

# Consistent Assessment Policy for the MyHomeChoiceFyldeCoast Scheme



Revision October 2013



Working in Partnership with



# Version Control

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Date	Version	Details	Responsible Officer
23/4/13		Re-drafted following consultation	Vikki Piper / Andy Foot
15.10.13		updated	Vikki Piper/Alan Davis
17.10.13		updated	Vikki Piper/Alan Davis/Paul Dillon/Pam Holroyd/Kirstine Riding

## How to contact us

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To contact us please go to [www.myhomechoicefyldecoast.co.uk](http://www.myhomechoicefyldecoast.co.uk) and go to the contact us page or telephone us on 01253 476111.

The organisations detailed below will be advertising the properties they manage on the system:

<p><b>Blackpool Area</b></p> 	<p>Housing Applications Team</p> <p>Housing Options</p> <p>South King Street Blackpool</p> <p>FY1 4TR</p>	<p>01253 476111</p> <p><a href="http://www.blackpool.gov.uk">www.blackpool.gov.uk</a></p> <p>Opening Hours:</p> <p>Monday - Thursday: 9.00 - 5.00 Friday: 9.00 – 4.30</p>
<p><b>Fylde Area</b></p> 	<p>Warwick House</p> <p>Kilnhouse Lane StAnnes</p> <p>FY8 3DU</p>	<p>01253 476111</p> <p><a href="http://www.progressgroup.org.uk/homes/newfylde">www.progressgroup.org.uk/homes/newfylde</a></p> <p>Opening Hours:</p> <p>Monday - Friday: 08:30 - 5.00 except Bank Holidays</p>
<p><b>Wyre Area</b></p>  <p>making the North West a better place to live</p>	<p>Regenda House Northgate Close Enterprise Business Park</p> <p>Horwich</p> <p>Bolton</p> <p>BL6 6PQ</p>	<p>01253 476111</p> <p><a href="http://www.regenda.org.uk">www.regenda.org.uk</a></p> <p>Opening Hours:</p> <p>Monday - Friday: 9.00 - 5.00</p>

The organisations detailed below will be advertising the properties they manage on the system:

 <p>Blackpool Coastal Housing</p>	<p>Coastal House 17-19 Abingdon Street Blackpool FY1 1DG</p>	<p>01253 476111 <a href="http://www.bch.co.uk">www.bch.co.uk</a> Opening Hours: Monday - Thursday: 9.00 - 5.00 Friday – (:00 – 4.30 p.m.</p>
 <p>great places HOUSING GROUP</p>	<p>336 Talbot Road Blackpool FY1 3QU</p>	<p>01253 476111 <a href="http://www.greatplaces.org.uk">www.greatplaces.org.uk</a> Opening Hours: Monday - Friday: 9.00 - 5.00</p>
 <p>muir group creating communities</p>	<p>67 Chepstow Road Blackpool FY3 7PH</p>	<p>01253 476111 <a href="http://www.muir.org.uk">www.muir.org.uk</a> Opening Hours: Monday - Thursday: 9.00 - 5.00 Friday: 9.00 – 4.30</p>
 <p>New Fylde Housing</p>	<p>Warwick House Kilnhouse Lane St Annes FY8 3DU</p>	<p>01253 476111 <a href="http://www.progressgroup.org.uk/homes/newfylde">www.progressgroup.org.uk/homes/newfylde</a> Opening Hours: Monday - Friday: 08.30 - 5.00</p>
 <p>places for people</p>	<p>18 Craven Drive South Rings Business Park Bamber Bridge PR5 6BZ</p>	<p>01253 476111 <a href="http://www.placesforpeople.co.uk">www.placesforpeople.co.uk</a> Opening Hours: Monday - Thursday: 9.00 - 5.00 Friday 9.00 - 4.30</p>
 <p>the regenda group making the North West a better place to live</p>	<p>Regenda House Northgate Close Enterprise Business Park Horwich Bolton BL6 6PQ</p> <p><b>Local office:</b> 1-7 Lord Street Fleetwood FY7 6DX</p>	<p>01253 476111 <a href="http://www.regenda.org.uk">www.regenda.org.uk</a> Opening Hours: Monday - Friday: 9.00 - 5.00 <b>Local office:</b> 01253 476111 Opening Hours: Monday, Wednesday, Friday: 9.00 - 1.00</p>

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# 1 Introduction

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'MyHomeChoiceFyldeCoast' is the Choice Based Lettings Scheme which operates across the Fylde Coast region. This scheme has been developed by the three Fylde Coast Local Authorities working in partnership with the Social Housing Providers as listed below. In the drafting of the scheme, the legal provisions of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011 together with the related Codes of Guidance issued by the Government have been taken fully into consideration. This scheme has been adopted by the relevant elected members of each of the three Fylde Coast local authorities.

Blackpool Council Fylde  
Borough Council Wyre  
Council

Blackpool Coastal Housing  
Great Places Housing Group  
Muir Group Housing Ltd

New Fylde Housing  
Places for People  
Regenda Group

To gain access to the MyHomeChoiceFyldeCoast scheme, applicants only have to register once. They are then able to bid for the vacancies advertised.

Although MyHomeChoiceFyldeCoast provides greater choice for applicants, the scheme in itself does not increase the number of properties available. Vacancies are advertised and applicants are encouraged to take an active part in the process by bidding on a property. The system is transparent and is expected to provide applicants with a realistic view of their prospects of securing accommodation.

The scheme's key objectives are:-

- To create a customer led choice based lettings scheme
- To widen the choice of housing
- To ensure the scheme is open, fair and accountable
- To increase understanding and satisfaction of the letting system
- To give new tenants a feeling of ownership of their property and community
- To help create sustainable communities
- To make more efficient use of the available housing stock
- To help tackle low demand and reduce void turnaround times
- To create a single point of access to all social housing on the Fylde Coast
- To meet the legal requirements for the allocation of social housing as set out in Part VI of the Housing Act (1996) as amended by the Homelessness Act (2002) and the Localism Act (2011)



## **1.1 Statement of Choice**

MyHomeChoiceFyldeCoast recognises the Government's desire for applicants to have an element of choice in terms of housing.

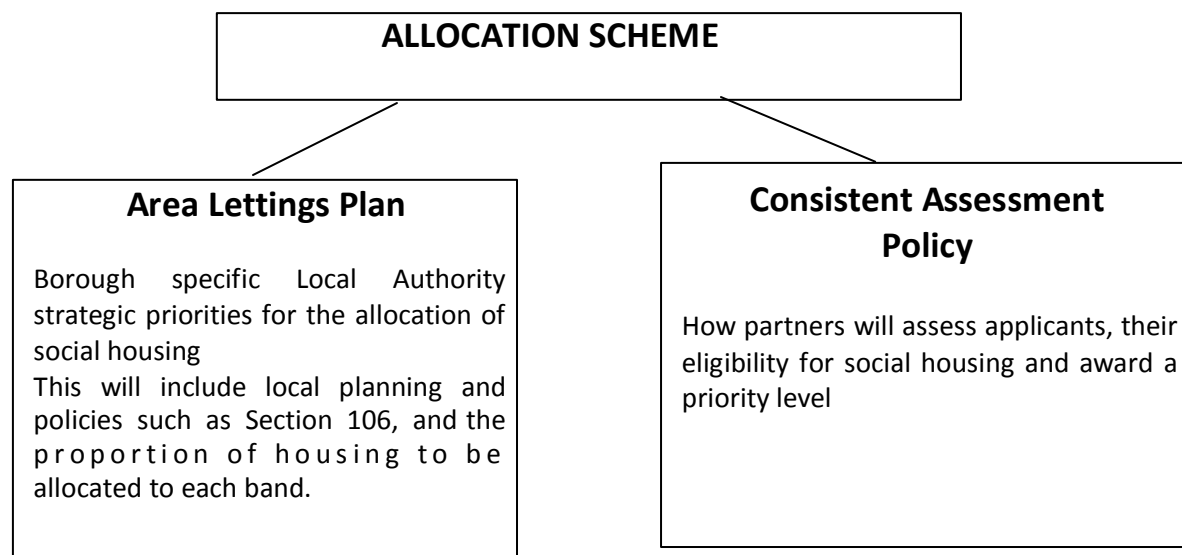
The scheme is open to all applicants who meet the criteria for joining the housing register. This means that applicants can exercise choice through bidding for properties that they want to live in across the Fylde Coast.

