Director of Housing and Modernisation may also take account of injustice (where, through administrative error, an applicant has not received an offer of housing they would clearly have accepted) in considering exceptional circumstances, following a report produced by the Strategic Director and provided to the Head of Housing Solutions.

## APPENDIX A – SIZE CRITERIA

The following table sets out the maximum bedroom size that will be allocated to applicants.

Any applicant can bid for a property one bedroom smaller than the maximum size.

Where there is a reference to medical/welfare needs for an extra bedroom these must be agreed by the re housing manager.

For these purposes a child is someone who is aged 16 and under.

Households with children under 16 can place bids for flats on any floor.

Household Makeup	Bedroom Assessment
Single person	Bedsit/studio flat 1 bedroom flat where there are medical/welfare needs
Couple	1 bedroom flat where there are medical/welfare needs
Single person/Couple and applicant who is pregnant	1 bedroom flat
Single pensioner or applicant who requires ground floor accommodation due to medical/welfare needs	1 bedroom flat or bungalow
Family with 1 child where the child is aged under 5.	1 bedroom flat, maisonette or house
Family with 1 child where the child is aged 5 or over.	2 bedroom flat, maisonette or house
Family with 2 children of the opposite sex if children are under 10 years of age	2 bedroom flat, maisonette or house
Family with 2 children of same sex under 16	2 Bedroom flat, maisonette or house
Family with 2 children with children of opposite sex where one is aged over the age of 10	3 bedroom flat, maisonette or house
Family with 3 children	3 bedroom flat, maisonette or house
Family with 4 children depending on family make up	3 bedroom flat, maisonette or house 4 bedroom house
Family with 5 or more children	4, 5 or 6 bedroom flat, maisonette or house

Further notes:

Bungalows (except for specifically adapted properties) will be allocated to households with a family member over the age of 60. If there are no eligible households meeting these criteria then other people will be considered below this age taking account of their circumstances.

Adapted properties will be allocated to the household who has been assessed by the council as would benefit most from the existing adaptations at the property. The council may seek advice from an Occupational Therapist or medical adviser in making this decision.

### Sheltered Housing

The term Sheltered Housing applies to a range of accommodation and tenancy related support designed to meet the housing and support needs of applicants over the Pension Credit Age or applicants who are in receipt of Disability Living Allowance/PIP.

Before an applicant is accepted for a property that they have expressed an interest in or bid for, they will be visited and assessed to ensure sheltered housing can meet the support needs of that applicant and that the appropriate level of service can be provided. Sheltered Housing will only be allocated to applicants who have housing support needs.

Applicants to whom a homelessness duty is owed who meet the criteria for Sheltered Housing may receive a direct offer of Sheltered Housing in discharge of the homelessness duty.

The service is based around each individual's support needs. This service is provided by a team of Sheltered Housing Officers who will ensure the appropriate level of support/service is maintained to meet an individual's housing support needs.

Sheltered Housing Schemes consist of flats or bungalows, some of which are grouped around a community room where residents are able to enjoy social activities. All properties have an intercom system either hardwired or lifeline, or pendant to enable residents to summon assistance in an emergency.

The Council also has nomination rights to sheltered schemes within the borough, which is managed by PRPs and these properties are allocated through the Choice Based Lettings scheme.

The age for eligibility for sheltered accommodation is the relevant pensionable credit age, which will be subject to annual change in the future. This reflects changes to the national pensionable credit age and the fact that many people now work for longer.

## **APPENDIX B – THE REMIT AND TERMS OF REFERENCE FOR THE SOCIAL WELFARE PANEL**

A Social Welfare Panel, containing senior officers from the Housing Management and the Housing Solutions services at the London Borough of Southwark, considers social welfare grounds.

A decision to refer a case to Panel will be made by a senior officer from the Council and cannot be requested by an applicant.

The intention is for most cases a decision will be made by the senior officer responsible for the allocation scheme in the Council, or where the issue is a refusal of a nomination a decision will normally be taken following a discussion between the senior officers from the Council and Partner Housing Association. However, there will be cases where agreement cannot be reached or the Senior Officer believes that an applicant's circumstances would benefit from a broader consideration from the Panel rather than an individual senior officer.

The assessment of applications will be supported by the operation of the Social and Welfare Panel.

The Panel will have a wide remit covering:

- a) When a case warrants immediate housing due to exceptional urgency
- b) Any complex cases where it has not been possible to award medical priority based on the set criteria and process
- c) Where it is claimed that there are welfare circumstances or exceptional circumstances that are not covered in the policy criteria for example in relation to the qualification rules
- d) Where there may be a sensitive case requiring a sensitive let
- e) To agree and decide how to apply any Local Letting Policy and to review that policy
- f) To monitor performance and letting information and to monitor and review the Equality Impact Assessment

The Social Welfare Panel will consist of one chair and at least two other Senior Housing Officers comprised of the following posts:

- a) Chair
- b) Head of Housing Solutions or
- c) Housing Choice and Supply Manager or
- d) Area Housing Manager
- e) Re-Housing Manager
- f) Housing Applications Officer or

## g) Housing Choice Officer

The criteria (one or more must apply) for emergency social welfare awards in this Housing Allocations scheme are:

- a) Likelihood of admission to residential care of a family member if re-housing is not made
- b) Likelihood of a child being accommodated by the local Council if re-housing is not made
- c) Discharge from hospital or residential care is required and is prevented by the housing situation
- d) A child experiencing abuse needs to be moved away from the perpetrator
- e) The applicant, or member of their household, is at serious risk of harm either to themselves or to other people in their present accommodation
- f) The housing application does not fall within a single priority need band and could possibly fall into two priority needs bands.

In addition the following conditions also have to be met:

- a) The applicant has severe financial hardship
- b) The applicant's wellbeing is seriously affected by their housing situation
- c) The applicant cannot reasonably be expected to find accommodation for him or herself.

If the referring agency believes that a case does not comply with the above criteria but should be considered by the Social Welfare Panel, then a written submission explaining the urgency of the case should be made to the Head of Housing Solutions, who will make a decision on this matter. The decision will be communicated to the agency if the Social Welfare Panel will consider the case, and this will be communicated to the referring agency within 48 hours of receipt of the relevant correspondence.

The Social Welfare Panel will consider referrals directly from an applicant, or from any support agency, any statutory agency, any voluntary agency, a Housing Officer, any Officer from the Housing Solutions service, and, or, from the customer's medical representatives.

At the Social Welfare Panel meeting, the Panel will consider the referral letter and the customer's file, plus a print out of an applicant's IT records to ensure a transparent and equitable recommendation is made on all cases. It is important that only written material is considered at the meeting, and if further information or clarification is required then no decision on that case will be made and the case will

be deferred and additional written material sought to allow a correct decision to be made.

Minutes will be produced of each Social Welfare Panel meeting and the outcome of the Social Welfare Panel consideration will be recorded onto an applicants IT account.

Social Welfare Panel meetings will be conducted once a month.

An applicant will have a statutory right to review the recommendation of the Social Welfare Panel and this statutory review will be undertaken by a Senior Officer of the Housing and Modernisation Services Directorate who was not involved with the recommendation made by the Social Welfare Panel meeting.

DRAFT

## **APPENDIX C: HOW ANY LOCAL LETTINGS POLICY WILL BE APPLIED AND REVIEWED**

Local Letting Initiatives may be applied to meet the particular needs of a local ward or to address sustainability and community issues to ensure that the housing allocation scheme is able to contribute to building sustainable communities.

They will be tailored to fit local situations in well-defined communities (such as a particular block of flats, an individual street, or new housing development). Each local letting initiative will be based on a detailed analysis of relevant information gathered from a variety of sources and may include for example evidence from internal departments, partner Housing Associations, local Councillors, and the community itself. (Evidence may include information such as tenant profiling, the incidence of anti-social behaviour, and stock turnover in a particular block, street or area, or the need to provide housing for a specific group).

The following are examples of local letting policies that may be deployed under the Allocation Policy. The list is for illustrative purposes and is not exhaustive.

- Age restrictions.
- Policies that are geared towards encouraging applicants who work or volunteer to live in an area where for example there may be an area, or street with high numbers of working age households not in work.
- Prioritising applicants who are key workers as defined by the Council under this Policy.
- Restrictions on lettings to vulnerable households where there are already a concentration of supported tenants/residents in a street or block.
- Lettings to childless households where there are high concentrations of children and young people living on a specific estate, street or block.
- Disregarding household type or property matching rules to allow for example under-occupation to reduce child density or to account for future family growth
- Ensuring that there is a balance of working and non-working households allocated to a new build scheme.
- Up to 100% of all new build accommodation developed by Southwark Council.

Local Lettings Plans will always be applied to new developments (usually only applied to first lettings) regardless of whether the new development is subject to a section 106 agreement. Where a new development is subject to a section 106 Planning Agreement the criteria set will be followed.

How will a local letting policy be assessed and agreed?

The Council and, if relevant, any Housing Association Partner will come to an agreement on the estates, blocks or streets where a local letting policy may be appropriate and why.

There must be a clear evidence base for adopting a local letting policy. Agreement as to whether a local letting policy is appropriate will be based on the following test:

1. That there is a clear definition of the objective to be achieved by that particular local letting policy
2. That there is a clear evidence base to back up the need for a local letting policy.
3. That any potential equality impact has been considered.
4. How long the local lettings policy is intended to operate
5. When the policy should be reviewed

A written record of each policy adopted or rejected should be kept.

It is the intention that local letting policies will be fluid with new policies being added as are required and existing policies being deleted once the objective for that policy has been met.

All current local letting policies will be listed as a link to the online version of the Council's Allocation Policy so the public can see which policies are in operation at any point in time.

DRAFT

## **APPENDIX D: ASSESSING WHETHER AN APPLICANT QUALIFIES FOR A REASONABLE PREFERENCE BAND ON THE BASIS OF MEDICAL PRIORITY**

The assessment: Awarding Medical Priority for significant Medical Conditions that are being made worse by an applicant's housing circumstances

The framework Southwark Council will use to assess medical impact cases

This is the detailed operational process to support officers to make their decisions on whether medical or welfare impact priority should be awarded.

Applicants must provide documentary evidence of how their health or welfare is affected by or why the health/welfare issue cannot be managed in their current home by completing a medical form.

On receipt, officers will consider whether any supplementary information is needed from other relevant professionals (for example: Environmental Health or Housing Officers, Social Worker or Health Visitor) to further explain the impact the medical condition/disability has on the applicant's current housing. They may request that an applicant obtains this information.

