



**DRAFT
HOUSING ALLOCATION POLICY**

JANUARY 2013

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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 Section 3.3)
 - If the applicant qualifies for accommodation (see Section 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 evident housing need may face a long wait. In recognition of this, the Council is developing a range of Housing Assessments, 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 due to 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 Section 3.3 below or who do not meet the qualifying criteria in Section 3.4.

The Law of Property Act, 1925 prevents people under 18 from being legal 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 over 18) to be a trustee of the tenancy until the young person attains majority. As regards payment for the rent, unless the young person can satisfy the Council, for example by proof of earnings, that she or he can pay it, an adult guarantor will be required. The guarantee covers rent and any other expenses for which a tenant would be responsible. It must be in writing, and must be in place until the young person reaches the age of 18.

Where a young person is deemed to be vulnerable and is in need of support to sustain their tenancy, 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 an identified supporting agency to make regular visits and also detail how they will provide support to the young person to sustain their tenancy and develop independent living skills.

- 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 Section 5.5)

3.4 Qualification

The Council may only allocate accommodation (Section 3.8 Allocation of Accommodation Guidance 2012) 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 (within the meaning of Part 7)
- People who are owed a duty by any local housing authority under Section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds (including any grounds relating to disability); and
- People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or others)

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 must have that in place before they are granted a tenancy.
- Not to penalize those who have a good previous track record as a tenant.

With those principles in mind, the following persons will be reassessed to test their suitability for registration on the housing waiting list:

- Those with a history of rent arrears with Six Town Housing or other Registered Social Landlords of two calendar months.

- Those with a history of unacceptable behaviour, i.e. conduct by the applicant or a member of the 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 property.
- Persons incapable of managing a tenancy. This may include:
 - Children aged below 16.
 - Applicants aged between 16 and 18 who are considered vulnerable, unless they are engaging in a suitable care and support package.
 - People who require extensive social or medical care/package in order to manage a tenancy, unless a suitable care and support package is in place.
 - Owner Occupiers - unless they can demonstrate health or care needs that would be best met by social housing, 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, the Mental Health and Social Needs Panel and other relevant agencies).

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 Assessment. 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, supported housing, low cost home ownership, or help to remain in their current home.

4. APPLYING TO JOIN THE HOUSING REGISTER

4.1 The Application process

All applications will be internet based using the online application form provided by the Council. The applicant will need to provide clear answers to questions raised by the Council, to enable a proper assessment of their circumstances.

It is recognised that certain applications will have difficulties using the 'digital by default' option. Applicants and potential applicants that cannot use technology will be offered support, appropriate to their needs to avoid exclusion. Therefore free and confidential advice on applying for housing will remain available to all online or on request from the Housing Choices Contact Team.

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 with 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 the time of application. In the case of individuals who have no fixed abode, they must be prepared to visit the Housing Reception 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 a driving licence with photograph), birth certificates, a current tenancy agreement, utility bills, or official correspondence (Council tax bill, proof of welfare benefits, etc), which is dated within the last 3 months and states the applicant's name.

Where an applicant is unable to submit proof of identity or residence electronically, they will be required to attend in person, or post in the required documents to the Housing Choices Contact Team before their application is processed.

In exceptional cases, if the readily acceptable documentary evidence cannot be produced, a Senior Manager within the Housing Choices may authorise acceptance of other documentation.

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

Applications not properly completed, made by ineligible individuals, or not supported by the necessary documentary proof of identification and residence, will not be processed.

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 Bury Council website, Newsletters and 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
- 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 or a copy of the Strategic Tenancy Policy and/or Homeless Strategy, all of which are available on the Council's website.

4.3 Cancellation of housing applications

Except 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. 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 these types of debt include:
 - Outstanding arrears from a current or a previous Registered Social Landlord 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 use of Housing Assessment (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, an applicant will need to be in arrears of at least two 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, if 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 six months. Written proof of regular payments must be provided to the Housing Choices Contact Team, before a suspension can be lifted from the Housing Register.

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 their behaviour has improved.