## **1.2 The Choice Based Lettings Scheme in Brief**

MyHomeChoiceFyldeCoast provides a unified way for local authorities to provide greater choice in the allocation of social housing through the advertising of social housing properties. All social landlords who are participating partners in the scheme are committed to advertising their empty properties to those who have applied to be in the scheme. Adverts will include a description of the property and indicate which applicants are eligible to apply. Applicants can then apply for the property of their choice provided they meet the stated eligibility criteria. The successful applicant will be selected from those who have applied for the property. Selection is based on the applicant's local connection criteria, priority band and the length of time the applicant has been in that band.

### **Consistent Assessment Policy**

This policy deals with how applicants to the MyHomeChoiceFyldeCoast Lettings Scheme will be assessed and priority awarded. The policy forms one element of the Allocation Scheme of each Fylde Coast local authority.



Each local authority has a statutory duty to have an Allocation Scheme in place that sets out how social housing will be allocated. This is formulated and regularly reviewed in consultation with local authority members, housing providers, and the public. It takes into account the level and patterns of the demand for social housing, the profile of the stock and the vacancies which are likely to come available, and also reflects any agreed strategic priorities.

Within Blackpool, Fylde and Wyre, the local authorities' Allocation Schemes each comprise a borough-specific Area Lettings Plan together with this Consistent Assessment Policy. This means that each individual authority is able to determine its strategic priorities and determine the proportion of stock that will go to each priority banding. The particular role of this Consistent Assessment Policy is to set out how applicants for social housing are assessed and then banded within the scheme and to provide consistent procedures for the operation of the MyHomeChoiceFyldeCoast system. This Policy will be refined and periodically reviewed to take into account the priorities established within the local authorities' lettings plans, and in response to feedback on how well the system is operating.

## **1.3 Governance**

The requirement to have an allocation scheme applies to all local authorities regardless of whether or not they retain ownership of the housing stock and whether or not they contract out the delivery of any of their allocation functions. Authorities are prohibited from contracting out certain allocation functions, including adopting and altering the allocation scheme, which includes principles on which the scheme is framed. 'Procedure' includes all aspects of the allocation process, including the people, or descriptions of people, by whom decisions are taken. It is essential therefore that the scheme reflects all the local authorities' policies and procedures, including information on whether the decisions are taken by elevated members or officers acting under delegated powers.

The MyHomeChoiceFyldeCoast system is subject to a sub-regional partnership agreement, which ensures that the scheme is kept up to date and meets regional, and national best practice guidelines.

The Allocation Scheme will be managed by a sub-regional Steering Group made up of the Housing 'Managers' from all Partner Organisations and other relevant stakeholders. The group will meet at least 4 times a year to ensure continuous update and development of the partnership agreement.

All Partner Organisations and relevant stakeholders will contribute to monitoring, developing, funding and making policy decisions about the allocation scheme.

A full copy of the policy or a summary of this allocation scheme can be obtained from any of the partner's websites or in hard copy from any of the partner's offices as listed at the beginning of this document.

## **1.4 Assessment**

Applications will be assessed by the Assessing Partner relating to where the applicant lives or would like to live. The decisions in respect of allocation of housing will be made by officers of the respective partner organisations.

### **Applying to join the scheme**

#### **1.4.1 Eligibility**

Anyone aged 16 or over<sup>1</sup> is eligible to apply to the MyHomeChoiceFyldeCoast Housing Register unless they are in one of the excluded groups below.

#### **1.4.2 Ineligible (Non qualifying persons))**

#### **(Also see section 3.14.1 on suspensions)**

There are a number of circumstances in which an applicant will be ineligible to join the housing register:

- 'Persons from Abroad' who the Secretary of State for Communities & Local Government has deemed ineligible for an allocation of housing accommodation
- In addition are people who, although not subject to immigration control, are not habitually (permanently) resident in the Common Travel Area (which includes the UK, the Channel Islands, Isle of Man and the Republic of Ireland.)

These exclusions do not apply to anyone who is already a tenant of a local authority or a Social Housing Provider, who has been allocated to his home by a local authority. There are a number of other circumstances in which applicant will be ineligible from joining the housing register.

- Applicants applying for a transfer who have not resided in their current home for a minimum period of twelve months
- Applicants with no local connection (other than those exempt due to having served in the armed forces in the last five years or who are currently serving and homeless applicants where a statutory duty to rehouse has been accepted by either Blackpool, Fylde or Wyre Council.)
- Households whose gross household income exceeds £60,000 pa
- Applicants and households aged under 55 years with savings exceeding £30,000
- Households that have been evicted for ASB within the last five years, including evictions from an assured or secure tenancy from a social landlord, or evictions under Section 8 of an assured shorthold tenancy from a private landlord.

Applicants have the right to Review on any decision made by the MyHomeChoiceFyldeCoast partners; see section 9 “Requesting a Review/Appeal” for more details. Eligibility needs to be demonstrated both at the time of application and at time of offer.

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<sup>1</sup> 16 & 17 year olds can apply to go on the register, but may not be made an offer of a tenancy see page 32.

<sup>2</sup> For more information about when convictions become spent see Appendix 2

### **1.4.3 Advice and information**

MyHomeChoiceFyldeCoast Partner Organisations believe that applicants should be given every assistance when they apply to join the scheme, access the scheme and search for suitable properties.

To assist further, the relevant community based statutory and voluntary agencies will be given information and training in order to understand the MyHomeChoiceFyldeCoast scheme. This will enable them to assist their clients to identify and apply for suitable housing.

MyHomeChoiceFyldeCoast will also proactively promote the Scheme to organisations that work with diverse groups.

A full copy of the consistent assessment policy and area lettings plan for each local authority will be available online and from each of the local authorities and housing providers.

Advice on how to join the scheme and how the scheme works will also be available on line and at each of the offices of the local authorities and housing providers. Blackpool, Fylde and Wyre authorities provide free independent housing advice to everyone in their district.

### **1.4.4 False information**

All Partner Organisations are committed to taking legal action against any applicant found to have gained a tenancy based on false information in their application form. ([False Information](#)).

### **1.4.5 Data sharing**

Any information provided in the application form will be made available to all the partners in the Scheme.

### **1.4.6 Scanning**

The MyHomeChoiceFyldeCoast partnership has agreed to scan all appropriate documentation belonging to an application, and to electronically attach these to the applications on the system. This is in recognition of the fact that all the Partners need information about the application but do not have access to the hard copies. Where an applicant writes a large amount on an application, rather than type it all in, the assessor may scan in the relevant section and refer to the scanned in document with the section in the back office fields.

### **1.4.7 Confidentiality**

Information relating to a persons application is held on a computerised database and is used to assist MyHomeChoiceFyldeCoast to assess their eligibility for housing and then used to help a partner re-house a person in an appropriate home and supply and manage support services where applicable. All relevant information will be passed to the appropriate housing provider and any agency that will provide housing related support. The Partner Organisations reserve the right to check information and to pass information on to organisations to assist in this, such as , Police, Local Councils, Hospitals, Employers, Probation, Former/Current Landlords, Banks and Building Societies, Health Visitors, Social Services, Doctors, Credit Reference Agencies or any other organisations that we need to. Consent to do this is sought via the Declaration on the Application Form.

All information will be treated with the highest level of security and confidentiality.

### **Data Protection Act**

Information held in respect of a Housing Application will be processed by computer for the proper conduct of MyHomeChoiceFyldeCoast's housing function. Data will also be used for statistical purposes. Although information will not be identified, individuals may ask to see information which is being held about them on non-computer files, with certain limited exceptions, for example, information provided by other professionals which is exempt from disclosure. Statistical data that does not identify the applicant is not subject to data protections. Any information which identifies sensitive personal data (race, sexual orientation, religion or disability) requires explicit consent from the data subject before this can be released.

