

# REGENERATION, COMMUNITY AND CULTURE OVERVIEW AND SCRUTINY COMMITTEE

11 APRIL 2013

## HOUSING ALLOCATIONS POLICY

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### Summary

Section 168 of the Housing Act 1996 (as amended by the Homelessness Act 2002) places a duty on Council's to have an adopted Housing Allocations Policy, which sets out how it will allocate social housing in the area. This report outlines the proposals for a new Housing Allocations Policy and the way that the Housing Register will be managed.

### 1. Budget and Policy Framework

1.1 The proposed Allocations Policy is consistent with the Council Plan and is in line with the Council's budgetary framework.

### 2. Background

2.1 The Council formally adopted a Choice Based Lettings Scheme and associated policy in 2002. Although the most recently adopted Allocations policy is dated 2008, the criteria for who can apply for re-housing have however, largely remained the same as it was in 2002. This review represents the most significant change to the policy since 2002.

2.2 Rules governing the allocation of social housing are mainly set by the Government through primary legislation. Prior to recent changes in legislation, the Council and other local authorities were restricted when setting rules about who was eligible to join a housing register and prioritising between applicants who were on the register.

2.3 The proposed Policy has been developed in accordance with the new Government guidance for local housing authorities which was published in June 2012. This new guidance is aimed at assisting Local Authorities to take advantages of the provisions in the Localism Act 2011.

2.4 The new guidance makes it clear that local housing authorities must still give overall priority for an allocation to people in reasonable preference categories as defined within the Housing Act, e.g. people who are homeless, people occupying unsanitary or overcrowded housing or welfare groups or people

who need to move to a particular locality where failure to meet that need would cause hardship.

It also encourages authorities to make use of the existing flexibilities within the allocation legislation to ensure that social homes go to people who need and deserve them the most, such as hard working families and members of the Armed Forces.

- 2.5 Following a total of 20 weeks of consultation (including 12 weeks of formal consultation) on the overall direction the Council's Allocations Policy has been reviewed to ensure that it supports residents who are making an effort and taking positive steps to improve their lives and contribute to society, whilst meeting the Council's legal duties and obligations in this respect.
- 2.6 In reviewing the Allocations Policy the Council has taken steps to ensure that the policy will enable it to:-
- Provide a fair and transparent system by which people are prioritised for social housing.
  - Help those that are most in housing need
  - Promote the development of sustainable communities
  - Encourage tenants to take up employment and training opportunities
  - Provide greater flexibilities for the movement of existing social housing tenants
  - To assist in the mitigation of the impact of welfare reform
  - Recognise applicants that are making a contribution to their local community
- 2.7 As well as the changes referred to below the revision process has enabled the Council to reflect current practice and procedures, producing a clearer document.

In preparing the revisions, regard has been had to the Council Plan, Housing and Tenancy Strategies. Equalities impacts have been borne in mind throughout the revision process and an equalities impact assessment is attached to this report.

### **3. Options**

- 3.1 Section 168 of the Housing Act 1996 (as amended by the Homelessness Act 2002) places a duty on Council's to have an adopted Housing Allocations Policy, which sets out how it will allocate social housing in the area.
- 3.2 Options available would be:-

#### **Option 1 – Retain the Existing Policy**

The retention of the existing policy will make it increasingly difficult to manage the Housing Register effectively, having a detrimental impact on

the effective management of social housing and adequate allocation of households in need of assistance.

### **Option 2 – Adopt the proposed Allocations Policy**

Local Authorities are required to adopt an Allocations Policy, the requirements of which this document would meet. The proposed Policy has been developed as a result of wide ranging consultation and has been developed to reflect the feedback back from that whilst balancing the limited availability of social housing.

## **4. Advice and analysis**

- 4.1 In Medway the demand for social housing is far greater than the number of social homes that are available. The aim of the Allocations Policy is to ensure that the limited number of social homes are allocated to those in the greatest housing need as set out in the legal definition of reasonable preference.
- 4.2 The proposed Allocations Policy sets out specifically who is and who is not assisted under the scheme, it also sets out how to apply for re-housing and the standard of service that our customers can expect.
- 4.3 The proposed Policy has been developed following wide ranging public consultation, which started on the 23<sup>rd</sup> August 2012 and was completed on the 14<sup>th</sup> January 2013. Further details of the consultation and engagement are set out in section 6 of this report and in Appendix 2.
- 4.4 The main changes to the policy and the rational for these are summarised below for ease of reference.

### Summary of Main Changes

1. Only applicants classified as being in housing need would qualify for the active housing register, other households would be added to an inactive register that kept their details on file. This will allow a clearer register to be maintained that represented needs. Opinion was divided over whether applications should be refused or placed in an inactive register. Therefore, the use of the inactive register will be reviewed one year after implementation.
2. The council will expand the list to include other groups including transfers, as it is recognised that increased mobility is needed for social tenants. The policy aims to assist in tackling the affects of welfare reform as well as increasing mobility for existing tenants.
3. Additional priority given to applicants who demonstrate a positive contribution and the Council wanted to recognise that as a Local Priority. Consultation supported awarding an additional priority for those who were providing a community contribution. For the purpose of Medway's allocations policy this additional priority is being called Local Priority.
4. The threshold for both income and assets has been set at £50,000 with some discretion if people are unable to afford alternative accommodation and this is demonstrated. It is felt that such households are in a position to

resolve their own circumstances in the private sector or by home ownership.

5. That after two reasonable offers of accommodation have been refused by the applicant, they will be placed in reduced priority (band D) for a period of 12 months. An unlimited amount of refusals causes void times to increase and creates unreasonably high expectations of the scheme. The ability to reduce priority for two refusals will help ensure applicants only bid for properties that they are interested in and would be willing to accept.
  6. Applicants will be required to meet minimum two years residency criteria to qualify for the housing register. Consultation has highlighted that almost all respondents wanted an increased level of local connection to ensure that housing was being allocated to those from the Medway area.
  7. Under occupiers of social housing will be placed into a band A, although they will be identified separately as being adequately housed, but the Council still recognise that by being re-housed much needed homes can be released. Transfer tenants will be placed in to band C (B with a Local priority) if they have a positive tenancy record.
  8. Requests for reviews of decisions made will be permitted within 21 days of the decision being issued. Unlimited appeals and reviews creates a large amount of administration work for the Homechoice Team. Ensuring that reviews are requested within a limited timescale will ensure that they are justified, valid and relevant to the most recent action against an application.
  9. If the council considers that an applicant has acted unreasonably to make their housing circumstances deliberately worse, without good reason, or with the aim of qualifying for a higher banding, no additional priority will be awarded. Applicants will retain the banding and priority they held before worsening their circumstances. It is felt that those who have made their own circumstance worse with the aim of achieving a higher banding should be encouraged to resolve their own circumstances.
  10. Cases will have their priority reduced if they are “intentionally homeless” or “have no priority need”. Consultation highlighted that cases who are in priority need and have been made homeless through no fault of their own should be in a higher priority those who are not a priority or have become homeless due to their own fault.
- 4.5 In accordance with government guidance the Council has consulted widely on the changes it is making to its Allocations Policy including a formal 12-week public consultation period. Details of the methodology are provided in section 6.
- 4.6 The consultation included focus groups and meetings with a range of partners and stakeholders including existing tenants, Medway Homelessness forum and the Strategic Housing Board, and also received coverage from the local BBC programme news, who also invited additional on-line feedback opportunities.

4.7 The results of the consultation have been reviewed and considered in balancing the objectives of the revised policy with the recognition that demand for social housing in Medway outstrips supply. The revised Allocations Policy aims to achieve a balance, which is necessary for the Council to ensure that it has in place a fair and sustainable policy. The consultation informed the development of the Diversity Impact Assessment in order to help ensure this could fully inform the revision of the policy.

Implementation

4.8 Following Cabinet approval officers will need to undertake a number of administrative and procedural changes in order to implement the new policy.

4.9 For these reasons it is recommended that the new policy is formally adopted and to come in to force from 1 August 2013.

4.10 As part of the transitional arrangement, officers will apply the new assessment criteria over that period.

**5. Risk management**

5.1 The Policy will be subject to on-going monitoring with the performance information gathered and assessed as part of the Strategic Housing Service's on-going Business Planning regime.

<b>Risk</b>	<b>Description</b>	<b>Action to avoid or mitigate risk</b>
Challenges to new Policy	Any new policy is susceptible to legal challenge, which has cost and reputational implications.	These risks have been managed by developing a policy, which meets the Council's legal duties and is compliant with the current guidance, and by obtaining legal advice on the Policy prior to adoption.
Application of Policy	The policy need to applied consistently.	We have developed training scripts and will train and monitor the performance of the officers to ensure that the policy is consistently applied one in force.
Not adopting Proposed Policy	The proposed Policy is not adopted, and the existing Policy is maintained.	This will make the maintenance of an effective Housing Register increasingly difficult and will not reflect the views expressed through the consultation. Whilst having an impact on the ability of social landlords and their tenants to respond to the proposed changes to welfare reform.

## **6. Consultation**

6.1 The Council undertook an extensive consultation exercise on the proposals in the draft housing allocations policy, which started on the 23 August 2012 ending on the 14 January 2013 and carefully considered the responses, which also informed the development of the Diversity Impact Assessment.

6.2 The consultation was widely publicised through the Council's website, local press including coverage on the local BBC news programme.

6.3 The consultation was undertaken in 2 phases the first phases:-

### **Phase 1**

Sought views on whether the Council should consider developing a Policy that introduced changes based on the flexibilities available to the Council as a result of the Localism Act, and the extent to which these options could be adopted. This phase started on the 23 August 2012 lasting until the 21 September 2012.

### **Phase 2**

A draft policy was developed based on the legislation, guidance and having consideration to the feedback received from Phase 1. This formal phase of consultation started on the 22 October until the 14 January 2013.

6.4 The draft policy has been available in hard, electronic and easi-read, and has been considered at a range of events, including:-

- Workshops with tenants, partners and Stakeholders
- Medway Strategic Housing Board
- Homelessness Forum
- Resident Involvement sessions
- Face to face meetings and discussions with the Housing Associations, supported and floating support providers operating in Medway.
- Face to face meetings and discussions with the Adult and Children's Services
- Opportunities Fair
- Special Members Briefing Session

6.5 Summary of the Consultation Outcomes is attached as Appendix 2

## **7. Financial and legal implications**

7.1 There is a one-off cost associated with ICT enhancement required in order to implement the changes to the policy. The cost can be met from the existing revenue budget and is not recurring.

7.2 The Council's legal obligations regarding its allocations policy are contained in Part VI of the Housing Act 1996, as amended by the Localism Act 2011.

7.3 Under the Housing Act 1996 (as amended) the council must have an allocation scheme, which they must follow when allocating housing. The scheme must meet certain requirements laid down in the Act. These include a requirement to give priority to certain 'statutory preference' groups e.g. the

homeless, those living in overcrowded conditions and those who need to move on medical grounds. The council has operated the current general policy since 2002 and although there have been some changes over the years; the proposed revised policy represents a significant overhaul. In addition to updating the policy to make use of freedoms allowed under the Localism Act, it picks up on other changes, some necessitated by legal challenges and others by developments in the council's practices and procedures since the current policy was first drafted.

- 7.4 In preparing its policy the council must also have regard to guidance given by the Secretary of State. A revised Guidance was issued in June 2012 to which officers have had regard. In accordance with the Act officers have also had regard to the Housing Strategy and Tenancy Strategy.
- 7.5 In making a decision on whether to adopt the policy, Cabinet when it considers it, must take note of the Council's obligations under S.149 of the Equalities Act 2010. To this end, the report contains information in the report and within the Diversity Impact Assessment.

## **8. Recommendations**

- 8.1 To recommend the Cabinet to adopt the revised Housing Allocations Policy, attached at Appendix 1 to this report, to come into effect on the 1 August 2013.
- 8.2 To recommend the Cabinet to delegate authority to the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Housing and Community Services, to agree wording changes where these are of a minor nature.

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### **Background papers**

Medway Allocations Policy – Appendix 1

Consultation Programme – Appendix 2

Diversity Impact Assessment – Appendix 3

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**Medway Council Allocations Policy 2012**

**Draft for consultation**

**Version 5.0**

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## 1. Introduction

In Medway the demand for social housing is far greater than the number of social homes that are available. The aim of the Allocations Policy is to ensure that the limited number of social homes are allocated to those in the greatest housing need as set out in the legal definition of reasonable preference (Please see section 3).

Medway Council's Allocations Policy sets out specifically who is and who is not assisted under the scheme, it also sets out how to apply for re-housing and the standard of service that our customers can expect.

The Allocations Policy is designed to meet all legal requirements and support the objectives of the Medway's current Housing Strategy 2011 – 2014 which are to;

- Deliver a range of tenures, properties and locations to meet need,
- Make the best use of existing housing
- Contribute to sustainable and cohesive communities
- Provide advice across agencies to prevent crisis and increase choice
- Improve the housing offer to better meet a range of housing needs
- Ensure good quality homes that are energy efficient
- Improve and maintain independence and inclusion by providing effective support.

The key objectives of the Allocations Policy will be to;

- Provide a fair and transparent system by which people are prioritised for social housing.
- Help those that are most in housing need
- Promote the development of sustainable communities
- Encourage tenants to take up employment and training opportunities
- Provide greater flexibilities for the movement of existing social housing tenants
- To assist in the mitigation of the impact of welfare reform
- Recognise applicants that are making a contribution to their local community

## 2. Legal Framework

Medway Council's Allocation Scheme sits within a tight and complex legal framework of Part VI of the Housing Act 1996 (as amended). This section describes this legal framework.

The 1996 Housing Act (as amended by the 2002 Homelessness Act) requires local authorities to make all allocations (which includes nominations) in accordance with an Allocation's policy. A summary of the Allocation Scheme must be published and made

available free of charge to any person who asks for a copy. A summary of the Scheme and general principles is available through Medway Council offices, partner Registered Providers' offices and on the Council's website.

This document is the full version of the Scheme and is available for inspection at Medway Council office at Gun Wharf and Riverside one.

The Housing Act 1996 (as amended) requires local authorities to give Reasonable Preference in their Allocation Scheme to people with high levels of assessed housing need. This includes homeless people, those who need to move on welfare or medical grounds, people living in unsatisfactory housing and those who would face hardship unless they moved to a particular locality within the local authority's area.

The Act also requires local authorities to state within the Scheme what its position is on offering applicants a choice of housing accommodation, or offering them the opportunity to express preference about the housing accommodation to be allocated to them.

