

**DRAFT  
HOUSING ALLOCATION POLICY**

**SEPTEMBER 2012**

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## **1. INTRODUCTION**

- 1.1 The Council is required under Section 167 of the Housing Act 1996 to have an allocations policy for determining the priorities and procedure to be followed in allocating housing accommodation. It is also good practice to publicise details of the process, eligibility criteria and the key factors that will be considered when determining applications. Transparency in the process is important so that everybody is aware of what to expect. A simple flow chart to help explain the process is attached at Appendix 1.
- 1.2 An allocation is when a housing authority allocates accommodation by:
- selecting a person to be a secure or introductory tenant of accommodation held by that authority
  - nominating a person to be a secure or introductory tenant of accommodation held by another housing authority
  - nominating a person to be an assured tenant of accommodation held by a Private Registered Provider (or Registered Social Landlord in Wales) (s.159(2))
- 1.3 This document meets those requirements and sets out the Allocations Policy of Bury Council. It aims to provide a consistent approach to dealing with the housing needs and aspirations of the local population. However, the Council also understands that a small number of people have complex needs. Accordingly, the policy allows some management discretion to achieve positive outcomes for those individuals who do not easily fit within the mainstream.
- 1.4 In preparing the Housing Allocation Policy the Council has had regard to its current Homelessness Strategy and Strategic Tenancy Policy in accordance with s 166A (12) of the Housing Act 1996 as amended by s 147 of the Localism Act 2011.
- 1.5 The general aim of this policy is to assist as many people as possible into settled accommodation by offering applicants real choice of quality housing, whilst continuing to give reasonable preference to those in the most urgent housing need. In keeping with this aim, the policy's key objectives are to:
- Meet housing need and support the most vulnerable
  - Create sustainable communities
  - Balance housing needs as far as possible with customer aspirations
  - Make best use of the Council's social housing stock
  - Ensure a quality lettings service that embraces equality and diversity
- 1.6 All housing applications must be made in accordance with the procedural requirements of the Allocations Policy. In considering applications, the Council must establish:
- If the applicant is eligible for accommodation (see Paragraph 3.3)
  - If the applicant qualifies for accommodation (see Paragraph 3.4)

Eligibility and qualification will be assessed at the time of the initial application and rechecked as and when consideration is given to allocating a property to the applicant(s).

- 1.7 Demand for social housing continues to outstrip the number of properties available and it is up to the Council to ensure that there remains fair and equitable access to what has become a scarce resource. The law requires the Council to give 'reasonable preference' to certain groups of people and this is reflected in this policy. Unfortunately, because social rented housing is in limited supply, some individuals with limited or no discernible housing need may face a long wait. In recognition of this, the Council is developing a range of housing options which are both affordable and offer local people the widest choice of quality housing.
- 1.8 The Council is committed to ensuring openness and fairness in its procedure for allocating housing accommodation. This policy contains a right for applicants who are dissatisfied to request an internal review of decisions that go against them. Such reviews give an opportunity for applicants to persuade the Council that their initial decision was wrong or that the policy was misapplied.

## **2. APPLICATION OF THE ALLOCATIONS POLICY**

- 2.1 The policy applies to all vacancies in the Borough managed by Six Town Housing – the Council's Arms Length Management Organisation (or ALMO) and any nomination by the Council to a secure, introductory or assured tenancy held by a housing association or another person. The allocation of social housing will be in accordance with the provisions of this policy. These provisions apply to all applicants on the Housing Register at the time this policy is approved, as well as to all new applications.
- 2.2 Most properties will be allocated in accordance with the Choice Based Lettings Scheme (Section 6). However the Council recognises that there maybe some exceptional situations not suitable for Choice Based Lettings. In such instances the Council's Head of Inclusion is authorised to let a property directly based on the merits of the case (see Section 7 – Direct Lettings).
- 2.3 The Allocations Policy will not apply to tenants covered by Section 160 of the Housing Act 1996. The most common circumstances are:
- (a) Where a tenant succeeds a secure tenancy on the death of a tenant
  - (b) Where a tenancy is assigned to a person who would qualify to succeed a secure tenant
  - (c) Where a tenancy is assigned by mutual exchange to an existing secure tenant
  - (d) Where an introductory tenant becomes a secure tenant
- 2.4 In addition, the policy will not apply where a priority transfer is agreed in urgent circumstances following consideration by the Mental Health and Social Needs Panel.

### **3. HOUSING REGISTER**

#### **3.1 Introduction**

The Council is not legally required to maintain a Housing Register but has chosen to do so to assist in assessing housing need in the Borough. This contains details of all applicants for social housing and is often known as the 'housing waiting list'. It is a single reference point for both new customers who want social housing provided by the Council and those who are existing Council house tenants seeking to transfer.

Responsibility for maintaining and updating the Register lies with the Housing Choices Contact Team.

The full register is not open to the public for data protection. Applicants can however check their own details to ensure the accuracy of information held.

#### **3.2 Who can register?**

- Anyone aged 16 or over except those described as 'ineligible' in Paragraph 3.3 below or who do not meet the qualifying criteria in Paragraph 3.4.

The Law of Property Act, 1925 prevents people under 18 from being tenants in their own right. It will therefore be a requirement for a third party (which maybe the local authority, a voluntary organisation or an individual) to guarantee a tenancy for a 16 or 17 year old. The guarantee covers rent and must be in writing.

Where a young person is deemed to be vulnerable and to be in need of support, a written support agreement must be in place until the young person reaches the age of 18. This will include a commitment on the part of the guarantor to make regular visits.

- The Council will accept joint applications – although tenancies will only be granted to persons who are eligible and qualify for social housing. Co-habiting couples will be treated in the same way as married applicants and civil partnerships except that evidence of an abiding relationship will be required before a joint tenancy is awarded.
- British Forces Posted Overseas (these will be treated as if resident in the UK)

#### **3.3 Ineligible applicants**

Under Housing law, the Council cannot allocate housing to anyone (or jointly with someone) that is not eligible to join the Housing Register. Those ineligible are outlined in Section 160ZA of the Housing Act 1996 as:

- Persons who are subject to immigration control or who do not satisfy resident requirements as detailed in the Code of Guidance on allocations
- Persons prescribed by the Secretary of State as being ineligible.

Where two or more people apply and one of them is eligible, the Council may grant a tenancy to the person that is eligible providing the qualification criteria

is met (paragraph 3.4). In addition, while ineligible family members cannot be granted a tenancy, they may be taken into account when determining the size of property for which they can bid (see paragraph 5.5)

### **3.4 Qualification**

The Council may only allocate accommodation to people who have been defined as 'qualifying persons'. For the purposes of this policy, a 'qualifying person' shall be a person to whom the Council would give reasonable preference to because of their housing need under s.166A(3) of the Housing Act 1996. These are:

- People who are homeless and owed a duty by the housing authority
- People living in unsatisfactory accommodation (e.g. insanitary conditions, overcrowding)
- People who need to move for medical reasons or where a failure to move would cause hardship

Members of the Armed Forces will be assessed in accordance with any special provisions that are applied to this category of applicant by legislation.

