

MEDWAY COUNCIL HOUSING ALLOCATIONS POLICY

2026

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Summary and Introduction

1.1 Foreword

(from either Chief Housing Officer or Portfolio Holder)

1.2 About our Allocation Scheme

A Social Housing Allocation Scheme is a council policy that explains how Medway Council The council is required by section 166A (1) of the Housing Act 1996 to have an allocation scheme for determining priorities and for defining the procedures to be followed in allocating housing accommodation.

Demand for social housing far exceeds the supply of accommodation that becomes available. Therefore, it is important that we have an open, fair and transparent scheme setting out how we allocate social housing and the procedures to be followed.

This policy sets out Medway Council's criteria and procedures for allocating social housing. This includes social housing owned by the Council and a proportion of social homes owned by our partner landlords in Medway.

The law on Housing Allocations is complex and may change. We have summarised the most important legislation in Appendix 1. In summary:

- We must publish our Housing Allocation Scheme and follow the rules that we set out.
- We cannot let social housing outside of our rules.
- Your immigration status may affect your right to be housed in social housing.
- We must give 'reasonable preference' to people with certain types of housing need.
- We must take other laws and Council policies into account when we set out our Housing Allocation Scheme.

The policy is designed to meet all legal requirements and support the objectives of Medway's Housing Strategy. The key objectives of this policy are as follows:

- Provide a fair and transparent system that can be easily understood and trusted by people in the prioritisation for Social Housing.
- Help those that are most in housing need.
- Promote the development of sustainable and diverse communities.
- Meet the needs of the local community.
- Make the best use of Council and Housing Association homes in Medway.

- Manage in the best way possible the challenges facing the Council given the huge gap between the number of households who need more suitable homes, and the number of suitable and affordable homes that become available.

There is a list of terms and Definitions in Appendix 1 of this policy.

1.3 Context in Medway

For Medway like many other areas in the country the demand for Social Housing is far greater than the number of social homes that are available. For the year 2024-25, 519 additional households joined the register, increasing the numbers on the Social Housing register in Medway from 2,723 to 3,224.

For households facing imminent homelessness, the long wait for social housing means that waiting for social housing may not be the quickest way to avoid homelessness. It is important that you let the Council know if you are at risk of homelessness or currently homeless. The Council will:

- provide you with advice and assistance to avoid homelessness,
- help you consider all realistic housing options and,
- offer you support to avoid homelessness.

If you are at risk of homelessness or if you want to talk to us about your housing situation, you can contact the Council in the following ways:

Email: housing@medway.gov.uk

Telephone: 01634 333600

If you are already a social housing tenant and you want to move, there are mutual exchange systems for council or housing association tenants who wish to swap their homes. Go to the [Home Swapper website](#) or speak to your Landlord.

For more information about our allocations policy, bandings and waiting times, we have published some Frequently Asked Questions on our website.

1.4 What is the Housing Register?

The Housing Register is a list of every person or household that we have accepted on to the scheme because they are eligible and qualify for social housing in Medway and also have an identified housing need. We can only offer social housing to applicants on the Council's Housing Register.

Although sometimes people call the Housing Register the 'Council waiting list', it is not like a queue. Being offered a new home does not just depend on when you joined the Register.

Although Medway Council believes that everyone on the Housing Register needs a better home, Medway Council recognises that some households may need to move for more urgent reasons than others.

This means Medway Council must prioritise some reasons for needing to move above others. Therefore, different reasons for needing a better home, otherwise known as the 'housing need', are given different priorities for re-housing.

Your priority on the Housing Register is based on your 'housing need'. Your priority does not increase the longer you have been waiting.

1.5 What is not covered by this Housing Allocation Policy?

The Medway Social Housing Allocation policy explains how we let Social Housing to households on our Housing Register. Therefore, the following types of housing are not covered by this policy.

- Private Rented Sector homes
- Temporary Accommodation where temporary homes are provided by Medway Council to households if they become homeless.
- Succession to a tenancy on a tenant's death according to section 89 Housing Act 1985
- Assignment of a tenancy by way of mutual exchange
- Assignment of a tenancy to a person qualified to succeed to the tenancy on the tenant's death.
- Transfer of the tenancy by a court order under family law provisions or under the Civil Partnership Act 2004
- An introductory tenancy becoming a secure tenancy.
- 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
- Gypsy and traveller pitches – this is dealt with within our [Local Plan](#).

1.6 Providing correct and accurate information.

It is important that all the information you provide is correct and not misleading. If you deliberate provide incorrect or misleading information, you will be committing fraud. Committing fraud in this way could also result in criminal prosecution. See Section 6.7 for more information.

You need to provide the relevant evidence and documents for any person included in your application so that the Council can determine if they are eligible or qualify to join the housing register. This may include information including financial, medical, employment or voluntary contribution, property ownership or disposal of a property or any other material that may be required from time to time to allow the council to reach a decision under the policy.

Failure to provide the requested information may lead to the application being suspended or cancelled.

1.7 Reviewing and amending our Housing Allocation Scheme

The Council will carry out regular reviews of applicants on the Housing Register.

The Council writes to applicants to ask them to confirm that they still wish to remain on the housing register. If an applicant does not respond within 28 days of the date on the letter, their application will be removed from the housing register. The Council will not make repeated attempts to re-register applicants.

An applicant can re-apply later but the application will only be registered at the date of the new application and their priority date is based on their new application. Therefore, any time priority, linked to an earlier priority date from a previous application, is lost.

It is the applicant's responsibility to ensure that their email and contact details are up to date and that supporting information is provided in the timescale requested.

1.8 Exceptional Circumstances

The Council recognises from time-to-time situations may arise that is not adequately reflected in Policy, but the needs or circumstances are exceptional.

In such exceptional circumstances, the Chief Housing Officer has the right to allow an applicant to join the housing register or have a higher priority than they would normally be entitled to under this policy or use their discretion as would be deemed reasonably appropriate.

Exceptional circumstances are situations that are not typical or expected, and can often involve events that are sudden, unexpected, and beyond an individual's control. Such circumstances must be compelling situations arising from severe, multiple and complex needs not otherwise covered in this policy where it is deemed that emergency priority is warranted.

These cases should be few and extreme in their severity.

1.9 Equal Opportunities

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

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

Confidential interview facilities are provided at all housing offices. There is full access to both Medway Council offices at Gun Wharf and Kingsley House for people who use a wheelchair. Home interview services are also available for applicants who are elderly or who experience mobility difficulties. Additional assistance is available for anyone who requires assistance in completing the Homechoice application.

Medway Council will seek to ensure that this Social Housing Allocations Policy is being operated in a manner that is fair to all sections of the community regardless of nationality, ethnic origin, marital status, age, sex, religion, sexual orientation or disability. The information provided will be kept confidential and treated with respect. Medway 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. However, this will not 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.

The Social Housing Allocation policy and any changes to it will be reviewed regularly to ensure they do not operate in ways that discriminate against or disadvantage any particular group.

1.10 Employees and members of the council and their relatives

All housing applicants are asked whether they or any of their relatives work for the Council or are an elected Councillor. Such applications are subject to special authorisation procedures. Relatives of the employee or councillor are.

- Anyone living with them as their partner or as a member of their household.
- Natural/adoptive/stepparents
- Children
- Siblings
- Daughters- or sons-in-law
- Grandparents
- Aunts and uncles
- Estranged spouses or partners, regardless of whether they live as part of the applicant's household.