## 2 Application Form

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### 2.1 Information Required

The application form for MyHomeChoiceFyldeCoast will ask for information including:

- a) Contact details of the applicant's current landlord, type of tenancy and if a formal notice to quit has been served.
- b) Addresses for the last 5 years including the Landlord's name and address for each address and the reason for leaving
- c) Details of anyone on the application who has any unspent criminal convictions, details of the crime, date and length of sentence given and how long they served. (Please see Appendix Two on 'spent' and unspent' convictions).
- d) Details of action taken against anyone on the application for Anti social behaviour including type of action e.g. court action or written warning and if an ASB order has been granted.

It should be noted that if any information is provided on the application form which could impact on the conduct of a future tenancy the exclusion or suspension policy will apply. Reference can also be made to ([Suspensions](#)) giving examples of unacceptable behaviour.

#### 2.1.1 Application Date and Effective date

All applications will be given an 'Application Date'. The date used for the application date will be the date the application was received for assessment.

Within each band applicants are listed in date order by the effective date. The effective date is the date of application, or where applicant's circumstances have changed resulting in a higher band, the effective date will be the date the higher band applies.

#### 2.1.2 References

Applicants will be required to provide two references to the Partner Organisation once they have successfully bid for a property

- One reference must be from the current or most recent landlord from those applicants who have previously held a tenancy; this may include a staff reference from interim or supported accommodation. A further landlord reference may be requested as required.
- References will not be accepted from family or friends
- If an unsatisfactory reference is received from a landlord, the application will be reviewed by the Partner Organisation
- If an applicant has not held a tenancy previously, references will be considered from the following people (this list is not exhaustive):
  - o Current/former employer
  - o Doctor/Health professional who sees you on a regular basis
  - o Teacher/College Lecturer
  - o Person with professional qualification
  - o Person of standing in the community
  - o Minister of a recognised religion

If no references are available the Partner Organisation may obtain an SAR (Subject access request). Applicants should note they will be expected to pay for a SAR (subject access request) themselves.

References will help applications for housing to be checked more efficiently and check the suitability of prospective tenants, therefore increasing the likelihood of sustainable tenancies and communities.

With regard to references and internal transfers see [Transfer Policy](#).

### 2.1.3 Documentation requirements

Below is a list of what may be required to verify an application dependent on the applicant's circumstances:

<b>What needs verifying</b>	<b>Documents required – one of the following must be provided.</b>
The identity of the applicant and other members of the family	Birth certificate, passport, immigration papers
The applicant is eligible to register for housing	Passport, national identity papers, Home Office documents, European Work Permit and associated wage slips; proof of housing benefit/local housing allowance. Proof of Local Connection.
The applicant and other household members live where they say they do and the terms of which they live there (e.g. tenancy agreement)	Electoral register entry, rent book/card, recent bill or credit payment book for gas, electricity or water supply, pension book, confirmation from employer or DSS, tenancy agreement, full driving licence, recent bill for Council Tax or telephone, recent bank statement.
The children being registered are the responsibility of the applicant or their partner	Child benefit book, residence order, confirmation from DSS, Social Services, Health and Education authorities, full birth certificate. Where children have previously been cared for by another person, including an ex-partner, and in the absence of a Residence order from the courts, a combination of this evidence must be provided. MyHomeChoiceFyldeCoast will consider each case on its merits in order to be satisfied that the children's normal place of residence
Non-dependents have a medical or social need to live with the applicant	Confirmation from either social services or other relevant statutory agency
Proof of pregnancy	Antenatal card/book from hospital, doctors letter, MATB1
Threatened with eviction	Tenancy agreement, valid Notice to Quit, Court Order.

If an applicant is unable to provide the necessary documents the case will be considered in light of individual circumstances by the relevant Partner Organisation.

All offers are also subject to verification and the above documents may be required.



## 3 Application Assessment

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### 3.1 Priority Bands

Each application is assessed and, providing the applicant is eligible to join the housing register, the applicant(s) will be awarded a priority band according to their current circumstances. The scheme uses 6 Bands – A to F, with Band A being the highest priority.

#### 3.1.1 B A N D A

The main group in Band A are:

- Homeless applicants where there is a statutory duty to provide housing by Blackpool Council, Fylde Borough Council or Wyre Council.

**Other applicants to be placed in this band must be able to demonstrate a local connection and at least one of the following ...**

- Be a vulnerable person<sup>3</sup>, who faces imminent discharge from hospital or temporary residential care and for whom there is no suitable accommodation to return to.
- At the discretion of MyHomeChoiceFyldeCoast, have exceptional circumstances including being in immediate danger, for example, of physical violence

#### 3.1.2 B A N D B

**To be placed in this band, applicants must be able to demonstrate a local connection and one of the following:**

- Occupy a property where category 1 hazards<sup>4</sup> have been identified by Environmental Services and in relation to which the landlord has failed to take the required action
- Live in a property, which one of the Partner Organisations requires to be demolished or vacated
  - Are an existing tenant of a partner within the Fylde Coast area who under-occupies their existing home and is looking to move to a smaller, more suitable property. This also applies to applicants no longer in need of a property with a disabled adaptation.  
(This will only apply if the under occupation has arisen after the start of the tenancy, e.g. because some people in the household have moved out.)
- Need to move because of urgent medical or disability reasons and there is a medical assessment that current housing conditions are having a serious detrimental impact on the applicant or members of the applicant's household's health or ability to live independently. The assessment will consider the applicant's (or member of the household included in the application) medical condition, the effect their property has on that condition and how moving to an alternative property could help that condition<sup>5</sup>.
- Armed Forces personnel, who are currently serving or have served in the last five years who need to move and meet one or more criteria from Band D.<sup>6</sup>

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<sup>3</sup> See page 20 for a definition of vulnerable.

<sup>4</sup> See page 20 for more information on category 1 hazards and property condition

<sup>5</sup> For more information on medical reasons and medical assessments see pages 20

<sup>6</sup> See Appendix 4 for definition of Armed Forces personnel

- Need to move because of urgent social or welfare reasons. This can include but is not limited to:
  - o the likelihood of admission to residential care or hospital if not re-housed
  - o the likelihood of a child being accommodated by the Local Authority if not re-housed
  - o The need to give or receive essential care and support.
- Have a serious risk of harm in their present accommodation. This can include but is not limited to:
  - o Victims of domestic abuse, serious harassment including racial or homophobic, crime, serious anti social behaviour and witnesses of crime
- Are in a priority need group as outlined in the section 189 of the Housing Act 1996 and as amended in the legal provisions of the Homelessness Act 2002 and are potentially homeless through no fault of their own. This priority will only be awarded by the relevant Local Authority once evidence has been verified and the applicant is co-operating with the local authority to prevent their homelessness.
- Are unintentionally overcrowded in their current accommodation and in need of 2 or more additional bedrooms.
- Leaving Local Authority Care from the relevant Local Authority with appropriate tenancy support where there is a statutory duty to provide housing under the Leaving Care Act 2000.
- Are rough sleeping, threatened with or have a history of rough sleeping and are supported and referred by the Housing Teams of Blackpool Council, Fylde Borough Council or Wyre Council
- Currently living in supported housing or rehabilitation and are ready for independent living as agreed by the provider and tenancy support (as appropriate) is in place, if required.