Whilst applicants may satisfy the reasonable preference criteria, the Council will disqualify individuals that do not meet certain conditions expected of tenants. Each case will be assessed on its merits, but in drafting those categories, the Council's main aims are:

- To ensure that bad behaviour is not rewarded by the allocation of a valuable and scarce resource.
- To prevent those who have a prior history of not properly maintaining a tenancy from accessing social housing
- To ensure that no-one is set up to fail. Anyone who needs support to manage a tenancy has to have that in place before they are granted the tenancy.
- Not to penalize those who have a good previous track record as a tenant.

With those principles in mind, the following will not be considered a "qualifying person" and so will be prevented from registering on the housing waiting list:

- Those with a history of rent arrears with Six Town Housing or other registered providers of two calendar months.
- Those with a history of unacceptable behaviour, i.e. conduct by the applicant or a member of his household which would, if the applicant were a secure tenant of the Council, entitle the Council to an order for possession. In particular, those who have been evicted from previous accommodation because of their behaviour or that of members of their household or who have had any form of injunction relating to anti-social behaviour imposed on them.
- People who have previously failed to maintain accommodation offered to them or who have caused deliberate damage to any such unit.
- Persons incapable of managing a tenancy. This may include
  - Children aged below 16.
  - Children aged between 16 and 18 who are considered vulnerable, unless they have a suitable care and support package in place.
  - People who require social or medical care in order to manage a tenancy and that care and support is not in place.

- Owner Occupiers- unless they can demonstrate health or care needs that would be best met by public rented accommodation e.g. Extra Care schemes.

(In deciding whether someone can manage a tenancy without support, the Council will be advised by the Central Access Point, medical professionals and the Mental Health and Social Needs Panel).

Entitlement to join the housing register will be assessed at the date of application and at any subsequent periodic review of an application or at the time of any offer. An applicant may become ineligible or cease to be a qualifying person if any of the criteria for defining those terms comes to apply to them while they are on the register.

Where an applicant is or becomes ineligible or deemed not to be a qualifying person, they will be notified in writing of the decision, the grounds for it and their right to a review. All decisions will be subject to the provisions outlined in Appendix 4 – Appeals, Reviews and Complaints.

If a person is found to be ineligible to join the Register, they may make a new application if and when the grounds for ineligibility no longer apply.

Individuals who do not qualify for social housing will still be offered advice on their housing options. This service will seek to offer support to access an alternative housing solution which meet their needs and is affordable. This could include private rented accommodation, low cost home ownership or help to stay put.

## **4. APPLYING TO JOIN THE HOUSING REGISTER**

### **4.1 The Application process**

To make it easier and more convenient for applicants, applications can be made online, via the post or in person. To avoid wasted effort, guidance on completing the forms is provided and free and confidential advice on applying can be sought from the Housing Choices Contact Team. Further assistance is available from the Council for people who may have difficulty in completing forms.

All applications must be made in writing using the form provided by the Council and signed by applicant. The applicant will also need to provide written answers to questions put by the Council to enable a proper assessment of their circumstances.

Applications should contain details of all members of the household to be re-housed. A household is defined as any person who normally lives with the applicant(s) or might reasonably be expected to reside with them. Such cases may include children who are being fostered or live in carers.

Two forms of documentary evidence will also be required from the applicant (or all named individuals in the case of joint applications) to confirm:

- (a) Their identity.

- (b) Their current residence. **All applicants must provide a current correspondence address at time of application or, in the case of individuals with no fixed abode, be prepared to visit the office each week to collect any correspondence.** Failure to attend on two consecutive weeks without prior notice will result in removal from the Register

Acceptable evidence for (a) and (b) above includes passports (or driving licence with photograph), birth certificates, current tenancy agreement, utility bills or official correspondence (Council tax bill, benefit book, etc) which is dated within the last 3 months and contain the applicant's name.

In exceptional cases, if the required documents cannot be produced, a senior manager within the Inclusion Service may authorise acceptance of other documentation.

In order to establish the accuracy of an application further documentary evidence may be required to substantiate claims.

Applications not properly completed, are made by ineligible individuals or which are not supported by the requisite documentary proof of identification and residence, will be returned unprocessed.

The Council undertakes a review process every year to ensure that all of the information provided is up to date. Eligibility to be registered for housing and the priority afforded under this scheme are kept under constant review. It is the obligation of the applicant to notify the Council of any change in circumstances such as someone joining or leaving the household, change of address, the purchase or acquisition of a property or a change in the health or welfare of the applicant and/or a member of their household.

**Making a false statement on an application form will result in the application being cancelled and any offers made withdrawn. If an applicant secures a tenancy as a result of false information, the Council will be entitled to seek possession of the property. Failure to disclose a material change in circumstances could result in an application being suspended or cancelled.**

## **4.2 Access to information**

Upon registration the applicant will receive:

- A copy of the details entered on the Housing Register
- Information about their position on the Housing register (banding) and how that was calculated.
- Whether preferred accommodation is likely to be available and the average waiting time.

General information such as successful bids on properties, banding criteria, changes in legislation/guidance, etc will be made available through a number of sources e.g. the website, newsletters, publications.

Applicants can however request in writing from the Housing Choices Contact Team access to more specific information held in connection with their



application including:

- Their details on the Housing Register
- The documentation provided by them
- Any other information held about them on file so they can assess how their application will be treated under the scheme (including whether they are likely to be somebody who is entitled to be given statutory preference)
- Whether housing accommodation appropriate to their needs is likely to be made available to them, and if so how long it is likely to be
- Decisions made on the facts of their case. This does not affect their right to appeal or request a review

Applicants can also request from the Council a summary of the Allocations Policy, a copy of the Strategic Tenancy Policy and/or Homelessness Strategy all of which will be available on the Council's website.

### **4.3 Cancellation of housing applications**

Save in exceptional circumstances, a housing application will be removed from the Housing Register if:

- The applicant requests it
- The applicant becomes ineligible for housing or ceases to be a qualifying person
- The applicant is housed through the Allocations Policy
- A tenant of any social housing completes a mutual exchange
- An applicant wilfully submits false information regarding their eligibility or household circumstances to gain advantage
- An applicant fails to maintain their housing application (through the renewal process) or they move home and fail to provide the Council with a contact address
- An applicant fails to respond to a request for further information within a reasonable time. **The local authority has defined an appropriate time as 2 weeks, after which time a cancellation letter will be sent to the applicant.**

Any decision that an application has been cancelled will be notified in writing and the applicant will be told the grounds for it and their right to a review. All decisions will be subject to the provisions outlined in Appendix 4 – Appeals, Reviews and Complaints.

### **4.4 Suspension from the Housing Register**

The Council keeps all applications under review and annually updates the Housing Register.