Eligibility for the register

2.1 Who can apply to join the Housing Register?

Anyone can apply to us for social housing, but we will only accept you on to the register if:

- You are eligible under the rules set by the Government and depends on your immigration status. We explain more about this in Section 2.1 and 2.2, and;
- You meet our rules for social housing. This is known as qualifying for social housing. These rules are set by the Council. We explain more about this in Section 2.4 and;
- You have a demonstrable housing need that cannot be met in your current home. This is determined by your circumstances and current housing situation.

Where an applicant normally lives (“habitual residence”) and their “immigration status” will determine whether they are eligible for social housing in Medway. The rules for this are set by the national government and are the same for all local authorities in England.

You can only include the people who live or who would normally live with you. This might be your spouse or partner or other family members or adults who live with you as their main home.

You will need to provide appropriate identification and proof of address for yourself and each person you include on your Housing Register application, such as their passport or birth certificate. We cannot process your application if you do not provide all the appropriate evidence required.

We will not accept you onto the Housing Register if you are not eligible, or you do not qualify, for social housing in Medway.

Even if you are eligible and otherwise qualify, you will not be able to join the Housing Register if.

- You own, or are buying, a home either by yourself or with other people.
- You already have a home in the UK where it would be reasonable for you to live.

- You are registered as a joint tenant on a Council property but are applying as a sole tenant. In this case we will assess the reasons for this and advise you appropriately. You may also need to ask for independent legal advice.
- You or someone included on your application has been involved in antisocial behaviour or has behaved in other ways that make you unsuitable to be a social housing tenant.
- You have deliberately done something, or not done something, in the last 3 years which meant you have lost your home or made your situation worse. This includes if you sold or disposed of your home in some other way when you could reasonably have stayed living there.
- You moved into a home that you knew would be overcrowded from the start, or you have caused your home to become overcrowded or unsafe.
- You are being housed in Medway by another Council because you are homeless.

If we decide that you cannot join the Housing Register, we will close your application and give you advice on what other housing options are open to you.

[You can find out more by visiting our website.](#)

2.2 Immigration Status in the UK

The law on immigration is complicated and may change. You will need to check your eligibility on the UK Government's website and Citizen's Advice can help you if you are unsure.

British or Irish citizens are eligible to join the Housing Register if they are 'habitually resident' in the UK, Ireland, Channel Islands or Isle of Man.

If you are not a British or Irish citizen with habitual residency, you will need to meet the Government's immigration rules. You will need to check your eligibility as each group has different rules, but you may be eligible if you fall into one of the following groups:

- You have refugee status or humanitarian protection.
- You have 'discretionary leave to remain' in the UK.
- You have 'limited leave to remain' in the UK.
- You have the right to live, work or study in the UK and there is no time limit on how long you can stay. This is called 'indefinite leave to remain'.
- You have settled status under the EU settlement requirements.
- You are a Commonwealth citizen who does not need a visa to live, work in, enter or leave the UK. This is called the 'right of abode'.
- You have a visa that gives you recourse to public funds.

'Discretionary Leave to Remain' and 'Limited Leave to Remain' are different forms of temporary permission to stay in the UK, and they have different rules, conditions and eligibility criteria.

Usually, you are not eligible to join the Housing Register if:

- You are subject to immigration control unless included by regulations made by the Secretary of State.
- You are a person from abroad excluded by regulations made by the Secretary of State.
- You are not a 'habitual resident' of the UK.
- You are required to leave the UK by the Home Office.

2.3 Recourse to Public Funds

If you have ‘recourse to public funds’ it will mean that you have the right to claim public funds, such as welfare benefits, and help with housing costs.

People from abroad who are ‘subject to immigration control’ will not usually be able to claim public funds or get help with housing from the Council.

If you have moved or returned to the UK in the last 2 years, you usually must show that you’re ‘habitually resident’ to get:

- Help from the local Council with Social Housing.
- Somewhere to stay if you’re homeless.

You are ‘habitually resident’ if your main home is in the UK, Ireland, Channel Islands or Isle of Man.

2.4 What do I need to qualify.

The Localism Act 2011 and Section 160ZA (7) of the 1996 Act gives local authorities the power to determine who qualifies, or does not qualify, to be allocated social housing, subject to any regulations made by the Secretary of State. To qualify to join the Housing Register, in addition to being eligible you will need to show:

1. That you are at least 16 years old; however, you need to be 18 and over to hold a tenancy.
2. You live permanently in the UK.
3. You live in Medway and have lived here for at least the last 3 years without a break
Residency in Medway must be by the applicant’s own choice (i.e. not placed within Medway boundaries by another Local Authority).
4. You have savings, investments and capital assets worth less than £63,000. Where a household needs to move as a result of fleeing domestic abuse, and has exhausted all other legal options, the Council may take discretion to disregard the asset threshold in some circumstances.
5. Your maximum household income is less than the thresholds set out below¹:

Bed Size Need	Annual Gross Household Income Threshold
1 bed need, single person	£21,000
1 bed need, 2 people	£32,000
2 bed	£43,000
3 bed	£52,000
4 bed	£62,000

6. You are not a homeowner in the UK or abroad, including static caravans or houseboats.
7. You or members of your household have not engaged in 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

¹ These income thresholds are reviewed and updated annually to ensure they are reflective of current inflation and cost of living factors.

reviewed once the applicant can demonstrate that this behaviour has been addressed. This will usually take the form of a period (minimum 2 years) of improved behaviour and successful tenancy record. References may be sought to verify.

2.5 Exceptions to the Residency Criteria

Generally, you will need to show that you have lived in the Medway of your own choice for at least 3 years without a break. We call this the residency criteria.

The Chief Housing Officer has the discretion to make an exception to the residency criteria when we need to take account of someone's special circumstances. Some exceptions to the residency criteria are:

Victims of domestic abuse

The definition of domestic abuse local authorities must use is set out in the Domestic Abuse Act 2021. The residency criteria do not apply to

- people who need to move away from another area to escape violence or harm
- victims of abuse who are living in a refuge or other form of safe temporary accommodation in their district having escaped domestic abuse in another local authority area.

The Council may seek further evidence where it is appropriate to do so.

Members of the armed forces²

The categories of member of the armed forces below are exempt from the residency criteria.

- Those currently serving in the regular armed forces or have ever served in the Regular Armed Forces
- Serving or former members of the Reserve Armed Forces (including the Territorial Army) who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- Bereaved spouses or civil partners of those serving in the Regular Forces where:
 - i. the bereaved spouse or civil partner has recently left or will be leaving Ministry of Defence accommodation following the death of their Service spouse or civil partner, and
 - ii. the death is wholly or partly attributable to the spouse or partner's service in the regular armed forces.
- divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence.
- They have recently ceased, or will cease, to be entitled to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner where their spouse or civil partner has served in the regular forces.

² The Allocation of Housing (Qualification Criteria for Armed Forces Personnel) (England) Regulations 2012 SI 2012/1869; as amended by The Allocation of Housing (Qualification Criteria for Armed Forces) (England) (Amendment) Regulations 2024 SI 2024/1225; para 3.33 Allocation of accommodation: Guidance for local housing authorities in England, MHCLG, June 2012.