While this information is being provided and pending the assessment of medical priority, eligible and qualifying applicants who have another statutory housing need will be registered and placed in a band according to their circumstances excluding medical priority. Where no other housing need exists, the application will remain as pending until medical priority is determined.

The assessing officer supported by a senior officer will normally make a decision based upon the information provided whether or not to award a priority band based on medical grounds.

There will be operational criteria to assist the officer and guidelines when to refer the case to an Independent medical advisor and in exceptional circumstances the Social and Welfare Panel.

Where the case is referred to the independent Medical Adviser they will not carry out individual medical examinations. Opinions are based on the information provided by the applicant on the Housing Application Form. Applicants do not necessarily have to submit any supporting medical evidence in support of their application. Where required, the Medical Adviser may, if required, request the necessary information from the relevant medical professional.

Medical priority will not be awarded in the following circumstances:

- a) Having a health issue, however severe, not impacted by the accommodation occupied by the applicant
- b) Health problems that are not affected by housing or cannot be improved by moving
- c) Where a move would only make a marginal improvement to the applicant's condition
- d) Housing defects that can be rectified

- e) Neighbour disputes
- f) Anti social behaviour
- g) Additional medical priority may not be awarded where another reasonable course of action is available to the applicant to resolve their difficulties.
- h) Time-related medical problems (e.g. pregnancy-related problems or a broken leg)
- i) Disrepair problems not impacting significantly on the applicant's medical condition
- j) Overcrowding not impacting significantly on the applicants medical condition
- k) Where the medical condition is as a result of a lifestyle choice (e.g. drug use)
- l) If the situation can be resolved by equipment or minor adaptations which are available in a reasonable period of time.

Applicants who require housing support to live independently will only be placed in a Band for their medical or welfare need if an appropriate package of support has been agreed. If no appropriate support package has been agreed the applicant will be bypassed whilst the support plan/package is pursued by the Council, and or agencies working with the applicant.

Each individual on the application with a health or welfare problem will be assessed. If there is more than 1 member of the household whose health and/or welfare is being affected by their housing, their application will be awarded the need relating to the severest problem.

Where an applicant has been placed in the urgent housing need band 2 as a result of a medical or welfare assessment. This will be reviewed every 3 months

Where an applicant has been placed in the high housing need band 3 as a result of a medical or welfare impact assessment, this will be reviewed every 6 months.

The review will determine whether the level of priority is still appropriate. The review may involve a phone-call to the applicant and/ or support agency, or a home visit.

Once the assessment has been completed the Council will send a letter to the applicant advising them of the outcome, and if a priority band is awarded what band.

Where medical priority Band 2 has been awarded, an annual review will be made to ensure the priority awarded remains valid. On review, priority may be increased if the situation has worsened, remain the same if the situation is the same or withdrawn if the situation is resolved.

Where an applicant already registered notifies a change of medical circumstances that are impacted by their current housing the applicant's priority will be re-assessed using the same process.

This appendix quotes examples of when Bands 2 or 3 could be awarded. These are just examples and assessments will depend on the facts of the case.

Band 2: Covers urgent and immediate medical impact problem

This top category will be reserved for exceptional cases where an applicant or tenant's health is seriously at risk (including a risk to life) due to the associated medical and housing difficulties that are inherent in the existing accommodation.

Band 3: Covers serious medical impact problem

This again is a high banding category and should only be used to reflect urgent medical difficulties that have a clear relationship to existing housing circumstances.

The operational procedure used by the Council to assess medical cases

1. The applicant will be asked to indicate on their on-line application form whether they or anyone in their household have an illness or disability which is affected by their current home.
2. If the information returned on the on-line form is unclear as to the impact of the applicant's current housing on the condition the Housing Officer will write to the applicant asking them to describe how the current housing is impacting on the condition described (a standard letter is used).
3. The letter will also explain that where supporting information from a health professional is available the applicant should provide this but that the Council as a matter of course do not request that an applicant must submit a medical report or obtain letters from their GP. The Council has no wish to create further work or costs for doctors or applicants by insisting that medical reports are produced before any application is considered.
4. The Housing Application officer should then carry out an assessment using the operational assessment criteria adopted by Southwark and set out in this guidance note.
5. Depending on relevant circumstances and seriousness the circumstances may need to be considered by an independent medical advisor to provide advice on the condition to help the officer make the assessment. However, it is expected that the majority of cases can be assessed by the housing officer taking advice from the Team Leader or the Re Housing Manager and only where relevant and appropriate will independent medical advice be sought
6. Where the information indicates that the applicant's condition is not so urgent and immediate that they are unable to live in their current home or that there is insufficient evidence that the medical condition would be significantly improved by alternative housing no band award should be made.
7. Where the assessing officer believes there may be an urgent and immediate need, due to the severity of the impact of their current housing on an applicant's disability, and the applicant may be unable to continue to live at their present home, the case can with a senior officer's approval may be submitted to the Council's Occupational Therapy Team (OTT) for a more detailed assessment. In order to do this the OTT may visit the home of the applicant and consider any supporting information and may recommend whether Band 2 (or in exceptional circumstances Band 1) priority should be awarded, based upon the severity of the case and the urgency of the need for re-housing.
8. The OTT may also recommend the type of housing that the applicant needs to resolve the urgent circumstances.

9. Where priority is awarded on the basis of medical circumstances applicants can only be considered for the type of properties identified so for example, if someone needs to move to a bungalow because they have suddenly become a wheelchair user, they will only be considered for suitable properties that meet this need.
10. There will be occasions when the advice of a doctor or consultant will need to be sought. For example, where an applicant's housing circumstances are affecting their mental health, or where a GP has written a report stating that the patient requires priority banding as a result of the impact of their current housing on their physical or mental health. Where a case has been submitted to the independent Medical Advisor they may seek further information from the applicant's GP or other health professional.
11. The following list covers some of the main factors, which can be reflected in a banding award under Medical Considerations:
  - a) An applicant's inability to manage stairs, control temperature, etc.
  - b) Where an applicant's more or less confined to their existing accommodation
  - c) Where present accommodation is having a significant or exceptional impact or is causing an applicant's mental or physical health condition.
  - d) An applicant's restricted ability to fend for him/herself
  - e) The need for adapted housing and/or extra facilities
  - f) The need for sheltered or supported housing
  - g) The need for housing as part of a care plan

When assessing whether to award Band 2 or 3 or no Band on medical or disability grounds, there is a 4 - stage assessment process. The 4 - stage process is:

1. Is the medical condition serious enough for a priority banding to be considered? (This assessment procedure will be used to decide cases more likely to be awarded priority and cases less likely to be awarded priority)
2. If the medical condition is serious enough for a priority banding to be considered the next stage is for the assessment officer to decide if there is a direct link between the identified medical problem and the applicant's current housing accommodation/situation? I.e. is the applicant's current housing accommodation/circumstances making the medical condition substantially worse or will make it worse.
3. In practical terms the officer should consider what degree of need exists and, secondly, what adverse effect this has on the ability of the applicant to manage day to day tasks in their current home.
4. If the assessment officer agrees this to be the cases they will next need to be satisfied that there is a realistic expectation that the identified medical condition would improve significantly and not marginally if alternative, more suitable accommodation were to be made available.
5. If the answer is it would be improved the final question will be whether to award Band 2 or 3 depending on the severity of the condition.

More extensive examples to help the assessing officer to decide if Band 2 should be awarded on medical or disability grounds

The examples are intended to guide the assessing officer on the threshold set for a Band 2 or Band 3 award or whether no award should be granted. They will also

serve to help applicants understand how the Council will assess medical impact cases and the threshold of need for an award to be given.

The following are examples of cases that may qualify for Band 2 priority. It may apply to the applicant or a member of their household:

1. Applicants who have a progressive, chronic or life threatening medical condition and cannot be discharged from hospital because they do not have any accommodation or their accommodation is unsuitable, for example because they cannot access toilet and/or bathing facilities in the property
2. Applicants who have a progressive, chronic or life threatening medical condition and urgently need to move because their accommodation is unsuitable, for example because they cannot access toilet and/or bathing facilities in the property
3. Applicants who have a progressive, chronic or life threatening medical condition and urgently need to move to accommodation with significant disabled adaptations, such as wheelchair standard accommodation
4. An immediate life threatening condition which is seriously affected by the current housing and where re-housing would make it significantly easier to manage
5. A serious illness, is currently receiving palliative care and urgently requires rehousing to facilitate the on-going provision of this care;
6. A life limiting condition and their current accommodation is affecting their ability to retain independence or enable adequate care;
7. The applicant's health is so severely affected by the accommodation that it is likely to become life threatening, e.g. applicant has severe mental health problems that are significantly exacerbated by their accommodation;
8. A new and life-changing condition that severely impairs their mobility, meaning they are unable to carry out day-to-day activities or have difficulty accessing facilities inside and outside of their accommodation and requires rehousing into accommodation suitable for their use;
9. Where their current property leaves a person at risk of infection, e.g. where an applicant is suffering from late-stage or advanced HIV infection
10. A member of the household cannot be discharged from hospital until a suitable adapted property is provided.
11. Due to limited mobility a person is unable to access essential parts of the property e.g. bathroom/toilet and requires re-housing into accommodation suitable for their use.
12. A member of the household is elderly or disabled or has a progressive illness and is likely to require admission to hospital or residential/nursing care in the immediate future and re-housing would enable the person to remain at home.
13. Armed forces personnel who need to move to suitable adapted accommodation because of a serious injury, medical condition or disability he or she, or a member of their household, has sustained as a result of service.
14. Veterans who have seen active service within the armed forces and are suffering from post traumatic stress disorder or serious illness directly related to service in the Forces
15. People who have a severe mental health or learning disability which significantly affects their ability to lead a normal life and which puts them at risk of admission to hospital or residential care.

16. People living in a mobile home, caravan or converted vehicle which, due to medical conditions, does not meet their needs
17. Where there is a significant risk of serious and permanent injury and/or Permanent disability
18. Where someone cannot be discharged from hospital because their home is, and will remain, permanently entirely unsuitable or entirely inaccessible to live in.
19. Where the applicant is prevented from having access to kidney dialysis, respiratory, or other similar essential equipment. This will normally apply where these circumstances are likely to prevent someone from remaining in their home for all or most of the time. Such a condition would be likely to be ongoing, rather than a temporary condition
20. Someone who's housing has rendered them housebound and has little or no Support available
21. Where a move would avoid the need for another service (e.g. Social Services) from having to provide a significant level of support. This might include for example residential care; overnight care provision, or other support with similar resource implications
22. Where someone suffers with epilepsy or other conditions that cause frequent and unpredictable falls and all medical interventions to prevent them have been investigated. The layout of the accommodation, for example the number and nature of steps, stairs or other hazards is a major factor in increasing the risk of serious injury
23. Where it is impossible for the person to use essential facilities within the home and no adaptation is possible
24. The applicant or household member requires significant disabled adaptations to meet their needs and this is not possible in their current accommodation or would not be cost effective.