The Council reserves the right to suspend an applicant from the Housing Register where their actions fall below that expected of a tenant but are not enough to stop the applicant being classed as a 'qualifying person'. Suspension from the Housing Register does not mean that the applicant has been removed

from the register, but that the applicant cannot 'bid' for properties under this scheme, nor be eligible for a direct let.

An applicant will be suspended from the register in the following circumstances:

- The applicant, or a member of the household, has engaged in anti-social behaviour that would not be sufficiently serious to entitle the Council to seek possession of their home if the applicant was a tenant of the Council, but which has nonetheless caused other people a nuisance or annoyance.
- The applicant has housing related debts which do not demonstrate a persistent failure to pay rent but do show housing related debt. Examples of the type of debts covered include:
  - Outstanding arrears from a current or previous RSL tenancy
  - Arrears of rent, service charges and/or other recharges accruing from current or previous stays in temporary accommodation
  - Outstanding arrears on repayments arising from the take up of housing options (e.g. rent in advance, deposit loan schemes, homelessness grant support)
- Applicants who deliberately act in a way (or conversely fail to do something) that results in a worsening of their housing circumstances.

In the case of suspension for arrears, the Council will take into account any delays in regular payments of housing benefit that has resulted in arrears. Although each case is dependent on its facts, as a general guide an applicant will need to be in arrears of at least one calendar month's payments before the application will be suspended.

**Suspension from the register is not intended to be permanent but there is no time limit. Reinstatement will be sooner where the applicant takes personal responsibility and addresses the reasons for suspension. The period of suspension will not count towards the applicant's length of time on the waiting list.**

An applicant who is suspended from the housing register because of a housing related debt will be suspended until the debt is cleared or there has been a sustained effort to pay off the debt through agreed payments for at least three months.

An applicant who is suspended because of their behaviour or that of a member of their household will remain suspended until such time as they can demonstrate that the behaviour has improved.

As an alternative to suspension, the Council may place the applicant in band 5 for 12 months, after which period the applicant may request to have their application reassessed under this policy. This approach is more likely to be applied to individuals who deliberately act in a way (or conversely fail to do something) that results in a worsening of their housing circumstances.

Any decision to suspend a person from the housing register will be notified in writing and the applicant will be told the grounds for it and their right to a review. All decisions will be subject to the provisions outlined in Appendix 4 – Appeals, Reviews and Complaints.

## 5. ASSESSMENT OF PRIORITIES AND NEED

### 5.1 Applying priority and need

Once an applicant has been deemed eligible and is registered, the Council will determine the applicant's need and his priority. This involves a number of stages:

- (i) **Assessment of need.** The Council will decide what, if any, further information or follow up action is required to determine the priority of individual cases. This may include seeking further advice from medical or other professional agencies (sections 5.2).
- (ii) **Ascertaining local connection.** The Council will consider whether the applicant has a local connection with Bury (section 5.3)
- (iii) **Banding.** Persons accepted onto the Housing Register will be allocated a band according to the information provided (section 5.4). The banding system is detailed in Appendix 2.
- (iv) **Property size.** The Council will determine, based on the household composition, the size of property for which the applicant is entitled to bid (section 5.5).

Following those assessments, an applicant will be notified of his priority and of the property size s/he has been assessed as requiring. An applicant is then entitled to bid for properties that become available (section 6).

### 5.2 Assessment of needs

#### 5.2.1 Assessment of medical needs

Assessment of medical needs will only be considered for applicants, or a member(s) of their household, where current housing arrangements adversely impact on health, the ability to access basic amenities or if the applicant is homeless and requires a particular type of housing due to their medical need. In these cases evidence from a relevant health professional must be provided to substantiate this. Categories of people to whom this may apply are illustrated in Appendix 2.

The Council's Housing Options Team will assess priority initially on the declaration made on the application and completed medical self assessment made by the applicant. If the self assessment shows a high (or overwhelming) medical need for re-housing, the applicant will be required to provide corroborating evidence from a medical professional (Occupational Therapy, Psychiatric reports, Specialist or Hospital Consultant letters/reports). It is not necessary to obtain a letter from a GP.

In some cases, the Council may seek further information from the applicant's GP or other health professional and/or conduct a home visit to assess housing conditions and verify statements made in the application before awarding a banding for the Housing Register.

If an applicant or a member of their household has a substantial or permanent physical disability which place them in Category 1, 2 or 3 as listed below, the Housing Options Team will seek advice from an Occupational Therapist as

regards to specific housing needs:

**Category 1** – Applicants who require wheelchair accessible property. (i.e. property that is already adapted for wheelchair or is suitable for adaptation to the level required)

**Facilities will include:**

- Ramped, or level access in and out of the property.
- Adequate wheelchair circulation space in hallways and main rooms occupied by wheelchair user.
- Widened doorways
- Level wheelchair access to all basic amenities or access via wheelchair lift
- Accessible kitchen
- Adequate circulation space for wheelchair in bathroom.

**Category 2** – Applicants who require accessible property. (i.e. property which is already adapted to mobility standards, or is suitable for adaptation to the level required)

**Facilities will include:**

- Ramped, or level access in and out of the property.
- Adequate circulation space for mobility aids in hallways and main rooms occupied by applicant.
- Level access to all basic amenities or access via stair-lift/through floor lift
- Adequate circulation space in bathroom for mobility aids or for assistance from carer if needed.

**Category 3** – Applicants who have low level mobility needs (i.e. they require general let property where potential for further adaptation is restricted)

**Facilities will include;**

- Level access or shallow steps,
- Bathroom may have been adapted with level access shower or shower over the bath which is not accessible for a wheelchair user or applicant with significant mobility problems
- Doorways may not be suitable for widening and circulation space in hallways is restricted.

Applications from people with mental health needs will be referred to the Mental Health and Social Needs panel for assessment. This panel includes a Mental Health professional and other housing support agencies in the borough.

### **5.2.2 Assessment of welfare/social needs**

If the applicant or someone in their household has to move home because of multiple welfare or social needs which are not covered by the banding categories, the Council's Head of Inclusion has discretion to award a higher banding priority for that application. The applicant must however be able to demonstrate the presence of multiple needs, for example:

- More than one family member with welfare or care needs eg an individual with learning disabilities suffering harassment in their current location
- Living with a long term medical condition in an overcrowded property that has damp problems

- Single frail, elderly person with mobility problems facing eviction

Where an applicant's needs are assessed, the results will be notified in writing, together with the grounds for the decision and notification of the right to a review. All decisions will be subject to the provisions outlined in Appendix 4 – Appeals, Reviews and Complaints.

### **5.3 Local connection**

The Council aims to give local people priority for homes. Those who meet the local connection criteria will be placed in Bands 1-4 according to their level of housing need. If the applicant does not have a local connection their application will be placed in Band 5.