Right to Move³

The right to move applies to existing social tenants seeking to transfer from another local authority district in England into Medway. These applicants will be exempt from the residency criteria where:

- the Council is satisfied that they need to move to a particular locality in Medway to avoid hardship and failure to meet that need would cause hardship (to themselves or others).
- the tenant needs to move because they work in the Council's area, or
- the tenant needs to move to take up an offer of work.

In deciding whether a tenant needs to move to be closer to work or to take up a job offer, the factors the Council will consider include:

- the distance and/or time taken to travel between work and home.
- the availability and affordability of transport, taking into account level of earnings
- the nature of the work and whether similar opportunities are available closer to home.
- other personal factors, such as medical conditions and childcare, which would be affected if the tenant could not move.
- the length of the work contract
- whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship.

People living in Medway Council Commissioned Supported Accommodation

This could include those who have been placed into accommodation by Adult Social Care, or those who are living in a Housing commissioned supported housing scheme.

Care Leavers

A young person under the age of 25 who is owed leaving care duties under Section 23C of the Children Act 1989.

People aged 60 and over

People who are aged 60 and over will be exempt from the residency criteria, but if there is no other housing need they will be limited to bidding on properties for those aged 60+ only.

2.6 Unacceptable Behaviour

Applicants or prospective members of their household who have engaged in behaviour, which is considered unacceptable to the Council, will not be qualifying persons or cease to be qualifying persons if they are already on the housing registers.

Unacceptable behaviour includes for example but is not limited to.

³ The Allocation of Housing (Qualification Criteria for Armed Forces Personnel) (England) Regulations 2012 SI 2012/1869; as amended by The Allocation of Housing (Qualification Criteria for Armed Forces) (England) (Amendment) Regulations 2024 SI 2024/1225; para 3.33 Allocation of accommodation: Guidance for local housing authorities in England, MHCLG, June 2012.

- Financial behaviour such as benefit fraud or any other criminal offence of a similar nature.
- breaching the terms and conditions of the Council's tenancy agreement.
- causing a nuisance to neighbours
- being convicted of using their home for immoral or illegal purposes
- being convicted of an indictable offence, in or in the vicinity of their home
- being the perpetrator of domestic abuse, violent, coercive or controlling behaviour towards another resident.
- Conduct that has resulted in any unspent criminal sanction, any Court Order, including civil Court Order being made against them that affects their suitability to be a tenant. For example, any possession order, criminal conviction or anti-social behaviour injunction.
- Deliberately worsening circumstances within the last five years. This may include the failure to take reasonable actions or follow advice which would prevent them from becoming homeless or improve their housing circumstances, for example, refusing to clear rent arrears, failing to take up a reasonable offer of suitable private or social rented accommodation or deliberately moving to/remaining in unsuitable accommodation where other more reasonable housing options are available.
- Where an applicant gives intentionally false information or gives false statements on any part of their application. If such information comes to the attention of Medway Council after registration an applicant may be removed from the housing register.

If persons are disqualified for reasons of their unacceptable behaviour, they will be able to re-apply or request a review as follows.

Issue	Time period to reapply
Antisocial behaviour	Two years from the date of the end of the unacceptable behaviour. The applicant or the relevant member of the applicant's household will need to demonstrate that this behaviour has been addressed, and it has ceased. This will usually take the form of a period (minimum 2 years) of improved behaviour and successful tenancy record. References may be sought for verification.
Non-disclosure or False Information	Two years from the date of the false information or non-disclosure
Deliberately worsen their situation	One year from the date of last application
Multiple reasons	Periods will be combined as above

The disqualifications in this section include the past or present behaviour of the applicant and/or any member of the applicant's household either at the time they are making the application for housing, or at any point before or during which they receive any offer of accommodation if their application is registered.

Support needs will also need to be taken into consideration. Where exceptional circumstances can be evidence, the Council will consider each case based on its on merit and reach a decision on whether to waive or reduce the periods of disqualification.

2.7 Reasonable Preference

Medway Council as the Housing Authority, 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 the Housing Authority, 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:

1. People who are homeless (within the meaning of Part VII of the Act).
2. 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).
3. People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
4. People who need to move on medical or welfare grounds (including grounds relating to disability).
5. 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 Local Housing Authorities the power to frame their Allocation scheme to give additional preference to descriptions of people who fall within the statutory reasonable preference categories and have urgent housing needs. All Local 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:

1. Those who need to move urgently because of a life-threatening illness or sudden disability.
2. Families in severe overcrowding that poses a serious health hazard.
3. Those who are homeless and require urgent re-housing because of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic abuse.

3. How the Register Works

3.1 Choice Based Letting System

Choice Based Lettings (CBL) is a system where people on a housing register can express interest in available properties by "bidding" online, giving them more choice in where and what type of property they live in. The Council is a member of Kent Homechoice, a Kent-wide choice-based lettings scheme.

As permitted under current legislation, the Council will exercise its right to suspend choice-based lettings where business needs dictate this is necessary.

Medway Council uses a banding-based system to allocate Social Housing.

Once applications are received and a person is deemed an eligible and qualifying applicant the Allocations Team carry out an initial housing needs assessment using the information contained on the application form and other information available.

Based on their assessed housing needs, applicants will be placed in one of four bands A, B C or D depending on the urgency of their need to move. When an applicant's situation fits into more than one banding, the application will be placed in the higher band.

Applicants with no housing need, will not be accepted onto the housing register. Priority bands are also used to give reasonable preference to those who by law have a priority for housing.

Each band has several different categories which reflect housing need. Applicants in Band A are assessed as having the highest levels of housing need and have the highest priority for housing. Applicants in Band D have the lowest levels of housing need or their priority has been reduced. The priority bands are structured as follows.

Priority Band	Priority
Band A	Emergencies, Critical and Strategic Priorities Housing Needs
Band B	Urgent and High Priority Housing Needs
Band C	Significant Housing Need
Band D	Low Priority Housing Need

Detailed information about each banding criteria can be found in Appendix 2.

The prospects of rehousing depend on an applicant's housing need compared to others. The aim of this policy is to house those most in need first. Priority is given according to:

- The applicant's housing need, reflected by the band they are placed in. Each band has several different categories which reflect housing need, the category numbers do not give higher or lower priority within the band.
- The length of time an applicant has been in that band.

The band categories give priority to applicants who need to move on medical grounds. These priorities reflect the local situation in Medway where emphasis is placed on making best use of existing housing stock. Applicants are given priority when they are living in accommodation that is no longer suitable for them and when their existing accommodation would meet the needs of other applicants.

Nominations or offers from shortlists are to be made in descending order starting with the person that is first 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.

If an Occupational Therapist views a property and it is deemed unsuitable for any reason, the housing provider reserves the right to refuse the household for the property on this basis.

Medway Council or the 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 actively bidding for accommodation, applicants who do not bid for accommodation for a period of six months will be reviewed and

may be removed from the register for a period of six months. Consideration will however be given to available properties that have been advertised during this period.

3.2 Advertising Properties

Applicants can bid for properties online through Kent Homechoice website. Applicants who are unable to access the internet can contact the Council's Allocation Team either in person or by telephone to obtain details of properties advertised.