### **3.1.3 B A N D C**

**To be placed in this band, applicants must be able to demonstrate a local connection and:**

- Meet more than one criterion from Band D

### **3.1.4 B A N D D**

**To be placed in this band, applicants must be able to demonstrate a local connection and one of the following:**

- Need to move because of medical or disability reasons. This is because there is a medical assessment that current housing conditions are affecting the health or ability to live independently but there is no serious detrimental impact. The assessment will consider the applicant's (or member of the household included in the application) medical condition, the effect their property has on that condition and how moving to an alternative property can help that condition<sup>7</sup>.
- Need to move because of social or welfare reasons, which can include but is not limited to:
  - o Applicants who need to move to a particular locality within the borough to avoid hardship to themselves or others
- Occupy a property where Category 2 hazards have been identified by Environmental Services and the landlord has failed to take the required action.<sup>8</sup>
- Are unintentionally overcrowded in their current accommodation and in need of one additional bedroom
- Are assessed by Blackpool Council, Fylde Borough Council or Wyre Council as being homeless but there is no priority need for housing

<sup>7</sup> For more information on medical reasons and medical assessments see pages 20

<sup>8</sup> For more information on category 2 hazards and property condition please see page 20

- Are assessed by Blackpool Council, Fylde Borough Council or Wyre Council as being intentionally homeless and there is no statutory duty to re-house
- Have been a homeless household; where there was a statutory duty to provide housing, and they have accepted a qualifying offer of a privately rented property.
- Currently reside in supported accommodation or rehabilitation and are not yet ready for independent living and have no tenancy support in place
- Armed Forces personnel, who are currently serving or have served in the last five years and meet the local connection criteria

### **3.1.5 B A N D E**

**To be placed in this band, applicants entering must be able to demonstrate a local connection and one of the following ...**

- At least one adult member of the household is in full time employment either in the local areas or elsewhere.
- At least one adult member of the household is contributing to the community through voluntary work. See [Appendix Three](#) for definitions.

### **3.1.6 B A N D F**

**This Band is for applicants who can demonstrate a local connection and:**

- Are adequately housed and are therefore in no housing need
- Who do not meet any of the criteria within the bands above
- Who are currently suspended due to meeting the suspension criteria
- Are awaiting a decision on a homeless application

**This Band is also for applicants who are:**

- Armed Forces personnel, who are currently serving or have served in the last five years who cannot demonstrate a local connection

## **3.2 Vulnerability, medical need, disability and property condition**

To determine banding, assessment will be made of need that exists and of the adverse effect this has on the lifestyle of the household as a whole. The assessment of the housing needs of many applicants depends on different forms of assessment: environmental health officers, for the assessment of housing condition questions; medical officers for the assessment of medical questions; and social workers for the assessment of other social factors, including the ability of people to cope.

Medical assessments will be completed by the relevant assessing partner organisation using the information on the application form together with the completion of a medical assessment form, and any other supporting information. Information can be provided for example by the applicants GP, hospital consultant, occupational therapist or social worker. Requirement for further information will be assessed on a case by case basis and will be requested where necessary. When an applicant's medical circumstances change the partner organisation should be notified as the level of information required due to the change will differ from case to case.

Vulnerability means "less able to fend for oneself so that injury or detriment will result where a less vulnerable person will be able to cope without harmful effects."

Urgent medical or disability reasons: (Band B), This banding will be reserved for those exceptional cases where an applicants or tenants life can in some way be at risk because of associated medical and housing difficulties which are inherent in the existing accommodation.

Medical or disability reasons: (Band D), this banding should only be used to reflect where the medical condition or disability has a clear relationship to existing housing circumstances. It is distinguished from Band B because in this instance it is less serious.

Following the assessment the applicant will be informed in writing of the outcome of the priority banding they have been placed in. If the applicant disagrees with this assessment they can request a review of the decision (see [Requesting a Review](#) page 34). When an applicant's medical circumstances change the partner organisation should be notified as the level of information required will differ from case to case.

Property condition assessments will be completed by the relevant assessing Partner Organisation using the information on the application form together with information provided from the Local Authority Environmental Health Officer. Local Authority Environmental Health Officers may assess a private sector property as having one or more category 1 or 2 hazards under the Housing Health and Safety Rating System. In all cases the Local Authority Private Sector Housing Team will use all powers available to remedy the hazards and priority will only be awarded where the landlord has failed to take the required action. Once the hazards have been resolved the priority will end. The Housing Health Rating Scheme is used to assess property condition and deals with 29 hazards. Each hazard is assessed separately and scored. If a hazard is serious with a high score it will be a Category 1 Hazard. All other hazards are Category 2 hazards.

### **3.3 Deliberately worsening your circumstances**

Where an applicant deliberately makes their housing situation worse, so as to try to gain an advantage under the MyHomeChoiceFyldeCoast banding system, this may be considered as "contrivance". Where such cases are proven, the application will be reviewed, in order to disregard the applicants 'contrived' criteria. The application will be re-banded on the basis of any remaining housing needs criteria which have not been contrived.

#### Examples

- a) Applicants deliberately leave suitable accommodation, for no reasonable reason and moves into accommodation, which is less suitable to their needs.
- b) Applicants have been considered to be "intentionally homeless" and have moved into overcrowded accommodation.
- c) Applicants deliberately move into properties which are more adverse to their health or more environmentally worse.
- d) Applicants intentionally overcrowd their present accommodation.

The assessing MyHomeChoiceFyldeCoast Partner Organisation will write to applicants to advise them of their banding. Applicants have the right to request a review of that decision (see [Requesting a Review.](#))

### **3.4 Home Visits**

In certain circumstances it may be necessary to carry out a home visit to assist with the application assessment and/or to check that housing circumstances are as described on the application form. Applicants are expected to allow the visiting officer access to all parts of their home.

Reasonable notice will be given and a letter with a suggested appointment time and date will be sent. If the appointment is inconvenient the applicant can ask for another date and time.

If, after three attempts, the MyHomeChoiceFyldeCoast Partner Organisation has not been able to arrange a visit, the applicant will be notified that they will be removed from the scheme unless the MyHomeChoiceFyldeCoast Partner Organisation considers that they should remain in the scheme.

### **3.5 Local Connection**

When deciding the priority to be given to the application, in most cases applicants must be able to show they have a local connection. We propose three levels of priority:

1. Connection to the LA
2. Connection to the Fylde Coast
3. No connection to either of the above

Applicants have a local connection if they can demonstrate one of the following:-

- Local residency – they have lived in the area consecutively for the last three years.
- Permanent employment in the area (see appendix 3)
- Close family association – has a parent, adult child, adult brother or sister who is living in the area and has done so for the last 5 years
- Applicants who are serving in the Armed Forces and who are either employed or are resident in the area.
- Former Armed Forces Personnel who had a previous residence in the area as a result of a former posting to the area, within the last 5 years
- Homeless applicants where there is a statutory duty to provide housing by Blackpool Council, Fylde Borough Council or Wyre Council

Note that partner organisations may also define particular requirements for local connection when setting the eligibility criteria for individual properties – for example, the requirement to be resident in a particular parish, settlement, or borough and may be subject to a condition of a Section106 agreement.

### **3.6 Relationship to Interested Parties**

As part of the assessment and at the point of offer any relationship to interested parties as defined on the application form will be noted and the Partners individual procedures will be followed, thus ensuring that in each individual case there is no conflict of interests.

# How the scheme operates

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- Applicants can register with MyHomeChoiceFyldeCoast by completing a housing application form. The application form is available to complete on line or a paper copy can be requested on line via the “contact us” form. Application forms are also available from each of the partners.
- Application forms can be returned to any of the following assessing partners listed below who will register and assess the application.
  - o Blackpool Council
  - o New Fylde Housing
  - o Regenda Group

If the applicant is eligible to join the housing register the applicant will be sent confirmation of the registration including bidding number and band. See section [notification](#) below.

- Properties will be advertised each week at all contact points. Applicants can bid any time during that week until 12 midnight on the day the bidding closes. This is called the weekly bidding cycle.
- Applicants can bid for properties in a number of ways and will need their registration number, and property reference number to place a bid. Bids can be made by one of the following methods:
  - Via the website [www.myhomechoicefyldecoast.co.uk](http://www.myhomechoicefyldecoast.co.uk)
  - On the telephone – 01253 476111 via option 2
  - By text – 07537 404364
  - In Person - at any of the partners local offices
- The applicant with the appropriate local connection; priority and who has been in the relevant band the longest will be put forward for the property. If an applicant appears at the top of more than one shortlist in a bidding cycle, they will be asked for their preference as they will only be considered for one of those properties.
- Information about properties let each week will be published via the website and included on the property newsletter. Personal details of successful applicants will not be included.
- The decisions in respect of allocation of housing will be made by officers of the respective Partner Organisations, and in accordance with the Code of Guidance at the point where an allocation is being contemplated checks will be made to ensure that the same amount of housing need is still applicable to the applicant to whom it is proposed to allocate a property.