To have a local connection, the applicant or a member of their household must demonstrate one or more of the following:

- Have been living in Bury through choice for the previous 12 months or at least 3 out of the last 5 years
- Currently have permanent employment with the Borough
- Have close family (such as parents or children) living in the Borough for the last 5 years
- Have special reason for needing to live in the Borough (for example to care for a relative or be cared for)

The local connection criteria will not apply to persons for whom the Council has a legal duty to re-house.

The local connection criteria will not apply to members of the Armed Forces who are serving away and wish to re-establish their link with Bury.

### **5.4 Banding**

In line with the qualification criteria (paragraph 3.4), the banding has been designed to give reasonable preference to those with housing needs as outlined by S.166A (3) of the Housing Act 1996:

- People who are homeless and owed a duty by the housing authority
- People living in unsatisfactory accommodation (e.g. insanitary conditions, overcrowding)
- People who need to move for medical reasons or where a failure to move would cause hardship

Persons accepted onto the Housing Register will be allocated a band according to the information provided and this may change over time in line with changing circumstances. The Council will also seek to recognise multiple needs. Applicants who match three or more factors in any one band (except for band 5) will be automatically moved to the next band up to reflect cumulative housing need.

Where a household could arguably be placed in different bands, the higher of the two bands will apply.

The Council will move to band 5 any applicant (or household member) who behaves in a way that would affect their suitability as a tenant. This behaviour could include:

- Serious housing related debt (current or former arrears or other service charges/ recharge payments owed to the Council).
- Less serious but continual and persistent rent arrears
- Breaches of tenancy or licence conditions (such as damage to property, neighbour nuisance, harassment, anti social behaviour or illegal activities)
- Applicants under a possession order or subject to a current Anti Social Behaviour Order

In coming to a decision, the Council will give due consideration to Section 153 (5) of the Housing Act 1996 which considers a breach or anticipated breach of the terms of the tenancy as:

- Engaging in or threatening to engage in conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality;
- Using or threatening to use the premises for immoral or illegal purposes; or
- Allowing any sub-tenant or lodger of his or any other person residing (whether temporarily or otherwise) on the premises or visiting them to act as mentioned as point (a) or (b) above.

An applicant will be notified in writing of the band in which the application is placed, together with the grounds for the decision and notification of the right to a review. All decisions will be subject to the provisions outlined in Appendix 4 – Appeals, Reviews and Complaints.

Details of the banding structure are attached at Appendix 3.

## 5.5 Assessment of property size

The following table sets out the size of property that a person on the Housing Register is eligible to bid for. Generally two children of the same gender will be expected to share a bedroom.

Household size	Property size
Single person	Bedsit / 1 bed
Single person with staying access to child/ children	1 or 2 bed
Single person over 60	Bedsit / 1 bed / bungalow / ground floor flat / sheltered housing
Couple no children	1 bed
Couple over 60	1 bed / bungalow / ground floor flat / sheltered housing
2 person household with special needs (includes single person with resident carer)	2 bed / bungalow / ground floor flat / sheltered housing
Couple or single parent with 1 child	2 bed

Couple or single parent with 2 children	2 or 3 bed (depending on age and sex of children)
Couple or single parent with 3 children	3 bed or more (depending on age and sex of children)
Couple or single parent with 4 or more children	3 or more (depending on age and sex of children)

Note 1: Bungalows will only be allocated to applicants who are either aged 60 or over or who have a proven medical need for ground floor accommodation. Bungalows adapted to meet the needs of wheelchair users or severe mobility problems will be offered to those who have been assessed as needing that type of property.

Note 2: Sheltered accommodation will only be allocated to elderly applicants or people who have who have special needs and require extra care

Note 3: There are very few homes with 4 beds or more and these are only available in certain parts of the Borough. Larger families can bid for anything above 3 beds but are advised to work with the Council to explore all their housing options

Note 4: Where a child has 2 principal homes due to joint custody arrangements, the Council may allow the applicant on receipt of written evidence to this effect to bid for homes with one more bed than they would otherwise be eligible for

Note 5: Where official joint custody has not been decided, but an applicant has requested an extra bedroom, a decision will be based on which parent receives Child Benefit. If that parent is not the applicant then a bedroom for that child will not be awarded. Proof of who received the Child Benefit will be required to facilitate this.

Note 6: Separate space for a resident carer will only be considered where there is clear evidence that the care is not provided by a member of the household (or someone who would otherwise live with the applicant)

An applicant will be notified in writing of the property size for which he has been assessed as eligible, together with the grounds for the decision and notification of the right to a review. All decisions will be subject to the provisions outlined in Appendix 4 – Appeals, Reviews and Complaints.

## **5.6 Under Occupancy**

Bury Council has a limited supply of family sized accommodation and adapted properties. In order to free up these properties to meet expressed demand, this policy allows for the Head of Inclusion to identify under occupied properties and agree, in consultation with the housing provider and tenant, a property exchange subject to the under occupying household vacating the property when an allocation has been made to them. The Council will provide options to encourage residents to downsize, but will not force them to move if they do not wish to.

The applicant should be:

- a secure tenant of the Council for at least one year
- Holding a tenancy for a general needs family property with two or more bedrooms or occupying a property that has been adapted for disabled access (Category 1 or 2)
- Agree to transfer to smaller accommodation (or a non-adapted property) in line with their needs and provide vacant possession of their present home

Discretion will be applied to allow downsizing to smaller properties, but with flexibility to allow down-sizers to obtain properties technically larger than their needs. For example a single tenant living alone in a four bedroomed house may be unwilling to downsize to the one bedroom property which they would ordinarily qualify for under the assessment of property size (see Paragraph 5.5 above). In such cases, discretion will be allowed to enable an additional bedroom to be obtained, particularly where the tenant has the need to accommodate dependent children or live-in carers. However the tenant must appreciate any benefit implications.

Tenants affected by the changes of Welfare Reform, will be given priority to downsize to accommodation that matches their needs and is affordable.

## **6. THE LETTING PROCESS**

### **6.1 Bury Choice Base Lettings**

In accordance with Section 167(1A), the majority of properties will be made available through a system of choice based lettings (CBL) offering people on the Housing Register:

- A choice of housing accommodation
- The opportunity to express preferences about the housing accommodation to be allocated to them which are appropriate to their housing need as set out in the assessment of property size.

Under CBL, applicants express an interest or 'bid' for properties that they are interested in.

### **6.2 Process for property allocation**

1. The Housing Choices Contact Team will be advised by Six Town Housing of all empty properties available for letting
2. Each property will be advertised weekly on the Bury Council Housing website and other media throughout the borough
3. Applicants will be able to make a maximum of three bids in a weekly cycle. Applicants can express an interest:
  - On-line
  - In-person to Housing Choices reception
  - By telephone
  - Through a key/support worker



4. The expression of interest is registered by the Council
5. At the close of the weekly cycle, successful bidders will be determined in accordance with priority (see section 5.1). Where there is more than one successful bidder for the same property based on priority need, the Council will take into consideration the following factors to identify the preferred bidder:
  - Length of time on the waiting list
  - Medical conditions
6. Six Town Housing will contact the successful bidder
7. References are taken and the applicant's information updated.