More extensive examples to help the assessing officer to decide if Band 3 should be awarded on medical or disability grounds

1. Applicants who have mobility issues and need to move to ground floor or level access accommodation
2. Applicants who have mobility issues and need to move to accommodation that has level access showering facilities
3. Applicants who have a significant physical or mental health condition that is directly affected by their accommodation and where a move to alternative accommodation would help to ease or resolve their condition
4. Applicants who have a medical need for an additional bedroom (e.g. because they need an overnight carer or need to accommodate a substantial amount of medical equipment).
5. Customers whose housing is unsuitable for severe medical reasons, or due to a disability, but who are not housebound, or whose health, or safety is not at such a risk level to require immediate urgent housing will be awarded reasonable preference priority if they meet the criteria set.
6. Children with severe conditions such as autism, or cerebral palsy where their long term needs cannot be met without settled accommodation.

7. A person whose disability means that re-housing would enable them to overcome physical barriers created by their current accommodation e.g. stairs and steps.
8. A person with a severe disability requiring substantial adaptations to a property not provided for in their current accommodation.
9. Can access their home, but is unable to access normal day-to-day facilities within it (e.g. bath/shower/toilet) without experiencing significant difficulty, pain or other discomfort. Where an adaptation is possible, practical and affordable this should always be pursued along with their housing application. If the adaptation is possible but will not be undertaken in the short term, this priority will be awarded in the interim. (The priority would be removed once the adaptation is undertaken)
10. The person is suffering from a mental illness and that situation has existed for a significant period of time, and is being exacerbated by housing. There is usually not only GP involvement, but also other specific mental health intervention.
11. Would be housebound, but where a sufficiently high level of support is available to enable them to get out of the house and reduce to a significant degree the impact of their circumstances
12. A person with a terminal illness or long term medical debilitating condition whose current accommodation is not having a significant impact on their condition but where their quality of life would be significantly improved by moving to alternative settled accommodation which may or may not be closer to support.

## **APPENDIX E: DEFINITION OF A REASONABLE OFFER**

A refusal of an offer of the correct size and type will normally be considered unreasonable

Guidance on reasonable and unreasonable refusals

### Property Size

The property must be the appropriate size for the household's needs at the time of making the offer. Where the family composition has changed, so that the property offered is too small or large for the applicant's needs, the refusal will be recorded as reasonable.

It is the applicant's responsibility to ensure that they register any change in their circumstances that will affect the number of bedrooms to which they are entitled.

Where the applicant refuses a property because it is too small on grounds of the need for an additional or larger bedroom(s) due to medical/mobility factors, but it meets the Council's housing standards, this will normally be considered to be an unreasonable refusal unless the applicant provides new medical information at the offer stage that is accepted by the Council.

### Property Type

It will not be considered to be a reasonable refusal due to a dislike of the property type. Therefore an applicant cannot reasonably refuse an offer because for example, it is in a tower block, it does not have a garden or a particular heating system, it is on a wrong floor, or does not have a lift. If the applicant states medical grounds for refusing the property, these should already have been disclosed and considered as part of the assessment of their application unless new information is submitted that is accepted by the Council.

Where specialist accommodation is offered to a household inappropriately this is considered to be a reasonable refusal. This may be for example:

- (a) Offers of wheelchair standard housing to households that do not have wheelchair users;
- (b) Offers made to disabled applicants that are unsuitable for their needs, e.g. where they are unable to open a door entry system because the doors are too heavy
- (c) Offers of sheltered housing where the applicant is not of the appropriate age.

### Property Condition

Where a property is refused on grounds of repair/decoration, this will be considered an unreasonable refusal unless the Voids Team decides to withdraw the property from letting for further works to be carried out.

Refusals on grounds of mice/cockroach or other pest infestation are usually considered unreasonable. The Voids Team to arrange any necessary works to be carried out by Environmental Health.

#### Area of Choice

Where the offer is not within one of the applicant's specified areas, the refusal will not be considered to be reasonable.

#### Racial Harassment

Where an applicant from a black or ethnic minority household refuses the property prior to viewing because the previous tenant was re-housed as a result of racial harassment, or there is a known problem of racial harassment in the vicinity of the property, the refusal is considered reasonable.

#### Choice of Landlord

An applicant receiving a direct offer cannot choose whether they are re-housed by the Council or by a Housing Association or a specific Housing Association. Therefore, any refusal of Housing Association property because, for example, there is no right to buy or acquire or the rent is higher than a Council property rent, is not reasonable.

#### Pets

One of the conditions of the tenancy agreement is that a tenant must obtain the written consent of the Council before keeping domestic pets.

Any intention to keep a pet must comply with the Partner's Tenancy Terms and Conditions, which means that permission must be sought and agreed prior to signing the tenancy agreement for the property. Therefore any refusal on the basis that permission has not been granted to keep a pet is not reasonable.

Note: Service animals (e.g. guide dogs for the blind, hearing dogs etc.) are not classified as pets. Service animals should not be included as a pet on applications but should be disclosed. Evidence of the need for a service animal is required from secondary health services or the charity that provided the animal. Feedback from a GP would generally not be seen as sufficient

## APPENDIX F – SUPPORTING DOCUMENTS CHECKLIST

A passport style photograph of the applicant and all family members; and

Proof of identification and eligibility One of the following for each of the applicants;	Proof of residence Any two of the following for each applicant;
Birth certificate (a secondary form of photo identification will be required if birth certificate is provided)	Recent household bill for example a bill for gas, electricity and water
Current Passport	DWP Benefit document*
EU identification card	Current driving licence (Full)
National Insurance card	Bank, credit card or catalogue statement with current address. The statement should show an active account*
Please note that if you are subject to immigration control, are a national of the European Economic Area (EEA) or an Accession State National, additional documents will be required.	Tenancy or Licence Agreement
For applicants accepted as a refugee or granted Indefinite, Exceptional, Discretionary or Limited leave to remain in the UK please provide Home Office documentation	Rent book or letter from Landlord (showing address)
Nationals of the EEA, please provide recent pay slips showing that you are currently working (2 months or 6 weekly) to show your eligibility	Section 21 or Section 8 notice from landlord*
Accession State Nationals please provide current registration documents and proof of current employment e.g. recent wage slips, contract details, self employment reference number verification	Proof of income also showing name and address*
	Current year bill for Council Tax
	Pension details showing address
	Electoral Register entry*

- These documents must be no older than 6 months old

In addition the following documents where relevant to the application:

Proof of marriage

- Proof of pregnancy
- Child benefit award letter or Child Tax Credit award letter (or a recent bank statement showing payment of your child benefits)
- Proof of name change (if applying in a different name)

- Custody or residency paperwork if access to children applicable
- Completion statement if you have previously owned a property
- Pay slips, P45 and P60, tax returns, bank statements and a verifying letter on headed paper from their employer.
- Pay slips and a verifying letter on headed paper from their employer.

Please note that before you sign your tenancy agreement for your new home you will be required to produce your National Insurance Card with the number clearly shown. Failure to provide the National Insurance Card at the signing of your tenancy agreement will result in the offer of the accommodation being withdrawn.

DRAFT

## Appendix G Voluntary Community Contributory Star

Within each Band, applicants are prioritised, first, by reference to a priority star system, followed by the date the priority was awarded. This operates as follows:

One priority star will be awarded for Voluntary Community Contributions contained within the voluntary work conducted on any Southwark Council or Housing Association housing estates.

### Voluntary Community Contribution

People who play a part in making their neighbourhood strong, stable and healthy – those who help make it a good place to live, work and play – are valuable people. They are the backbone of their community, and they need to be recognised for the good they do.

The Voluntary Community Contribution Priority Scheme is the London Borough of Southwark scheme which gives an applicant increased priority, in addition to any other Reasonable Preference they are entitled to because of housing need.

One priority star is awarded in respect of being a voluntary community contribution household. The allocation of any property would be subject to their eligibility for property size and type.

All applicants are given the opportunity to request a Voluntary Community Contribution award, regardless of which housing partner had originally registered with.

Applicants who are in receipt of a Voluntary Community Contribution Award and are not in Band 1, Band 2, Band 3, or Band 4 but are actively undertaking community contributions will not be qualified to join the Housing Register. The housing priority defines qualification to join the Housing Register, not the community contributions.

### Voluntary Community Contribution Awards – How they work in practice

It's important to keep in mind that a Voluntary Community Contribution award is additional to an applicant's recognised housing needs status. If an applicant requests a Voluntary Community Contribution star but turns out not to qualify, it won't disadvantage their application or cause it to be ineligible or non-qualifying. It's also important to make clear that only the criteria below can be used to assess whether someone can have a Voluntary Community Contribution award.

### Definition of Community Contribution

If an applicant volunteers for work with a recognised local tenant's organisation for Southwark Council or a partner Housing Association, a Voluntary Community Contribution star award will be applied. Volunteers must have been volunteering for a continuous period of at least 6 months up to the point of application, and the same at point of offer. Volunteering must be for a recognised local tenant's organisation of Southwark Council or a partner Housing Association and must be for a minimum of

10 hours per month. N.B. Tenants and Residents Associations, which are constituted, are classified as not-for-profit organisation. They must be registered with the London Borough of Southwark, or a Registered Provider to qualify.

#### Evidence required for Voluntary Work

A letter from a chairperson of a recognised tenants organisation responsible for volunteers will suffice to confirm an applicant's involvement and in fact that the applicant had undertaken a minimum of 10 hours voluntary work per month in the requested area for over a period of 6 months. This person must not be related to the applicant in any way.

If an applicant volunteers, a Voluntary Community Contribution award will be applied. Volunteers must have been volunteering for a continuous period of at least 6 months up to the point of application, and the same at point of offer. Volunteering must be for a recognised tenant's organisation of Southwark Council or a partner Housing Association and must be for a minimum of 10 hours per month. They must be registered with the London Borough of Southwark, or a Registered Provider to qualify.