## **3.7 Notification**

Once an application has been assessed as eligible and entered into the scheme, the applicant will receive a letter confirming their application details. This notification will include:

- Details of any suspension
- The band in which the applicant has been placed

- The size of property the applicant is eligible for
- The application date
- A reminder about informing the Partner Organisation of any change in circumstances
- The MyHomeChoiceFyldeCoast review procedure
- A personal reference number to allow bidding
- The name and contact details of the assessing Partner Organisation and who to direct communication to

Applicants will also receive notification of their application if they have submitted a change of circumstances form.

### **3.8 False Information**

Applicants who are found to have deliberately given false information on their MyHomeChoiceFyldeCoast application form will have their application reviewed immediately. This may result in the banding being changed or the application being suspended.

If an applicant is found to have deliberately changed or worsened their housing situation in order to be placed into a higher band, an immediate review of an application may also be undertaken. If an applicant is rehoused on the basis of providing false information, steps may be taken to end the tenancy. In addition criminal proceedings may be taken, which could result in the applicant receiving a fine up to a maximum of £5,000. (Section 171 of the Housing Act 1996).

All Partner Organisations are committed to taking legal action against any applicant found to have gained a tenancy based on false information in their application form.

### **3.9 Access to Personal Information**

Individuals are entitled under the Data Protection Act (1998) to request details of their personal data held by MyHomeChoiceFyldeCoast. A charge may be made for providing this information.

Information relating to priority banding and chances of securing appropriate accommodation is available to all applicants through the web-based system or by contacting any Partner organisation.

The information received from housing applications may also be used for housing management and research purposes.

### **3.10 Notification of Change of Circumstances**

If an applicant's circumstances change, the applicant must contact MyHomeChoiceFyldeCoast as soon as possible.

If the applicant is already in the scheme their details will be updated and a re-assessment will be made.

If an applicant moves into a higher band, the new priority will be awarded from the date of notification of a change in circumstances and this will be the effective date of application. If the applicant moves into a lower band then their effective date will remain the same as the application date.

Checks will also be made at the time of the offer to ensure that the household details are correct and the property is suitable for the household size. If a household's current housing situation is different from their housing registration details, then a housing offer may be withdrawn. The application may be suspended until the applicant provides proof of their change of circumstances.

### **3.11 Application checks**

Application details will be checked on a regular basis. Applicants may receive a renewal letter asking them to confirm or update their details, if no response is received to the renewal request letter within 28 days the application will be cancelled and a letter confirming this will be sent to the applicant. Applications may be reinstated in exceptional circumstances.

### **3.12 Applicants who fail to bid**

MyHomeChoiceFyldeCoast may from time to time review applicants who have not taken part in the bidding process and ascertain the reason for not bidding. This may result in their application being reassessed or cancelled or additional support services being put in place.

### **3.13 Cancelling Applications**

An application will be cancelled from the MyHomeChoiceFyldeCoast scheme in the following circumstances:

- At the request of an applicant
- An applicant does not respond to an application review, within the specified time limit
- A local authority or registered social landlord has housed the applicant
- A tenant completes a mutual exchange
- An applicant does not maintain their application through the review process, or where the applicant moves and does not provide a contact address
- An applicant has died
- An applicant has not supplied the relevant information requested within the given timescales.
- An applicant becomes ineligible for housing as defined by this policy

Any applicant whose application has been cancelled has the right to ask for a review of the decision; see section 9 later. ([Requesting a Review](#)).

Where an applicant applies to re-join the scheme at a later date their new date of application will be the date they re-apply.

### **3.14 Suspensions**

**(Also see section 1.4.2 on ineligible applications)**

In certain circumstances applications will be suspended. This can occur at any time from initial registration to the offer stage. This means the applicant cannot 'bid' for a MyHomeChoiceFyldeCoast property. Applicants who fall within the suspension criteria, which are set out below, will remain 'held' on the system in the lowest band (band F).



Each suspension will be considered on a case by case basis, by the assessing Partner Organisation. Where a suspension is applied to an application the applicant will be informed in writing of the reason for suspension, the timescale and steps the applicant could take to remove the suspension. It is the responsibility of the applicant to contact the assessing Partner Organisation at the end of the suspension period to request a review of the suspension. The review will seek to establish if the reason for the suspension has been resolved satisfactorily or if there is evidence of an improvement in the behaviour of the applicant(s) over a sustained period. The maximum length of suspension is five years.

There is a right of review for each decision on a case by case basis having regard for exceptional circumstances. See section 9 “Requesting a Review”.

### **3.14.1 Suspension Criteria**

Suspension may apply where the applicant:

- Owes rent arrears or any other housing related debt excluding council tax, to a landlord and has not made and maintained a satisfactory arrangement to repay the debt. (See [Debt](#) section)
- Has deliberately or negligently caused damage to property belonging to a Partner Organisation or any other Landlord, whether the tenant of that property or not.
- Has made false or misleading statements. ([False Information](#)).
- Where an applicant has refused five suitable offers of accommodation, the application will be suspended for a period of six months in line with the suspension policy

Or the applicant or any member of the household:

- Has engaged in anti-social behaviour, (whether or not they were at the time a tenant of a Local Housing Authority or Social Housing Provider) and has not maintained a satisfactory undertaking to address that behaviour. (See “Anti Social Behaviour” below)
- Is a current tenant of a participating landlord in the MyHomeChoiceFyldeCoast CBL scheme (or any other Social housing provider) and is or has been the subject of action for breach of tenancy.
- Has been convicted of using their home, or allowing it to be used, for immoral or illegal purposes.

Other applications may be inactive on the system and therefore unable to bid:

- MyHomeChoiceFyldeCoast is waiting for more information about an applicant’s circumstances. (The application will remain held until all the relevant information has been provided.)
- Offenders in custody, the application will remain held until 28 days before their release date

### **3.14.2 Anti Social Behaviour**

Suspension will be considered for any acts of anti-social behaviour that have occurred within the last 2 years. Evidence of acts of Anti-Social behaviour include but are not limited to:

- Causing nuisance and annoyance to neighbours, visitors or the community.
- Being violent towards a partner or family member.
- Allowing the condition of a rented property to deteriorate.
- Damaging/destroying or disposing of furniture provided by the landlord.
- Paying money illegally to obtain a Local Authority or Registered Social Landlord tenancy.

Suspension will also be considered regardless of time of occurrence in the following circumstances:

- A current Probation risk assessment level of Medium or above
- A current ASBO/CRASBO in place
- Conviction for a serious unspent criminal offence

Suspensions for cases of ASB will be for no less than 12 months and no more than 5 years.

It should be noted that to reduce the risk of anti social behaviour problems all partners of MyHomeChoiceFyldeCoast may use starter tenancies or introductory tenancies for all new tenants.

### **3.14.3 Debt**

Applicants with arrears or housing related debt such as rechargeable repairs of under £500 owed to a landlord including any of the Partner Organisations may only be registered as live on the system if they agree to meet the conditions of an agreed payment plan which typically will mean the payment of a minimum of 12 **consecutive** weekly payments. Alternatively, a lump sum to reduce the debt -as agreed - may also be accepted.

An offer of accommodation will only be made if the payment arrangement has been met unless there are exceptional circumstances. Each case will be considered on its own merits e.g. reasons for the arrears and previous steps taken to tackle arrears.

Applicants with arrears over £500 will usually be suspended. This will be based on a decision made by the Partner Organisation taking into account all circumstances. A decision will be made on the length of suspension and repayment arrangements and these decisions will be reviewed by SOD to ensure consistency.

In both sets of circumstances the applicant will be informed in writing of any decision made together with information about the right to request a review of the decision.

Where there are both rent arrears and housing related debt(s) the whole amount will be added together. The total amount to repay will determine which course of action is followed as detailed above.

Debt owed to private sector landlords (arrears and/or damage) will only be taken into account, if an unsatisfactory reference is received.