This Allocation Scheme complies with the requirements of the Housing Act 1996 (as amended) and takes into account the code of guidance issued by Central Government's Communities and Local Government Department: Allocation of Accommodation: guidance for local housing authorities in England (June 2012)

The scheme is drafted and framed to ensure that it is compatible with the Council's equality duties including the duty to eliminate unlawful discrimination and to promote good relations between persons who share a relevant protected characteristic and those who do not. The protected characteristics are age, race, disability, sex, pregnancy and maternity, sexual orientation, religion or belief and gender reassignment.

This Scheme has considered:

- the Council's statutory obligations and discretion as to who is eligible for housing allocation
- the Council's statutory obligation to provide Reasonable Preference to certain categories of applicants set down by law i.e. those who must be given a 'head start' under the Council's Allocation Scheme
- the Council's statutory discretion to grant 'additional preference' and/or to determine priority between applicants with Reasonable Preference
- the general and specific statutory discretions the Council can exercise when allocating housing in support of its Housing Strategy the local flexibility offered through the Localism Act (2011)

### **3. Reasonable Preference**

The Housing Act 1996, as amended, requires local authorities to give reasonable preference to certain categories of people once placed on the housing register these are:

- a. people who are homeless within the meaning of Part 7 of the 1996 Act (including those who are intentionally homeless and those not in priority need);

b. people who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under s.192(3) ;

c. people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;

d. people who need to move on medical or welfare grounds, including grounds relating to a disability; and

e. people who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship to themselves or others.

Additional preference may be given to households with urgent housing needs.

A summary of the policy is available free of charge to any member of the public who asks for it. The full policy will be available for inspection at the principal office of the local housing authority to members of the public without charge. The policy will also be made available on the internet.

This Policy is effective from 01 August 2013.

#### **4. Aims and Objectives**

The Council's Allocation Policy sets out to:

- meet legislative requirements
- be fair
- meet local need
- meet key performance indicators
- make best use of resources
- create balanced and sustainable communities
- involve service users

To do this we will:

- consider any appropriate changes to the policy in light of government guidance or best practice
- ensure that the objectives of the Authority are reflected in the policy and procedures of the allocations scheme
- produce, monitor and review an annual lettings plan
- monitor and review targets for void (empty property) turnaround
- ensure that the proportion of different groups being re-housed reflects demand and the targets set in the lettings plan

- ensure that the policies meet the requirements of equalities legislation
- work in partnership with other housing providers in the locality to ensure that nomination and referral arrangements are effective

The following are considered to be “allocations” of accommodation under this policy:

(1) The selection of a person to be a secure or introductory tenant of the Council (including notifying an existing tenant or licensee that his tenancy or licence is to be a secure tenancy).

or

(2) The nomination of a person to be an Assured or an Assured Shorthold tenant of housing accommodation held by a Housing Association or Registered Provider (via the Council's Nomination Rights Agreement with the provider). Often the nomination will be that of a 'Starter Tenant' of a provider whereby the provider will grant an Assured Short Hold Tenancy for a set “probationary” period (usually 12 months) and provided the tenant successfully completes the “probationary” period the provider will grant an Assured Tenancy.

The following are not “allocations” under this policy:

- Succession to a tenancy on a tenant's death pursuant to s89 Housing Act 1985, or
- Assignment of a tenancy by way of mutual exchange, or
- Assignment of a tenancy to a person qualified to succeed to the tenancy on the tenants death, or
- Transfer of the tenancy by a court order under family law provisions or under the Civil Partnership Act 2004, or
- An introductory tenancy becoming a secure tenancy
- Council initiated transfers (e.g. decant to alternative accommodation to allow for major works).
- Re-housing due to being displaced from previous accommodation by the Council or being re-housed by the Council pursuant to the Land Compensation Act 1973.
- A person being granted a family intervention tenancy.
- Provision of non-secure temporary accommodation in discharge of any homelessness duty or power

Although the requirement for transfer cases to be dealt with outside the rules of Part VI has now been introduced by the Localism Act 2011, For the purposes of the Medway scheme, transfer cases (applicants currently living in social housing that wish to move) will remain as part of the scheme rather than be removed.

## **5. Eligibility**

To qualify for inclusion on the Council's Housing Register applicants must be over the age of 16 and be eligible for Social Housing.

A person is not eligible if they are:

- subject to Immigration control (within the meaning of the Asylum and Immigration Act 1996) and not otherwise re-included by regulations made by the Secretary of State

- a person from abroad excluded by regulations made by the Secretary of State
- not habitually resident in the United Kingdom (other than EEA/EU workers or those covered by an EEA/EU Directive) or required to leave the UK by the Secretary of State.

If the main applicant is eligible and not subject to Immigration control, non-eligible dependent children and other family members will be considered providing that they are resident within the country.

Non-dependent adult children, non-relatives, carers, lodgers and live-in help will not be taken in to account.

For the purpose of this policy a child will be defined as a member of the household that is under the age of 18 and in full time education or, who would be expected to be in full time education.

## **6. What is the Housing Register?**

The Housing Register, for the purpose of this policy, is a record of applicants whose details are held with the Council as the result of the applicant making an application for re-housing.

## **7. Qualification for the Housing Register**

Section 160ZA Housing Act 1996 (as amended) gives power to Local Authorities to define classes of applicants that will be considered as qualifying persons. Medway Council will consider at initial application Eligibility (section 5) and then Qualification as set out below. Eligibility and Qualification may be revisited at the point of offer especially where a considerable amount of time has elapsed between application and offer.

Applicants will not qualify for inclusion on the Council's Housing Register if they fall into one of the following criteria:

- Residency - households who have not lived within the Medway boundaries continuously for the 2 years prior to the application being made. Residency in Medway must be by the applicant's own choice as set out in section 6 of this document (i.e. not placed within Medway boundaries by another Local Authority).
- Income - Applicants that have a high income. A high income is likely to be considered as more than £50,000 per annum per household.
- Assets - Applicants that have a high level of assets. A high level of assets is likely to be considered as more than £50,000.

The Council will notify the applicant in writing of any decision resulting in him or her not qualifying for inclusion on the housing register, and will be advised of the grounds for that decision. Applicants are entitled to request a review of this decision (see section 13). or make a fresh application should their circumstances change.

Applicants will be removed from the Housing Register if they no longer meet the criteria set out above.



Households who do not qualify for inclusion on the Housing Register will be given information about other housing options that may be available to them and will be refused inclusion in the housing register.

In exceptional circumstances Management Discretion (Section 15) will be used in determining whether it is reasonable for an applicant to be excluded from the housing register based on any of the criteria set out above. For example, where, notwithstanding income or capital, it is impossible to secure alternative accommodation e.g. where a specific adaptation cannot be undertaken in the current property but applicants cannot access other appropriate accommodation with the equity they have available.

## 8. Assessment of need

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

The law, as it applies to local housing authorities, requires that Reasonable Preference for housing must be given to those in the categories set out in the Housing Act 1996 (as amended). The statutory Reasonable Preference categories in section 167(2) (a) to (e) of the Housing Act 1996 (as amended) are:

- People who are homeless (within the meaning of Part VII of the Act).
- People who are owed a duty by any local housing authority under [section 190\(2\)](#), [193\(2\)](#) or [195\(2\)](#) (or under [section 65\(2\)](#) or [68\(2\)](#) of the [Housing Act 1985](#)) or who are occupying accommodation secured by any such authority under [section 192\(3\)](#).
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- People who need to move on medical or welfare grounds (including grounds relating to disability).
- People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship to themselves or others.

Section 166A(3) of the Housing Act 1996 gives housing authorities the power to frame their allocation scheme to give additional preference to particular descriptions of people who fall within the statutory reasonable preference categories and have urgent housing needs. All housing authorities must consider, in the light of local circumstances, the need to give effect to this provision. Examples of people with urgent housing needs to whom housing authorities should consider giving additional preference within their allocation scheme include:

- those who need to move urgently because of a life threatening illness or sudden disability
- families in severe overcrowding which poses a serious health hazard

- those who are homeless and require urgent re-housing as a result of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic violence

The Council will use a banding based system to allocate accommodation. In assessing housing need the Council will give Reasonable Preference to those applicants who fall into the defined categories as set out in appendix 1.

### ***Explanation of Priority Bands***

Band A – People who are considered to be in reasonable preference and have been granted an additional preference.

Band B – People who have a housing need and fall in to one or more of the reasonable preference categories and meet the criteria to be considered to be a local priority for Medway as set out in appendix 3.

Band C – People that have a housing need that places them in to a reasonable preference category but do not meet the Medway criteria for a local priority.

Band D – Cases that have a need to move and fall in to a reasonable preference but have had their priority reduced due to the reasons set out in appendix 1.

Cases that qualify for the housing register but do not qualify to be in a reasonable preference group (Band A-D) will be held on an inactive housing register. Applicants on the inactive housing register will not be permitted to bid for accommodation. Applicants are registered for statistical purposes, in the event that a housing need arises in the future and to receive targeted housing advice.

Cases on the inactive housing register will not be administered or reviewed unless the applicant can demonstrate a change in their circumstances that would suggest they would now fall in to a reasonable preference category set out in Appendix 1[, in such circumstances, the applicant's needs will be reassessed to determine whether they fall within a reasonable preference category]. However the use of the inactive register will be strategically reviewed with revisions of the Allocations Policy.

In the event that a property cannot be let to an applicant in band A to D then the property will be offered to the inactive register starting with the applicant that has been registered for the longest.

### **9. Medical Priority**

Medical priority will be awarded according to the extent of which the health or welfare of one or more of the applying household is affected by their housing conditions and the expected benefits of providing suitable settled accommodation. Cases may be referred to an independent medical advisor where the council would like to seek clarification around the impact of a condition. In cases where the council considers it is reasonable and practicable to undertake an adaptation no medical priority will be awarded.

## **10. Domestic Abuse**

Due to the complex nature of cases involving domestic abuse a different method of assessment will apply. A panel of at least one member of housing staff at officer level and one member of staff at senior level or above will make a decision as to which band, if any, is applicable. This decision will take account of information received from the Police, Independent Domestic Abuse Workers and other agencies involved with the client. Through this process we will also ensure that referrals are made to the appropriate agencies and that other advice and assistance is offered where appropriate.

## **11. Existing social housing tenants**

Council, housing association and registered provider tenants in the Medway area will be registered and assessed under the scheme in the same way as any other applicant.

Applications from the tenants set out above may be made jointly or by separate tenants who wish to be re-housed together, on the condition that both tenancies are relinquished upon signing up for another property.

On occasion it may be necessary for a council tenant to move out of their existing home to allow major works to be carried out or because their home is due to be demolished. In these circumstances, the Council will use its management discretion (Section 15) to prioritise a move to a suitable alternative home by placing the tenant in Band A at an appropriate time.

Cases will be awarded the priority attached specifically to transfer tenants who have no other identified need (in accordance with Appendix 1) and where their landlord would normally advertise the resulting void via the Homechoice scheme..

Where a transfer applicant has an overriding need to be re-housed resulting in them being placed in bands A, B or C for another reason then this will be regardless of nomination rights in to their current property.

## **12. Deliberately worsening circumstances**

If the council considers that an applicant has acted unreasonably to make their housing circumstances deliberately worse than their previous accommodation without good reason or with the aim of qualifying for a higher banding, no additional priority will be awarded. Applicants will retain the banding and priority they held before worsening their circumstances

## **13. Reviews**

### ***General Information***

- Applicants have the right to request such general information as will enable them to assess:
- how their application will be treated and whether they will be given any preference
- whether housing accommodation appropriate to their needs is likely to become available and how long they may have to wait for an allocation of such accommodation

### **Information about decisions and reviews**

Applicants have the following further and specific rights to information about decisions and rights of review of decisions:

- the right, on request, to be informed of any decision about the facts of their case which has been, or is likely to be, taken into account in considering whether to make an allocation to them
- the right, on request, to review a decision mentioned in (a) above, or a decision to treat them as Ineligible due to unacceptable behaviour serious enough to make them unsuitable to be a tenant
- the right to be informed of the decision on the review and grounds for it..

Applicants should request a review in writing within 21 days of being notified of a decision. The Council will determine the review within 56 days of the request or such longer period as may be agreed with the applicant. The Council will notify the applicant of the outcome of the review including the reasons if the original decision is confirmed. The Council's decision on review is final and any challenge to that decision can only be made through judicial review proceedings.

Reviews will be carried out by a senior member of staff at Medway Council or delegated to an appropriate officer who was not involved in the original decision.

### **14. Residency Criteria**

Residency criteria within the terms of this scheme will normally mean that an applicant has lived in the Medway area, through their own choice, for a minimum of 2 years up to and including the date of their application, or the date on which a decision is made on their application whichever is later.

Households placed by Medway authority in accommodation outside of Medway will qualify for the housing register as long as they fulfil the two year residential qualification (time spent placed by Medway in temporary accommodation outside of Medway will count towards time spent in Medway).

People in the following categories will not normally be considered as fulfilling the residency criteria:

- Those placed in Medway in temporary accommodation by another borough
- Those placed in Medway in residential or supported housing by another borough
- Secure or flexible tenants of other Local Authority areas
- Those who do not meet the residential criteria but who have family members in this borough.

The following members of the armed forces will not be required to meet the requirement for residency;

- members of the Armed Forces and former Service personnel, where the application is made within five years of discharge
- bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service

The qualification criteria relating to income and assets above applies to all applicants applying for inclusion on the Council's Housing Register. Including homeless households, to whom a statutory housing duty arises under Part 7 Housing Act 1996 (as amended by the Homelessness Act 2002). However, where an applicant is a Homeless Household owed a full homeless duty under section 193(2) or 195(2). They will be exempt from satisfying the criteria relating to residency.

There may be other exceptional circumstances in which the residency criteria may be disregarded. An example would be an applicant from a neighbouring borough but fled to Medway to avoid violence. The management discretion may be applied in these circumstances (Section 15).

#### **15. Management discretion**

So far as is it possible the Council will use the Banding system and time spent in banding (See section 8) within the Band to allocate accommodation. At times this will also incorporate restrictive labelling of properties through Choice Based Lettings combined with Local Lettings Plans (see section 18) to ensure that the Council is meeting its statutory obligations and is also contributing towards Medway Sustainable Community Strategy 2010-2016.