### **6.3 Suitable offer**

A successful bid made through the CBL system will be counted as one suitable offer. "Suitable", for the purposes of this policy, means:

- Fit and available to live in
- Suitable in relation to affordability
- Suitable for any specific needs relating to medical conditions or disability
- Of adequate size without causing statutory overcrowding

All applicants will only be made one suitable offer of accommodation. Where a person is accepted as homeless and is resident in temporary accommodation but fails to bid for suitable properties that become available, the Council reserves the right to discharge its legal duty by making a bid on behalf of that individual or household.

If a person accepted as homeless subsequently refuses an offer without reasonable grounds, Band 1 status will be removed – which will also remove the right to remain in temporary accommodation. Homeless applicants have a statutory right to request a review of the suitability of accommodation offered to them regardless as to whether they accept the offer or not. Any such review is outside of the review procedures under this policy.

### **6.4 Withdrawing an offer of accommodation**

Any offer of accommodation may be withdrawn where:

- The applicant has made a false declaration or failed to provide the Council with up-to-date information on their circumstances; a false declaration will also result in their application being cancelled.
- The property details at the time that the written offer was made were incorrect and it was subsequently discovered that the size and type of the property is not, in fact, suitable to the applicant's needs; this will not affect the applicant's right to bid on future properties
- The applicant's circumstances change between the offer and signing the tenancy agreement (resulting in a significant reduction in the level of need or that the applicant has ceased to be eligible or a qualified person);
- If the references taken at the time of the offer demonstrate that the applicant has ceased to be a qualified person or has housing related debt,

the Council may withdraw the offer and revise the applicant's priority.

## **6.5 Restrictions on bidding for properties**

Bids for properties will not be accepted from individuals who:

- Have not been accepted onto the housing register.
- Have been removed from the housing register
- Are not capable of independent living or sustaining a tenancy.
- Can only sustain a tenancy if they are provided with support, but that support is not being provided.
- Are still being assessed. Bids can only be accepted once eligibility and priority banding has been determined/reviewed.
- Have had their right to bid suspended by the Council. Circumstances where this may apply includes:
  - (a) Failure to provide relevant information about their application or subsequent information has come to light that the applicant is no longer a 'qualifying person'. Suspension from bidding in such cases will last until the application has been updated and reassessed by the Council.
  - (b) Repeated failure to attend viewings of properties for which they have bid and been shortlisted for. This includes a refusal, without good reason, of formal written offers of properties for which the applicant or their representative has made a successful bid. In either case applicants will be suspended from bidding for one year. 'Repeated' means failing to attend viewings, without good reason, on three consecutive occasions

Suspension from the housing register (see section 4.4) will be overruled when:

- There is an urgent need to move because of a critical medical or welfare need, including emergencies and situations where there are serious safeguarding implications
- An emergency transfer has been approved because of harassment, domestic violence or hate crime
- The applicant needs to move out of their home (temporarily or permanently) in order to allow repairs or redevelopment to take place
- The applicant is under-occupying a family home that has three or more bedrooms and they are willing to transfer to a home that has at least two fewer bedrooms
- The applicant is occupying an adapted home and are willing to transfer to a home that is more appropriate to their needs.

Such cases will be assessed on their merits to avoid inconsistency with the wider aims of the Allocations Policy.

In deciding whether or not an applicant is ready for independent living and capable of sustaining a tenancy, the Council will be advised by the Central Access Point and Mental Health and Social Needs Panel.

Where it is decided that the applicant is not yet ready for independent living (or is not receiving the support they need to live independently), a referral would be made to the Central Access Point for floating support.

Where the applicant is restricted from bidding, they will be notified in writing together with the grounds for the decision, any conditions that will need to be met before the restriction is lifted, the date when the suspension expires (if appropriate) and notification of the right to a review. All decisions will be subject to the provisions outlined in Appendix 4 – Appeals, Reviews and Complaints.

The Council will reassess all applications when a restriction on bidding is lifted to ensure the currency of information held. A restriction on bidding is not the same as suspension from the housing register. Applicants restricted from bidding can still count this period as time on the waiting list; persons suspended from the housing register cannot.

## **6.6 Local lettings policies**

Local letting policies are there to respond to specific local issues. These may include particular housing concerns on estates and areas or other social issues in the community. It is likely that only a small number of the housing stock will be affected by these policies.

Government and good practice guidance encourages Councils to aim for the following in developing local letting policies:

- Protecting balanced and mixed communities
- Reducing property void rates and tenancy turnovers
- Improving community stability and cohesion
- Tackling low demand areas and difficult to let estates
- Reducing anti-social behaviour
- Preventing future problems occurring on new estates or recently modernised properties

Where a local area or estate would significantly benefit from a local lettings policy, the Council will work with the housing provider to develop a clear rationale for its introduction, outline the objectives to be met (together with appropriate measures of success) and ensure that reasonable preference is given to people in priority need. All policies will also be accompanied by an Equality Assessment to minimise the risk of direct or indirect discrimination against individuals or groups.

A multi agency panel, comprising of all the different partners in Bury will support the development of the local lettings policies.

Each local letting policy will include:

- The scope of the policy including geographical coverage, housing stock profile turnover rates of tenancies, property void levels, tenant profiles, etc where relevant
- The proposed timescale for the local letting policies to be used
- Clear reasons and the evidence of the problems of why a local letting policy is needed

- The methods that will be used to address issues in specific areas
- An assessment of any possible negative impacts of a local lettings policy
- How the policy links to Bury Council's strategic objectives
- Full details of consultations which have taken place in developing the policies
- How the policy will be monitored
- Proposals for reporting and reviewing policies

## **7. DIRECT LETS**

### **7.1 Circumstances appropriate to direct lets**

There are times when the Choice Based Letting System is unsuitable to meet the needs of certain applicants. To address this situation, a proportion of the housing stock will be made available for direct letting. Circumstances where direct lets could apply include:

- The safeguarding or protection of applicants, such as moving an existing tenant because of domestic violence, harassment or hate crime or where the Multi Agency Public Protection Panel or National Witness Mobility scheme has recommended that an applicant should be excluded from bidding due to them not being appropriate for certain areas
- The accommodation of applicants who present with difficult social problems
- Homeless households who have failed to exercise choice through the choice based lettings process
- Applicants that have been under-occupying and require re-housing to a smaller property
- Applicants requiring specially adapted properties:
  - Tenants who are able and willing to vacate a specially adapted property or large family home in favour of an applicant on the Housing Register to whom the property is more suited
  - Sheltered accommodation for elderly applicants

In the situations above the Council will make one reasonable offer which as far as possible matches the size and type of property to the needs of the applicant and is not in an area known to be unsafe for the household. If the applicant decides to refuse the offer, they must give their reasons for refusal, preferably in writing. If the grounds for refusal are not considered by the Council to be reasonable, the offer will be withdrawn and the applicant placed in Band 5.