The advert also includes information on

- The social landlord who owns the property.
- The weekly rent, including any other charges.
- Whether the rent must be paid in advance and whether a deposit is required.
- The tenure type of the property being advertised and whether the tenancy is being offered on a fixed term basis.
- The date the property is expected to be ready for occupation (in some cases).
- The mobility category of the property

The eligibility criteria for each property are stated in the property advert and usually include:

- The minimum and maximum number of persons in the household. We explain more about this in Appendix 3.
- The mobility category of the property. We explain more about this in Section 4.4
- If there is an age limit or a requirement for a household without young children, for instance sheltered housing.
- If applications are restricted to exceptional cases such as a priority transfer.
- If pets are allowed.
- Whether a local lettings policy applies.

Information about Local Lettings policies and Registered Providers policies can be found in Appendix 5

3.3 Discretion to Directly Nominate

Medway Council reserves the right to directly nominate property to households in exceptional circumstances where immediate risk is present, covered in 1.9 of this document.

3.4 Bidding for properties

You need to login to your account to see if there are properties that you are eligible to express an interest or 'bid' on. If there are, you will be able to bid on as many properties as you can and you will be able to let us know which of the properties you would prefer by selecting the icon to tell us that one is your favourite.

Once the closing date for the property is reached you will no longer be able to bid on the property.

Your chance of getting social housing depends on you actively bidding for accommodation. Consideration will however be given to available properties that have been advertised during this period that meet your assessed needs.

If at any point you need help during the application or bidding process, you can call 01634 333600 or email rehousing@medway.gov.uk to ask for help.

3.5 Auto-bids

To assist households who may find difficulty in being active in the bidding process, Medway Council can set up Auto-bids. This allows for households to automatically place bids for suitable properties and in preferred areas.

All applicants in Temporary Accommodation will have Auto-bids set up for them unless in exceptional circumstances.

3.6 Shortlisting Bids

Once bidding has ended, the social landlord will review all bids in line with the Section 3.2 and shortlist applicants for offers.

Applicants will be contact using the contact information provided on the housing register therefore it is important that you keep you information up to date. Applicants who cannot be reached will be bypassed.

Applicants may also be bypassed for the following reasons.

- To ensure that wider objectives are met as set out in the next section (local lettings plans and sensitive lets).
- If the property is withdrawn by the Registered Provider at short notice, for example, the existing tenant has not moved, or the property is damaged and requires major works.
- If the property is required to meet an applicant who has specific needs or an urgent need and the property on offer matches those needs.
- If the applicant has rent arrears or a housing related debt owed to the Council or another housing authority.
- If the applicant is transferring from a social housing tenancy and their current social landlord anticipates significant recharges will apply due to the condition of the property or the tenant has been asked to rectify non-standard work or poor decoration in the property and has failed to do so.
- When the circumstances of the applicant have changed, and the change is likely to result in them moving into a lower band or requiring a different size property.
- If further investigation is required into the circumstances of the applicant or a member of their household, which were not apparent at the time of the application.
- When an applicant cannot reasonably be contacted or is not available to take up an offer of accommodation.
- When an applicant has bid for a property that does not meet their housing needs (for example, they have a mobility recommendation and have bid on a property that is unsuitable and cannot be adapted to meet their needs).

3.7 Evidence and Application Decisions

All applicants to the Register must provide satisfactory evidence of identity and past and current residences for themselves and all household members.

Medway Council will request documentary evidence from each applicant and will conduct such further enquiries as are reasonable in the circumstances. This may include but is not limited to:

- medical information,
- tenancy information,

- applicant and household identification etc.

An application will be suspended if the applicant has failed to provide documentary evidence or other information reasonably required by the Council to validate the application within 30 days of the request. After a further 30 days, should evidence still not be provided the Council may decide to remove your 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 may also be requested by Housing Associations 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).

3.8 Using the Kent Homechoice Portal

Once you have completed your profile information including your family details and address history along with a pre assessment, you may be asked to complete and submit a housing register application which you will do online.

Because the form is lengthy and asks you lots of questions about yourself and your circumstances, we recommend using a computer to complete this form.

Once you have submitted your form and details you will receive a request to provide some supporting information which you will be able to upload to your Kent Homechoice Portal.

Once you have provided all the information and this has been received by Medway Council, if your application meets the criteria set out in this Allocations policy, you will be informed of your band, bedroom need and registration date.

At this stage you will be able to login to your account to see if there are properties that you are eligible to express an interest or 'bid' on.

If there are, you will be able to bid on as many properties as you can and you will be able to let us know which of the properties you would prefer by selecting the icon to tell us that one is your favourite.

Once the closing date for the property is reached you will be able to see your position on the shortlist of those that have bid on the property.

3.9 Changes in Circumstances

If your situation changes, you need to tell us as soon as possible. Examples of changes you should tell us about include:

- 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
- very important changes to your health or the health of a household member
- your immigration status changes.

Telling us is important because it might mean your priority banding needs to change. A change in circumstances could also result in a change to the number of bedrooms you need in your new home.

Applications may be temporarily suspended while we assess the information provided by the applicant and complete 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 information was received to suggest that they were eligible for their priority.

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

Before you are offered a new home, we will check that we have recorded your banding and your situation correctly. If you have not told us about changes to your situation, you may not be allowed to accept an offer of a new home.

We will not know if you have told another team in Medway Council, or another organisation such as Universal Credit, about changes in your situation. This means that it is important that you tell the Medway Rehousing Team also.

We usually will ask for evidence of any changes for example, the birth certificate for a new baby.

If you deliberately fail to tell us about any changes (you know that a change in your situation might affect your Housing Register application, but you do not tell us), we may look at this as housing fraud – that you have not told us the truth. This could result in us closing your Housing Register application meaning we will not offer you a Council or Housing Association home, and your case may be handed to Medway Council's Fraud team for investigation.

If you fail to respond to our request to renew your details on the Housing Register (such as via the Homechoice website), this may result in us closing your Housing Register application. We will consider your circumstances, including any genuine difficulties you may have had in complying with this request, when deciding whether to close your Housing Register application for this reason.

If you need to notify us of a change in circumstances, you can contact your allocated Housing Options officer if you have one, or you can contact the Rehousing Team by emailing: rehousing@medway.gov.uk or request a callback by calling: 01634 334433

3.10 Refusing a property - Non-Homeless Applicants

Applicants who do not have a homeless duty owed to them by Medway Council will be entitled to refuse one suitable offer of accommodation before Medway Council will remove them from the register for a period of six months.

A suitable offer is an offer of a property that reasonably meet the housing and medical needs of the household.

Where accommodation has been offered through the Homechoice Scheme an applicant would usually be expected to view and accept a property that meets their specific needs.

The Council will always seek to consider 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 3.
- It complies with any realistic recommendation made by a medical or other relevant advisor.

Additional consideration will be given to Care Leavers, survivors of Domestic Abuse, ex-Armed Forces personnel or households with high levels of need in relation to the household's property accessibility requirements, on the recommendation of the Senior Social Worker and at the discretion of the Head of Housing Needs.

3.11 Refusing a property for households owed a Homeless duty.

For cases where Medway Council owes a Homeless Duty under part VII of the Housing Act 1996 (as amended), applicants can utilise choice via the Kent Homechoice scheme, where the scheme criteria are met. If an applicant is successful during this time, then this offer will be treated as a One and Final offer to end Medway Council's Homelessness Duty.