The Council recognises that there may be exceptional circumstances where the only way an exceptional housing need can be resolved is through the use of discretion. In the interests of fairness to all these applicants these circumstances are kept to a minimum. Examples of exceptional circumstances include, but are not limited to:

- Threat to life
- Emergency cases whose homes are damaged by fire, flood or other disaster may be provided with another tenancy if it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life.
- Households who, on police advice, must be moved immediately due to serious threats to a one or more members of the household, or whose continuing occupation would pose a threat to the community.
- Cases nominated under the Police Witness Protection Scheme or other similar schemes that the Council has agreed to be part of.

- An applicant who has an exceptional need that is not covered in the Allocations Scheme. For example, where child or public protection issues require the applicant to be re-housed or in cases of severe domestic abuse where all other options to remain in the home have been exhausted.
- Other exceptional circumstances considered on a case by case basis.

If agreed, by management, such cases will be permitted access to the housing register and awarded a level of priority reflective of their circumstance and as far as possible in accordance with the banding scheme set out in Appendix 1.. If an applicant has exceptional circumstances that are not within a Reasonable Preference category then Assistant Directors Discretion will be required to authorise the applicant being placed in Band A. A list of all applicants given Band A priority, and a subsequent list, under management discretion will be kept, monitored and reported on annually for the purposes of monitoring this policy.

***Director and Assistant Director's Discretion (for other exceptional circumstances not covered by this policy)***

From time to time a situation may arise that is not adequately reflected in this Allocations Policy but the needs or circumstances are exceptional, and can not be reasonably remedied with the use of Management discretion.

Where a case is considered exceptional but the applicant does not meet any of the Reasonable Preference criteria or it is felt that a higher Banding than the one awarded is more appropriate then the Director for Regeneration, Community and Culture, the Assistant Director for Housing, Development and Transport and the Head of Strategic Housing reserve the right to override this scheme and allow an applicant to have a higher priority than they would be entitled to under the Scheme. These cases should be few in number and extreme in their severity and will be closely monitored and regularly reported on to ensure that the duty to achieve Reasonable Preference overall is not compromised.

**16. Condition and size of accommodation**

All accommodation offered will be habitable and in reasonable repair. The size of accommodation for which each applicant will be considered will be dependent upon the size and composition of the applicant's household. The requirements for each size of household are set out at appendix 2

Larger accommodation than specified in appendix 2 may be considered in exceptional circumstances on the recommendation of a specialist advisor, for example the Council's Medical Adviser, Occupational Therapy Service, or senior social worker.

In calculating the number of bedrooms available within properties the Council will treat every habitable room as a bedroom except kitchens, bathrooms and one room for use as a living room. The Council will normally consider additional downstairs rooms in houses for use as bedrooms in accordance with Housing Benefit regulations or subsequent government guidance. There may be circumstances where a current Medway Council tenant is moved outside of the allocations policy. Any cases will be treated under the management discretion within Section 15. These moves should however not be at the expense of others. Therefore their move will only be to the same size and type of accommodation as they currently occupy regardless of their actual housing need.

Council tenants who have to move because major works are required to their home will have the option of moving back to their original home once the works have been completed. This intention will need to be stated at the point that the tenant has been required to vacate their existing home.

### **17. Choice and Constraints**

The amount of choice that the Council is able to offer may be limited by the housing pressures it faces and responsibilities it has to some groups in housing need such as those found to be statutorily homeless. The Council believes that any applicant considered to be eligible under this policy should be able to express a preference over the type of property and the area in which they would like to live. However applicants should be aware that the Council's ability to satisfy their expressed preference may be severely limited.

The majority of applicants will be able to bid for properties in any location across the Area. There are some circumstances in which this might not always apply. For example, in some homeless circumstances (see section 21 on choice and homeless households), and for younger people and childless couples, due to age restrictions or scarcity of some property types i.e wheelchair adapted bungalows.

The Council also requests that the applicant states 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 is reasonably necessary to allocate accordingly.

### **18. Restrictive labelling**

Medway Council reserves the right to apply restrictive labelling in order to identify suitable applicants in particular circumstances. Restrictive labelling will take the form of Local Lettings plans or corrective action to meet the Annual Lettings Plan (published separately). Where a property is advertised with restrictive labelling, the letting will be made to the bidder with the earliest priority date in the highest Band that meets the criteria set by the restrictive labelling.

The Council, reserves the right to apply any criteria while meeting the statutory obligations for Reasonable Preference. The Council may, in the interests of promoting balanced and sustainable communities agree for its own stock and with participating Housing Providers local lettings plans for specific areas, estates, or blocks. This is to ensure that there are local lettings policies which are tailored to the needs of an area, which protect the interests of existing residents and the wider community.

The principles in applying Local Lettings Policies (LLPs)

- Local Lettings Policies may be developed to meet the particular needs of a local area.
- LLPs must be evidence-based and there must be a clear need (this may take the form of recurring antisocial behaviour issues, high child densities or a concentration of older residents – see examples provided below.)
- LLPs must be developed and approved in accordance with an agreed procedure that must have specific aims and will be reviewed on an annual basis.

The decision to implement a local lettings plan will be developed and approved either solely by Medway Council or jointly by both the Senior Officer responsible for Medway Council's Allocations Scheme and a Senior Manager of the relevant Housing provider for whom the Council has nomination rights for properties held by that Housing association or registered provider. Any decision to implement a local lettings policy will always take into account the

implications for equal opportunities and the need to ensure that the Council is able to meet the allocation needs of those owed a reasonable preference.

Where a property is advertised in accordance with a Local Lettings Plan (LLP), the letting will be made to the bidder with the earliest priority date in that group who meets the eligibility criteria of the LLP and also meets the entitlement rules around size eligibility.

Examples of Possible Local Letting Policies:

The following are examples of local letting policies that could be employed in Medway covering an area, estate, or block:

- Age restrictions.
- Transfer applicants with a positive tenancy history in respect of no rent arrears and exemplary behaviour.
- Policies that are geared towards encouraging applicants who work or volunteer to live in an area.
- Lettings to employed persons where there is a high concentration of existing residents who are out of work.
- Restrictions on lettings to vulnerable households where there is already a concentration of supported tenants/residents.
- Lettings to childless households where there are high concentrations of children and young people living in a specific estate or scheme.

Local Lettings Schemes will be published and subject to a review at least every 12 months, or as and when changes to an estate, area or block, necessitate such a review.

### **19. How the Council Allocates properties**

Medway Council is part of the Kent Homechoice Partnership and maintains a Choice Based Lettings system jointly with other local authorities.

Applicants placed on the active housing register and placed in bands A to D will be able to take part in the scheme and register bids against properties on a fortnightly basis (or other interval as agreed by the Kent Homechoice partnership).

The council is committed to letting the vast majority of its properties via the Kent Homechoice scheme. For all advertised properties the eligibility of a bid will be reviewed against the advertised criteria and the labelling in the advertisement. Any ineligible bids will be discarded.

Eligible applicants will be sorted on the shortlist for each individual property in the following order;

- Priority banding (A being the highest through to D being the lowest)
- Priority banding effective date (the date that the applicant was placed in to their priority banding)

Nominations or offers from shortlists are to be made in descending order starting with the person that is 1<sup>st</sup> on the shortlist. Where any applicant is bypassed this reason must be recorded and justified via the Kent Homechoice System. Bypass reasons will be regularly interrogated to ensure that they are only used where necessary and justified.



The Council or Housing Provider will seek to verify the housing circumstances to make sure that family composition and - housing circumstances still reflect those of the application or most recent review.

As the success of the system is dependent on applicants bidding for accommodation applicants who do not bid for accommodation for a period of 6 months will be reviewed and may be placed in to band D for a period of 12 months. If the applicant has still not bid after a period of 12 months the council will consider whether the applicant should be made inactive.

All offers of accommodation will be deemed reasonable unless the following circumstances apply;

- Emergency hospitalisation of a member of the applicant's household prevents viewing, and therefore acceptance, of an offer;
- The death of a close family member at the time the offer is made;
- Other circumstances at the discretion of Medway Council.

## **20. Refusals for non-homeless applicants**

Applicants will be entitled to refuse 2 suitable offers of accommodation before the Council will reduce the priority banding of their application for a period of 12 months.

Where accommodation has been offered through the Homechoice Scheme an applicant would usually be expected to accept a property that meets their specific needs. Suitable offers would be those that reasonably meet the housing and medical needs of the household.

The Council will always seek to take into account an applicant's special or particular needs but it will not always be able to meet these needs. In considering what accommodation is suitable the Council will give regard to the overall supply and availability of accommodation and the demands placed on it by all priority groups.

As a guideline the Council would typically consider a property suitable if;

- It was located in an area close to or in an area that the applicant had expressed a desire to live in, or an area that the Council determines is reasonable.
- It is sized in accordance with the criteria set in appendix 2
- It complies with any realistic recommendation made by a medical or other relevant advisor.

In any case whereby a banding is reduced in accordance with the Allocations Policy the date that the applicant is re-instated to their previous banding will become the applicant's new effective date.

## **21. Choice and Homelessness**

For cases where the Council has accepted a full homeless duty under sections 193 (2) or 195(2) of part VII Housing act 1996 (as amended) applicants can utilise choice via the Kent Homechoice scheme if an applicant is successful during this time period then this offer will be treated as a final offer to end the council's homelessness duty,

At any time the Council reserves the right to make a direct offer of accommodation to an applicant to end the council's homelessness duty in either the social or private housing sector.

- Where this offer is in the private sector it will be in accordance with the Council's "Discharge in to the private sector" policy. Available from the Council Website.
- Where this offer of accommodation is in the social housing sector it will be made only against a property where by the applicant has sufficient priority to be re-housed.

The quota of properties made as a direct offer of social housing will be monitored to ensure that it never exceeds more than 20% of the properties allocated in Medway, and wherever possible will be a flat or maisonette.

## **22. Decisions**

All decisions taken under this policy will be by fully trained housing officers within the Council's Housing Service unless otherwise specified. Housing Officers are supported by Team leaders and Senior Managers.

## **23. Requests for assistance**

Requests for housing assistance must be made to the Housing Service. The Council aims to notify applicants of the result of the assessment of their priority under the Allocations Policy within 14 days of all relevant information needed to make an assessment being received. However, in cases where a medical assessment or other special assessment is required, it may take longer to notify the result.

## **24. Persons eligible for assistance**

Persons entitled to assistance must be members of the applicant's immediate family who normally reside with the applicant. Any other person or persons will only be considered as entitled if the Council is satisfied that it is reasonable for that person to reside with the applicant. Verification of this may be sought e.g. proof that a member has lived with the applicant for an appropriate length of time. This will normally exclude lodgers or anyone sub-letting from the applicant.

The Council may also refuse to consider an application for assistance or someone's inclusion in an application if the person concerned (i.e. other than the applicant) has made a separate housing application.

## **25. Evidence of identity and housing circumstances**

All applicants must provide satisfactory evidence of identity and past and current residences for themselves and all household members. The Council will request documentary evidence from each applicant and will conduct such further enquiries as are reasonable in the circumstances. An application will be cancelled if the applicant has failed to provide documentary evidence or other information reasonably required by the Council in order to validate the application.

In some circumstances the Council will carry out a visit to an applicant's residence if their priority is sufficient for an allocation of housing under this scheme. Visits conducted will include an inspection of the accommodation and facilities and are normally but not necessarily arranged by appointment.

Evidence will also be requested by Housing Associations and Registered providers at the point of offer of accommodation to verify the current circumstances are still those reflected in the banding of the application at the time of the offer.

Any offers of accommodation that are made will be subject to withdrawal (if before the tenancy commences) or possession proceedings (after the tenancy is signed) if it is found that circumstances have changed. Grounds for this action may include but are not limited to;

- Falsifying information or giving misinformation or a lack of information as part of an application.
- Failing to notify the Council of a change in circumstances (E.g. reduction in family size or improvement of a medical condition).

## **26. Income and Savings**

All prospective new tenants will be required to supply evidence of their financial income and resources. Verification of income and savings may be required prior to applicants being offered accommodation.

## **27. Changes in circumstance**

Once placed in a priority band, applicants should notify the Council in writing of any material change in their circumstances that will affect their priority for housing, for example:

- a change of address, for themselves or any other person on the application,
- any additions to the family or any other person joining the application,
- any member of the family or any other person on the application who has left the accommodation,
- any change in income or savings,
- any other changes that may be relevant to the banding of the application.

Applications may be temporarily suspended while the Council assesses the information provided by the applicant and completes further enquiries that may be necessary. If the banding of an application changes then the banding effective date will be amended to the date that the applicant is placed in the new band.

The Council will carry out an assessment of each applicant's entitlement to and priority for re-housing on the basis of information which has been provided by the applicant or otherwise received in connection with the applicant.

## **28. Investigation of Fraud**

The Council recognises its duty to protect the public resources it administers. Detailed enquiries about applications will therefore be made in order to guard against misrepresentation and fraud. Such enquiries will be made in all cases where applicants appear to have sufficient priority for an offer for rehousing, and in other cases as resources allow and may be made at any time either at the time of application or subsequently including after any grant of tenancy. Applications will be suspended if there is evidence of misrepresentation or fraud until enquiries are completed.

Any applicant seeking to obtain accommodation by making a false or misleading statement or by withholding relevant information or by failing to inform the Council of any material change in circumstances is liable to have his/her application cancelled. Prosecution will be considered where it appears to the Council that a criminal offence has been committed.

Proceedings for possession will be taken to recover any tenancy granted in consequence of a fraudulent application for housing.

### **29. Members of the Council, staff members and their relations**

In order to ensure that the Council is seen to be treating all applicants fairly, any application for housing or rehousing from members of the Council, employees of the Council or associated persons must be disclosed. These applications will be assessed in the normal way but any allocation of housing will require special approval by a manager in the Housing Service.

### **30. Equal opportunities**

The Council is committed to the principle of equal opportunities in the delivery of all its services. The Council is committed to eliminating unlawful discrimination, harassment or victimisation, and promoting relations between different groups who does not share a Protected Characteristic.

Applicants will be invited to indicate if they wish to make use of the Council's translation and interpretation services, or if they require other special services as a result of visual impairment, hearing difficulties or other disability.

Confidential interview facilities are provided at all housing offices. There is full access to the either council office at Gun Wharf or Riverside One for people who use a wheelchair. Home interview services are available for applicants who are elderly or who experience mobility difficulties.

The Council will seek to ensure that its Allocation Policy is being operated in a manner that is fair to all sections of the community regardless of nationality, ethnic origin, marital status, age, gender, religion, sexual orientation or disability. The information provided will be kept confidential and treated with respect. The council believes it is important to understand the different communities who apply for housing and it is only by asking these questions that we can check we are operating a fair system.