## 4 Letting of Properties

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### 4.1 Lettings Plans

At present, demand for social housing in the MyHomeChoiceFyldeCoast area greatly exceeds supply. In view of the high demand for housing on the Fylde Coast, coupled with a limited supply of housing, allocations may be distributed between bands. This will ensure that MyHomeChoiceFyldeCoast offers:

- a balance between meeting housing needs of existing tenants and new applicants
- promotes more sustainable and balanced communities
- widens the housing opportunities for those who are not in greatest housing need

Specially adapted properties will be targeted for allocation to people with an illness or disability. Similarly, ground floor and sheltered housing will be targeted for allocations to people eligible for this type of housing.

Each Local Authority as part of their strategic housing function will determine how the housing stock should be allocated as part of an Area Lettings Plan. The Local Authority will formulate the area plan in consultation with all the RSLs who own stock in the relevant Borough. The Area Lettings Plan will take into account the size and composition of the waiting list, the profile of the stock, the vacancies which are likely to come available, and if the number of transfers should be limited.

### 4.2 Local Lettings

The Partners have the discretion to apply local lettings policies where there are specific issues. Local lettings policies can also assist in the management of existing stock to help resolve issues such as child density, anti-social behaviour, mixed communities and worklessness. It should be noted that local lettings policies may be required on affordable new build sites. There may also be planning restrictions and local lettings policies which apply to specific properties such as a section 106.

### 4.3 Property Sizes

The numbers of bedrooms for which applicants are eligible is determined by the size of their household and in line with DWP regulations. As there is a shortage of larger homes, applicants are advised to consider a property that has two living rooms where one can reasonably be used as a bedroom.

Below are detailed typical examples of households and the size of accommodation they would be generally eligible for:

Single Adults or Couples (16yrs+)	One bedroom property
Two adults (16yrs+) living together not in a relationship	Two bedroom property
Parent(s) with one child	Two bedroom property
Parent(s) with two children of same sex or different sexes under the ages of ten years	Two bedroom property
Parent(s) with children of different sexes – one or both being over the age of ten years	Three bedroom property

### **4.3.1 Expectant applicants**

Consideration will be given for unborn children in terms of bedroom entitlement but priority will only be awarded according to the current household needs.

Following the birth, and receipt of birth certificate/s, a re-assessment will be made. It is the applicant's responsibility to notify the assessing partner in order to update their circumstances.

## **4.4 Property Descriptions**

Properties advertised will carry (where possible) a photograph of the property and a full description. As a minimum the description will include:

- Type of property
- Number of bedrooms
- Location of property
- Any adaptations (e.g. disabled facilities)
- Services provided (e.g. support, caretaker, cleaning)
- Heating type
- Energy Performance Certificate rating
- Rent charged/service charges
- Eligibility criteria

## **4.5 Joint Tenancies**

Where there is a joint tenancy both tenants are jointly and individually responsible for ensuring the tenancy agreement is adhered to.

Both parties to a joint tenancy must individually qualify to join MyHomeChoiceFyldeCoast and be eligible for an offer, or to bid for a property. If a joint tenancy is refused by any of the MyHomeChoiceFyldeCoast Partner Organisations, a clear reason will be provided to the applicants in writing. Applicants can request a review of the decision if required ([Requesting a Review](#)). When one of the joint tenants gives notice to the relevant MyHomeChoiceFyldeCoast Partner Organisation, discretion may be used when deciding to offer the property - or an alternative property - as a sole tenancy to the other joint tenant.

In certain circumstances joint tenancies may be granted to more than two people.

## **4.6 Successions and Assignments**

When an introductory or secure tenant dies, a member of their family living with them at the time of their death may have a right to succeed to the tenancy.

When an introductory or secure tenant dies and no family member has such succession rights but a member of the household has:

- a) Been living with the tenant for 12 months prior to the tenant's death or
- b) Accepted responsibility for the tenant's dependents

Then the social housing provider has discretion to grant an introductory tenancy to that person, either in the same home or in suitable alternative accommodation.

An introductory or secure tenant may be able to assign their tenancy to someone else so long as the tenancy has not already been passed on by assignment, or succession. It is usually assigned:

- By a Court Order following matrimonial or civil partnership breakdown or family proceedings OR
- To a member of the tenant's family who would qualify to succeed to the tenancy if the tenant had died.

#### **4.7 Mutual Exchange**

A mutual exchange is where two tenants with secure and assured tenancies are in agreement to swap their properties (in their current state) and tenancies. The landlord's written permission is required prior to exchange.

An exchange can only be refused in certain circumstances for example if the landlord thinks the home is too big or too small for the person who wants it, or if the tenancy agreement has been breached (i.e. no longer secure due to suspended Possession order or Notice of Seeking Possession). All mutual exchanges will be dealt with by the relevant Partner Organisations.

#### **4.8 Transfer Policy**

All existing tenants of partners have the right to apply for a transfer, subject to having been a tenant of their current property for a minimum period of twelve months and any restrictions that apply to their tenancy. Applications for transfers are considered in the same way as a new application. Tenants' housing needs will be assessed and placed in the relevant band in the scheme together with all other applicants.

In order to qualify, tenants must give access for a property inspection, viewings and sign ups and leave their home in good repair and decorative order. Tenants with rent arrears or other breaches of the tenancy agreement may be suspended from the scheme (refer to [Suspension Criteria](#)). The proportion of eligible transfers may be determined in each Local Authority Area Lettings Plan.

In addition the organisation may decide to carry out Emergency or Management moves which are not advertised but are recorded on the system for audit and reporting purposes. See ([Properties not advertised](#))

## **5 Definitions and Exceptions**

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### **5.1 Support in Accommodation**

The MyHomeChoiceFyldeCoast Partner Organisations will work closely with all the relevant health and social services departments to identify opportunities to rehouse those in need of housing with care packages and other means of support in suitable accommodation. Where such a package is not immediately available, the MyHomeChoiceFyldeCoast Partner Organisations reserve the right not to offer accommodation until care or support arrangements are agreed and the client has signed up to the package. This is dependent on suitable and appropriate accommodation being available.

### **5.2 Supported Accommodation**

Applicants who are currently living in supported housing or rehabilitation will not be awarded priority Band A until they are ready for independent living and/or tenancy support is in place if required.

### **5.3 Sheltered Housing**

Sheltered housing is normally for people aged 55 years or over. However some schemes will be for applicants aged 65+ only. Schemes are for applicants who can live independently and are able to manage alone but would benefit from the security of an alarm system and the services of a warden in an emergency. This includes people who can live independently with the aid of a social services care package.

People who are below the age of 55 years may be eligible for sheltered housing because of illness, disability or vulnerability. Sheltered housing applicants will not be listed separately on the Housing Register, but will be assessed in accordance with their housing need and placed within the appropriate band.

### **5.4 Extra Care**

Extra care housing is sheltered housing with special facilities and additional services. A small number of schemes are located across the Fylde Coast.

### **5.5 Adapted Homes and Ground Floor Accommodation**

An adapted home has equipment fitted or adaptations made to it, to help a person with illness, disability or where there is a need. Applications will automatically be registered for suitably adapted accommodation in accordance with identified need and placed in the appropriate band. An Occupational Therapy assessment may be required before an offer is made. Adapted property allocations will be prioritised to those with appropriate need.

Applications from people with an illness or disability will automatically be considered for ground floor accommodation. Allocations for this type of property will be prioritised to those with the appropriate need.

## **5.6 16 & 17 Year Olds**

People aged 16 and 17 years of age can apply to go on the housing register although they would not usually be offered a tenancy until they are 18 years old unless there is a statutory duty to house for example because:

- They are leaving care
- They are lone pregnant or already have a child/children
- They are homeless and owed a main duty under s.193 of the Housing Act 1996 (part VII) as amended by the Homelessness Act 2002.

Or:

- They are residing in supported accommodation and ready for independent living, as agreed by the support provider and appropriate tenancy support is in place if required.

People who fall in the above categories may need to provide details of a guarantor (professional person, parent or responsible adult) prior to being offered a tenancy.

Young people will only be considered for a tenancy on the condition that they accept a referral to a floating support provider to ensure that the tenancy succeeds.