At any time, Medway Council reserves the right to make a direct offer of accommodation to an applicant to end Medway 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 Medway Council's "Discharge into the Private Sector" policy. Available from the Medway Council Website.
- Where this offer of accommodation is in the Social Housing sector it will be made only against a property whereby 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 30% of the properties allocated in Medway, and wherever possible will be a flat or maisonette.

3.12 Getting Help

If at any point you require assistance during the application or bidding process, please make contact with the Rehousing Team for assistance. We can help you complete the application form, answer any questions or provide the information in other formats for you.

You can make contact by emailing: rehousing@medway.gov.uk or request a call back by calling: 01634 334433.

4. Banding Criteria and Bedroom Need

4.1 Priority Bands

A full outline of the priority bandings can be found in Appendix 2.

Medway Council uses a banding-based system to allocate Social Housing. In assessing housing need, Medway Council will give reasonable preference to those applicants who fall into the defined categories as set out in Appendix 2.

Once accepted onto the Social Housing Register, the priority banding awarded is based on the information and evidence that is submitted by the applicant, using the criteria as set out in this policy.

4.2 Medical and Welfare Need

When assessing a need to move on medical or welfare grounds, the Council will consider all relevant circumstances, including the effect of the applicant's current housing situation on any health or medical conditions in their household. Based on this assessment, the Council will award one of three medical priority levels – Emergency, High, Medium or Low. It is important that you provide all relevant information, including any reports, that you want the Council to consider when assessing how your current accommodation impacts your household health or medical condition. See Appendix 1 for how medical priority levels have been defined.

4.3 Bedroom Size Assessment

When you join the Housing Register, we will use the evidence and information you provide to determine what size of property you are entitled to. We do this by looking at the size and makeup of your household.

We will also consider whether there is a medical requirement for an extra bedroom based on medical or disability-related factors.

No allocation will be made which causes statutory overcrowding.

The size of property that an applicant will be offered is set out in Appendix 3

Applicants will not be allowed a bedroom to accommodate children who do not live with them permanently, for example children who visit regularly as part of custody arrangements. The definition of the age children can share rooms is different in Housing legislation and in Housing Benefit legislation.

4.4 Mobility Category – Wheelchair, mobility and adapted housing

Wheelchair, mobility or adapted properties will wherever possible be offered to those with a medical need for this type of property. Applicants with mobility needs will be assessed and award one of three Mobility categories – Wheelchair housing, Mobility or adapted housing or Level access housing.

- Wheelchair housing is housing specially designed for people confined to wheelchairs both indoor and outdoor and includes space for a wheelchair to manoeuvre.
- Mobility or adapted housing is general purpose housing with no extra space but built to be more convenient for people with mobility problems, or with aids and adaptations to help someone with a disability live there. It is suited to households who use wheelchair outdoor but not indoor.
- Level access only properties that are considered general needs housing but have a level approach entrance into the property. The main access feature is level access to the property and throughout.

It is important that you provide all relevant information, including any reports, that you want the Council to consider when assessing your accommodation mobility needs. The Council will consider whether your current accommodation can be reasonably adapted to meet your needs when accessing your accommodation needs.

5. Reviews and Requesting information

5.1 How to request a review or 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.

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

- a) 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.
- b) 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.
- c) The right to be informed of the decision on the review and grounds for it.

A request for a review is not a complaint. Complaints are handled separately to reviews, and information about this can be found in section 5.2.

Applicants should request a review in writing or by calling the Rehousing Team within 21 days of being notified of a decision.

Medway 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.

Reviews will be carried out by a Senior Officer at Medway Council or delegated to an appropriate Officer who was not involved in the original decision.

Medway Council's decision on review is final and any challenge to that decision can only be made through Judicial Review proceedings. The process and time limits for requesting a Judicial Review are complex, so you may need to get help from the Citizens Advice Bureau or a solicitor.

5.2 How to make a complaint.

Medway Council is committed to providing high quality services, but occasionally things can go wrong. If this is the case, we are very sorry if you feel that you need to complain about our service to you.

If Medway Council receives a complaint about a banding decision, we may make the decision to reject the complaint and treat it as a banding review instead.

Often, matters can be quickly resolved by contacting the relevant housing officer or service directly. You can do this face-to-face, by telephone, or email.

Email: Rehousing@medway.gov.uk

Or request a call back by calling: 01634 334433.

If you want to make a formal complaint in relation to how your case has been treated, you can do so by completing [our online form](#).

6. Governance and Legal Compliance

6.1 What national laws tell us to do.

We must comply with Government legislation, or national law, when we set out our Housing Allocation Scheme. The legislation tells us:

- That all the social housing we let to residents and households on our Housing Register must fall under our Housing Allocation Scheme – this means that we cannot let social housing outside of the rules set out in our Housing Allocation Scheme.
- How a resident's immigration status affects their right to be rehoused to social housing.
- That we must give a priority for rehousing to certain types of housing need. This is known as 'reasonable preference'.
- That we must allow residents the chance to express choices or preferences when they are trying to move to a new home.

- That we must consider other policies when setting out our Housing Allocation Scheme.

6.2 Legal Framework

In the UK, Local Authorities (or Councils) must follow specific rules and guidelines when allocating social housing. These rules are set out in Part 6 of the Housing Act 1996. Please be aware that the law is subject to change, and you should always check the Government website to see the latest version.

The current guidance on allocations can be [found here](#).

The current code of guidance on homelessness can be [found here](#).

The legislations, statutory guidance and policies the Council has had regard to when writing this policy is listed in Appendix 6.

6.3 Data Protection

Medway Council collect personal data about all persons applying for social housing. This information is asked for on the Kent Homechoice application form.

This data is processed and held on a database. The purpose of processing your personal data is to identify housing needs and administer the Choice Based Letting Scheme.

All applicants are asked to consent to their personal and sensitive data being processed in accordance with data protection legislation. In addition, applicants must provide consent to allow their details to be verified and shared with other statutory bodies and other agencies working in partnership with the Council.

Records are kept in accordance with the Council's disposal schedule, and we will not keep your information for longer than necessary.

More detailed information about what we collect and the legal basis for collecting this information can be found in the [Housing Privacy Notice which is available Councils website](#).

6.4 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 Care 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.

6.5 Access to Data

The Data Protection Act 2018 (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 Information Governance team requests can be sent by email to gdpr@medway.gov.uk and must describe the information sought. Applications must state their name and provide proof of their identity and address, 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 Medway 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 Medway 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 one calendar month. 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 other information that is exempt from being provided. If there is any information of this kind, then the information provided to you will be redacted. Under the DPA applicants may also have the right to challenge the 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 Information Governance team.

6.6 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 freedom@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).

6.7 Prevention of Fraud

The Council recognises its duty to protect the public resources it administers.

It is a criminal offence for an applicant to knowingly or recklessly give false information or knowingly withhold information which the local authority has reasonably required them to provide⁴

Detailed enquiries about applications will be made to guard against misrepresentation and fraud. Applications will be suspended if there is evidence of misrepresentation or fraud until enquiries are completed. Offers of accommodation will not be held open if the case is suspected of being fraudulent or during an investigation.

Fraudulent action can include:

- failure to disclose information - for example providing false information on the housing application.
- abuse of a position that is carried out to make personal gain - for example someone using their knowledge of council policies and procedures to gain advantage such as gaining access to a council service.
- false representation – someone submitting false information on your behalf that is untrue and designed to increase the chance of an applicant obtaining housing.