## APPENDIX 2

# Equality analysis template

## Housing Allocations scheme 2020

## Section 1: Equality analysis details

---

<b>Proposed policy/decision/business plan to which this equality analysis relates</b>		<b>Housing Allocations Scheme</b>			
<b>Equality analysis author</b>		Ricky Bellot			
<b>Strategic Director:</b>		Michael Scorer - Strategic Director of Housing and Modernisation Services			
<b>Department</b>		Housing and Modernisation Services	<b>Division</b>		Customer Experience
<b>Period analysis undertaken</b>		6 September 2014 to 23 November 2020			
<b>Date of review (if applicable)</b>		30 <sup>th</sup> November 2021			
<b>Sign-off</b>		<b>Position</b>		<b>Date</b>	

---

## Section 2: Brief description of policy/decision/business plan

### 1.1 Brief description of policy/decision/business plan

#### Background

The demand for secure affordable housing in Southwark far outweighs the supply. In order to maximise the supply of affordable housing in Southwark the Council works closely with a number of Private Registered Providers, they are also known as Housing Associations to build new affordable accommodation. In addition to this, the council has a commitment to build new affordable housing to meet the needs of the local community. The Private Registered Providers have joined a common housing register and Allocation Scheme where all void properties except those exempt within the Scheme are allocated. The council is committed to offering choice to all applicants seeking housing and has sought to achieve this by introducing a Choice Based Lettings Scheme during 2006.

The council is required by UK law to pay due regard to advancing equality, fostering good relations and eliminating discrimination for people sharing certain protected characteristics, as set out in the Public Sector Equalities Duty (2011) (under section 149 of the Equalities Act 2010). The council carries out Equalities Analysis of its plans, decisions and programmes to consider the potential impact (positive and negative) of proposals on the key 'protected characteristics' in the Equality Act 2010 and on Human Rights.

The general equality duty does not specify how public authorities should analyse the effect of their existing and new policies and practices on equality, but doing so is an important part of complying with the general equality duty.

'Equality Analysis' is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The primary concern is to identify any discriminatory or negative consequences for a particular group or sector of the community.

This equalities analysis report supports the implementation of the amendments to Southwark's Housing Allocations Scheme draft 18, November 2020.

#### Legislation

Southwark Council is required under section 167 of the Housing Act 1996 to produce a Housing Allocation Scheme. The requirements of the policy are set out in Part VI Housing Act 1996 (as amended by the Homelessness Act 2002 and Localism Act 2011), Homeless Reduction Act 2017, giving reasonable preference to those applicants defined by the 1996 Act.

The Department for Communities and Local Government has published a new code of guidance, 'Allocation of Accommodation: guidance for local housing authorities in England' which has been considered as part of this Equality Analysis.

The Guidance, which came into force on 29th June 2012, sets out the new freedoms in the Localism Act, which are intended to allow councils to better manage their housing registers, to promote mobility for existing social tenants, to encourage work and mobility, and to tailor their allocation priorities to meet local needs and local circumstances.

The Government expects that social homes should go to people who genuinely need

them, such as hard working families and those who are looking to adopt or foster a child in need of a stable family; and to ensure that Armed Service families get the priority for social housing they deserve.

The changes in the council's Allocations Scheme have to be looked at in the context of the wider series of changes to the way councils generally manage the use of their limited housing resources. As well as the changes in the revised Allocations Scheme, other changes in the law are encouraging councils to tackle homelessness through the introduction of the Homelessness Reduction Act 2017.

The review has also been carried out against the background of central Government's package of welfare reforms, austerity the remodelling of the provision of new affordable housing and the COVID19 pandemic. The impact of welfare reform has had a large impact on people in Southwark, and elsewhere, and has resulted in an increase in the number of local residents presenting as homeless, and seeking to join the housing register in order to access better and more affordable housing. The council has seen a 51% increase in homeless applications in the 2020/2021 financial year. The COVID19 pandemic has increased unemployment in Southwark since the 23 March 2020 up to the date of this report from 22,000 to 44,000.

### **Existing allocations scheme**

Prior to 2005 the council allocated properties to people on the waiting list using points based framework, with transparency in this work being low. Consequently, it was paramount before the introduction of the Choice Based Lettings scheme to ensure that officers did not indirectly discriminate against any particular groups and there was as such monitoring of the lettings outcomes in common with practices in other authorities. However following the introduction of Choice Based Lettings, the emphasis shifted to ensure that different groups (now described as sharing common protected characteristics) understand how to exercise choice and are assisted, when required, to do so. Since the introduction of the new Housing Allocations scheme in September 2014, the council has become even more transparent with the allocation of affordable housing in Southwark, with improved equality analysis monitoring data available to the council, customers and the wider community. The council produces regular information on the Choice Based Lettings scheme web site on the allocation of all affordable housing in Southwark.

The council is satisfied that in operating the Housing Allocations scheme between the 6<sup>th</sup> September 2014 to the 1<sup>st</sup> November 2020, much has been done to address equality issues. The Housing Allocations scheme was developed after full consultation with the key stakeholders and their views influenced the current scheme. Procedures are in place to ensure that the service is compliant with the necessary legislation and codes of guidance.

The objectives of the council's Allocation Scheme 2013 were to:

- Offer as much choice as possible to customers.
- Offer customers information and advice to enable them to make informed choices about their housing options.
- Create an easy to understand, fair and transparent system.
- House those in priority need as determined by the law.

- Help prevent homelessness.
- Make the most effective use of the local housing stock.
- Respond to the circumstances of vulnerable individuals by joint working with other agencies.
- Ensure equality of opportunity in accessing the housing register and in the allocation of properties.
- Promote sustainable tenancies and communities by acknowledging the support needs where appropriate
- Support the principles of social inclusion, community cohesion and aim to meet customer expectations.
- Recognise residents who make a contribution to the local community
- Encourage residents to access employment and training

The desired outcomes of the policy were -

To let vacant properties through the Choice Based Lettings Scheme, within target times, in accordance with the Allocations Scheme 2013.

To make all allocations fair, equitably and without any discrimination based on race, gender, gender reassignment, marriage and civil partnerships, pregnancy sexual orientation, ethnic origin, nationality, religion, age disability or illness. Therefore, the contents of this equality analysis allow the council to comply with the Equality Act 2010.

A key principle of the Housing Allocations scheme is to help develop community cohesion and employment

The Housing Allocations scheme proposes the criteria that will enable people to register on the Housing Register and be prioritised for social housing based on their individual circumstances and housing need. Consequently those registering for housing are likely to be the most economically disadvantaged and therefore contain an over representation of households in the protected groups including the elderly, families with children, single parent families, those with disabilities and households from ethnic minorities.

#### **Operation of the Housing Allocations scheme 6 September 2014 23 November 2020**

The council has a large number of residents registered on its housing register and we need to make sure we're allocating social housing in a way that is fair. In doing so, the housing allocations scheme aims to create mixed and stable communities.

The council amended the local connection rules in light of the significant demand for affordable housing in Southwark, the changes introduced by other council's across London in terms of local connection, and the flexibilities contained within the Localism Act.

Those in employment and in housing need were also be prioritised in the allocation of housing. However, it is the housing need that determines the priority Band status awarded not the employment status of the household.

The rules on the level of rent arrears permissible to those bidding for properties are being

made more flexible to allow a greater degree of flexibility in the management of the housing stock.

Rules were introduced regarding the suspension of bidding rights for applicants/ tenants who refuse 3 offers or who have failed to attend a viewing appointment.

Additional priority to customers who adopt or foster care for children, has also been very successful, with increased numbers of foster care households and households who adopt being re-housed compared to the previous housing allocations scheme.

Rules governing the allocation of social housing are in the main, set by the government through primary legislation. Prior to recent changes in legislation, Southwark Council and other local authorities were restricted when it came to setting rules about who was eligible to join a housing register and how it prioritised between applicants once they were put on the register.

The on line Housing Register housing application form introduced has proved popular with customers, and this analysis identified no relevant issues from the introduction of the on line housing application form. In addition to this since the introduction of the on line housing application form by Southwark Council central Government introduced the Universal Credit framework in Southwark and this framework requires 100% of customers to engage with all benefit claims on line.

Positive special measures and steps were introduced to support those without access to the Internet, and those who have difficulties using Information Technology, and customer feedback of these special measures has proved popular with customers accessing the Housing solutions service. Therefore, the council is very experienced in assisting disadvantaged groups in using the Choice Based Lettings scheme, the on line housing applications and the on line changes in circumstances document.

Consequently, there were no known issues, discrimination, unconscious bias, or unintended consequences arising from the introduction of the Housing Allocations scheme in the period 6 September 2014 to the 1 November 2020.

In the council's view these policy changes did not affect groups differently, but there are wider strategic issues that need to be addressed in relation to rebalancing communities further, for example by reducing inequality and poverty over the long term by encouraging employment, training, educational attainment and building hope within our communities and not fear.

### **Proposed changes**

- It is recommended that the residential period be used as a criterion for priority and be five years and with the exception of Key Workers working in Southwark, armed forces personnel or applicants who have a work related right to move or other exceptional reason all applicants will be required to live in Southwark for five consecutive years to be prioritised within bands 1-3.
- It is recommended residents whom move away as part of a decant program, are able to move back to the new development once completed.
- It is recommended a percentage of all allocations of all new build properties go to existing tenants in the local area. This process will be drawn up in full consultation with tenants, residents and the approved cabinet member for Housing and

Modernisation.

- It is recommended removal of priority stars except for those residents whom undertake work on the LBS estates and Housing associations estates.
- It is recommended the creation of a new band 4 category to include all households whom do not meet the local connection criteria but are in a housing need.
- It is recommended the removal of band demotion upon the refusal of 3 offers of accommodation.
- It is recommended that the removal of applicants from the Housing Register who have not submitted a bid for accommodation in the previous 12 months will take place to ensure the Housing Register reflects true and current housing needs.
- It is recommended that additional priority will be awarded to people leaving the Armed Forces in housing need. These applicants will be placed in Band 1.
- It is recommended that homeless people may be re-housed into the Private Rented Sector rather than a Social Housing tenancy to allow the council to discharge its homeless duty. The operation of this section of the Housing Allocations scheme will comply with the Homelessness (Suitability of Accommodation) (England) order 2012 SI No 2601.
- It is recommended that the council will produce an Annual Lettings Plan; this will set annual targets for property types across all priority needs bands, and ensure applicants in the highest priority needs groups are re-housed as soon as possible through active support from the council. This lettings plan will also highlight the reason for the households being accommodated, the percentage of lettings to each property type and the number of properties used as temporary accommodation.
- It is recommended that the council promotes Low Cost Homeownership schemes, Mutual Exchanges and private rented options to all applicants on the housing register to attempt to meet the households housing needs and aspirations.
- It is recommended the council conducts financial appraisals of all applicants to promote the most appropriate housing solution for each household.
- It is recommended that people who are statutory overcrowded who lack 2 or more bedrooms will be awarded priority Band 1. As at the 8<sup>th</sup> November 2020, this would mean that 29 households.
- The new priority Band 3 criteria for overcrowded households will include those family households whom are currently residing within another household's address.
- It is recommended that Band 2 priority status will be awarded to homeless households whom the council would have a duty to house, but who have accepted private rented accommodation under prevention and relief duties. They are homeless applicants who accept a property in the private sector through Sections 148 and 149 Localism Act
- It is recommended that applicants who would otherwise be in bands 1-3 but who lack a local connection with the authority should be placed into the new priority Band 4.
- It is recommended that the family dwelling category should be removed meaning all

types of households can bid for houses. Previously only applicants with a child under the age of 16 could apply for houses.