All applicants for housing or re-housing will be asked to provide details of ethnic origin, faith, sexuality and disability. This will not, however, be a requirement for acceptance of an application. Equalities records will be kept and monitored on a regular and systematic basis to ensure properties are being offered and allocated fairly.

Allocation policies and any changes to them will be reviewed regularly to ensure they do not operate in ways that discriminate against or disadvantage any particular group.

### **31. Confidentiality Agreement**

The Council will take disciplinary action against any employee who makes use of any information obtained in the course of their employment for personal gain or benefit, or who passes it to others who might use it in such a way. A report to the police will be made if it appears that a criminal offence has been committed.

The disclosure of information about any housing application to a third party is prohibited except on a "need to know" basis in the following circumstances:

- to plan and provide assistance jointly with health and social services agencies in appropriate cases.
- for the purpose of fraud detection, the prevention of crime, and the promotion of community safety.

- to enable efficient administration of offers of re-housing, lettings, housing association nominations, and rent and benefit accountancy etc.
- where disclosure is a legal requirement.

### **32. Access to Data**

The Data Protection Act 1998 (DPA) provides individuals with a right to request access to any of their personal data held by the Council, and a right to know where the data came from, how it is used and why it is held. Such a request is called a “subject access request” and applies to personal data in housing files.

Subject access requests should be made in writing to the Head of Housing and must describe the information sought. Applications must state their name and provide proof of their identity, such as a copy of a passport, driving license, or recent utility bill.

Any applications made by third parties on behalf an applicant (for example by a lawyer acting for a client) must be accompanied by written evidence of authority to act. If this is not possible by reason of disability then the Council should be contacted in order to make alternative arrangements.

The Council may charge a fee to handle a subject access request. Any fee will be in line with the charges set out in Medway Council's Freedom of Information Policy.

Once the Council has received the information, documentation and fee (if charged) referred to in the above paragraphs, it must begin processing the request and respond within 40 calendar days. There is a limited range of exemptions from the right of subject access.

Housing files may contain information about other people (third parties), such as details of complaints made by other tenants, or comments made by housing staff. If the Council cannot respond to a request without giving information about other people, it is not obliged to include this information in its response unless those other people consent, or unless it thinks it is reasonable in all the circumstances to disclose this information without their consent.

Under the DPA applicants may also have the right to challenge information held on them and may request the correction of records which they believe to be inaccurate. Such challenges should be made in writing and addressed to the Head of Housing.

### **33. Access to other information**

Anyone has the right to request access to recorded information held by the Council, either under the Freedom of Information Act 2000 (FOIA) or, for environmental information, the Environmental Information Regulations 2004 (EIRs).

Requests under the FOIA must be made in writing, must include the applicant's name and a correspondence address and must specifically describe the information requested. Requests under the EIRs must also comply with these regulations except that they can be made verbally. Please address requests under the FOIA or EIRs to the “FOI Officer” at the Council's postal address or to [foi@medway.gov.uk](mailto:foi@medway.gov.uk).

Once a valid request has been reviewed the Council must usually respond within 20 working days.

Requests made by individuals for their own personal data will be treated as “subject access requests” under the DPA (see section 32 above).

### **34. Gypsy and traveller pitches**

Medway Council has one permanent residential site in Cuxton. The site first opened in 1962 and has provided an opportunity to allow travellers a permanent place to stay and bring up their families. The site consists of 11 plots occupied by 10 families, as one of the pitches is a double plot. There are mains services with individual washrooms for each pitch and the residents are expected to keep their own plot clean and tidy at all times.

Any applicant wishing to apply for a plot must make an application over the phone to the Senior Neighbourhood Housing Officer. Applications for a plot will be prioritised by waiting time and are allocated in consultation with the other residents to ensure cohesion on the site.

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<p>Band A – Additional preference cases. An urgent need to move to alternative accommodation</p>	
<p>Those who need to move urgently because of a life threatening illness or sudden disability where the applicant's property is directly contributing to the deterioration of an applicant's health.</p>	<p>Where an applicant's condition is expected to be terminal within a period of twelve months and re-housing is required to provide a basis for the suitable provision of care.</p> <p>The condition is life threatening and the applicant's existing accommodation is a major contributory factor.</p> <p>The applicant's health is so badly affected by their current accommodation that it is expected to be life threatening.</p> <p>An applicant is unable to mobilise adequately in their current accommodation and requires re-housing in to accommodation suitable for their use.</p> <p>The applicants accommodation is directly contributing to the deterioration of an applicant's health such as a severe health condition requiring intermittent hospitalisation as a result of chronic dampness where the condition of the property cannot be rectified within an appropriate time scale – usually 6 months.</p> <p>Where the overcrowding of a property leaves an applicant at risk of infection.</p>
<p>Families in severe overcrowding which poses a serious health hazard</p>	<p>Applicants whose housing circumstances render them three bedrooms short of the bedroom standard. (set out in appendix 2)</p>
<p>Those who are homeless and require urgent re-housing as a result of violence, including intimidated witnesses, and those escaping serious anti-social or domestic abuse behaviour</p>	<p>Applicants who need to move due to domestic abuse, extreme violence or extreme harassment.</p> <p>Extreme violence or harassment will be verified by the Police and/or other agencies as necessary. This may include where a move is necessary to protect a witness to criminal acts.</p> <p>Agreed in exceptional circumstances due to significant problems associated with the tenant's occupation of a dwelling in the social or private rented sector and where there is a high risk to the tenant or their family's safety if they remain in the dwelling/area. For social housing tenants transfers will be to properties of the same size or smaller if they</p>

	are under-occupying and type where required, but locations or areas are likely to change.
Subject to Parliamentary approval. Certain Members of the Armed forces or Reserve forces the also fall in to a reasonable preference category as defined in <i>Draft Regulations laid before Parliament under section 172(2) of the Housing Act 1996, for approval by resolution of each House of Parliament.</i>	Applicants who have one or more criteria as set out in band B and; <ul style="list-style-type: none"> <li>a) Are a former member of the armed services</li> <li>b) Serving members of the armed forces who need to move because of a serious injury , medical condition or disability sustained as a result of their service</li> <li>c) Bereaved spouses and civil partners of members of the armed forces leaving Services Family Accommodation following the death of their spouse or partner</li> <li>d) Serving or former members of the reserve forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service</li> </ul>
Private sector properties unsanitary or unsuitable for occupation. Those living in unsanitary conditions where the conditions pose an ongoing and serious threat to health.	Private sector tenants and residents of dwellings that the Council's Private Sector Housing Team has determined that the property poses a category 1 hazard under the Health and Safety fitness rating and the Council are satisfied that the problem cannot be resolved by the landlord within 12 months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health. 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, and there is no prospect of the problems being remedied within a 12 month time period.  A private sector property either owned or rented where a statutory notice has been issued by the Private Sector Housing Team that an unfit property is to be demolished under the Housing Act 2004.
Under-occupation (In Medway area only)	Where a secure Council tenant will release a home with two or more bedrooms by moving to a property with fewer bedrooms than they currently have. Housing association tenants who will release a home with two or more bedrooms are eligible if their landlord agrees that the vacated property can be used for a



	nomination by the council
Major works or demolition	Where a council tenant has to move either temporarily or permanently whilst major works are undertaken or where their home is due to be demolished.
Foster carers referred by Medway Council's Children's Service	Foster carers approved by the Council whose housing prevents them from being able to start, or continue, to provide foster care.
<b>Band B Need to move + Local Priority</b>	
Homeless Households owed a full homeless duty under section 193(2) or 195(2).	People who are owed a duty under section 193 (2) or 195 (2) of the 1996 Act (or under section 65 (2) or 68(2) of the Housing Act 1985) -- This means households who are homeless or threatened with homelessness and in priority need.
Overcrowded by the Bedroom standard.	Whereby an applicant is lacking 2 bedrooms under the bedroom standard. As set out in appendix 2
Applicants living in unsatisfactory housing lacking basic facilities.	<p>Applicants without access at all to any of the following facilities. No access to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> a bathing or washing facilities or kitchen</li> <li><input type="checkbox"/> an inside WC</li> <li><input type="checkbox"/> hot or cold water supplies, electricity, gas or adequate Heating</li> </ul> <p>Applicants who occupy a private property which is in disrepair or is not suitable for occupation and is subject to a Prohibition Order and recovery of the premises is required in order to comply with the Order as defined by Section 33 of the Housing Act 2004.</p> <p>Applicants who only have access to shared facilities in shared accommodation will not qualify under these criteria.</p>
Medical grounds	Where an applicant's housing is unsuitable for severe medical reasons or due to their disability, but who are not housebound or whose life is not at risk due to their current housing, but whose housing conditions directly contribute to causing serious ill-health.
Hardship or welfare need to move for care or support	Those who need to move to give or receive care that is substantial and on-going and are unable to provide or receive care via another method.
Older People	Older or disabled applicants seeking Extra Care or Sheltered housing.
Ready to move on from Medway Council commissioned Supported housing and care	An applicant is ready to move to independent settled housing on the recommendation of the support worker or equivalent.

schemes	
Existing Foster carers approved by the Council willing to provide care for an additional child	Where a Foster carer already providing a home for at least one foster child offers to provide care for an additional foster child
Transfer tenants with a positive tenancy record	Current occupants of social housing in the Medway area. The landlord of the tenant must be agreed for the Council to advertise the resulting void via the Homechoice scheme for the case to be considered as a transfer.
Band C need to move but are not considered as having a local priority	
Applicants in this band will have need to move to alternative accommodation (reasonable preference) but are not assessed as having a local priority as defined in Appendix 3 of the allocations scheme. If a local priority is established then the applicant will be placed in to band B.	
Band D Need to move but have a reduce priority	
Cases not owed a full homeless duty under sections 193 (2) or 195(2) of part VII Housing act 1996 (as amended)	Any applicants that are homeless or threatened with homelessness but who have been found to be non-priority, intentionally homeless or without a local connection to the Medway area.
Rent arrears	Applicants with lawfully recoverable arrears or other housing related debt, substantial enough to make them unsuitable to be re-housed. Discretion may be given where an applicant can demonstrate that they have reduced their arrears to a reasonable level (£500 or under) and are maintaining regular payments for 6 months or more.
Anti-social behaviour	Where an applicant or member of their household has been found guilty of anti social behaviour that would render them unsuitable for re-housing. Cases will be reviewed once the applicant can demonstrate that this behaviour has been addressed. This will usually take the form of a period of time (minimum 2 years) of improved behaviour and successful tenancy record. References may be sought to verify/
Two refusals of accommodation (for a period of 12 months)	Where an applicant has bid for and refused accommodation via the homechoice scheme on two occasions. (applicants who refuse a property as it cannot be adapted to meet their needs will be excluded from this process).
Applicants not bidding for accommodation	If an applicant has not bid for accommodation in six months their priority will be reduced for a period of 12 months. The availability of appropriate accommodation will be considered in exercising this penalty.
The Inactive Housing Register	

All other applicants that submit an application and fulfil the qualifying criteria set out in section 7 will be held on an inactive housing register. In the unlikely event that a property cannot be let to an applicant in bands A-D then properties will then be offered to applicants by date order starting with the applicant registered the longest.

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## Deciding bedroom need

The size of the accommodation that an applicant will be allocated is dependent on the size of and circumstances of the applicants household at the time of allocation.

The size of property that an applicant will be offered is set out below;

Family size	Size of property
Single person	Bedsit/one bedroom
Couple without children	1 bedroom
A couple expecting a child or with one child	2 bedrooms
A couple with two children of the same sex	2 bedrooms
A couple with two children of opposite sex one of whom is over ten	3 bedrooms
A couple with three children	3 bedrooms
A couple with four children (all of the same sex or two of each sex)	3 bedrooms
A couple with four children (three of one sex and one of the opposite sex)	4 bedrooms
A couple with more than four children	4 bedrooms
A couple with three children and one dependent adult	4 bedrooms
In the event that a 5 bedroom property is advertised applicants who need that size property in accordance with bedroom standard will be considered.	

For the purpose of this policy a child will be defined as a member of the household that is under the age of 18 and in full time education or would be expected to be in full time education.

Applicants that are moving from a social housing property located in Medway that is three bedrooms in size or larger will be permitted to move to a property that has 2 bedrooms.

Requests for additional bedrooms because of medical need will only be granted once they have been agreed by either an independent medical advisor or the Homechoice and Allocations Team Manager (or equivalent). Where an applicant requires 24 hour care, requests will be considered and investigated on a case by case basis to determine whether a larger property needs to be allocated outside of the guidelines set out above.

Independent children over the age of 18 or children who are financially able to resolve their own housing circumstances will not be considered in determining bedroom need or overcrowding assessments.

These guidelines reflect the how Medway expects housing providers to allocate accommodation. Some housing providers however, will operate their own allocations policies in respect of accommodation.

Due to the shortage of Social Housing where parents have shared custody of children, provision will only be made for the applicant claiming Child Benefit for the children. In the event that no parent is eligible to claim child benefit then an assessment will be undertaken to determine whom it would be most reasonable to provide housing for in order to provide housing for the child.

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## **Local Priority – How is it decided**

### **Local Priority**

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 the Council believes such people should be considered for an allocation of social housing to continue contributing to sustaining local communities in the area where they contribute.

The Local priority scheme is a Medway Council policy which gives the main applicant or partner increased priority for housing when they have reasonable preference and qualify under the Local Priority criteria described below. These applicants will be placed in Band B by virtue of this award.

### **Local priority Awards – How they work in practice**

Either the lead or joint applicant must have a *current positive residence history* to qualify for a Community contribution award.

1. No on-going culpable involvement in anti-social behaviour or criminal activities.
2. No breaches of tenancy within the last 3 years
3. No outstanding lawfully recoverable housing-related debt over £100.
4. Not have an outstanding unspent conviction

Increased priority for housing is given to those applicants who demonstrate a commitment to contribute to Medway's economic growth as working households or who make a contribution to their communities.

Applicants can access increased priority for housing in five ways;

#### **1. Working Households.**

This policy aims to support the economic growth of Medway. The council aims to encourage people who can work, to work and raise levels of aspiration and ambition. We will offer increased priority to applicants who are working but are on a low income and will therefore find difficulty in accessing outright Home Ownership or Low cost home Ownership. Applicants who have reasonable preference can receive increased priority to Band B by virtue of their "working" status for the purpose of this policy, low income set at less than £12,000 per annum for a single person or couple or £20,000 per annum for a family

#### **Definition of Working Households**

Households where at least one adult household member is in employment. For the purposes of this Allocations Policy employment is described as having a permanent contract, working as a temporary member of staff or being self-employed. Applicants will only qualify if the worker has been employed for 6 out of the last 12 months. Verification will be sought at point of application as well as point of offer under the same terms. Applicants must provide payslips, P60, bank statements or a verifying letter on headed paper in order to qualify.