An applicant will be notified in writing of any reduction in banding together with the grounds for the decision and notification of the right to a review. All decisions will be subject to the provisions outlined in Appendix 4 – Appeals, Reviews and Complaints.

Where applicants are not satisfied with the offer, rather than refuse and have their housing need priority removed, they may accept the offer subject to review. Further information about reviews is set out in Appendix 4.

The Allocations Policy aims to ensure that properties are let within a reasonable period of time. However, where substantial adaptations are necessary, properties may have to remain empty for longer than would be desired. Every effort will be made to keep delays to a minimum whilst ensuring the necessary works are carried out to meet the applicant's needs. There is no fixed amount of stock for direct lets; the level will be based on need and reviewed annually.

## **7.2 Sensitive Lets**

The Council recognises that some groups can have greater difficulty integrating into communities. In the interests of community cohesion, the Council will exercise extra sensitivity and may directly let properties in these cases particularly if anti social behaviour could result. Such decisions will be made on a case by case basis and approved by the Head of Inclusion.

## **7.3 Succession and discretionary offers**

### ***Statutory Succession***

When tenant dies, the Housing Act 1985 provides that it may be possible for someone living with them to take over the tenancy. This is known as succession and the person who takes on the tenancy is called a 'successor'.

To be a 'successor' the applicant has to meet certain rules – they must usually be a family member, and have lived in the property for a certain time.

Succession can only occur following the death of the tenant when all of the following apply:

- The deceased tenant had been using the property as their only home before their death.
- The person wishing to succeed to the tenancy is a partner or a member of their family.
- If the person wishing to succeed to the tenancy is the husband, wife or partner of the deceased tenant, they must have been living with them at the time of the death.
- If the person wishing to succeed to the tenancy is a member of the deceased tenant's family (but not their husband, wife or partner), they must have lived with the deceased tenant for at least 12 consecutive months before the date of death.

Subject to them being entitled to be registered for housing under this policy and satisfying all of the conditions relating to the right of succession, the Council will normally consider the following family members to have an entitlement to succeed to the tenancy of a deceased tenant:

- The husband, wife, civil partner or unmarried partner of the deceased tenant
- The son, daughter, step-son, step-daughter or any adopted children of the deceased tenant
- The brother, sister, mother, father, grandfather or grandmother of the deceased tenant
- The aunt, uncle, niece or nephew of the deceased tenant

- The grand-daughter or grandson of the deceased tenant.

Succession will not be allowed when:

- The deceased tenant had previously succeeded to the tenancy (including a person who was joint tenant and later became a sole tenant after the other joint tenant died).
- The deceased tenant had been living alone.
- The deceased tenant had left the property and was not using it as their only home.
- The deceased tenant had left the property and been admitted to hospital or a residential home for long-term care or treatment.
- There had previously been an assignment of the tenancy or property adjustment order under the Family Law Act.
- The person asking for succession is unable to prove their relationship to the deceased tenant, or their period of residence at the address.
- The tenancy has been brought to an end by the Court granting the Council a possession order.

If the tenancy is succeeded by the husband, wife or civil partner of the deceased tenant, they will be allowed to stay in the property on a permanent basis subject to the terms and conditions of the tenancy.

### ***Non-statutory succession***

If an occupant has no legal right to succeed to a Council tenancy when the tenant dies, they may still be granted a tenancy by the Council (as a non-statutory succession). This will only be authorised in exceptional circumstances. To qualify for a non-statutory succession, the applicant must:

- (i) have lived with the former tenant at the time of her/his death;
- (ii) have occupied the property as her/his only or principal home for a substantial continuous period prior to the former tenant's death; and,
- (iii) be a family member of the former tenant, as defined above.

The Council considers it is unlikely that anyone will be entitled to a non-statutory succession unless they have lived in the property as their own or principal home for a continuous period of five years prior to the former tenant's death. Where, however, the applicant for a non-statutory succession gave up their own accommodation and moved into the property in order to provide care for the former tenant, the Council may accept a shorter period of occupancy. Each case will be considered on its on its merits, but as a guideline a minimum period of 12 months would be expected.

### ***Succession and under-occupation/specially adapted properties***

Due to the severe shortage of family-sized and specially adapted accommodation, members of the deceased tenant's household (including partners and those applying for a non-statutory succession) will not be allowed to stay in the property if it is under-occupied or has been specially adapted and the successor(s) do not require those adaptations. Instead, they will be offered an alternative home that is more suited to their assessed needs.

Where the Council decides that the applicant should move to alternative

accommodation, the applicant will be required to join the Housing Register and bid for accommodation through the choice based lettings scheme. If the applicant does not secure alternative accommodation within six months, the Council will review their situation and bidding history and may decide to make a 'direct let' to another property. If a suitable offer is made and refused, the Council may decide to withdraw its offer to provide alternative accommodation and then commence possession proceedings.

## **8. OTHER PROVISIONS**

### **8.1 Equal Opportunities**

The Council is committed to equality of opportunity to promote diversity and combat discrimination on the basis of race, gender, age, religion/belief, disability, sexual orientation or caring responsibilities. The Allocations Policy strives to ensure that each application is treated on its merits and reasonable preference is given to applications according to housing need.

The Allocations Policy (and any subsequent local lettings policies) will be subject to an Equality Assessment.

The Council will monitor the impact of this policy by measuring:

- Applications made to join the Housing Register
- Lettings made through the Housing Register
- Length on time on the Housing register
- Number of bids made
- Refusal decisions
- Review requests

### **8.2 Information about the Allocation Policy**

The Council will publish a summary of the Allocations Policy in the form of a factsheet on the website. A copy will be available free of charge to all applicants and on request to any member of the public.

A copy of the Allocations Policy, when approved, will be available from the Council's website.