- It is recommended that the good tenant priority category is removed. This means 21 household applications will need to be re assessed. This removal would promote the council's commitment for equality of opportunity and ensure only a households housing needs are assessed as part of the housing application process.
- It is recommended greater flexibility is provided to the Strategic Director of Housing and Modernisation relating to decisions and management of the Housing Allocations scheme.
- It is recommended the changes introduced by the Homelessness Reduction Act 2017 are now placed within the Housing Allocations scheme to ensure the new Housing Allocations scheme is compatible with this Act.
- It is recommended Right to Move applicants are awarded priority Band three status
- It is recommended that Key Workers also access the Intermediate accommodation being provided by Southwark Council and Housing Association partners. This accommodation provision falls outside of the remit of this Housing Allocations scheme.
- It is recommended priority Band two status is awarded to applicants nominated by Adult Social Services/Children's Services, for example:
  - Southwark Care Leavers (Former Relevant children) as defined by the Children (Leaving Care) Act 2000, for example:
  - Care leavers
  - A need to move due to child protection issues
  - Fostering carers for the Council where there is a need to move to a larger home in order to accommodate a looked after child
  - Adoption arrangements the Council where there is a need to move to a larger home in order to accommodate a looked after child
  - Adult Social Services customers who would otherwise be in priority Band 3 or 4.(eligible under the Care Act 2014 / Mental Health Act 1983/2007)
- It is recommended Band 2 priority status for applicants fleeing domestic violence and abuse.

### **Relevant data, research and consultation**

This Equality Analysis looks at the changes implemented since the introduction of the Housing Allocations scheme on the 6<sup>th</sup> September 2014 through to and including the 23<sup>rd</sup> November 2020 period, and to assess the impact of these changes to applicants/households within the protected characteristic groups listed in section 4 below.

The Equality Analysis was carried out along with a full review of the allocation scheme data. This included a complete breakdown by all protected characteristics of the Housing Register. The council historically did not have comprehensive data on the number of people on the Housing Register, who were in employment, but this has now changed since the introduction of the Housing Allocations scheme in September 2014 and this data is

now available to the council.

In addition to the breakdown of residents listed on the housing register, the key data from the choice based lettings allocations has also been reviewed examining each of the protracted characters. The council produces regular information on the Choice Based Lettings scheme web site on the allocation of all affordable housing in Southwark.

The council's equality monitoring data has improved by 100% since the introduction of the existing housing allocations scheme with all nine of the protected characteristics now report on through this report.

In completing the Equality Analysis, the key data from the Census 2011 was also reviewed in order to understand the demographic of the borough. It must be noted the next Census is scheduled to be completed in 2021.

Inherent prejudice amongst staff could lead to inequality in the treatment of customers. In order to mitigate against this risk, customers are encouraged to feedback comments through satisfaction surveys and open questioning about the service provided.

However, the satisfaction surveys need to be more sophisticated in terms of monitoring by the respective equalities characteristics which is not done at present. It is however, a requirement that all staff have to attend mandatory equality training.

Customers are always encouraged to report complaints of service provision to the Council.

Southwark Council's Housing Solutions service undertakes annual equality training and this training has been provided by the Housing Diversity Network, Shelter, the Chartered institute of Housing, Stonewall housing and the Albert Kennedy Trust.

During the 6<sup>th</sup> September 2014 to the 23<sup>rd</sup> November 2020 period that this Equality Analysis relates to the Housing Allocations scheme and the Housing Solutions service obtained the following equality accreditations:

- The Albert Kennedy Trust for work with the Lesbian, Gay, Bi-Sexual and Transgender customers
- The Housing Diversity Network – equality and diversity certificate
- The Chartered Institute of Housing
- Mindful Employer
- Positive About Disabilities
- Stonewall for work with the lesbian, Gay and Bi-Sexual customers

### **Section 3: Overview of service users and key stakeholders consulted**

#### **2. Service users and stakeholders**

<b>Key users of the department or service</b>	As at the 1 November 2020, 14, 141 households were registered on the Housing Register. The service also works in partnership with community organisation, and customer representative support agencies.
<b>Key stakeholders were/are involved in this policy/decision/business plan</b>	All Housing Association partners, Citizens Advice Bureau, community organisations, local residents, Adult and Children's Services, and customers.

---

## Section 4: Pre-implementation equality analysis

---

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken.

This assessment is intended to inform elected members, customers, communities and partner agencies about the impacts the changes to the Allocations Scheme had during the 6<sup>th</sup> September 2014 to the 23<sup>rd</sup> November 2020 period, and the impact on those in the nine protected characteristic groups in this period. It has been drawn up using a broad range of data and research available to officers about those on the Housing Register and those presently living in council accommodation. In addition to the legislation and case law governing allocations, consideration has been given to the government guidance on the allocation of housing, the Equality Act 2010 and recent case law on the operation of Section 149 of that act.

Overall, the Southwark Allocations Scheme has many provisions in place to meet the needs of particular households in the protected groups (disabled people; the elderly; people with support needs), and we have provisions to exercise discretion in exceptional circumstances. Officers will continue to monitor the effects of any changes to the Allocations Scheme to assess the impacts of these changes on an on-going basis.

It remains critical that the revised Allocations and Choice Based Lettings Scheme aims to ensure that all residents are fairly and equally treated irrespective of race, gender, disability, sexual orientation, age, religion or belief or any other characteristic, including pregnancy and maternity, gender reassignment and socio- economic factors.

The code of practice on racial equality in housing specifically sets out the following areas of potential discrimination and disadvantage in the lettings and choice based lettings process. Most of these could apply equally to the other groups with protected characteristics:

- Information about services.
- Access.
- Elimination of discriminatory practices in Lettings and quality of offers.
- Nomination arrangements.
- Assessment of housing applicants.
- Type of property.
- Advice services.

This Equality Analysis has highlighted the need to continue to maintain improved monitoring systems and to make use of them to refine allocation policies and practice. The council will need to enhance its monitoring systems further to provide a comprehensive framework capable of monitoring the specific outcomes of the new Housing Allocation Scheme that is planned for 2021.

Future changes to Southwark Council's Housing Allocations scheme are likely to have differential impacts on those with protected characteristics, and it is of the greatest importance regular Equality Analysis take place in the future.

It is planned that there will be no adverse impacts on people having protected characteristics, following the outcome of this Equality Analysis.

However, we recognise the potential adverse impact on all applicants and the steps we have taken to mitigate these or to monitor actual trends in allocations are set out below.

**Age** - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

**Potential impacts (positive and negative) of proposed policy/decision/business plan**

**Children**

As at the 23 November 2020, the housing register comprises of 7,026 households with children aged between 0-18.

The continuation of the priority bandings based on the level of overcrowding will enable the 3,246 households on the housing register including children the ability to be able to access social housing properties through the bidding process. Under the previous allocations scheme the level of overcrowding permitted 1,748 residents to move from overcrowding accommodation through the bidding process.

The Scheme aims to reduce the number of families with children residing in overcrowding circumstances through the promotion of suitable accommodation in the private sector. Households whom successfully move will be permitted the ability to remain on the housing register and can continue to bid for accommodation. This will enable children of school age the ability to move into suitable accommodation and enhance the ability for greater educational attainment.

Children could potentially be initially be negatively impacted if they are moved outside of the area into the private sector outside of the borough. This is a result of the disruption of changing school, moving away from support networks and other familiar facilities.

**Older persons**

Sheltered Housing continues to be available for customer above pension credit age, and it is easier to obtain Older Persons Dwellings and Sheltered Accommodation for elderly people in Southwark compared to General Need accommodation for all other households.

The removal of the additional priority through the working status will ensure there is no possibility for older persons to potentially be indirectly restricted from an allocation through as a result of retirement.

There are only 173 households who have applied for alternative accommodation in to sheltered accommodation and this represents 1.22% of all customers on the Housing Register. Consequently. 520 allocations have been made to households requiring sheltered accommodation.

There is potential for older persons to be digitally excluded from the online bidding process.

There appear to be no further specific issues relating to age as a result of the proposed changes to the allocations scheme.

### **Equality information on which above analysis is based**

The Housing Register consists of 14,141 households and the information relating to the age of all 14,141 households has been considered during the Equality Analysis.

From our analysis work during the 6<sup>th</sup> September 2014 to the 23<sup>rd</sup> November 2020, there has been no negative impact of the Housing Allocations scheme on any age group and it remains the case that people above the pension credit age find it much easier to access affordable housing in Southwark, and the Housing Register for people seeking Sheltered Housing is significantly smaller than the demographic profile of Southwark.

### **Mitigating actions to be taken**

Southwark employs officers in the Housing Solutions service to assist older and vulnerable customers to bid for example those with limited access to bid through the internet or limited IT skills. The council also employs officers to support all customers with specific re-housing plans for moving into Sheltered Housing, downsizing to smaller accommodation, mutual exchanges, and support with bidding for alternative accommodation.

Prior to the Covid 19 pandemic, the council also permitted customer access to the council offices to enable website access to the bidding scheme.

There is the potential for the elderly to be disadvantaged in a Choice Based Lettings system. The Housing Solutions service and support agencies such as Age UK, the CAB and local support groups provide significant support to ensure this does not happen.

Households including children whom are given an Assured Shorthold Tenancy through the homelessness duties will be provided with a resettlement service. This placed into the private rented sector are given support plans to ensure they are able to access the relevant services and support to enable successful sustainment of their tenancy. This is reviewed on a regular basis to ensure continued support is provided.

The Housing allocations scheme also promotes the welfare of children in care the ability to ensure cases identified by children's social services are awarded priority band 2 to enable an urgent move.