## **2. Volunteering**

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 not-for profit organisation that is registered with an agency that is recognised by the Council, or a charity that is registered with the Charity Commission or is funded by the Council or another local authority or a faith based community group or organisation. Tenants and Residents Associations which are constituted are classified as not-for-profit organisation. They must be registered with Medway Council or a Registered Social Landlord to qualify. Volunteering must be for a minimum of 10 hours per month.

### **Evidence required for voluntary work.**

A letter on the organisation's headed paper from the manager responsible for volunteers confirming the applicant's involvement in a minimum of 10 hours per month of voluntary work for at least 6 months. This person must not be related to the applicant in any way.

## **3. Training or Education**

We want to encourage people to improve their chances of gaining paid employment by gaining employability skills and becoming job ready. This may be achieved by attending higher or further education or by accessing a longer vocational course of study or engaging in a programme of work-related training courses. In all cases the course of study must lead to achieving accredited qualifications and / or certification by a registered awarding body.

Study or training may be undertaken at a range of recognised institutions and organisations such as: Further Education College; registered Private Training Provider; registered Voluntary Sector Organisation or University.

A person must have been studying or training against the eligible criteria and definition outlined, for a continuous period of at least 6 months up to the point of application and the same at point of offer. Applicants eligible for out-of-work related benefits must also be registered with Job Centre Plus and accessing mainstream job brokerage provision, thus actively seeking work (this may not apply to full time students dependent on the hours they are studying). This training must be in addition to, or supplementary to any mandatory training required and may be undertaken in conjunction with volunteering to gain further knowledge and experience.

Some people undertaking training are not actively seeking work. Where the Benefits Agency can confirm that the applicant is not required to actively seek work because of their circumstances, for example they have caring responsibilities, their training can be recognised in this policy.

All training must be a minimum of 10 hours a month.

### **Evidence required for Training element**

Further/higher education candidates must supply evidence of :



- A letter from college or university confirming participation in course of study for period of 6 months

For vocational training award the following evidence must be provided:

- an agreed employment action plan developed through a recognised training provider/ service plus verification of steps taken towards achievement of action plan targets
- certificate or letter from a registered awarding body for the course or by a recognised training provider as evidence of gaining a recognised vocational qualification or successfully completing accredited work related training (over a continuous period of at least 6 months)

#### **4. Ex service personnel**

Applicants who have served in the British Armed Forces and lived in Medway for at least 6 months immediately prior to enlisting, will qualify for a community contribution award automatically, with the exception of those who have been dishonourably discharged. This includes people who have served in the Royal Navy, Royal Air Force and British Army. Service with the armed forces will be confirmed with the Royal British Legion.

#### **5. Registered Foster Carers**

We recognise the contribution that Medway foster carers make towards ensuring that children in Medway's care receive a good service. In order to qualify for a community contribution award under this policy, applicants will require a letter from the Council's Children's Service confirming that they have been approved as a Medway foster carer and that they are in a position to take one or more placements.

#### **6. Carers**

Applicants who undertake formal care of dependents and are in receipt of DLA higher rate or carers allowance or care element DLA will qualify for the Local Priority award under this policy.

#### **7. People with disabilities and older residents**

Whilst many older people and those with disabilities work or volunteer, there may be circumstances in which frailty or a disability prevents this, or means that the full eligibility criteria set out above cannot be met. Housing Officers will consider such cases on an individual basis and use their discretion to award a Local Priority where they consider this is appropriate.

#### **8. Young people**

Generally young people (applicants aged 25 and under) will be required to meet the full Local Priority criteria outlined above. However housing officers will have discretion with regard to the length of time a young person has been in employment.

In addition where a young person is able to participate in volunteering and is not in employment or training the number of hours per month required is 20 hours.

### **Young people referred by Children's Services**

In some circumstances a young person in supported housing may not have a full current positive residence history. Where the scheme manager is satisfied that the young person is no longer in breach of their tenancy agreement or licence and is complying with the conditions of the tenancy Housing Officers will consider such cases on an individual basis and use their discretion to award a Local Priority where they consider this is appropriate.

Where a young person has been referred by Children's Services the following will qualify for community contribution award:

- firm offer and proof of acceptance onto formal study or training,
- in employment,
- volunteering for 20 hours per month. Volunteering defined in the volunteering section above.

## **Consultation programme**

The Council has undertaken extensive consultation around the changes to the allocation policy.

Informal consultation around the broader changes to Allocations and the direction of travel for Medway commenced in August and ended in September. The issues included;

- How many bedrooms should people be entitled to?
- Local connection
- The banding structure
- Transfers
- Open or closed housing register
- Local priorities

This informal consultation attracted 66 responses to the topics posed, the consultation was also picked up by the local press prompting another 27 responses via social media.

Comments have been collected from;

- The Homelessness forum
- Supported Housing and Floating support providers
- Tenants groups
- Housing Staff
- Registered Providers
- Members of the public
- Elected Members
- Adult Social care
- Children's services

A draft Policy incorporating feedback collected was published on 22 October 2012 and made available through the Council's website. From the consultation and views from other stakeholders that were incorporated in to the new draft Allocations Policy. The policy has been available for residents to comment on for a full 12 weeks. A copy of the policy is attached.

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## Allocations policy and tenancy strategy consultation results

<b>Family with a child with a long term disability</b>			
<b>Priority to Move</b>		<b>Length of Tenancy</b>	
NONE	0	2 YEARS	0
LOW	0		
MEDIUM	0	5 YEARS	1
HIGH	8	LIFETIME	7

<b>Single person in a Council property that is too large and wants to downsize</b>			
<b>Priority to Move</b>		<b>Length of Tenancy</b>	
NONE	0	2 YEARS	0
LOW	0		
MEDIUM	1	5 YEARS	5
HIGH	11	LIFETIME	1

<b>Transfer tenant wishing to move</b>			
<b>Priority to Move</b>		<b>Length of Tenancy</b>	
NONE	0	2 YEARS	0
LOW	2		
MEDIUM	0	5 YEARS	3
HIGH	10	LIFETIME	6

<b>Family that need a larger property but have rent arrears</b>			
<b>Priority to Move</b>		<b>Length of Tenancy</b>	
NONE	0	2 YEARS	7
LOW	4		
MEDIUM	1	5 YEARS	0
HIGH	0	LIFETIME	0

<b>Family with two children over 10 years in a private sector 3 bedroom property</b>			
<b>Priority to Move</b>		<b>Length of Tenancy</b>	
NONE	2	2 YEARS	1
LOW	8		
MEDIUM	1	5 YEARS	3
HIGH	0	LIFETIME	0

<b>Working Couple with no housing needs</b>			
<b>Priority to Move</b>		<b>Length of Tenancy</b>	
NONE	11	2 YEARS	4
LOW	0		
MEDIUM	0	5 YEARS	2
HIGH	0	LIFETIME	0

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## OPEN V CLOSED HOUSING REGISTER

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**Should Medway operate a more restricted register than it currently does?**

No

Probably, a lot of other councils do

Yes I feel people are moving into the area and being put on band A to quick I moved to Kent and was not housed for over 3 years

Yes

Yes in order to meet the housing needs of the local community it needs to set restrictions.

Yes

The register definitely needs to have a few constraints on it out of fairness to existing applicants and to make sure those in need of Housing have theirs needs addressed.

**Should we refuse to register applicants or introduce a reduced preference banding that contained the groups set out above?**

No - but tell them about their limited chances

I think any applicant without a local connection should be refused at the very least

Yes to make more fair

Yes

Yes I think this is the most suitable idea, however advice and support to obtain private sector housing should be offered.

Yes

Both; Applicants with no chance of being housed should be made aware of the fact and as much information given with regards to accessing Private housing. A reduced preference banding should be introduced for remaining applicants.

**Are there any circumstances or exclusions that you would want to see included in a new allocations policy?**

How long living in Medway why have they moved to Medway

No

I think we should limit the number of applicants room outside the local community and those who are above the income threshold should come under these limitations.

No

Not keen on the 2 offers only as I am sure that there are certain areas that Tenants would not wish to move to.

**Should applicants that are not actively bidding through the scheme be removed?**

Yes

Yes, even though there is little chance of me getting a property yet as I have been on the register for just over 6 months, I still make sure I bid each time the list is released.

Yes

Yes

Yes

Yes if an applicant is in need of housing they should be seen to bid, obviously notice should be given.

Yes

Yes there needs to be a guideline that if you have not bid on a property within say 6 months then your need is deemed not to be urgent and your application removed. However perhaps this could be looked at and adjusted regularly as necessary based on available properties.

**An active and inactive register would offer little efficiencies in terms of administration but would steer away from a process of refusing applicants, which in turn could prevent challenges and reviews. Should an active and inactive register be considered?**

Yes

No, clear exclusions should be listed rather than this

I think if people are not bidding on time every fortnight they should not be put on a higher band if you need accommodation that bad you should be bidding

Yes

This would be a better solution than active refusal. If applicants understand this and still want to apply then they should be allowed to. Implementing this system should create a service to support applicant finding homes in the private sector, Particularly those who are unlikely to succeed, above the threshold and by personal choice.

No

No .I believe an active register should be sufficient. There will always be people who disagree with the way things are administered but this could be counter productive in moving people up the Housing Register.



**Would applicants want to be registered if they had information that showed their chance of being housed were minimal?**

Some would but that would probably be a minimal number

Maybe they should be a new bidding system for. Band D as the chances of being housed within 3-5 years takes time for admin to sort out

No

Perhaps not

Some would still do so, is very much like the lottery, there are those who will always do so in the hope there is a slim chance they are picked.

No

Probably not but hopefully if they were provided with an up to date Private Sector information pack and the necessary guidance they would move on. False hope is disheartening.

**Do you agree that applicants should be asked to accept that they have little or no chance of being re-housed?**

Yes - but given other options

Yes

Maybe not accept it but be made aware and given other options to try and house themselves through private housing

Yes

Yes they should know that they have little hope of being housed and accept it and try other providers

An honest open approach is far better for the applicant.

Yes

I think they should be asked to sign a document clarifying that they understand this if they still insist on applying to go on the Housing Register.

**The allocation of accommodation guidance suggest that applicants should only be able to request a review within 21 days of their decision being issued, or when new information that suggests circumstances have changed since the original assessment has been submitted. Do you agree with this?**

No

Yes

I think it would be good to re look at cases every 6months for A and B Band 12 Months for C 18 months for D

Yes

Yes I think this is quite fair.

Yes

Yes I agree with this however there needs to be some proof of the date they receive this information and advised that any appeal launched needs to be sent recorded delivery .

**Guidance relating to review suggests that 8 weeks is reasonable to provide the response to a review and that verbal representation should be taken as well as written. Do you agree with this?**

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

**Is there any other feedback you would like to give on this area of consultation?**

I sometimes feel that staff could be a bit more helpful when it come to ringing Homechoice as sometimes I feel they don't like being asked questions I ask about my bidding No59836 and lady was rude. I'd rather be told truth then fobbed of with rudeness

## BEDROOM ENTITLEMENT

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### Which criteria should Medway implement in its allocations policy? Should we allocate and assess overcrowding using a different framework?

No

YES. If a person or couple with more than 2 children is overcrowded and living on benefits. THEY SHOULD REMAIN OVERCROWDED. DISCOURAGE THEM FROM HAVING MORE CHILDREN. I AM PAYING FOR THEM OUT OF MY COUNCIL TAX AND PAY. I am female 63 and still working full time since bringing up my own 2 children. We would have liked more children ourselves, but my husband and I had a mortgage to pay. There will be no free handouts to me IF I get to retire. I have paid full national insurance for 45 years and I am still paying PAYING!!! Benefits should be paid based on how much you have paid in. Obviously I accept there are some deserving cases.

Yes they should make measure how much space is in the room of where the children are sharing

No

If an applicant can demonstrate a need for an extra bedroom over their usual allocation then they should be considered for it. This should, ideally, come from someone official such as social worker, doctor etc

Use current policy

People who work but are on a low income should have priority as they can afford to pay their way or receive just top up benefit as opposed to costing more in benefits. Different sex children over 5 should be entitled to a separate bedroom - 10 is too old bearing in mind it can then take 2 years to find a suitable property.

I think the current policy seems quite fair.

Yes

I think that you have to have a fair framework for allocating housing but you also have to take individual cases circumstances into consideration. I am a little unsure of the current policy to be honest.

I believe a discretionary framework would be ideal. A lot of households now share joint custody of Children this needs to be accommodated too. Room measurements would also be good criteria for the sharing of a bedroom by same sex siblings. The additional bedroom could be given as an incentive for under occupiers especially if they are likely to increase their family.

Yes - I have two step sons that's stay with us 3 days a week. They share a room with my 2 year old daughter. The room is small and the oldest does not get any privacy. There are constant argument. As we do not receive child benefit for the boys they are not allowed there own room. We are trying for another which means there will be 4 in a room. We only have them one days less than the mother so it's hard to get my head around the fact they can't get their own room.

### Should this criteria be the same for assessing someone that is overcrowded or should the bedroom standard be the basis for assessing overcrowding?

More children. More bedrooms? Encourage people to a creatively use space. Council ones should be able to convert roof spaces!

No the assessment of overcrowding should stay the same but have an assessor come out to look at how much space the children has when they are sharing.

Yes

This criteria should only be used for overcrowding if the applicant can provide definitive proof of their need

No the bedroom standard should be used

I think there will be a large group of people who will find themselves in unsuitable properties under the new policies, who may be quite content where they are, It seems to have worked so far, why fix what hasn't been broken.

Yes

I do think that somewhere down the line people have to be responsible for the size of their families. The council should be allowed to 'draw the line' at some point. Perhaps some sort of policy could be drawn up where the council will house you but, if you have more children and need more bedrooms then you will have to consider private housing and should be responsible enough to be in employment or doing everything possible to find employment if you are planning having more children then you had when the council first housed you.

The criteria should be different scales for assessing overcrowding.

I think the situation of the family needs to be looked at and their reasons for a larger house be assessed individually and not just a straight no. Like I said above, my step sons can't have a room because we don't get their child benefit but we have them one day less than the mother

### In what circumstances should an additional bedroom be awarded? Should this be extended to providing an incentive for under occupiers?