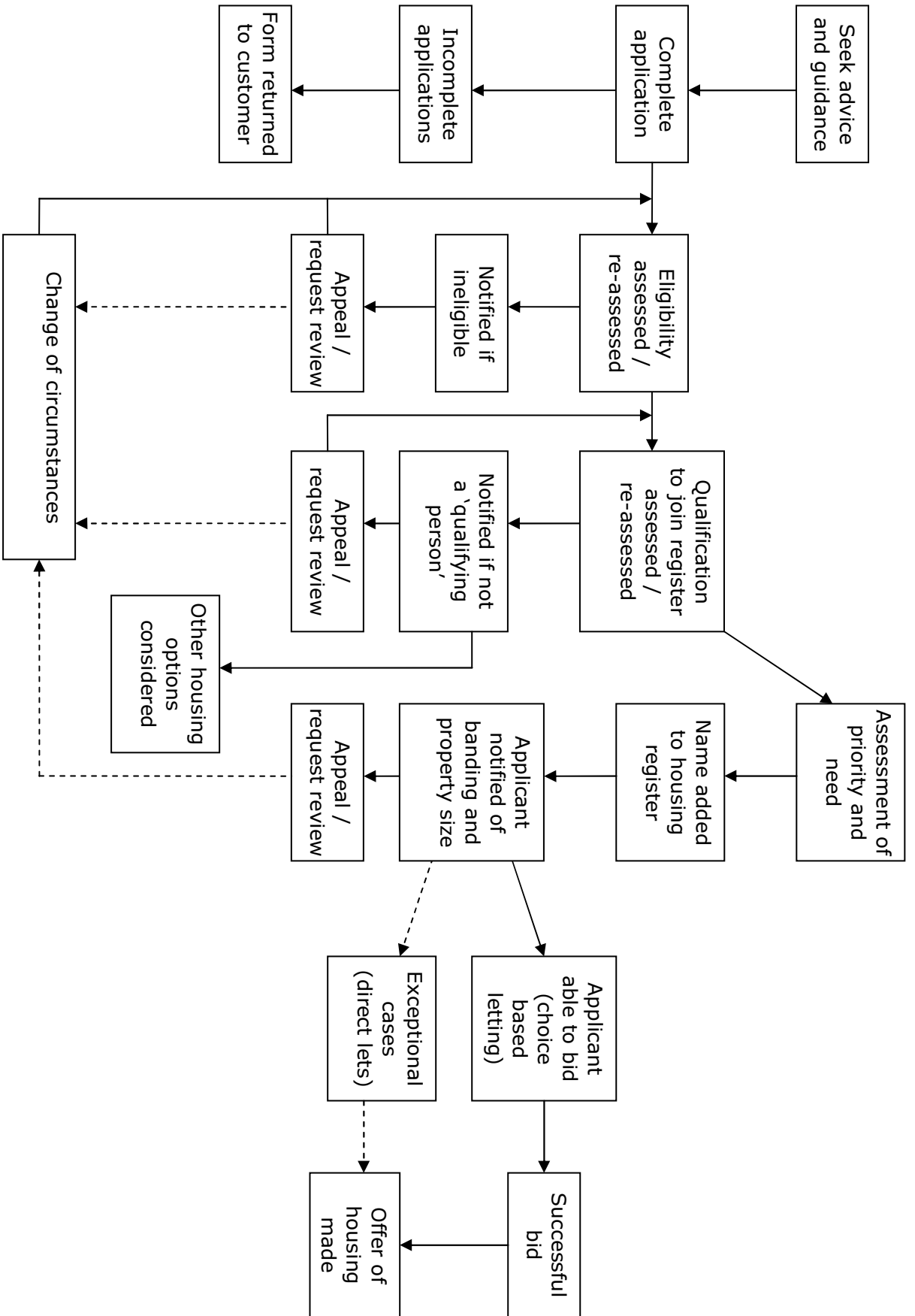
All applicants on the Housing Register will be notified of any amendment to the Allocations Policy and informed in general terms of the effects of change on existing applications.

### **8.3 Review of Policy**

The Allocations Policy will be reviewed annually or earlier if required by new legislation or Government guidance. Any major amendments arising from review will be subject to full consultation.

# APPLICATION PROCESS

# APPENDIX 1





**MEDICAL AND WELFARE GROUNDS FOR REASONABLE PREFERENCE**

A mental illness or disorder
A physical or learning disability
Chronic or progressive medical conditions (e.g. MS, HIV/AIDS)
Infirmity due to old age
The need to give or receive care
The need to recover from the effects of violence or threats of violence, or physical, emotional or sexual abuse
Ability to fend for self restricted for other reasons
Young people at risk
People with behavioural difficulties
Need for adapted housing and/or extra facilities, bedroom or bathroom
Need for improved heating (on medical grounds)
Need for sheltered housing (on medical grounds)
Need for ground floor accommodation (on medical grounds)
Need to be near friends/relatives or medical facility on medical grounds
Need to move following hospitalisation or long term care

**PRIORITY BANDING**

Demand for housing in Bury is high. In order to provide a fair system for allocating social rented properties, the Council prioritises applicants on the Housing Register according to housing needs which is reflected in the banding structure. To help applicants determine where they may feature in this system, the main factors that apply are set out below for illustration purposes:

**Band 1–Urgent Housing Need**

Homeless and in priority need
Urgent medical or welfare need
Life threatening circumstances
The Council has accepted a responsibility to re-house
Members of the Armed and Reserve Forces
Exceptional cases

1. Homeless and in priority need – the Council will assess whether an applicant is homeless and in priority need under the homelessness provisions in Part 7 of the Housing Act 1996. Where an applicant is homeless and in priority need, the duty the Council owe her/him depends on whether he made himself homeless intentionally (*i.e.* deliberately caused his homelessness).
2. If the applicant is unintentionally homeless and in priority need, the Council are under a duty to secure that accommodation becomes available for his occupation (s.193(2), 1996 Act); the applicant will remain in Band 1 until permanent accommodation has been found.
3. If the applicant is intentionally homeless and in priority need, the Council only owes a duty to provide accommodation for such period as they consider will give the applicant a reasonable opportunity of securing accommodation for himself (s.190(2)); the applicant will only remain in Band 1 for as long as the Council considers will afford him a reasonable opportunity to find his own accommodation; if an offer is made during that period, the offer will only be of accommodation for a period that the Council consider will give the applicant a reasonable opportunity to find his own accommodation. A “reasonable period” will be determined according to the merits of each individual case but is unlikely to exceed 6 months. The applicant will be notified of the timescale when the banding is assessed.
4. Urgent medical or welfare need – the applicant (or member of the household) has been assessed, and accepted, as having a critical need to move on medical or welfare grounds. Examples may include instances where hospital discharge is being delayed, chronic progressive medical conditions, families with children being forced to live apart, children in care being prevented from rejoining their family because of inappropriate housing
5. Life threatening circumstances are where there is serious risk of harm from remaining in the present accommodation. This includes but is not limited to:

- Victims of domestic violence
- Serious racial harassment
- Homophobic attacks
- Victims of crime

6. The Council has accepted a responsibility to re-house – specifically where the Council has been instrumental in requiring residents to move (redevelopment projects, Compulsory Purchase Orders, Closing Orders, etc)
7. Additional preference will be given to the following categories of Armed Forces, in line with statutory guidance, who fall within one or more of the reasonable preference categories and have urgent housing needs:
  - Former members of the Armed Forces
  - Serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
  - Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
  - Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
8. Exceptional cases – the Head of Inclusion or a representative may exercise this power where a household has an exceptional housing need which is not adequately addressed by the Allocations policy

## **Band 2 – High Housing Need**

Statutory overcrowding
Downsizing
Category 1 hazard under the Housing, Health and Safety Rating System
Leaving supported accommodation
Insecure tenants served with a Notice of Seeking Possession
High medical or welfare need to move