The allocation of general needs housing has reduced significantly in Southwark over the period of this equality analysis. However, the allocation of Sheltered Housing has remained stable and hence the shorter timescale for households above pension credit age have to wait to be re-housed compared to other age groups.

The council also partner with external charities and organization such as the Citizen Advice Bureau in order to assist digitally excluded older residents to make an application and access the Homeseach bidding scheme on a weekly basis.

The impacts of the Welfare Reforms have largely impacted on people who are not of pension credit age. However, no negative trends have been identified through this Analysis on 16 to 35 years of age group in terms of people on the Housing Register, being re-housed into alternative affordable housing. However, national, local and regional research has identified the difficulties this group now faces accessing private rented accommodation due to the introduction of the Welfare Reforms.

The introduction of the Annual Lettings plan can enable the flexibility to target specific groups, which could include overcrowded households with children.

**Disability** - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

#### **Possible impacts (positive and negative) of proposed policy/decision/business plan**

There is potential for people with disabilities to be disadvantaged within the process, particularly those with mental illness.

This includes the potential to be excluded from the ability to submit an online application or to engage with the weekly digital bidding process.

Disabled people are more than twice as likely to be unemployed as non-disabled people, therefore the removal of the additional priority through the employment status will enable the ability to eliminate the possibility of any indirect disadvantages to achieving a successful allocation.

Records show that as of the 23<sup>rd</sup> November 2020, 195 or 1.54% of customers on the Housing Register needed properties that have had adaptations or the customer has other forms of disability to allow them to improve the quality of life.

It must be recognised however, that specially adapted properties are not in short supply in Southwark and waiting for this type of accommodation is significantly reduced compared to general needs accommodation. Details of all those which have been adapted are recorded on the iworld database and properties that have had major adaptations are advertised as available for applicants who have and meet this need.

Residents with care needs can also access the accommodation through the allocations scheme and are specifically included as a qualification criteria. The housing allocations scheme also permits exceptional circumstances to be considered and therefore discretion can be applied for households whom have specific medical needs that can only be met within the borough.

There are no specific issues from the proposed changes which are felt could discriminate or disadvantage people with a disability other than general matters detailed elsewhere in this report, specifically the significant reduction in the availability of affordable housing in Southwark.

#### **Equality information on which above analysis is based**

The evidence on employment rates for disabled and non disabled people is based on the Labour Force Survey, 2016.

Records indicate that that as the 23<sup>rd</sup> November 2020, 219 or 1.93% of customers on the Housing Register needed properties that have had adaptations or require to transfer due to related disability issues to allow them to improve the quality of life. Floating Support is available for customers who have Mental Health and may require to remain in the existing accommodation or transfer to alternative accommodation.

#### **Mitigating actions to be taken**

Significant steps are taken both to support applicants in making their initial application and subsequently in making their bids so as to ensure they suffer no disadvantage.

Southwark's Housing Allocations scheme actively promotes the needs of disabled groups by being designed to ensure that applicants with mobility needs and mental health and housing needs are prioritised for accommodation that is suitable for their needs, and customers with Mental Health concerns are offered a customer focused support service through the Housing Allocations scheme and once re-housed into alternative accommodation through the provision of Floating Support.

A review of the online housing application form and the assessment of the housing application forms are audited and reviewed on a regular basis. We have also worked with tenants groups to change the format of the application to include greater detail within the application form.

Southwark Council through its planning policies has developed significant numbers of properties for people with physical disabilities in the Owner Occupied and Affordable Housing Sectors, and the waiting time to be re-housed and the numbers of the households on the Housing Register is significantly below the need for general need accommodation.

This positive action has resulted in considerable equality gains for people with disabilities in Southwark, and the demand for this accommodation has reduced significantly over the period of this Equality Analysis.

Southwark Council's Housing Solutions service employs two officers to specifically support people with disabilities to access affordable housing through the Choice Based Lettings scheme and one separate officer to support people with disabilities to move through a mutual exchange or downsizing to smaller accommodation.

Positive equality action has taken place in this area of our work; with an over supply of accommodation for this client group being available in Southwark compared to General Needs accommodation.

1,059 households have self identified as having a disability, however 7,465 (53%) households have not provided data on this area. Therefore there is a significant proportion of our residents on the housing register whom have not been determined as having a disability. The service will aim to gather greater information in this area and have reviewed the forms to enable this to be updated through annual reviews.

The introduction of the Annual Lettings plan can enable the flexibility to target specific groups, which could include households with disabilities.

There is no evidence of inequality taking place as a result of the Housing Allocations scheme for customers with disabilities following the Equality Analysis over the 6<sup>th</sup> September 2014 to the 23<sup>rd</sup> Nov 2020 period.

**Gender reassignment** - The process of transitioning from one gender to another.

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Transgender customers may be particularly at risk of housing crisis and homelessness arising from transphobic reaction by family, neighbours and members of the local community. This may make it difficult to undertake formal voluntary work.

There are no specific issues from the proposed changes which are felt could discriminate or

disadvantage residents whom have undergone gender reassignment other than general matters detailed elsewhere in this report, and the significant reduction in the availability of affordable in Southwark.

#### **Equality information on which above analysis is based.**

Housing register statistical data review 23 Nov 2020.

Unfortunately, there is little equality data in this area collected by the service to analyse, as the customers have decided not to record this information onto the customers housing application or change of circumstances form.

It must also be stated the relevant question was made mandatory from 2017 however the set responses also includes the ability not to specify.

#### **Mitigating actions to be taken**

Applicants made homeless through a hate crime would be placed in to the reasonable preference groups for re-housing and therefore achieve the provision of alternative accommodation.

However, gender re-assignment alone would not have any bearing on the ability to access social housing.

Southwark Council is in a position to collect this data, and is promoting this equality work with customers of the service.

There is no evidence of inequality taking place as a result of the Housing Allocations scheme for customers identified as gender reassignment customers following the Equality Analysis over the 6<sup>th</sup> September 2014 to the 23<sup>rd</sup> November 2020 period.

The housing solutions service has entered into a partnership with Stonewall Housing dedicated to provide support and advice to residents from the LGBTQ community. This will aim to promote the services and ensure any resident whom has gone through gender reassignment do not face any barriers to access social housing through the allocations scheme.

**Marriage and civil partnership** - Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination.**

#### **Possible impacts (positive and negative) of proposed policy/decision/business plan**

A joint income household will likely be able to have more disposable income. Therefore future proposed income assessments will take this into consideration when determining if a household can qualify to join the Housing register.

The increase in unemployment in the borough may result in an increase in families remaining in overcrowded conditions.

There are no specific issues from the proposed changes which are felt could discriminate or disadvantage married couples or those in civil partnerships other than general matters detailed elsewhere in this report, and the significant reduction in the availability of affordable in

Southwark.
<b>Equality information on which above analysis is based</b>
Statistical review of the 14,141 households on the housing register, and customers re-housed during the 6 <sup>th</sup> September 2014 to the 23 <sup>rd</sup> November 2020 period.
<b>Mitigating actions to be taken</b>
<p>There is no evidence of inequality taking place as a result of the Housing Allocations scheme for customers identified as married and civil partnership customers following the Equality data review over the 6<sup>th</sup> September 2014 to the 23<sup>rd</sup> November 2020 period.</p> <p>The proposed changes to the scheme also do not seem to have any information to suggest households within this category will be affected as a result.</p> <p>This area will continue to be monitored on a yearly basis to ensure there are no un-intended consequences from the introduction of the new Housing Allocations scheme.</p> <p>This information is now collected by the service and is available to analyse and the results of this analysis appear in appendix 1 to this report.</p> <p>Unfortunately, there is a high under-representation of customers sharing this equality information (43%) when the customers complete the housing application to join the housing register or to submit a change of circumstances forms.</p>

<b>Pregnancy and maternity</b> - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
<b>Possible impacts (positive and negative) of proposed policy/decision/business plan</b>
<p>Under the existing scheme, 77% of women whom responded to confirm pregnancy went on to be placed in a priority band.</p> <p>There appear to be no specific issues relating to pregnancy and maternity within the provision of service or from the new Housing Allocations scheme.</p>
<b>Equality information on which above analysis is based</b>
Statistical review of the 14,141 households on the housing register, and customers re-housed during the 6 <sup>th</sup> September 2014 to the 23 <sup>rd</sup> November 2020 period, and evidenced in the appendix to this report.
<b>Mitigating actions to be taken</b>

It is of course a disappointment to pregnant applicants that their case can only be awarded priority after the birth of a child but the position taken by the Council to award priority after birth is reasonable given the demand on family sized accommodation and this will also comply with the Welfare Reform Act 2012.

There is no evidence of inequality taking place as a result of the Housing Allocations scheme for customers identified as pregnant or on maternity leave following the Equality Analysis over the 6<sup>th</sup> September 2014 to the 1<sup>st</sup> November 2020 period.

**Race** - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

#### **Possible impacts (positive and negative) of proposed policy/decision/business plan**

Nationally there is widespread concern about the allocation of scarce public housing resources across many ethnic groups. This can be damaging to community perceptions of unfairness relating to the allocation of social housing.

Local Lettings policies have the potential to impact the housing options of disadvantage groups and much has been written nationally on this. Ethnic minority communities often choose to live in close proximity. Reasons include being close to family and other cultural spaces such as religious and retail facilities. Local Lettings schemes will therefore benefit those members of ethnic minority communities who wish to exercise their choice to remain within their communities.

Larger properties with three, four, five or six bedrooms are often a requirement of some racial groups and lack of availability could disadvantage some families.

Residents who do not qualify under the working household policy may be awarded Community Contributions awards. However, there are concerns that insufficient voluntary work and support exists in Southwark to allow some ethnic minority groups to engage in meaningful participation with organisations they feel are welcoming and inclusive to be able to effectively mitigate for this impact.

Poor quality information or language problems could impact negatively.

The five year residential qualification criteria will have a positive impact for local people meeting the criteria, but will mean new resident arrivals to Southwark and or the UK will not be able to access the Housing Register unless they are in a housing need.

Geographical distribution of different racial groups across the affordable housing stock is now monitored in an attempt to ensure that choice does not lead to segregation. However as the system is based on choice this can be a difficult area to confront.

The attached analysis shows there has been no discrimination, no unintended consequences or unintended bias with the allocations representative of those households whom are on the housing register.

#### **Equality information on which above analysis is based**

Analysis of the 14,141 households on the housing register, and customers re-housed during the 6<sup>th</sup> September 2014 to the 23<sup>rd</sup> November 2020 period, and evidenced in the appendix to this report.