If any fraud is found to be true, then the applicant will be informed of the council's decision and removed from the Housing Register. 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.

The Council may share and compare your information with other council services and other organisations to make sure the information is accurate, to protect public funds, recover debt and/or prevent or detect fraud. These other organisations include government departments, other local authorities and private sector organisations such as banks or organisations that lend money.⁵

⁴ s.171 Housing Act 1996.

⁵ s.7(7) Prevention of Social Housing Fraud Act 2013; Prevention of Social Housing Fraud (Power to Require Information) (England) Regulations 2014 SI 2014/899.

Appendixes

Appendix 1- Terms and definitions

The terms referred to in this policy are defined below.

Terms	Definitions
Anti-Social Behaviour	Any intimidating or threatening activity that scares you or damages your quality of life. Examples include rowdy/noisy behaviour, vandalism, graffiti, fly-tipping, aggressive begging and street drinking.
Applicant(s)	A person applying to join or who is already on the housing register
Band	Each Band has a number of categories which reflect housing need. The band is used to prioritise applicants according to their level of housing need.
Bidding / Bid	Expressing an interest in an available property.
Successful bid	A successful bid is a bid placed by an applicant, which results in the applicant being invited to view that property.
Choice Based Lettings	The allocation and lettings of properties that enables applicants to have choice or express a preference in relation to the accommodation they want.
Direct Lets	A property offered directly to an applicant. The property may not have been advertised.
Habitual Residence	Habitual residence applies to British and Irish citizens as well as other passport holders. It means your main home is in the Common Travel Area and you do not have plans to live anywhere else. The Common Travel Area means the UK, Republic of Ireland, Channel Islands or Isle of Man.
Homeless households	Applicants who have been assessed by the Council as homeless in accordance with Section 175 of the Housing Act 1996 (as amended by the Homelessness Act 2002).
Homeowner	A person who owns a property, either on their own or with other persons
Housing Need	A person is considered to have a housing need when their current living situation is inadequate or unsustainable, and they lack access to suitable housing that meets their needs. This can include situations where they are homeless, at risk of homelessness, or have a serious medical condition that requires specialised housing.
Housing Related Debt	A sum of money owed to the Council or a Registered Provider related to housing, for example, rent arrears, contributions to service charges, Housing Benefit overpayment, removal expenses, loans for rent in advance or a deposit, payments made following a deposit guarantee claim.
Local Lettings Plan	A plan to allocate particular properties to people of a particular description, whether or not they fall into the reasonable preference categories.
Medical Priority	Medical priority is given when an applicant or a member of their household has an illness or disability that is affected by their current

	<p>housing situation or when they are in need of settled accommodation on physical or mental health grounds or due to overriding social and welfare (including financial hardship) circumstances. There are three categories of medical priority:</p> <p>Emergency – 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. The condition is life threatening, and the applicant’s existing accommodation is a major contributory factor.</p> <p>High – the current housing conditions are having a major adverse effect on the medical condition of the applicant or a member of their household. To satisfy the criteria for major adverse effect, the housing condition should have a severe and life threatening impact or risk of causing serious harm, disability or death.</p> <p>Medium – the current housing conditions are having an adverse effect on the medical condition of the applicant or a member of their household which creates a particular need for them to move. To satisfy the criteria for adverse effect, the housing condition should have a severe impact and risk of causing serious harm, disability or death.</p> <p>Low – the current accommodation has a low impact on the medical condition of the applicant or a member of their household</p>
Mobility Category	<p>Wheelchair housing - housing specially designed for people confined to wheelchairs both indoor and outdoor and includes space for a wheelchair to manoeuvre.</p> <p>Mobility or adapted housing - general purpose housing with no extra space but built to be more convenient for people with mobility problems, or with aids and adaptations to help someone with a disability live there. It is suited to households who use wheelchair outdoor but not indoor.</p> <p>Level access only properties – properties that are considered general needs housing but have a level approach entrance into the property. The main access feature is level access to the property and throughout.</p>
Priority Date	The date given when an applicant enters a Band or when a local connection is acquired. The priority date (along with local connection) determines an applicant’s priority over other applicants within the same Band.
Qualification Criteria	Criteria that set out who does and who does not qualify to join the housing register as specified in Section 4
Reasonable Preference	Certain categories of people set out in Section 166A of the Housing Act 1996, who must be given reasonable preference when determining priority for housing.
Housing Register	A list of every person or household that we have accepted on to the scheme because they are eligible and qualify for social housing in Medway and also have an identified housing need

Registered Provider Partner landlords	Government regulated not-for-profit organisations that provide affordable housing. These include Housing Associations, Trusts and Co-operatives. Registered Providers work with local authorities to provide homes for people on the Register of Housing Need. They develop land, build homes and manage accommodation including maintaining properties and collecting rent.
Re-registration	The requirement for existing applicants to confirm that they still wish to remain on the Register of Housing Need. Applicants who do not re-register have their applications cancelled but can reapply in the future.
Sensitive Allocations	Allocations which need to be made to people of a particular description to balance the community, or where there have been problems in the surrounding area. For example, a property advert may specify that priority will be given to applicants over a certain age.

Appendix 2 - Banding Criteria

Band A

Households who are considered to have a critical housing need or where the property is of significant strategic relevance

Emergency Medical Priority	<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 that is housebound due to adaptations not being able to be completed at the home.</p> <p>The applicant's accommodation is directly contributing to the deterioration of an applicant's health, such as a severe health condition requiring intermittent hospitalisation because of chronic dampness where the condition of the property cannot be rectified within an appropriate time scale – usually 6 months.</p>
Families in severe overcrowding which poses a serious health hazard	Applicants whose housing circumstances render them three bedrooms short of The Bedroom Standard (Part 10 of the Housing Act 1985), except where the tenant has caused the overcrowding by inviting additional persons to live with them or has

	<p>chosen to bid for a property that was smaller than their normal allowed property size. This may involve rehousing either the tenant or members of their household separately to reduce the level of overcrowding.</p> <p>This band will not apply if other rehousing options are available, if the action is a result of the applicant's own deliberate action or inaction, or if the applicant has applied for assistance under Part 7 of the Housing Act 1996.</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>Applicants who need an emergency move due to domestic abuse, risk of extreme violence or extreme harassment if they remain in the dwelling or area. This may include where a move is necessary to protect a witness to criminal acts.</p> <p>The applicant must have received a serious threat of violence or harassment, which is likely to be carried out, in circumstances where action by the council and/or the police cannot reasonably be expected to resolve the situation.</p> <p>The Council reserves the right to refuse an emergency rehousing if it considers that the threat has arisen due to the tenant or a member of their family being involved in anti-social or criminal behaviour, or if they have failed to co-operate with the police.</p>
Private sector properties unsanitary or unsuitable for occupation. Those living in unsanitary conditions where the conditions pose an ongoing and serious threat to health.	<p>Applicants who occupy a private property which is in disrepair or is not suitable for occupation and is subject to a prohibition order, emergency prohibition order, a demolition 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>The Council reserves the right to refuse emergency rehousing if other rehousing options are available, if the action is a result of the applicant's own deliberate action or inaction, or if the applicant has applied for assistance under Part 7 of the Housing Act 1996.</p>
Under-occupation (In Medway area only)	<p>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.</p> <p>Housing association tenants who will release a home with two or more bedrooms are eligible if their</p>