Lack of space . Overcrowding ..... Under occupation .. Offer positive smaller accommodation. Increase rent !  
None

When a child is over the age of sharing and 1 or more of the children has disabilities with every day life.

If a couple are no longer able to sleep together for medical reasons.

If there is a medical need or if a single person/couple are trying to adopt or apply to foster. In my experience, if there is no spare room already available no fostering agency or Medway Council itself will even consider assessing someone to be a foster carer

No only on special circumstances

An additional bedroom should only be awarded for live in carers. Under occupiers should be offered an incentive to downsize.

No I do not think under occupiers should be awarded this option. However more incentive to find them a suitable property that suits their needs than the present system would be an option. Adopters and carers should have this choice offered to maintain care in the home and provide a safe haven for children in need of foster care.

Change in family. Yes

Where only one bedroom is actually needed, it might help as an incentive if people were allowed to transfer to a property that has one bedroom more than is actually needed if it is available.

If you want to foster as in meet the criteria but don't have a spare room, step children that stay 3 or more days a week

**With supply of larger properties being so short should we accept the overcrowding of three bedroom properties? Should all families be encouraged to find suitably sized accommodation in the private sector?**

No not all. Look at age groups of families....

Yes

No the council should provide the ones who are overcrowded with the property. or they should help pay for the deposit to help them get private sector property.

HA should look at extending some of their existing housing stock

Yes, if they are not working then they will be able to find something suitable along with the assistance of the council such as rent deposit schemes and LHA

No more properties should be built or purchased by the council as private sector rents are higher this does not apply to those on benefit but if not on any benefit they would have to find the difference from the income so this will stop the overcrowded ones moving

If families are both working and on a reasonable income without needing benefit then they should be encouraged to find alternative accommodation.

As we saw many years ago in the Black Report poverty, including over crowding of the less fortunate affects health. Encouraging overcrowding will have a domino effect. Health services will feel an impact and with tightened healthcare budgets in local trusts services will find themselves over extended. Social Housing is for those who have a need. Unfortunately the private sector is still not policed efficiently and many families suffer under the abuse of landlords who disregard the needs of their tenants. There is also the question of higher rents and those on benefits will find themselves with less money because housing benefit will not meet the entire rent. A stricter line should be taken with those accessing social housing, there are many families who have wages that are substantially higher and can afford higher rent. Regular assessment of whether a tenant actually fits the criteria for social housing would be better.

Yes

I think there should be more social housing available. Encouraging people to move from social housing into the private sector could cause problems later down the line when they might lose their jobs or circumstances change and they become homeless and back on the councils doorstep. The costs involved in keeping people in B&B's or temporary accommodation is very costly to the council.

It may be beneficial to offer a financial incentive for overcrowded families who move to the private sector such as the deposit needed to rent such a property.

I think if it was an option then the families would anyway. We have looked at private renting but there is no way we could afford it as we don't get housing benefit etc

**Should an additional bedroom ever be awarded where it will not be covered by welfare benefits?**

Yes ... Assess for caring needs...

no as then the occupier will be making themselves short of money.

No only in extreme circumstances

This should be considered dependent on need

No

Regardless of benefits an additional bedroom should only be awarded where essential.

Yes as previously stated crowding by these means will have an adverse effect on health and why should the poorer in the community suffer because they have less money than a family who have one or more wage earners. Not every tenant on benefit wants to be so and this will increase the gap between wealth and poverty further. Why should a working family be allocated an extra room purely because they have money? However having said this, perhaps the tenant should be given the choice of a refusal if they do not wish to pay the additional rent.

No

Yes. If a family chose to increase the amount of children they have knowing that they have no income other than that received from the state, then they have to take responsibility and accept that they must contribute to their choices.

This should be discretionary and the Tenant afforded the opportunity to pay the shortfall if they have a Positive Tenancy History.

Yes

**What other options or circumstances should we consider in setting bedroom eligibility?**

Space for equipment.... In medical needs.. Where intermittent carer role is required ...to stay over night .....  
Assessment by social services and housing officer.... Avoiding permanent care home options ..... To enable care at home inc dementia Individual or unique

when there is people that have been on the waiting list for over 2 years to be move to bigger property due to having different sex children in the same room when it has stated that it is not allowed

By tenancy record time tenancy held also a points system shod be set up for all tenant to help with finding out good and bad tenants

Children who have learning difficulties or autism can be difficult to live with and need their own space so should be considered for having their own bedroom.

Health and disability of a child should be considered.

Children of the same sex under ten in the same bedroom

An older property is likely to have larger bedrooms then those in a new build. It should be considered that such a property could have the larger bedroom adapted and made into two smaller bedrooms via partitions being built in. Perhaps more families could be encouraged to keep children that have grown up and have families of their own to stay at home by offering a larger property that could be adapted for the grandparents and children to live in but still have some independence from each other.

If proof can be given of a child who regularly stays with the absent parent .

**Is there any other feedback you would like to give on this area of consultation?**

that it is not fair the way British people get treated on the housing entitlement.

I am a single person who wanted to become a foster carer but was turned down before I had even managed to apply as I am in a 1 bedroom property and therefore wasn't able to put a child up in it's own room. If I had been permitted to rent a 2 bedroom property then I could have applied and potentially made a child's life better

With the bedroom criteria being used there will be a lot of under occupation in the stock at the moment but with very little suitable properties in the stock will this tenants encourage to move to a different housing provider rather than get into rent arrears

Children under 10 of different sex should not be allowed to share the same bedroom

I think its obvious that there needs to be more social housing but, people have to be responsible for the size of their families and their circumstances etc. and at the same time the council have to be able to make enough money for the upkeep of all this.

## LOCAL CONNECTION

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### Should Medway use the flexibilities in the Localism Act 2011 to review local connection criteria?

Yes. I strongly believe Medway Council should use this opportunity to completely break the current loophole in the system of individuals coming from other local authorities to live in temporary, 'hostel' style accommodation, thus establishing a "local connection" within 6 months. Unless this is done, the current investment in Chatham is fighting an uphill battle all the way in terms of its demographic. Authorities like Maidstone and Tunbridge Wells have utilised this system to move individuals to Medway for many years. A large "supported housing" provider in Chatham has profited significantly by charging incredibly high rents to vulnerable people for a room in a shared house, using Housing Benefit as their main stream of income. All authorities should have services for homeless, vulnerable people - not just Medway. Unfortunately, due to the business model, and the ease of moving people from places like Maidstone and Tunbridge Wells, Medway has been a 'dumping ground'. People come from out of the area and stay in Medway - almost always not employed or working towards it.

This must put a huge strain on housing and welfare benefits, as well as the damage to the communities where these hostels are located.

Yes having some one in the area who has lived here for some time should give a person the right to settle

No

Medway & all local Councils should take into account whether applicant has been living for some years in Medway, has family connections in the area. It is scandalous that people from elsewhere are housed as a priority, before local village people. When 650 new houses were built in Hoo, we received forms to complete to show whether any family members required housing, (we were told that there was a local housing need for the new houses) Obviously filling the form was a wasted exercise. The elderly in Hoo were moved out of their flats into new homes because their homes were to be demolished to make way for more family homes. My son has been on the housing list for years, however he did not get housed when the new housing was allocated. Most homes went to outsiders from London & the Thames Corridor.

Yes use the flexibilities in the localism act 2011

Yes I agree with a few additional changes.

Yes

I believe this needs to be done and fine tuned to prevent further extreme extension of the Housing Waiting List.

### Should Local Connection be strengthened? If so, to what degree should the applicant(s) have been resident in the area for (2/3/5 years)?

I have been on the list for about 2 years and feel that any one coming in to the area should be expected to be here for about 3 years before being considered for a home for the council

5

Yes At least 10 years

five years + medway properties for medway people

2 years

I think 2 years is a suitable time, friendships, work and school placements will have been established by this point and shows a commitment to the area.

2 years

Applicants should have been resident in the area for a minimum of 3 years or worked in the area for a minimum of 2 years.

### Should an element of family living in the area be considered? If so, how long should the family member(s) have been resident in the area for (2/3/5 years)?

I think a family member should have been here for 5+ years

5

At least 10 years

Five years

Five years

I think that the family element should still be used and set at 3 yrs.

Yes At least 2years

Family members should have been resident for a minimum of 5 years unless there are extenuating circumstances such as relatives being placed in long term residential/nursing home care.

**Should cases without a local connection be allowed to register?**

no with the current housing list growing the way that it is I think local connections are a must

No

No

No. medway has a limited amount of properties and they should be allocated to the people of medway

No

Only if the have been made homeless and or this has resulted through no fault of their own.

No

Cases without any local connection should be declined .

**Should employment in the area qualify as a local connection? Should employment be permanent, part time, paid or voluntary?**

It should be "sustained employment", so there should be evidence that the person has been in continued employment (could be with more than employer of course) for a specific length of time. Maybe six months.

working in the area is in its self is not a reason to re home

Permanent paid

No not until working here for 5 years

Full time employment only of more than 2 years

No should use private system for a set time and held employment for est. time manly full time

Employment should qualify a connection to the area but only if permanent or part time. Voluntary work whether

Yes

Employment should be classed as a local connection if permanent full or part time work over 2 years. Voluntary employment should be disregarded.

**Is there any other feedback you would like to give on this area of consultation?**

Yes why do so many of the housing associations you have here in medway have a no pets policy do they not know for a lot of older people there pet is often there only company they have .

Families become fragmented when they are not living near to one another to support younger, older or sick members of the family

Local housing for the local people

No one from out side medway should be taken



## LOCAL PRIORITIES

Contact details
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**Should Medway Council consider awarding a higher priority to those who would fit into a criteria linked to local priorities?**

Yes

Yes

To people born in the area. To enable a continuity of community rather than destroy it in favour of people who have no link and want no link to the area

Yes. I live next to social housing & I've never met such a dysfunctional group of people in my life. They need to be dispersed to spread the misery they cause more evenly.

Lower earnings..... Yes... Those who will never get a mortgage..... P Have temp accommodation for key workers ..... For up to 3 years then they can sort themselves out / move on they do earn well! Have accommodation for vulnerable groups that are supported by supporting people

Yes

Yes

Yes, it would be a positive, progressive role for this unitary authority. Be bold, be proactive, be the first to consider other ways of choosing tenants.

Yes

Yes. People who give of themselves to an area should be seen as an asset and given priority especially those who do so without financial gain

no as this would be unfair to other applicants on list

Yes

I think there should be a percentage of housing set aside for the most vulnerable and the remaining allocations to local priorities.

No

Local priority should be given to Transfer applicants with positive tenancy history, Key Workers, Members of the armed forces but I don't believe the other criteria applies. However this is just a personal opinion.

**Who should we consider as a local priority?**

Working people

Priority should be given to households which make a positive impact on the local welfare benefit budget, and local unemployment figures, starting with those working, but on such a low wage that the Private Rented Sector could make their low-paid job unfeasible. Closely followed should be those people genuinely working towards employment through training and/ or volunteering opportunities. Long-term unemployed people should NOT qualify into this higher bracket unless they are training or volunteering.

People born locally, who work locally and have community connections

People who work full time and contribute rather than require subsidy from others who can barely meet their own needs.

The most vulnerable.... Domestic abuse victims Those who role is required in the community .... If we are short of teachers then teachers .... But if we are not for that period don't prioritise them. ... Review depending on need.

People working in the Medway area

Those that have worked within Medway for 2 years plus.

Priority to ex service men and women. People who have served the community well, including NHS staff and voluntary workers. Priority needs to given to those who have a good rent history. So often people are re housed when they have left massive arrears in private rented properties, Good tenants should be given a good choice of accommodation. Points could be awarded for rent history, good tenancies, length in private rented property. Instead of the opposite, where an unstable way of living is rewarded with a move up the housing ladder! This seems an unfair way of choosing new tenants. Priority also to those who have lived in Medway for over two years. This six months business is nonsense. It means virtually anyone qualifies. The London Boroughs recommend those coming into the country to move to the Coast or Kent because they will be re housed quicker! That is unfair on the local population in Kent.

People born in Medway

From my work point of view I strongly believe that Prisoners should be given a higher priority. On average 1 in 5 people have a criminal record which means we all have ex-offenders in our community. It is also a fact that ex-offenders who do not have accommodation and/or a job are a third more likely to re-offend and this cost's the tax payer at the last estimate around £330,000. so by giving offenders a priority we will not only give the ex-offender a fighting chance to lead a productive life in future and give back to the community but also save governments both central and local money.

Transfer applicants with positive tenancy history those with a pre tenancy qualification members of the armed forces

Definitely people who work, and tenants who have a good history, and armed forces,

I think all the following should be considered, Prospective adopters and foster carers - Households in work or seeking work - Those undertaking training - Transfer applicants with positive tenancy history - Those undertaking voluntary work - Key Workers - Members of the armed forces However I think the need of those who are most vulnerable should be considered and a number of properties set by for allocation this group.

Please see above. I also believe that Estate Officers should also be given discretionary powers to suggest Tenants be put forward for a local priority.

**Do you think that this is unfair on people that are unable to work due to disability or for other reasons? - Open-**

No - Care managers and local authorities are working with these people and can over see there vulnerability and I am confident that Medway council would have a procedure in place to manage this.

The word "disability" is too broad in this context, but the short answer is "No". One of the Government's agendas is for people with disabilities to be supported into mainstream employment; this includes learning, physical, mental health, and sensory disabled people. The criteria for being too sick or disabled to work has changed, and many people are being re-assessed as able to do something. Disabled people are often capable of working as effectively as non-disabled people, providing that employers adhere to their duties to provide "reasonable adjustments." Although there will always be some people with disabilities who will argue they deserve to be made an exception, there are also many who prefer not be seen to receive "special treatment".

No - this would encompass everyone

No. Why should a disability be an advantage? Equality means equal rights not preferential rights.

Yes

No Medway needs to reward those contributing to the area

No, they can contribute in many ways such as fundraising etc

Disabled people are already given a high priority. If you are in receipt of DLA or AA you can move as many times as you would like. Couples can choose where they want to live, which is right...but once in a property they should only be moved if there are good reasons. Requests to be moved because they do not like the area appears to be unreasonable when there are so many on the housing waiting list.

I Believe every case should be judged on its individual merits but looked at carefully taking into account all the factors and not just on the say so of one person/group.

Yes

It would depend on the individual case and I think that's where councils go wrong they have bases and put people in them rather then review the individual cases,

Yes I think recent media coverage of those with a disability and the prejudice they receive makes it apparent that they are being treated less fairly. Therefore feel Medway Council should appear to represent this category of the populace particularly as they are a vulnerable section of the community.