- <https://raceequalityfoundation.org.uk/wp-content/uploads/2018/02/Housing-Briefing-23.pdf>
- <https://data.london.gov.uk/census/reports/>
- [https://www.npi.org.uk/files/6614/7316/1332/Demography\\_and\\_deprivation\\_in\\_Southwark\\_and\\_Tower\\_Hamlets.pdf](https://www.npi.org.uk/files/6614/7316/1332/Demography_and_deprivation_in_Southwark_and_Tower_Hamlets.pdf)

- BME National. 2017. BME Housing Sector Offer. <https://bmenational.files.wordpress.com/2017/06/the-bme-housing-sector-offer.pdf>
- BME National and Human City Institute (HCI). 2015. Summary of research study exploring legacy of BME housing organisations. <http://www.housingdiversitynetwork.co.uk/wp-content/uploads/BME-National-and-HCI-Deep-roots-diverse-communities-dedicated-service-summary-Aug-2015.pdf>

### Mitigating actions to be taken

The Housing Allocations scheme contains specific rules about eligibility that are enforced for all applicants.

Alongside this however, is the continuing need to encourage all applicants to complete the ethnic monitoring data to allow the Council to be better informed about the applicants it is providing services for. This is a compulsory field following the introduction of the new Housing Allocations scheme in 2021, and customers will have to complete this information to register on the housing register.

Customers made homeless through a hate crime would be placed within a reasonable preference priority band therefore achieve re-housing through the Housing Allocations scheme.

As far as can be determined all applicants, regardless of racial group are given access to the same information about lettings with translations being made available on request.

There is no evidence of inequality taking place as a result of the Housing Allocations scheme for customers identified though the customers race or ethnic origin following the Equality Analysis over the 1<sup>st</sup> September 2014 to the 23<sup>rd</sup> November 2020 period.

However, the percentage of customers who record the customer's race on the housing application remains very low, and this does affect the equality analysis work across all equality characteristics.

There is no evidence of discrimination, unintended consequences or unintended bias taking place since the introduction of the housing allocations scheme as evidenced from the attached appendix to this report.

A full review on of allocations based on ethnicity to will be completed by Southwark Public Health department in early 2021.

**Religion and belief** - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

### Possible impacts (positive and negative) of proposed policy/decision/business plan

Whilst the detailed recording of allocations by people of different faith groups can pin point adverse trends in relation to individual faith groups, the information should be treated only as an issue for further investigation since much will depend on the respective priorities of applicants and the particular areas they are aspiring to.

### Equality information on which above analysis is based

Statistical data of the 14,141 households on the housing register, and customers re-housed during the 6th September 2014 to the 23rd November 2020 period, and evidenced in the appendix to this report.

#### **Mitigating actions to be taken**

Please note that religion or belief alone would not have any bearing on the ability to access social housing.

There is no evidence of inequality taking place as a result of the Housing Allocations scheme for customers identified through the customers religion or beliefs following the Equality Analysis over the 6th September 2014 to the 23rd November 2020 period.

There is no evidence of discrimination, unintended consequences or unintended bias taking place since the introduction of the housing allocations scheme as evidenced from the attached appendix to this report.

**Sex** - A man or a woman.

#### **Possible impacts (positive and negative) of proposed policy/decision/business plan**

Sex is an issue in relation to economic status with women being adversely impacted. Research nationally suggests that women are more likely to be lone parents and equally experience lower levels of economic activity than men.

The removal of the additional priority will reduce the possibility of an unintended consequence of women being less able to move through the Homeseach bidding scheme.

Women are 8 times more likely to be a victim of domestic abuse. Therefore the inclusion of the domestic abuse priority category will enable survivors of domestic abuse to access priority and an allocation of accommodation through the policy.

#### **Equality information on which above analysis is based**

Analysis of the 14,141 households on the housing register, and customers re-housed during the 6th September 2014 to the 23rd November 2020 period, and evidenced in the appendix to this report.

#### **Mitigating actions to be taken**

Please note sex alone would not have any bearing on the ability to access social housing.

There is no evidence of inequality taking place as a result of the Housing Allocations scheme for customers identified through the customers sex following the Equality Analysis over the 6th September 2014 to the 23rd November 2020 period.

There is no evidence of discrimination, unintended consequences or unintended bias taking place since the introduction of the housing allocations scheme as evidenced from the attached appendix to this report.

<p><b>Sexual orientation</b> - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes</p>
<p><b>Possible impacts (positive and negative) of proposed policy/decision/business plan</b></p>
<p>It is acknowledged that data on resident's sexual orientation is unlikely to be accurate and on-going efforts should be made to encourage such information being given at the point of application.</p>
<p><b>Equality information on which above analysis is based</b></p>
<p>Analysis of the 14,141 households on the housing register, and customers re-housed during the 6th September 2014 to the 23<sup>rd</sup> November 2020 period, and evidenced in the appendix to this report.</p>
<p><b>Mitigating actions to be taken</b></p>
<p>There is no evidence of inequality taking place as a result of the Housing Allocations scheme for customers identified though the customers sexuality following the Equality Analysis over the 6<sup>th</sup> September 2014 to the 23<sup>rd</sup> November 2020 period.</p> <p>The Housing Solutions service has been accredited by the Albert Kennedy Trust, Stonewall, the Chartered Institute of Housing and the Housing Diversity Network for our work on sexuality. In addition to this annual training has taken place on sexuality for 100% of staff in the Housing Solutions service.</p> <p>Staff have been fully trained by Albert Kennedy Trust in 2016. Therefore, the service should be well placed to identify and deal with potential discrimination. The Housing Solutions staff have also received training from Stonewall housing.</p> <p>The housing Solutions service responsible for the administration of the Housing allocations scheme, has partnered with Stonewall housing. This will help to continually examine the practices of the policy ensuring residents from the LGBTQ community are represented. Ensuring there is access to households from this group to access the Homeseach bidding scheme. Stonewall will focus on advice and advocacy including viewings, applying for benefits, referring to other agencies for assistance. In addition to the above, Stonewall will focus upon wider community and outreach work.</p> <p>It is acknowledged there is a over representation of homeless approaches form the LGBTQ community and greater work must be completed to prevent homelessness.</p>
<p><b>Human Rights</b></p> <p>There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour , Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol</p>
<p><b>Possible impacts (positive and negative) of proposed policy/decision/business plan</b></p>
<p>There is always the possibility in a personal service that people's freedom and opportunities are limited and hindered by prejudice, discrimination or arbitrary restraint.</p>

<b>Information on which above analysis is based</b>
Analysis of the 14,141 households on the housing register, and customers re-housed during the 6th September 2014 to the 23 <sup>rd</sup> November 2020 period, and evidenced in the appendix to this report.
<b>Mitigating actions to be taken</b>
<p>Human Rights considerations are now mainstreamed within the Housing Solutions service, and there is no evidence that individuals are being disadvantaged in terms of their human rights.</p> <p>The service is designed to give support to all applicants in registering and making bids and it is an important aspect of the service that whilst protecting privacy, residents should not feel isolated or excluded from the process. They should be involved as much as possible in the way the service is designed and delivered and have full opportunity to express any views through satisfaction surveys and user panels etc. As the elderly and vulnerable are traditionally population groups missed from routine statistical monitoring surveys etc, it is important that support is given where appropriate to understand and complete documentation.</p> <p>The contents of the Housing Allocations scheme does not impact on the Human Rights as defined by the Human Rights Act 1998, following the results of this Equality Analysis over the 6<sup>th</sup> September 2014 to the 23<sup>rd</sup> November 2020 period.</p> <p>The Housing Allocations scheme does not impact on the rights of children as defined by the UN Convention on the Rights of the Child, following the results of this Equality Analysis over the 1<sup>st</sup> April 2014 to the 23<sup>rd</sup> November 2020 period..</p> <p>There is no evidence of inequality taking place as a result of the Housing Allocations scheme for customers identified though the customers sexuality following the Equality Analysis over the 6th September 2014 to the 23<sup>rd</sup> November 2020 period..</p>

## Section 5: Further actions and objectives

<b>5. Further actions</b>			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	Undertake an Equality Analysis on an annual basis	Undertake an Equality Analysis on an annual basis	1 <sup>st</sup> January. 2022.
2			
3			
4			
5			
6			
7			

### 5. Equality objectives (for business plans)

Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.

Objective and measure	Lead officer	Current performance (baseline)	Targets	
			2021/22	2021/22

23 November 2020

# Housing Allocations Scheme 2013 - Data review

---

## Terms of reference

- The Housing Register data represents a housing applications listed on the housing register as at the 23 November 2020
- The Housing allocations data represents allocations both direct offers and Homesearch bids between 1 September 2014 – 23 November 2020
- The banding represents the criteria outlined within the Housing allocations Scheme 2013.
- Where it is noted 'Blank', the resident has not provided the data
- Where it is noted 'TBC' (to be confirmed), the data is yet to be confirmed by the Housing Applications Team
- Where it is noted 'EA, this represents direct lets to external applicant as part of a reciprocal arrangements with other local authorities.