## **5.7 Offenders**

Offenders may apply to the housing register whilst in custody, or submit a change of address form if already a current applicant prior to committal.

The application will remain inactive but the applicant will accrue waiting time on the list, therefore when the application is made live the original date of application will be the effective date. The application will remain inactive until 28 days prior to the offender being released from prison, unless any of the suspension criteria apply.

Offenders will be assessed in line with the service level agreement between Lancashire Probation Trust and each of the three local authorities.

## **5.8 Vulnerable Groups/Social Inclusion**

MyHomeChoiceFyldeCoast Partner Organisations believe that applicants should be given every assistance to access the scheme and search for suitable properties.

To assist further, the relevant community based statutory and voluntary agencies will be given information and training in order to understand the MyHomeChoiceFyldeCoast scheme. This will enable them to assist their clients to identify and apply for suitable housing.

MyHomeChoiceFyldeCoast will also proactively promote the Scheme to organisations that work with diverse groups.

## **5.9 Rough Sleepers**

Applicants who are rough sleeping (or are threatened with rough sleeping or have a history of rough sleeping) and who are supported and referred by the relevant local authority will be awarded the appropriate priority once all information has been verified

## **5.10 Mobile Homes/Caravans**

Applicants will be considered to have a local connection if they live in a mobile home or caravan in the Fylde Coast area, which is classed as their permanent residence and meet the other local connection criteria.



## **6 Homeless Applicants & Supported Accommodation**

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The Local Authority has a duty to secure suitable accommodation to applicants who are accepted as homeless under s193 of the Housing Act 1996 (part VII) as amended by the Homelessness Act 2002 and the Localism Act 2011. Applicants will be entered on the scheme and can initially have full choice of areas for four weeks. However, if after four weeks (from the date of the decision to accept the applicant as homeless) the applicant has not found alternative suitable accommodation, staff from the relevant LA may bid on their behalf and they will be offered the first suitable property (except in extreme mitigating circumstances).

### **6.1 One Offer Policy**

The Local Authority duty will come to an end if the homeless applicant refuses an offer of suitable accommodation. The applicant will be informed that the relevant local authority has discharged their duty under section 193 of the above act.

If the homeless applicant is dissatisfied with the Local Authority's decision the applicant has the right to request a review regarding the suitability of any accommodation offered as a discharge of a homelessness duty.

### **6.2 Supported Accommodation**

Applicants in supported accommodation will be assessed and placed on the housing register in accordance with their needs, utilising the scheme to access settled accommodation. Part of the assessment will identify support needs and risks as well as the support mechanisms in place. The applicant may also be flagged as vulnerable and may be set up with autobidding so that bids are automatically placed on their behalf. The household must be ready for independent living as agreed by the provider and appropriate tenancy support must be in place, if required. If the applicant refuses an offer of suitable accommodation then they may be reassessed.

## 7 Direct Lets

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### **7.1 Properties not advertised**

In some exceptional circumstances, MyHomeChoiceFyldeCoast may allocate properties directly. Examples include:

- Tenants who need to be decanted
- Specially adapted properties
- Extra care vacancies
- Applicants who have succeeded to a tenancy who need to move to alternative accommodation
- Emergency management transfers, where there is a severe risk of harm, one offer in line with the policy will be made.
- Multi Agency Public Protection Panel cases
- Homeless households owed a main duty by one of the three local authorities under S.193 of the Housing Act 1996 (Part VII) as amended by the Homelessness Act 2002. One offer, in line with the policy will be made.
- Witness protection cases where a referral is received direct from the Home Office. Referrals direct from Police Authorities will be dealt with under the normal allocation policy.
- Assisting a Local Authority in relation to Homelessness Duties.

### **7.2 Refusals of Direct Lettings**

If an applicant refuses a direct let the applicant must give their reasons for refusal. An investigation will then take place to assess if the offer was reasonable or unreasonable. Consultation will take place with other officers or professionals as part of the investigation if required. If the Partner Organisation decides that the offer made was a reasonable one, the applicant will be advised in writing of the reasons of this finding and the effect this decision has on their application.

The applicant will also be advised of the right to request a review. (See page 34- [Requesting a Review](#)). If the offer was found to be unreasonable, it will be withdrawn with no consequences to the applicant.

## **8 Allocating Properties**

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### **8.1 Selection Process**

All eligible bids for each property are placed in priority order. Priority is decided first by any specific local connection criteria, band and then by effective date within the band. A bid for a property will not be considered if the applicant's household does not meet the size, age or disability requirements for that property unless there are exceptional circumstances which need to be taken into account. If more than one person from the same band bids for a property, it will go to the person who has the longest waiting time within that band.

Partner landlords advertising properties will select and interview the top applicant/s before an offer is made. Each individual landlord is responsible for the verification of the successful applicant's circumstances, including taking up references.

Selected applicants will be given the opportunity to view the property prior to tenancy sign-up.

If the applicant chooses to refuse the property, the reasons for the refusal will be recorded by the partner landlord advertising the property.

### **8.2 Refusal following a bid**

MyHomeChoiceFyldeCoast will offer assistance and guidance to applicants, including vulnerable applicants to help them through the application, bidding, viewing and sign up process.

Where an applicant has successfully bid for a property and then refuses it, generally no penalty will apply. In most cases, the applicant will be free to bid again according to the normal bidding process.

Where an applicant has refused five suitable offers of accommodation, the application will be suspended for a period of six months in line with the suspension policy

Where an applicant does not keep an appointment to view a property, or refuses it, the next highest-ranking bidder will normally be offered the property.

### **8.3 Feedback on successful bids**

MyHomeChoiceFyldeCoast will publish details of the number of bids for each property giving details of the successful applicant's band and their band date. This will help applicants determine their prospects of success in obtaining housing.

## 9 Requesting a Review/Appeal

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Applicants can request a review or appeal any of the MyHomeChoiceFyldeCoast Partner Organisation's decisions regarding their application. This includes:

- The level of priority awarded
- Eligibility for entry on to the housing register
- Suspension or exclusion from the register
- Entitlement of the size of property required
- Removal of the applicant from the register other than at the applicants own request
- Withdrawal of Offer by one of the Partner Organisations

### 9.1 Procedure

Requests for a review/appeal must be made within 21 days of the original notification and should include the applicant's reasons for believing the decision made was wrong. The Partner Organisation has the discretion to extend the time if it considers this would be reasonable. Requests should be directed to the assessing Partner Organisation.

Requests can be made by applicants or their representatives by the following methods:-

- In writing, by letter or email
- By telephone
- In person

### 9.2 How the decision will be reviewed

A senior officer of the Partner Organisation who has not been involved in the original decision will look at the request for a review. The officer will base his or her decision on the known facts at the time of the review. In some cases, they may need to ask for more information to help them make a decision.

The review will be dealt with within eight weeks of the applicant notifying the relevant Partner Organisation that they wish a review to be carried out and they will be informed, in writing of the decision. The Partner Organisation has discretion to extend the time if it considers this would be reasonable.

If the original decision is upheld, the letter will give reasons supporting the review decision.

If the original decision is quashed, the letter will explain the reasons and what action the Partner Organisation will take in the respect of the applicants status and/or priority on the Housing register.

If the review is regarding the withdrawal of an offer (or refusal to make an offer), by one of the Partner Organisations, the property in question will not be 'held' whilst the review takes place. It will be offered instead to the next successful applicant. If the original decision is quashed, the applicant will be offered the next suitable property of their choice. In certain circumstances the Partner Organisation may make the applicant a Direct Offer.

Should an applicant wish to challenge the Partner Organisation's review/appeal decision, they should follow the complaints procedure, details of which can be found from each partner.

An applicant has the right to complain to the appropriate Ombudsman if they feel that they have been unfairly treated as a result of maladministration.

An applicant may wish to take their own independent legal advice through a solicitor or the Citizens Advice Bureau.

## 10 Monitoring and Review of the Scheme

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A number of outcomes within the scheme will be monitored on a regular basis to ensure that the system is operating in the most effective way.

### 10.1 Policy Review

The MyHomeChoiceFyldeCoast Consistent Assessment Policy will be regularly reviewed. Minor changes that do not significantly affect the spirit of the policy will be approved by a majority agreement amongst the partners.