1. Statutory overcrowding – where current accommodation does not meet current living space or bedroom standards. This will include cases where families with dependent children are non-householders living with family or friends providing the family knows the householder before they moved into the property and are not paying rent
2. Downsizing– existing tenants who are under-occupying accommodation and wish to move to smaller non-family housing
3. Category 1 hazard under the Housing, Health and Safety Rating System – applies where the Council’s Urban Renewal Team (or other Environmental Health Officer) has identified that a household or vulnerable member of that household is at risk from a Category 1 hazard. Examples may include an older person living in a property with inadequate heating, families with young children living with severe dampness, etc
4. Leaving supported accommodation – where the applicant lives in supported accommodation and has been assessed by their Key Worker as ready to move on

to independent living. Banding will be backdated to the time the applicant moved into supported accommodation. This banding will be applicable where:

- The supported housing provider is accredited by Supporting People in Bury
- The applicant has a local connection to Bury
- Ready to Move form received from the supported housing provider to say that the applicant has developed the necessary independent living skills and is ready to live in their own tenancy.

5. Insecure tenants of a property in the Borough who are served with a Notice of Seeking Possession through no fault of their own or where possession proceedings are being sought against the landlord
6. High medical or welfare need – medical conditions where evidence has been provided by a qualified professional that a move to more suitable accommodation will improve a **critical** health condition **substantially** to the benefit of the applicant or a member of their household. This will generally relate to people with life limiting conditions or severe impairments. Where age is also a factor, people over the age of 60 years can apply to be considered for sheltered or extra care housing

### **Band 3 – Medium Housing Need**

Unintentionally homeless but not in priority need
Households living apart
Medium medical and/or welfare need
Households with 2 or more children under 5 living above ground floor
Sharing facilities
Bedroom Standard overcrowding

1. Unintentionally homeless but not in priority need – where the Council is satisfied that the applicant is unintentionally homeless but does not have a priority need, the Council may provide the applicant with accommodation (S.192(2), Housing Act 1996). This is likely to apply mainly to single people/couples without children.
2. Households living apart – this will be awarded if the household is living at separate addresses. A household in this context means people:
  - Who would normally live, or would reasonably be expected to live together
  - Who have not chosen to live apart
  - Who have no rights to occupy any other home
  - Who do not have any other housing needs
 This factor does not apply to families with children (see band 1)
3. Medium medical and/or welfare needs – medical conditions where there is evidence that moving to alternative accommodation will improve a **significant** health and/or welfare condition **substantially** (including mobility or mental health issues) to the benefit of the applicant or a member of their household. This would also apply to older people with some care needs that request sheltered housing
4. Households with 2 or more children under 5 living above ground floor – applicable where the front door to the property is above ground level
5. Sharing facilities – if the applicant shares bathroom/toilet/kitchen facilities with a person they do not know

6. The Bedroom Standard allocates a separate bedroom to each:
- married or cohabiting couple
  - adult aged 21 years or more
  - pair of adolescents aged 10-20 years of the same sex
  - pair of children aged under 10 years regardless of sex

#### **Band 4 – Low Housing Need**

Low medical and/or welfare need
Older person or a family with one child living above first floor
Insecure tenant(s)

1. Low medical and/or welfare need – the applicant has moderate need to move to alternative accommodation as determined by the Council’s medical/welfare assessment process.
2. Older person or a family with one child living above first floor – applicable where the front door to the property is above ground level and the applicant is elderly (Over 60 year of age), has a child under five living them or are expecting their first child
3. Insecure tenants – if the applicant is renting a home privately in the Borough and the landlord has the automatic right to regain possession of the property but has not served the applicant with notice to quit or a similar notice. This may occur when the person is an assured shorthold tenant or a licensee

#### **Band 5 – No Housing Need**

Awaiting a decision on a homelessness application
No local connection
Unreasonable refusal of a suitable offer
Not ready to move on from supported accommodation
Alternative to suspension from the housing register

1. No housing need – where the applicant claims to be homeless and is awaiting the decision.
2. No local connection – the applicant may have some or low housing needs but does not satisfy the local connection criteria (Section 5.3)
3. Unreasonable refusal – where a suitable offer has been made but is turned down by the applicant, the offer will be withdrawn and the applicant awarded Band 5
4. Not ready to move on from supported accommodation- an applicant who living in supported accommodation but is not ready to move into their own tenancy will be placed in this banding, as it has not been ascertained if the applicant has developed independent living skills or not.
5. Alternative to suspension - where the actions of applicants fall below that expected of tenants (Section 4.4)

### APPEALS, REVIEWS AND COMPLAINTS

#### Appeals / Review process

Anybody can apply to go on the Council's Housing Register but not everybody is eligible and those that are will be given priority according to assessed need and the rules of the Allocations Policy.

When decisions are made about your application, we will notify you of the outcome and explain the reasons why. If you feel the policy has not been applied correctly or relevant information has been missed, you may request a formal review.

#### When can I request a review?

You, or an advocate acting on your behalf with your express permission, may request a review if the Council:

- Refuses your application to join the Housing Register or considers you not to be a "qualifying person" (section 3.3).
- Cancels your housing application and removes you from the housing register (section 4.3).
- Suspends you from the housing register (section 4.4).
- Disagrees with your assessment of medical need (section 5.2)
- Allocates a banding that is inappropriate to your level of need (section 5.4).
- Offers you a property that you consider to be unacceptable (section 5.5).
- Restricts you from bidding for properties (section 6.5).
- Reduces your banding following refusal of an offer (section 7.1).

#### How do I request a review?

You must do this within 21 days of the Council informing you of its decision.

All appeals must be in writing to:

**Head of Inclusion  
Bury Council  
Town Hall  
Knowsley Street  
Bury  
BL9 0SW**

It is important that you tell us:

- (a) Why the Council should review its original decision
- (b) What outcome you want from the review
- (c) Any new information you want us to consider

## **Offences related to information given or withheld by applicants**

It is an offence for anyone, in connection with the exercise by a housing authority of its functions to:

- Knowingly or recklessly give false information
- Knowingly withhold information which the housing authority has reasonably required the applicant to give in connection with the exercise of those functions

The circumstances in which an offence is committed could include providing false information:

- On an application form for social housing
- In response to a request for further information in support of the application
- During review proceedings

### **What happens next?**

A senior official who was not involved in the original decision will carry out a formal review. They will look again at the information supplied and discuss the issues with the person who made the original decision to understand why that conclusion had been reached.

The person conducting the review the review may also want to talk to you directly to verify statements or seek additional information. Your cooperation would be appreciated to ensure a speedy resolution of the review.

We will inform of the outcome within 8 weeks of you requesting the review. We will also tell you the reason(s) for that decision.

**If you are unhappy about the way the review was handled, this will be handled through the Council's formal complaints process. Details on how to do this are available on the website or from Council offices.**