## 1. Age

---

### Housing register

Count	BAND					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND TBC	
Age Range						
18-25	6	119	854	564	28	1571
26-35	50	161	2255	1469	29	3964
36-55	269	369	3504	2184	53	6379
56_and_over	458	189	602	968	4	2221
TBC			1	5		6
Grand Total	783	838	7216	5190	114	14141

### Allocations

Count of APPREF	BAND AT OFFER					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND EA	
Age Range at offer						
18-25	49	341	656	14	2	1062
26-35	237	315	1391	41	2	1986
36-55	835	533	1708	75	13	3164
56_and_over	665	279	406	55	15	1420
Grand Total	1786	1468	4161	185	32	7632

23 November 2020

## 2. Disability

---

### Housing register

Count	BAND					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND TBC	
DISABILITY						
N	206	214	2373	2586	59	5438
R	13	8	69	89		179
Y	105	117	267	561	9	1059
(blank)	459	499	4507	1954	46	7465
Grand Total	783	838	7216	5190	114	14141

### Housing allocations

Count	BAND AT OFFER					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND EA	
DISABILITY						
N	356	236	215	43	11	861
R	18	9	11			38
Y	156	112	53	8	5	334
(blank)	1256	1111	3882	134	16	6399
Grand Total	1786	1468	4161	185	32	7632

## 3. Gender reassignment

---

### Housing register

Count	BAND					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND TBC	
Gender as at birth						
N		8	69		9	86
R	105		267	561		933
Y	219	331	2373	2675	59	5657
(blank)	459	499	4507	1954	46	7465
Grand Total	783	838	7216	5190	114	14141

### Housing allocations

Count	BAND AT OFFER					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND EA	
Gender as at birth						
N		11				11
R	18	9	11			38
Y	512	332	268	51	16	1184
(blank)	1256	1111	3882	134	16	6399
Grand Total	1786	1468	4161	185	32	7632

23 November 2020

## 4. Marital status

---

### Housing register

Count	BAND					
	BAND 1	BAND 2	BAND 3	BAND 4	BAND TBC	Grand Total
CIVIL PARTNER			1	1		2
DIVORCED	34	18	116	166	4	338
LIVING TOGETHER	13	24	185	149	3	374
MARRIED	70	66	764	591	9	1500
PARTNERS	8	4	105	129	1	247
SEPARATED	5	3	60	22	2	92
SINGLE	224	326	2401	2393	57	5401
WIDOWED	28	11	21	52	2	114
(blank)	401	386	3563	1687	36	6073
Grand Total	783	838	7216	5190	114	14141

### Housing allocations

Count	BAND AT OFFER					
	BAND 1	BAND 2	BAND 3	BAND 4	BAND EA	Grand Total
DIVORCED	67	24	63	4	1	159
LIVING TOGETHER	31	14	57	3	1	106
MARRIED	169	84	266	6	2	527
PARTNERS	15	13	21	2	1	52
SEPARATED	15	12	42	1		70
SINGLE	455	502	867	60	11	1895
WIDOWED	58	15	18	2	2	95
(blank)	976	804	2827	107	14	4728
Grand Total	1786	1468	4161	185	32	7632

## 5. Pregnancy

---

### Housing register

Count	BAND					
	BAND 1	BAND 2	BAND 3	BAND 4	BAND TBC	Grand Total
Pregnancy						
N	380	368	2915	3457	70	7190
Y	14	54	589	196	15	868
(blank)	389	416	3712	1537	29	6083
Grand Total	783	838	7216	5190	114	14141

23 November 2020

**Allocations**

Count	BAND AT OFFER					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND EA	
PREG						
N	701	510	548	87	18	1864
Y	42	85	326	5		458
(blank)	1043	873	3287	93	14	5310
Grand Total	1786	1468	4161	185	32	7632

## 6. Race

---

**Housing register**

Count	BAND					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND TBC	
ETHNICITY						
Any other ethnicity	2	11	48	15		76
Arab	2	3	18	4		27
Asian Bangladeshi	8	25	175	124	3	335
Asian British		2	27	8		37
Asian Chinese	3	4	50	37		94
Asian Indian	4	8	30	30	1	73
Asian Other	11	22	188	118	2	341
Asian Vietnamese	3	2	21	5		31
Black Algerian	2	4	45	16		67
Black British	17	15	220	77	2	331
Black Caribbean	99	101	660	674	15	1549
Black Congolese	3	2	52	30	1	88
Black Eritrean	6	15	102	44		167
Black Ethiopian	2	3	50	20		75
Black Ghanaian	27	28	386	237	7	685
Black Ivorian	2	6	78	51		137
Black Moroccan	2	2	28	11		43
Black Nigerian	62	76	1075	653	23	1889
Black Other	10	18	149	83	4	264
Black Other African	3	19	103	37	1	163
Black Sierra Leonean	32	38	373	243	9	695
Black Somali	8	22	138	58	2	228
Black Ugandan	2	7	51	42	2	104
Colombian			36	17		53
Latin American Other	1	4	62	8		75
Mixed White and Asian	3	4	13	14		34
Mixed White and Black African	2	14	59	72		147
Mixed White and Caribbean	14	21	130	129	6	300
Other mixed background	9	18	142	128	5	302
Prefer not to say	42	23	397	287	6	755
White British - Eng, Scot, Welsh, NI	262	185	869	950	15	2281
White Gypsy, Roma or Irish Traveller		2	3	2		7
White Irish	17	8	25	47		97
White Italian	1	7	30	30		68

23 November 2020

White Other European	5	3	87	10	2	107
White Other, Non-European	16	27	275	290	2	610
White Polish	2	4	56	41		103
White Portuguese	4		43	34		81
White Turkish	4	3	47	40		94
White Turkish Cypriot	6	3	18	17	1	45
(blank)	85	79	857	457	5	1483
Grand Total	783	838	7216	5190	114	14141

## Allocations

Count	BAND AT OFFER					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND EA	
ETHNICITY						
Any other ethnicity	17	21	49	4	1	92
Arab	5	2	6			13
Asian Bangladeshi	30	15	76	4	1	126
Asian British	1	6	20			27
Asian Chinese	7	6	27	2		42
Asian Indian	3	5	11			19
Asian Other	24	22	82	1		129
Asian Vietnamese	6	3	15	1		25
Black Algerian	10	10	27		1	48
Black British	41	34	134	4		213
Black Caribbean	217	188	398	18	6	827
Black Congolese	5	7	25		2	39
Black Eritrean	11	26	39			76
Black Ethiopian	6	17	20	1		44
Black Ghanaian	55	30	203	6	2	296
Black Ivorian	15	8	38	5		66
Black Moroccan	4	6	12	1		23
Black Nigerian	190	148	557	23	1	919
Black Other	30	25	109	2		166
Black Other African	15	22	68	2		107
Black Sierra Leonean	73	52	198	8	1	332
Black Somali	38	21	64	1		124
Black Ugandan	11	6	14			31
Colombian	6	5	38			49
Latin American Other	14	8	77			99
Mixed White and Asian	1		4			5
Mixed White and Black African	11	19	28		1	59
Mixed White and Caribbean	32	54	73	2		161
Other mixed background	13	22	46	1	1	83
Prefer not to say	128	94	336	6		564
White British - Eng, Scot, Welsh, NI	499	346	579	63	14	1501
White Gypsy, Roma or Irish Traveller	1		2			3
White Irish	40	28	22			90
White Italian	9	7	21			37
White Other European	16	17	45	1		79
White Other, Non-European	37	35	139	3		214
White Polish	11	8	38	1		58

23 November 2020

White Portuguese	9	5	20			34
White Turkish	11	9	36	1		57
White Turkish Cypriot	8	3	16	3		30
(blank)	126	128	449	21	1	725
<b>Grand Total</b>	<b>1786</b>	<b>1468</b>	<b>4161</b>	<b>185</b>	<b>32</b>	<b>7632</b>

## 7. Religion

---

### Housing register

Count RLGN	BAND					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND TBC	
Agnostic			1	2		3
Atheist	20	23	160	206	5	414
Buddist	8	9	32	33		82
Christian	314	263	2301	2174	42	5094
Hindu	2	2	7	15		26
Jewish			1	3		4
Muslim	52	107	848	598	20	1625
Other	48	35	262	314	4	663
Prefer not to say	146	122	678	668	16	1630
Sikh				4		4
(blank)	193	277	2926	1173	27	4596
<b>Grand Total</b>	<b>783</b>	<b>838</b>	<b>7216</b>	<b>5190</b>	<b>114</b>	<b>14141</b>

### Allocations

Count of APPREF Religion	BAND AT OFFER					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND EA	
Agnostic	3		4	1		8
Atheist	44	47	85	5	2	183
Buddist	7	5	20	2		34
Christian	638	504	1268	64	12	2486
Hindu	2		7	1		10
Jewish		1				1
Muslim	180	150	511	13	2	856
Other	84	96	129	8		317
Prefer not to say	329	253	545	38	5	1170
Sikh			1			1
(blank)	499	412	1591	53	11	2566
<b>Grand Total</b>	<b>1786</b>	<b>1468</b>	<b>4161</b>	<b>185</b>	<b>32</b>	<b>7632</b>

23 November 2020

## 8. Sex

---

### Housing register

Count	BAND					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND TBC	
GENDER						
F	506	523	5225	3054	77	9385
M	277	315	1991	2136	37	4756
Grand Total	783	838	7216	5190	114	14141

### Allocations

Count of APPREF	BAND AT OFFER					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND EA	
GENDER						
F	1058	855	2814	84	15	4826
M	728	613	1345	101	17	2804
(blank)			2			2
Grand Total	1786	1468	4161	185	32	7632

## 9. Sexual orientation

---

### Housing register

Count of APPREF	BAND					Grand Total
	BAND 1	BAND 2	BAND 3	BAND 4	BAND TBC	
SEXO						
Bisexual	1	8	47	48	3	107
Gay man (homosexual)	4	3	31	74	1	113
Gay woman (lesbian)	4	6	19	37		66
Other	3	7	123	102		235
Prefer not to say	105	81	490	465	5	1146
Straight (heterosexual)	474	474	3767	3293	80	8088
(blank)	192	259	2739	1171	25	4386
Grand Total	783	838	7216	5190	114	14141

23 November 2020

**Allocations**

Count of APPREF	BAND AT OFFER					
SEXO	BAND 1	BAND 2	BAND 3	BAND 4	BAND EA	Grand Total
Bisexual	5	9	10	1		25
Gay man (homosexual)	13	10	15	5		43
Gay woman (lesbian)	5	9	4	2		20
Other	14	19	32	4		69
Prefer not to say	229	162	369	20	4	784
Straight (heterosexual)	1033	851	2184	100	17	4185
(blank)	487	408	1547	53	11	2506
Grand Total	1786	1468	4161	185	32	7632

This page is intentionally blank.

**CABINET APPENDICES DISTRIBUTION LIST (OPEN)****MUNICIPAL YEAR 2020-21****NOTE:** Original held by Constitutional Team; all amendments/queries to  
Paula Thornton Tel: 020 7525 4395

Name	No of copies	Name	No of copies
<b>Cabinet Members</b>		<b>Officers (electronic)</b>	
Jasmine Ali	1	Doreen Forrester-Brown	
Leo Pollak	1	Chief Officer Team	
<b>Other Councillors</b>		<b>Others (electronic)</b>	
Jane Salmon	1	Paula Thornton, Constitutional Officer	
<b>Electronic Versions (no hard copy)</b>		<b>Total: 3</b>	
Kieron Williams		<b>Dated: 22 September 2020</b>	
Evelyn Akoto			
Helen Dennis			
Stephanie Cryan			
Alice Macdonald			
Rebecca Lury			
Catherine Rose			
Johnson Situ			
Ian Wingfield			
Victor Chamberlain			
Jason Ochere			
Peter Babudu			
Victoria Olisa			
Gavin Edwards			
Leanne Werner			
Jack Buck			
Sarah King			
Humaira Ali			