Unless decided by statutory legislation, the Partner Organisations have the right to use discretion when allocating properties. This means that in certain circumstances, the Partner Organisation can make decisions that supersede the detail in this policy.

Major changes to the policy will be consulted on with all partners and customers. Approval will then be gained through the appropriate governance arrangements including Council members and RSL board members.

### 10.2 Equal Opportunities Statement

MyHomeChoiceFyldeCoast is committed to promoting equality, combating discrimination and promoting good community relations and will ensure that discrimination does not take place in the allocation of properties and services it provides.

There is a commitment to:-

- Make sure our services and how they are delivered meet the diverse needs of the local people
- Make sure our buildings are as accessible as possible
- Provide information about our services in accessible formats such as large print, Braille, on audio cassette or computer disk and providing information in languages other than English or translators, including British sign language interpreters where they are needed.
- Promote inclusive communities that have a shared sense of belonging and pride in the Fylde Coast
- Challenge unfairness and discrimination
- Engage with the diverse communities of the Fylde Coast to ensure their needs are identified and met
- Value the important contribution the community and voluntary sector make to the Fylde Coast
- Work in partnership to share good practice and promote a consistent approach
- Value and train staff to deliver services fairly, efficiently and effectively
- Actively seek feedback to continually develop and improve our approach

MyHomeChoiceFyldeCoast will regularly review its practices, policies, staff training and monitoring arrangements to ensure that people are treated fairly regardless of their gender, age, ethnicity, disability, religion or belief or sexual orientation and that they can access what they need.

The Partner Organisations have adopted corporate policies and action plans aimed at promoting equality and valuing diversity. Further local policies and action plans may be developed to address the needs of other disadvantaged and under represented groups.

The Partner Organisations will conduct regular monitoring to ensure that no group is unfairly disadvantaged.

### **10.3 Complaints**

Any complaints regarding administration should be directed initially to the organisation processing the application. An applicant has the right to complain to the appropriate Ombudsman if they feel that they have been unfairly treated as a result of maladministration and their complaint has not been adequately dealt with.

#### Contact Details:

Local Government Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

Housing Ombudsman Service  
81 Aldwych  
London  
WC2B 4HN

# 11 Appendix One: Qualifying Persons and Immigration Chart

Class of Applicant	Conditions of eligibility	How to identify/verify
Existing social tenant (allocation accommodation by LA )	None	
British Citizen	Must be habitually resident in the CTA	Passport
EEA Citizen	Must be habitually resident in CTA unless, <ul style="list-style-type: none"> <li>• Applicant is a ‘worker’ (3)</li> <li>• Applicant has a right to res the UK (4)</li> </ul>	Passport or national identity card
Person subject to immigration control granted refugee status	None	Stamp in passport or Home Office Letter
Person subject to immigration control granted indefinite leave to remain	Must be habitually resident in CTA and if ILR was granted on undertaking that a sponsor(s) would be responsible for maintenance & accommodation and 5 years have not elapsed since date of entry to UK or undertaking – then at least one sponsor must have died	Stamp in passport of Home Office
Person subject to immigration control who is a citizen of a country that has ratified ECSMA (3) or ESC (6)	Must be lawfully present (3) in UK  Must be habitually resident in CTA	Passport

1. CTA: the Common travel area includes the UK, the Channel Islands, the Isle of Man and the Republic of Ireland
2. EEA countries are: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom
3. A ‘worker’ for the purpose of the Council Regulation (EEC) no. 1612/68 or (EEC) No. 1251/70
4. A right to reside pursuant to Council Directive No.68360EEC or No.73/148/EEC
5. ECSMA is the European Convention on Social and Medical Assistance. Non EEA ratifying countries are: Belgium, Denmark, France, Germany, Iceland, Ireland, Italy, Luxemburg, Malta, the Netherlands, Norway, Portugal, Spain, Sweden, Turkey and the UK.
6. ESC is the European Social Charter. Non EEA ratifying countries are: Cyprus, Czech Republic, Hungary, Latvia, Poland, and Slovakia.
7. Persons subject to immigration control are not lawfully present in the UK unless they have leave to enter or remain in the UK. Asylum seekers are generally only granted “temporary admission” and do not have leave to enter or remain.



## 12 Appendix Two: How a Conviction becomes spent

The way in which a conviction can become 'spent' under the ROA will depend upon the sentence received for the offence, and the rehabilitation period that applies to that offence sentence. The principles apply to convictions in a criminal court, findings in a juvenile court, certain offences in service disciplinary proceedings and hospital orders under the Mental Health Act 1983. The time required before the conviction is spent – the rehabilitation period – will be different depending upon the nature and length of the sentence, be it a term of imprisonment, a fine, a surcharge order, probation, or an absolute or conditional discharge. Relevant rehabilitation periods are set out below. Unless otherwise stated, the rehabilitation period runs from the date of the conviction and will generally depend upon compliance with the sentence.

### **12.1 Relevant Rehabilitation Periods**

Prison for more than two and a half years - **Never**

Prison for more than six months but less than two and a half years - **10 years**

Youth custody\* for more than six months but less than two and a half years - **10 years\*** Corrective training for more than six months but less than two and a half years - **10 years\*** Dismissal with disgrace from Her Majesty's service - **10 years\***

A sentence of Borstal training - **7 years** Prison for six months or less - **7 years\*** Dismissal from Her Majesty's service - **7 years\***

Imprisonment or detention in YOI or youth custody for six months or less - **7 years\***

Detention in respect of conviction in service disciplinary proceedings - **5 years\*** (Most) fines - **5 years\***

Young offender detention for over six months but less than two and a half years - **5 years**

Probation order or community order (person 18 or older) - **5 years**

Probation order or community order (person under 18) - **Either 2 ½ years from conviction, or until the order ceases to have effect – whichever is the longer**

Hospital order under Mental Health Act 1983 - **Either 5 years, or 2 years after order ceases to have effect, whichever is the longer**

Young offender detention for six months or less - **3 years**

Conditional discharge, binding over, care order, supervision order, reception order - **Either 1 year after making of order, or 1 year after the order ends, whichever is the longer**

Absolute discharge - **6 months**

Disqualification - **The period of disqualification**

Cautions, Warnings and Reprimands - **Spent as soon as they are issued**

Conditional cautions - **Spent as soon as conditions end.**

\*Note: These periods are reduced by half if the offender was under eighteen at the date of conviction.

# 13 Appendix Three: Definition of Working Households and Community Contribution

## 13.1 Working Households (see section 3.1.5)

Households where at least one of the applicants is currently in employment. For the purposes of this consistent assessment policy employment is described as;

- Working for 16 hours per week or more. The employment must have been held for a minimum of 6 months prior to the application for the award in order to be eligible. It should be noted that this must be confirmed at point of application and evidenced at point of offer.

## 13.2 Community Contribution (see section 3.1.5)

Households where at least one of the applicants is currently undertaking voluntary work. For the purposes of this consistent assessment policy voluntary work (community contribution) is described as:

- Choosing to give your time to benefit other people without being paid for it for example completing voluntary work in a charity, voluntary organisation or community group, public sector organisation (local council), a social enterprise or a local business. The voluntary work must have been held for a minimum of 6 months prior to the application for the award in order to be eligible. It should be noted that this must be confirmed at point of application and evidenced at point of offer.
- It is not volunteering if you help out a family member, are given money apart from expenses or are under contract to do it (this does not include any volunteer agreement you may have).

## 14 Appendix Four: Armed Forces Personnel

References to “Armed Forces Personnel” include persons who meet the following criteria:

- (i) is currently serving in the regular forces
- (ii) formerly served in the regular forces within five years of the date of their application for an allocation of housing,
- (iii) has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person’s spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service
- (iv) is serving or has served in the reserve forces within five years of their application for an allocation of housing and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person’s service.

The regular forces and the reserve forces are defined by section 374 of the Armed Forces Act 2006(2) as follows:

- “the regular forces” means the Royal Navy, the Royal Marines, the regular army or the Royal Air Force
- “the reserve forces” means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force