Yes

Yes I think disabled people also need to be given local priority.

**Is there any other feedback you would like to give on this area of consultation?**

I work as a support worker in the Medway area and I am a resident in the Medway area. I feel there is a worrying level of communities that are built from the current priority of people and this causing a dependency amongst groups of people. This is having a very serious effect on communities and I would even go as far to say that this is breeding the 'broken Britain' culture. Something has to change - ASAP

Too much emphasis on political correctness. Get back to grass roots and get community back again. Do not bow to newcomers be they black, white, pink or green. Take no account of religious persuasion or creed. A level playing field is needed but I doubt the Medway Council has the guts to do what they must know is right

Social housing is widely perceived as housing for problem families/individuals. This needs to change. In the natural order of things, rewards are earned yet in social housing allocation, rewards are awarded to the least productive (unless you class productivity as re-producing). This is morally wrong & gives the message that 'do less get more' & vice-versa

Needs to be a flexible response ....

Households seeking work should not be in priority and nor should those in training. People who are ALREADY contributing to Medway should get priority

The sheltered studio accommodation is really only suitable for the homeless, people leaving an institution, or people with no belongings. It would also be suitable for young persons who have not had time to accumulate a lifetime of goods. These properties are so small there is nowhere to store items like a vacuum, an ironing board, suitcases etc.. I wouldn't put my 89 year old mother in one of these! Rethink this and look at the suitability of properties. Russell Court is a good example...it is awful... and there are 7 or 8 steps to the front door. How do the elderly cope in the winter? Icy steps, shopping bags, accidents, not clever! If this is to be a proper consultation listen to the public don't just be paying lip service. Be seen to be listening and taking on board some of what you hear.

Yes, young people who have been born in Medway have no chance to live independently as a natural progression unless they are given priority. They should not have to wait until they have children to be given a higher priority an allocation should be made to young people and older people who were born and/or work in the area.

YES in general the idea is good but as there is a huge shortage of social housing and this can be seen at the moment with disabled adapted units still be allocated to those with no special needs I can see demand can control this and people are reluctant to move home and would rather have this adapted so is there not away to make it more worthwhile to move this would mean more money left in pot for other to spend

It will kind of create discrimination

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## STRUCTURING A BANDING SYSTEM

Contact details
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### Should Medway alter its current banding structure?

Yes

Yes, I don't feel that the current system is working.

Yes

Yes, def

No

Yes

I think its current system is fair, however feel that a local connection should be consider in each band as opposed to someone out of area.

No

I think the current structure is reasonable.

Yes there are too many categories I believe a few would be sufficient along with discretionary powers.

### Should Medway introduce a band for reduced preference cases? If so what category of people do you think should have a reduced preference?

As someone who has a band d because I refuse to stop paying my rent leading to my eviction which I have been told to do numerous times by medway council to get my banding changed I think the honest decent people should get treated better. living in a house I can't afford I still pay my rent because I have two babies who are my priority. because instead of not paying my rent I'll only eat 4 days in 7 its deemed I am not in need of housing..yet people who spend rent on drugs and alcohol, make there self homeless and there more important than a single mum with two babies

No

Bad Tenants from other Housing providers, individuals and families on benefits that clearly have no intentions on wanting to better themselves.

No

Time-wasters, people who deliberately try to jump the queue.

No I feel that the present system works well.

No

I do think that people that continually cause problems for neighbours and/or make little or no effort to keep up to date with their rent and/or have little or no respect for keeping the property they are in clean and in good shape etc, should have a reduced preference.

Those with long term Rent arrears and those with a history of upheld complaints from neighbours. Also those who have intentionally made themselves homeless.

### Should cases that are considered a local priority place above those that are not considered a local priority?

Yes

Yes, if you have a local priority "status" and a local connection.

Absolutely, especially people that actually work in and benefit the local community.

yes, people who have lived in medway for most of their life should get priority within their home towns

Yes

Yes

Yes most definitely.

No

It is important to consider each case on its own merits. However, there are numerous obvious circumstances that make some people a priority.

Local priority should always be considered.

**Would you prefer to see less bands, making a more simple scheme or more bands, which allows for a scheme that caters more to the needs of Medway?**

less band

Yes. I would like to see the scheme made more easier and to cater more to the needs of Medway.

Absolutely, Medway is clearly a dumping ground at the moment.

it should have more bands, I am in band c but I have no idea where in the list I am.

I think the bands should be set out that medical our disabled in a band of their own

More to the needs of Medway and those that work here.

the present banding seems sufficient however perhaps ensuring it caters to the needs of medway is a positive.

More bands that allows for a scheme that caters more to the needs of Medway

Everything would be nice if it were made more simple but we have such a diverse society that I'm not sure this would be a good idea.

Less bands.

**Is there any other feedback you would like to give on this area of consultation?**

I feel banding should also apply to time on home choice. I've been on homechoice for 2 yrs but as only a band d someone can come straight on a band a and will take a property meaning ill always be pushed to back of queue

I currently live in social housing with West Kent Housing Association. I think their service is exceptionally poor. Tenants are left waiting up to 6 months for repairs. The Housing Officers are very un keen to sort out Tenant's issues. Their main Office is in Sevenoaks with an small Office in Strood, they heavily concentrate on the needs of Sevenoaks tenants. I would NEVER live in another West Kent property or recommend anyone else to until the Customer Service is heavily improved. I feel that Medway Council should investigate West Kent Housing Association through the flats/houses being offered from them the through Homechoice process and the service being offered to Tenants/residents.

I note today via Radio Kent that preference is being looked at in giving key workers and individuals that actually benefit and make a contribution to the community that is Medway, As a Community Officer, I feel that certain disciplines of council officer should be included in this, and naturally would like this to be considered.

I suffered a severe placental abruption in my front room while 39 weeks pregnant. I lost 2 litres of blood in my home, witnessed by my sons. my son died due to this. both my sons and I are severely effected by this living in our current home and I am on medication for post traumatic stress due to flash backs and severely depressed and can not stand to be in my own home. we cant afford to rent privately plus we want a permanent home so we can plant a tree and have a little corner of our garden to honour him, but we cant... yet we are still classed as band c even though my own GP said that we need to move to be able to grieve and move on. there should be a band for medical needs too as I feel mine in particular has been brushed under the carpet

I work and live in Medway, I have been on the waiting list for more than 5 years and yet, as I am single and have no children, I have not even been to see a property, never mind been offered anything. I earn just over £15,000 a year, yes I know I am lucky to have a job, etc. but my private rent is more than half my take-home wage each month before I pay the other bills and so on. How does someone like me access a fairer system of cost effective housing if I am deemed to be without preference?

With homelessness and unemployment as it is, this issue is a serious problem. The council need more housing stock and more money for the upkeep of these if they got them. I think the council need to look at the years gone by when they had large housing stocks and see if anything can be found from those days gone by that could be implemented today to help better the current situation.

## TRANSFER APPLICANTS

Contact details
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### How do you think Medway Council should allocate to transfer applicants?

Bedroom size should be taken into account and not number of bedrooms Living rooms should not be counted as bedrooms gender of children above the age of 7 and not 10 as is current age. Children, especially girls develop earlier now.

I feel that regardless of who your existing landlord is any offer of accommodation/re-housing must be based on need and for that need to include greater emphasis on affordability. Scrap the transfer scheme and its preference to council tenants and accept only applications for re-housing. Incentivise those that are under-occupying (although not the answer).

I think this should be managed as a separate entity via neighbourhood housing officers to enable homechoice team to focus on new applications.

Increased priority on home choice but also with more active involvement of housing officers ensuring that the applicant is supported to see the right solution not just bigger houses

A separate list specifically for transfer applicants

Transfer applicants should go through homechoice with a quota of properties specifically for them. based on circumstances

only those on home choice our in council property those with local h/a with good tenancy record at least 2 years old

I'm not going to lie but I think its terrible that if you have an alcohol or drug problem you have more of a chance of being re homed, I also don't agree at the same time that just because u have a child u should automatically be housed, I have a cousin whose mums died his 20 he lost the house they had because he was young and didn't know what to do yet you cant help him because basically he's not alcohol dependent on drugs or just had a baby doesn't really set the standards does it,

I think it should be on a points system, NOT BIDDING dependant on the number of years you have been a council tenant. I have been a council tenant for 17 years, I do not claim any benefits. When I was first housed by Medway Council I was told I could apply for a transfer after 2 years, which I did so. It then went onto a bidding system and I registered for Homechoice but it became very clear after a few years that I was never going to be offered a transfer, so I didn't see the point in bidding any more. I think a points system is a much fairer way in dealing with housing transfers.

I think the option; via the homechoice scheme with a quota of properties designated specifically for transfer cases is a good solution, there are after all those not already in social housing who may have a greater need, so prioritising tenants would disadvantage these, but allocating a specific number seems a more reasonable and fairer option for all.

they should send someone round to see what applicants need

Direct offer by the recommendation of housing officer Via the home choice scheme with increased priority via allocations policy

Allow tenants to transfer if they wish to.

I believe priority should be given to people in order of their reasons for wanting a transfer IE close to relatives, nearer to employment, transferring to larger/smaller properties based on occupation, Affected by anti social behaviour, current rent payment history.

I think working people should get a higher priority we are trying o move to be closer to my partners work as we don't drive but are on band D. My neighbours who don't work are on band C. I think if you work you should be given more points.

### Should more properties be available for people already in social housing to transfer to?

Yes, I would suggest that at least every other house that becomes available should be allocated to a transfer tenant which leaves a vacant property for someone on the social list.

Generally social housing tenants do not want to move, they enjoy the benefits of affordable rents or often below affordable rents and secure tenure with the guarantee of at the very least "decent" accommodation. Social tenants benefit from agreed service standards, community involvement and empowerment. Those social tenants that seek a move do so for the same reasons that any other resident of medway does, i.e. change to health, family growth, dislike neighbours/area, affordability etc so why give preference to existing tenants? What prevents social housing tenants from moving is the fact that other social tenants do not want to move. Locally the total number of social housing dwellings needs to increase. Incentivise those that are under-occupying? Great idea but just what is the incentive? As an example a 70-year-old single tenant that has remained in a 3-bed house when children have grown up and left, a desirable area in Rainham - weekly rent charge £94.19. A sheltered bed-sit - weekly rent charge £99.39. That's an increase in rent!! Whilst we may offer £500 for each room and £500 for moving it doesn't really provide enough, proven with such little uptake.

No

Yes

No

Yes

No

yes. many medway council homes are only available to transfer yet some live in housing association homes. so someone in a lesser band may be homed than someone in a higher band but not already in mc housing

Yes

Yes

Yes definitely

Yes, why can't the council move new tenants into a flat and offer a transfer to existing tenants to a house, there is a house opposite me where the mum and daughter had just moved to the area but they got offered a house straight away WHY?????? I've tried for 17 years to move to a house but because I work and am honest and hard working I can't get anywhere.

Yes more properties should be offered for tenants in social housing to relieve housing issues, such as under occupancy and a preference for certain areas.

Yes

Yes

Yes

I believe this would be an excellent idea although I understand that more properties may not be readily available.

I think people without housing should get first priority but as I am trying to transfer it would be lovely if more houses were available

**Should the scheme allow for transfer cases to move when they want to rather than because they need to?**

Yes but as a lower priority

No, preference must be given to those in the greatest housing need.

No

Yes ... People need to move to secure employment Moves should be easier but we shouldn't unless exceptional cases pay for the move!

No

Yes

Only under certain circumstances

No. there is home swapper sites for that

Sometimes

NO ONLY WHEN THEY NEED TO

I think it should be individually assessed rather than just a banding, because some people mite want to move but for a good reason, where as keep having children so they then become to need to be moved,



Yes, circumstances change and families grow up. This flat was fine when my daughter was 5 years old, she is now 22 and living in a very tiny bedroom, we live on top of each other with having no space, she has grown up not knowing what it is like having a garden, not being able to hang your washing out to dry etc...

I think that there should be a time scale on how long the tenant has been in a property and prioritising needs on a scale to allow them to move but essentially my answer is yes.

No

No

Residents should be allowed the option to transfer if they want to.

There should be some leeway to allow this....perhaps a transfer lottery??

I think everyone should have the choice to apply to transfer if they want to. I took where I live now because I did not have any choice really as I had to move out my last property. But I struggle living here find it very hard as it's out of the way and find it hard to meet the costs of public transport

### **Should we penalise transfer applicants who aren't paying rent or maintaining their property?**

Priority should be given to residents who look after their home

Any Medway Council tenant is required to maintain their home and pay their rent as a fulfilment of their tenancy obligations and should therefore not be allowed to transfer until such is cleared/cleaned, to assist in managing this I would suggest any offer of accommodation to a transfer application is made at their home in person. There would be some exemptions to this rule, i.e. fleeing violence.

Yes

Improved housing officer involvement and actions .... When arrears are 8 weeks ... Get. Involved! Take each case on an individual basis ..... Also consider the families lifestyle. .... Afford to drink .?.. Afford sky! Can pay rent! .? Check it out ....

Yes

Yes, why should they get priority over people who care and pay for their property

Yes

depends on circumstances

YES AS THIS MEANS THEY THERE IS NO INCENTIVE TO PAY RENT AND IF THEY DO NOT MAINTAINING THE PROPERTY THEY SHOULD GET TOLD TO IMPROVE IT AND IT SHOULD MEAN A MARKING SYSTEM SHOULD BE SET UP

Yes I think there should be some sort of reward for tenants who pay their own rent, and keep their property inside and outside clean and presentable, you might find some people respect their homes more than.

YES, definitely, I get really really angry when I see other tenants being moved from a flat to a house whom I know has never paid a penny rent or council tax, has never worked and do not maintain their property. As I have previously mentioned I DO NOT claim any benefits, I am in full time employment and I regularly update and maintain my property even though I would dearly love to move to a house.

This would have to be closely monitored and consideration of circumstance taken into consideration. We are in a present climate of high unemployment and the new rules on occupancy with regard to housing benefit comes in next year, so it may need more than just simply penalising tenants but actually working with them to resolve issues first. There are those, who due to health etc who may have difficulty maintaining their properties, perhaps a scheme to support them and provide fairly priced services would be an idea.

Yes

Yes

Tenants should have proven respect for the property they are residing in and it should have been kept clean and tidy. If a tenant has been a problem then unless the council are convinced that they need to move due to overcrowding or medical grounds etc then until they can show they are trustworthy. Law abiding etc their application should not be considered.

Yes unless there is a genuine reason for the rent arrears i.e. Housing benefit backlog or classed as vulnerable.