	landlord agrees that the vacated property can be used for a nomination by the council
Major works or demolition	Where a council tenant must move either temporarily or permanently whilst major works are undertaken or where their home is due to be demolished.
Social housing tenants giving up a disabled adapted property	<p>Where a secure Council tenant or housing association tenant is giving up a high demand disabled unit or property with adaptations that are still viable for use.</p> <p>For social housing tenants the vacated property needs to be available to be used for a nomination by the council.</p>
Referrals from Medway Council's Children's Social Care Services	<p>Medway Council's Children Social Care Services may refer a household for emergency housing on welfare grounds in cases:</p> <ul style="list-style-type: none"> • Where there are exceptional circumstances (as defined in the allocation policy), and the accommodation will prevent likelihood of significant harm to a child in the family. The significant harm must relate to the safety of a child, and specific aspects of the current accommodation. • Facilitate the discharge of a household with children under 18 from childcare proceedings and lack of suitable accommodation is the only reason the care order has not been discharged. • Facilitate the discharge of a household with children under 18 from care or specialist accommodation provided by Children's Social services, and such household is currently or has previously been subject to a Care Order and the household has made and continues to make significant progress and lack of suitable move on accommodation is likely to result in reversal of the progress made <p>The referral must be supported by the appropriate Head of Service in Medway Council's Children Social Care services and agreed by the Chief Housing Officer.</p>

	The referral will not be accepted if other rehousing options are available, or if the applicant has applied for assistance under Part 7 of the Housing Act 1996.
Certain members of the Armed Forces or Reserve Forces that also fall into a reasonable preference category as defined <i>under section 172(2) of the Housing Act 1996</i>	<ul style="list-style-type: none"> • Those currently serving in the regular armed forces or have ever served in the Regular Armed Forces • Serving or former members of the Reserve Armed Forces (including the Territorial Army) who are suffering from serious injury, illness or disability which is wholly or partly attributable to their service. • Bereaved spouses or civil partners of those serving in the Regular Forces where: <ul style="list-style-type: none"> iii. the bereaved spouse or civil partner has recently left or will be leaving Ministry of Defence accommodation following the death of their Service spouse or civil partner, and iv. the death is wholly or partly attributable to the spouse or partner's service in the regular armed forces. • divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence. • They have recently ceased, or will cease, to be entitled to live in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner where their spouse or civil partner has served in the regular forces.

Band B

Households who are considered to have an urgent housing need

<p>Foster carers referred by Medway Council's Children's Service</p> <p>And:</p> <p>Existing foster carers approved by the Council willing to provide care for an additional child</p>	Foster carers approved by the Council whose housing prevents them from being able to start, or continue, to provide foster care.
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	Where a Foster carer already providing a home for at least one foster child offers to provide care for an additional foster child.
Right to move – social housing tenants that need to move to take up or continue employment.	<p>Applicants must be a current social housing tenant, need to move to the local authority's district to avoid hardship, and</p> <p>a) need to move because the tenant works in the district, or</p> <p>b) need to move to take up an offer of work</p>
Medway Care leavers	<p>Medway care leavers who are ready for independent living and are eligible to join the Medway Council Housing Register, and who have been jointly assessed and agreed by the Medway Council Housing and Leaving Care Services.</p> <p>If the young person is not deemed to be ready to manage an independent tenancy and are offered a supported housing placement then they will be awarded Band B once there is an agreement from Housing and Leaving Care services that the young person is ready and able to maintain a tenancy.</p> <p>A care leaver will only qualify for this priority band where both the Medway Council Housing and Leaving Care Teams agree that the care leaver has engaged with professionals in developing and satisfactorily completing actions to prepare them for independent living and evidenced in the Pathway Plan. Pathway Plan should also include support available to assist care leaver to transition to and sustain independent living, which should be agreed with the care leaver and other professionals and agencies involved in delivering the support.</p> <p>The referral will not be accepted if there are any issues identified that would disqualify them under the housing register (e.g. rent arrears, antisocial behaviour), or if the applicant has applied for assistance or been accepted as statutory homeless under Part 7 of the Housing Act 1996.</p>
Households who are at risk of homelessness, and are owed a prevention duty by Medway Council	<p>Applicants owed the full housing duty (s193 Housing duty) who choose to avoid temporary accommodation.</p> <p>Applicants to whom the Council owed a full housing duty under Part 7 of the Housing Act 1996 who, with the advance agreement of the Council, have voluntarily left temporary accommodation to make</p>

	<p>alternative housing arrangements including staying with friends or relatives. This does not apply to those who have been given notice to leave by the Council, or who leave without giving the council advance notice.</p> <p>Households to whom the Council previously owed a full housing duty under Part 7 of the Housing Act 1996 but who have voluntarily agreed to this duty being ended by the provision of private rented accommodation which is at least 1 bedroom less than their housing need. They will be eligible to remain on the housing register and bid for properties for 2 years while they remain living in that accommodation and do not breach the conditions of their tenancy. This does not apply to those who have been given notice to leave by the Council, or who leave without giving the council advance notice.</p>
High Medical Priority	<p>High medical priority is awarded where the applicant has a severe mental or physical illness or condition <i>and</i> where their housing conditions are having such a major adverse effect on their medical condition that significantly reduces their quality of life but is not regarded as life-threatening.</p> <p>Medical priority must be supported by evidence from a suitably qualified medical professional.</p>
Ready to move on from Council care/supported services.	An applicant is ready to move to independent settled housing on the recommendation of their Social Worker or Scheme Manager.
Ready to move on from Refuge	Applicants who have stayed in a Medway Refuge and are now ready to move into permanent accommodation.

Band C +
Community Contribution

Households who have been awarded a band C and meet the criteria for community contribution set out in Appendix 4 of this policy document.

Band C
Households that are considered to have a significant housing need.

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 two bedrooms in accordance with The Bedroom Standard.

<p>Applicants living in unsatisfactory housing lacking basic facilities.</p>	<p>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.</p> <p>Applicants without access at all to any of the following facilities. No access to: bathing or washing facilities or kitchen an inside WC, hot or cold-water supplies, electricity, gas or adequate heating.</p> <p>Applicants who only have access to shared facilities in shared accommodation will not qualify under these criteria.</p>
<p>Medium Medical grounds</p>	<p>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.</p>
<p>Hardship or welfare need to move for care or support</p>	<p>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.</p> <p>Subject to documented supporting evidence, households who need to move to a particular locality within Medway and where failure to do so would cause hardship (to themselves or others)</p> <p>This includes, for example, a person who needs to move to a different locality to give or receive care, to access specialised medical treatment, or to take up a particular employment, education or training opportunity.</p> <p>The Council will only accept applications on hardship grounds where there are particularly severe difficulties facing the applicant.</p> <p>The Council has discretion to award this level of priority in other circumstances where someone needs to move</p>

	to a particular locality of the borough and failure to do so would cause hardship.
Those who have a high need to be re-housed as a result of violence, including intimidated witnesses, and those escaping serious anti-social or domestic abuse behaviour.	Applicants who need to move due to domestic abuse, violence or harassment at a high level. High level of 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.
Care leavers	Care leavers who are eligible to join the Housing Register in Medway but who have not been jointly assessed and agreed by the Medway Council Housing and Leaving Care Teams. This includes a care leaver aged under 21 who normally lives in a different area to that of the local authority that owes them leaving care duties and has done for at least 2 years including some time before they turned 16.
Sheltered Housing	Applicants with a need for sheltered housing and where no higher need exists, The household members all need to be at least 60 years old. Applicants will only be registered for sheltered properties.