Yes!

**Is there any other feedback you would like to give on this area of consultation?**

There should be stricter policies surrounding social housing with reassessments on financial ability as to whether or not social housing is still required or could property be freed up for someone in greater need.

Social housing is a benefit not a right .... Take greater action against neighbourhood problem makers .... Don't offer extra space i.e. garages to hoarders! It's just takes the problem into another external room..

Tenants who are working should be given priority

I HAVE NOTICED IN THE LAST FEW YEARS THEIR HAVE BEEN A LOT OFF FAMILIES FROM LONDON SEEM TO BE MOVING TO THE AREA AS THEY IS SO FEW HOUSES IN AREA I FEEL THIS SHOULD CO TO LOCAL PEOPLE

Not really. Again as previously mentioned I have been a council tenant for 17 years, I have always paid my rent and council tax, I work full time and do not claim any benefits. Over the years I have seen people come and go, most of them not in work, being transferred to a house, while I have been left. I have come to the conclusion that it doesn't matter if you are honest and hard working you will be put to the bottom of the list, whereas if I didn't work and caused no end of problems in the area then I would have been moved by now because this is what I have seen over the past 17 years.

People should be allowed to transfer for good reasons

More help and offers for those wanting to transfer would be nice.

I know of people who are tenants trying to get a transfer who would be an asset to the Council rather than a liability as some Tenants are. Perhaps the way forward is to have a questionnaire/assessment based on Rent history, Anti social behaviour, Is tenant vulnerable? Does tenant work within 5 miles or have relatives within 5 mile radius. Does tenant have history with police? etc. Is home well maintained? Have there been any complaints logged by existing neighbours that have been upheld?

## FACEBOOK COMMENTS

**People who contribute to their local community could get council accommodation quicker than others. It's just one option Medway Council is considering in a bid to get waiting lists down.**

**What do YOU think? Is it fair to give priority to people who contribute to the community? Let us know your thoughts, and we'll try and read them out on tonight's programme.**

Not everybody has time to contribute to their local community, especially if they work full time.

September 6 at 1:50pm · Like · 2

Sounds like a great plan...that will soon sort the lazy, no good, free loaders from the people who don't mind giving a bit back to society!!

September 6 at 1:51pm · Like · 9

what do they mean by contribute? if they mean that they work in the local area, then yes. but I think that local housing should go to local people that have lived in medway for a few years

September 6 at 2:02pm · Like · 2

names on lots of housing lists but don't have a real , need. I do think that if you are a carer or do a community based job , then as your salary is probably low , you need priority.

September 6 at 2:03pm · Like · 2

It is a good idea but what about people with disabilities or young children? If the scheme included something for everyone to do it would be great. They should be looking more closely at everyone's situation too. A lot of people who get council houses have other alternatives but are just after cheaper accommodation. I also think that they should encourage and help people to improve their financial situation and to move to accommodation in the private sector to help boost the economy and free up more houses

September 6 at 2:03pm via mobile · Like · 3

It should work on the length of time you have lived in that county !

September 6 at 2:26pm · Like · 3

Sarah I think working full time counts as making a contribution, and those with young kids can get involved in local mums groups or play schemes. Any positive action people take should count, there are far too many who sit on their behinds expecting something for nothing! It would be nice to see those who give voluntarily be rewarded.

September 6 at 2:26pm · Like · 3

Clarify "contribute to the community" please.

September 6 at 2:28pm · Like

Its a good idea.. its about time those low income families that work their socks off should be made priority

September 6 at 2:39pm via mobile · Like · 3

It should be determined by the most needy and vulnerable in society.

September 6 at 2:52pm via mobile · Like

I currently rent privately and I am on the council waiting list in Eastbourne which is about 8 years if you have "an identified housing need". I work full time and am a single parent, my income is considered low income yet Eastbourne borough council have classed me as having " no identified housing need". As to what that means in waiting times I don't know, I assume it to mean it will never happen!! To rent privately in Eastbourne it is astronomical prices so I don't really understand how that has been assessed. I also don't agree with this right to buy either, if you can afford to buy somewhere why not buy privately. The whole point of council housing is for those struggling or that is how I perceived it to be.

September 6 at 3:12pm via mobile · Like

Medway council advertise available homes. A few three + bedroom houses are up for £150 per week. Surely no one on the list could afford that unless they get benefits top up.

September 6 at 3:51pm via mobile · Like

Why not build more houses? Every authority in the country seems to be incredibly slow at doing so... despite the obvious need.

September 6 at 4:10pm · Like

## FACEBOOK COMMENTS

I think that people who contribute to the community would make lovely neighbours !!!! so yes it is fair you reap what you sow !!! and it might encourage a few more people to contribute !!!  
September 6 at 4:38pm · Like

How would a system for queue jumping shorten the waiting list?  
September 6 at 4:55pm · Edited · Like · 2

I think its a great idea. People contributing to their community are also more likely to be more caring of their environment, so it could be a good scheme both to reward and encourage people to get involved in their community.  
September 6 at 6:08pm via mobile · Like

Where I live in Thanet the Local council seem to give priority to immigrants rather than needy local families with children, the system has never worked and something needs to be changed,  
September 6 at 6:45pm via mobile · Like · 1

The system is flawed and people are getting annoyed that you can have a child as shown at 17 and expect a home. 17 year olds should look to their own family to live with, not for an instant state handout. I have CFS and Vestibular problems and have been on the list 3 years and get so annoyed at some who just get handed housing so easily.  
September 6 at 6:46pm · Like · 1

Why do we give away these hand outs anyway? I work full time, pay my taxes but can't afford a house of my own. Where's the help for people like me??  
September 6 at 6:47pm via mobile · Like · 2

Each case should be based on need and a connection to the area  
September 6 at 6:49pm via mobile · Like

Good idea. Might stop the London Boroughs plans to "ethnically cleanse" their poor by dumping them on surrounding areas. Might also limit the pregnant single mother dodge.  
September 6 at 6:49pm via mobile · Like

I'll try and fit it in with caring for my disabled children shall I?  
September 6 at 7:00pm · Like

I think its wrong because some people do good stuff to the community and don't get nothing so basically its favouritism and if your disabled how can you do stuff for the community ??  
September 6 at 7:07pm · Like

Social Housing should be bases solely in need, by local people, but then again Council Homes should never have been sold off in the first place.  
September 6 at 8:08pm · Like · 3

oh great idea, get a wee job with a charity that is contributing, get a flat, six months later give charity job up, woohoo we keep the flat this is the issue when doing that scheme.  
September 6 at 8:57pm · Like

Who is to be the judge of what "contributing" is? Some public sector employee who may well be biased? This sounds like a recipe for yet more back scratching and "jobs for the boys" type arrangements instigated by the institutionally corrupt public sector. I no longer trust anything they do and to start giving them more arbitrary powers over who gets housing is a bad idea. Housing should be allocated on need alone, not because some high handed jobs worth decides you are worthy of it.  
September 7 at 4:35am · Like

As others have indicated, the concept of 'contributing to the community' is ill-defined. Does an artist contribute to the community? What about a priest? A student may not contribute much now, but may be of great value later to the community that accommodates them now. Until there is clarity about what is being proposed, it's no more than a sound bite, and any debate about whether it's a good or bad thing is just so much hot air.  
September 7 at 9:18am via mobile · Like

## Diversity Impact Assessment: Screening Form

<b>Directorate</b> Regeneration, Community & Culture	<b>Name of Function or Policy or Major Service Change</b> Allocations Policy		
Officer responsible for assessment Mark Breathwick	Date of assessment 19 <sup>th</sup> December 2012	New or existing? Existing	
<b>Defining what is being assessed</b>			
<b>1. Briefly describe the purpose and objectives</b>	To meet the legal requirements for the allocation of social housing as set out in Part 6 of the Housing Act 1996 (as amended by the Homelessness Act 2002)  The Council will ensure that its Housing Allocations Policy complies with all legislative requirements, related legislation, case law, local policies and strategies		
<b>2. Who is intended to benefit, and in what way?</b>	Medway residents in need of social housing as they will be better prioritised for scarce resources (housing and housing related services). Registered Providers, the Housing Revenue Account (HRA) and other social landlords as the policy provides structure and guidance for the Allocation of Social Housing. Medway Council housing services as it allows the freedoms under the Localism Act to be used.		
<b>3. What outcomes are wanted?</b>	<ol style="list-style-type: none"> <li>1) Better use of the affordable housing stock in Medway</li> <li>2) Reduction in under occupation and overcrowding</li> <li>3) Better targeting of council resources to those in the highest need.</li> <li>4) Increase in choice for those in need of housing</li> <li>5) Reduction in the use of temporary accommodation</li> <li>6) Priority for applicants whose contribution to their community was not previously recognises.</li> <li>7) Reduced administrative burden for the Council</li> </ol>		
<b>4. What factors/forces could contribute/detract from the outcomes?</b>	Contribute <ul style="list-style-type: none"> <li>• Sign up of partnering organisations</li> <li>• Delivery of new Affordable rented properties</li> <li>• Amendment of computer systems</li> </ul>	Detract <ul style="list-style-type: none"> <li>• Lack of resources for rollout</li> <li>• Increase in applications</li> </ul>	

5. Who are the main stakeholders?	Current and future households approaching the council for housing related advice and services, particularly those found to be in housing need. Social Housing Providers, Community and voluntary agencies.
6. Who implements this and who is responsible?	HomeChoice & Allocation Team, Housing Options Team, Registered Providers, the HRA.

<b>Assessing impact</b>		
7. Are there concerns that there <u>could</u> be a differential impact due to <i>racial/ethnic groups</i> ?	YES	The Policy requires each household in housing need to be assessed on a person centred approach which will focus on a households housing need irrespective of race or ethnicity. All information is available in other languages and interpreters are available on request
	NO	
What evidence exists for this?	Equalities data from the Kent Homechoice System Housing needs survey data	
8. Are there concerns that there <u>could</u> be a differential impact due to <i>disability</i> ?	YES	Level of disability is well assessed throughout the allocations process and assessment will incorporate an applicant's level of disability. The disability will be taken account of where appropriate (E.g if the accommodation is not accessible). An OT will be involved to support cases with a disability where appropriate, as well as floating support and other statutory agencies. Action plan for rollout of accommodation will ensure that applicants with a disability will be communicated with effectively.
	NO	
What evidence exists for this?	Current Kent Homechoice Data. Consultation with ASC. Occupational Therapist information.	
9. Are there concerns that there <u>could</u> be a differential impact due to <i>gender</i> ?	YES	The policy requires each household to be assessed on a person centred approach, which will focus on a households housing need irrespective of gender.
	NO	
What evidence exists for this?		
10. Are there concerns there <u>could</u> be a differential impact due to <i>sexual orientation</i> ?	YES	The Policy requires each household to be assessed on a person centred approach, which will focus on a households housing need irrespective of sexual orientation.
	NO	
What evidence exists for this?		

**APPENDIX 3**

11. Are there concerns there <u>could</u> be a have a differential impact due to <i>religion or belief</i> ?	YES	The Policy requires each household to be assessed on a person centred approach, which will focus on a households housing need irrespective of religion or belief.
	NO	
What evidence exists for this?		
12. Are there concerns there <u>could</u> be a differential impact due to people's age?	YES	Those eligible for sheltered accommodation, with no other needs, will only be considered for accommodation that is either sheltered or extra care accommodation. Policy is in line with national guidance. Older people with no needs are only included to ensure that sheltered accommodation and extra care accommodation are let.
	NO	
What evidence exists for this?	Information from ASC, demographic data from the Kent Homechoice system.	
13. Are there concerns that there <u>could</u> be a differential impact due to <i>being transgendered or transsexual</i> ?	YES	Brief statement of main issue
	NO	
What evidence exists for this?	The Policy requires each household to be assessed on a person centred approach, which will focus on a households housing need irrespective of clients being transgendered or trans sexual.	
14. Are there any <i>other</i> groups that would find it difficult to access/make use of the function (e.g. speakers of other languages; people with caring responsibilities or dependants; those with an offending past; or people living in rural areas)?	YES	If yes, which group(s)? Changes in service delivery could make some services more difficult to access for certain groups. As more services move online older people, people with Learning disabilities or mental health problems as well as other members of the public.
	NO	
What evidence exists for this?	Information from ASC, demographic data from the Kent Homechoice system. Census data and the Housing needs survey. Independent studies.	
15. Are there concerns there <u>could</u> be a have a differential impact due to <i>multiple discriminations</i> (e.g. disability <u>and</u> age)?	YES	As set out above the potential for a differential impact is present for some groups.
	NO	
What evidence exists for this?	As above	

**Conclusions & recommendation**

16. Could the differential impacts identified in questions 7-15 amount to there being the potential for adverse impact?	YES	No amendments are being made that would have an adverse effect. The amendments provide clarity and a better management of people housing needs/expectations.
	NO	

17. Can the adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or another reason?	YES	
	NO	
Recommendation to proceed to a full impact assessment? <b>NO</b>		
NO	<b>This function/ policy/ service change complies with the requirements of the legislation and there is evidence to show this is the case.</b>	
NO, BUT ...	<b>What is required to ensure this complies with the requirements of the legislation? (see DIA Guidance Notes)?</b>	<p>Minor modifications necessary (e.g. change of 'he' to 'he or she', re-analysis of way routine statistics are reported)</p> <p>Rollout of the allocations policy would benefit from a comprehensive plan to ensure that vulnerable groups are provided with adequate support during the period of transition.</p>
YES	<b>Give details of key person responsible and target date for carrying out full impact assessment (see DIA Guidance Notes)</b>	



<b>Action plan to make Minor modifications</b>		
<b>Outcome</b>	<b>Actions (with date of completion)</b>	<b>Officer responsible</b>
Ensure that no groups are isolated as a result of changes to the policy and that adequate information is available in a range of formats.	Develop Action Plan for policy roll out.	Mark Breathwick

<b>Planning ahead: Reminders for the next review</b>		
<b>Date of next review</b>	Dec 2013	
<b>Areas to check at next review (e.g. new census information, new legislation due)</b>	New census information Feedback from policy roll out Review information available to the public and the usage	
<b>Is there <i>another</i> group (e.g. new communities) that is relevant and ought to be considered next time?</b>	N/a	
<b>Signed (completing officer/service manager)</b>	<b>Date</b>	
<b>Mark Breathwick</b>		
<b>Signed (service manager/Assistant Director)</b>	<b>Date</b>	
<b>Matthew Gough</b>		

*NB: Remember to list the evidence (i.e. documents and data sources) used*