Band D

Households that are considered to have a housing need.

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 within the meaning of part VII, but who have been found to be non-priority or intentionally homeless and/or owed a relief duty but have not yet had a final decision about a main housing duty.
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.
Applicants that have worsened their own circumstances but fall within a reasonable preference group.	Where an applicant has deliberately worsened their own circumstances as set out in section 12 of the policy.

Appendix 3 - Deciding Bedroom Need

The size of the accommodation that an applicant will be allocated is dependent on the size of and circumstances of the applicant's 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	Studio/one bedroom
Couple without children	1 bedroom
A single person or couple expecting a child (over 6 months pregnant) or with one child	2 bedrooms
A single person or couple with 2 children of the same sex	2 bedrooms
A single person or couple with two children of opposite sex one of whom is over 10	3 bedrooms
A single person or couple with 3 children	3 bedrooms
A single person or couple with 4 children (all the same sex or 2 of each sex)	3 bedrooms
A single person or couple with two children one under the age of 16 and the other over the age of 16	3 bedrooms
A single person or couple with 4 children (3 of one sex and one of a different sex who is under 10)	3 bedrooms
A single person or couple with 4 children (3 of one sex and one of a different sex who is over 10)	4 Bedrooms
A single person or couple with more than 4 children	4 bedrooms
A single person or couple with 3 children and one dependant adult	4 bedrooms

If a 5-bedroom property is advertised applicants who need that size property in accordance with the bedroom standard will be considered.

We will assess the size of property required based on who is included on the application. Only members of immediate family who normally reside in the home (or who would live with them if it were possible for them to do so) or other people who have an extenuating need to live with them. Immediate family means:

- The main applicant
- Their spouse or partner. A partner typically refers to a person with whom you share a domestic life in a committed relationship.
- Dependent children that they are in receipt of child benefit for

Applicants that are a one-bedroom need 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 two bedrooms.

Appendix 4 – Community Contribution

People who play a part in making their neighbourhood strong, stable and healthy, those who help make it a good place to live, work and play are valuable people. They are the backbone of their community, and 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 Community Contribution 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 Community Contribution criteria described below. These applicants who meet one of the band C criteria will be placed in Band B by virtue of this award.

Community Contribution Awards – How they work in practice.

The lead and joint applicant must have a current positive tenancy history to qualify for a Community Contribution Award and all members of the household will meet the following criteria:

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;

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.

Definition of Working Households

Households where at the main applicant (or joint applicants) 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 the last 3 years and working on a regular basis. 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.

Volunteering

This applies to the main application/at least one joint applicant only. Other household members will not be taken into account when assessing this criteria.

Volunteers must have been volunteering for a continuous period of at least 3 years 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.

Applicants must provide 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 3 years. This person must not be related to the applicant in any way.

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.

The main applicant/ or at least one of the joint applicants 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.

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)

Ex service personnel

Applicants who have served in the British Armed Forces within the last year or are a current serving member of the Armed Forces, 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.

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.

Carers

Applicants who undertake formal care of dependents and are in receipt of DLA at the higher rate for care or its equivalent, or are receipt of Carers Allowance, will qualify for the Community Contribution Award under this policy.

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 Community Contribution where they consider this is appropriate.

Young people

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

Young people referred by Children's Services

In some circumstances a young person in supported housing may not have a full current positive tenancy 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 Community Contribution 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 defined in the volunteering section above.

Appendix 5 – Local Lettings and Registered Provider Policies

Local Lettings Policies

The majority of available properties will be advertised, and applicants will be shortlisted in priority order within their band. However, there are times when exceptions need to be made to ensure the best use of social housing, and that communities are balanced.

Local lettings policies are specific set of guidelines and/or criteria social landlords use to decide which households can be allocated accommodation in a specific designated area. These policies are designed to ensure a diverse community, promote community cohesion, and address local needs.

Local Lettings Policy may set specific criteria for applicants, such as age range of children, overall child density, or the need to ensure a certain mix of residents in a particular area.

Registered Providers' Policies

Registered Providers may have individual policies which prevent them making an offer of a tenancy even when an applicant has successfully bid for a property. Common policies, which exclude people from being offered a tenancy, are:

- Applicants under 18 years, unless they have a guarantor.
- Applicants with outstanding rent arrears in their current accommodation or with a housing related debt owed to them or another Registered Provider or local housing authority.
- Applicants who have demonstrated anti-social behaviour
- Applicants who have previously held a tenancy with a local authority or Registered Provider and been evicted from that tenancy or voluntarily left it.
- Applicants who have a tenancy (either solely or jointly) with another Registered Provider and the applicant does not live there or the joint tenant is remaining in the property.
- Applicants who own a property (either solely or jointly) or have an interest in a property.
- Applicants with substantial savings, investments or other assets
- Applicants with significant levels of debt and the Registered Provider has assessed them as not being able to meet their rental liability.
- Applicants with high support needs who are assessed by the Registered Provider as not being able to manage a tenancy.

When Registered Provider (RP) does not make an offer of a tenancy to an applicant who has successfully bid for a property, the RP will provide the applicant with full details of the reason for refusal. Any right of review or appeal regarding the refusal by the RP is dealt with by the RP in accordance with their policies and procedures.

There is no right of review or appeal to the Medway Council as the decision to refuse the applicant is not a decision of the Medway Council.

Appendix 6 - List of legislations, statutory guidance and policies

In framing the Housing Allocation Scheme, the Council has had regard to the following:

- Section 8 Housing Act 1985 continues to place a duty on every local Housing Authority to consider housing conditions in their area and the needs of the area with respect to the provision of further housing accommodation.
- Part 7 Housing Act 1996 (as amended) places an obligation on Local Authorities to promote the prevention of homelessness.
- Part 6 Housing Act 1996 (as amended) particularly Section 166A (1) requires every local housing authority to have an allocation policy and section 166A (13): requirement for consultation of an Allocations Policy is to send a draft to all Private Registered Providers and Social Housing landlords to which we have nomination rights and ensure they have reasonable opportunity to comment.
- Homelessness Reduction Act 2017 placed additional responsibility on Local Authorities in the form of Prevention and Relief Duties
- Allocation of accommodation: Guidance for local housing authorities in England (DCLG 2012) as amended.
- Localism Act 2011
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 (SI 2989/2012) and statutory guidance, Improving access to social housing for members of the Armed Forces
- Providing Social Housing for Local People Statutory guidance December 2024
- Right to Move and social housing allocations statutory guidance March 2015
- The Public Sector Equality Duty within the Equality Act 2010 1 Section 166A (1) of the Housing Act 1996 (as amended) and Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009
- Human Rights Act 1998
- Freedom of Information Act 2000

- Data Protection Act 2018 and General Data Protection Regulation
- Welfare Reform Act 2012
- Domestic Abuse Act 2024 and the Domestic Abuse statutory guidance 2023
- Existing case laws
- Medway Homelessness and Rough Sleeping Strategy to 2030 Medway Housing Strategy to 2030
- One Medway Council Plan 2024-2028
- Joint Local Health and Wellbeing Strategy