As an alternative to suspension, the Council may place the applicant in Band 5 for twelve 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 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 (Section 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 their priority and of the property size they have been assessed as requiring. An applicant is then entitled to bid for suitable 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 Assessment 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 professionals. The Council may also 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 Assessment Team will seek advice from an Occupational Therapist as regards to specific housing needs:

Category 1 – Applicants who require wheelchair accessible property. (I.e. a property that is already adapted for a 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. a 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 a general let property where potential for further adaptations 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. Examples may include:

- A family member with multiple welfare or care needs e.g. an individual with 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
- More than one family member with welfare or care needs

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 currently reside in Bury and 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 living in the Borough for the last 5 years (for example parents or children)
- Have special reason for needing to live in the Borough (for example to care for a relative)

In exceptional circumstances, an applicant who does not currently reside in Bury may be placed in Bands 1-4 according to the level of housing need provided one or more of the four conditions listed above also apply.

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 (Section 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 (within the meaning of Part 7)
- People who are owed a duty by any local housing authority under Section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds (including any grounds relating to disability); and
- People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or others)

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:

- a) 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;
- b) Using or threatening to use the premises for immoral or illegal purposes; or
- c) 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 entitled 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)
- Note 7: Separate space for potential foster children will be considered from applicants who have been approved as foster parents by the council

An applicant will be notified in writing of the property size for which they have 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 bedroom house may be unwilling to downsize to the one bedroom property which they would ordinarily qualify for under the assessment of property size (see Section 5.5 above). In such cases, it will be at the discretion of the Head of Inclusion to allow an additional bedroom to be awarded, particularly where the tenant has the need to accommodate dependent children or live-in carers. However, the tenant must appreciate the implications on their welfare benefit and any change must be accompanied by a test of affordability.

Tenants affected by the changes of the Welfare Reform Act 2012, will be given priority to downsize their accommodation to suit their housing needs. This will be according to properties that match their housing needs and are 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 two bids in a weekly cycle. Applicants can express an interest:
 - On-line
 - 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 two suitable offers 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 and their application be reassessed – which will also remove the right to remain in temporary accommodation and the application placed in Band 5. 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 the signing of the tenancy agreement (resulting for example in a significant reduction or increase in the level of need, or that the applicant has ceased to be eligible or a qualifying person);
- If the references taken at the time of the offer demonstrate that the applicant has ceased to be a qualifying person or has housing related debt, the Council may withdraw the offer and revise the applicant's priority.
- The property is no-longer appropriate for that person

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, and support is not currently 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' or their housing circumstances have changed. 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. Under these circumstances any application will be dealt with under the Direct Let provision (see Section 7.)
- 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 is 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 is capable of sustaining a tenancy, the Council will be advised by the Central Access Point, Mental Health and Social Needs Panel and other relevant agencies.

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 housing related support. If an applicant has complex needs a multi agency case conference will be held to develop a suitable support package, before an applicant is able to bid for a property.

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 accuracy 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 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

When a property affected by a local lettings policy is advertised, the advertisement will clearly state the criteria that is in operation. Applicants must comply fully with this criteria for their bid to be successful.

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 Arrangements (MAPPA) 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 complex needs
- Homeless households who have failed to exercise choice through the choice based lettings process
- Households recommended or subject to a Family Intervention Tenancy (FIT)
- Applicants that have been under-occupying and require re-housing to a smaller property
- For projects that meet the wider ambitions of the council i.e. Community Resettlement Service
- 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 or properties designated for **elderly** applicants

Existing Bury MBC tenants who need alternative accommodation owing to fear of violence or severe harassment, including racial harassment.

The council reserves the power to continue to make such offers where it considers it appropriate to do so and will ensure that the overall number of such offers is low compared with those provided for under Choice Based Lettings.

In the situations above the Council will make one suitable 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 for 12 months, after which period the application may request their application to be reassessed under this policy.

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 Over 55's

The council has traditionally made a small number of direct offers to applicants aged 55 and over who, because of their personal circumstances, or other special reason, should in the Council's view receive such an offer. The Council reserves the power to continue to make such offers where exceptionally it considers it appropriate to do so and will continue to ensure that the overall number of such offers is low compared with those provided for under the main provisions of this allocation policy.

7.4 Succession and discretionary offers

Statutory Succession

When a 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 qualify to be a 'successor' the applicant has to meet certain conditions:

- it must be there only or principal home at the time of the tenants death
- they are the tenants spouse or civil partner
- if the property is not occupied by the tenants spouse or civil partner, the tenancy expressly provided for that individual to succeed

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 merits, but as a guideline a minimum period of twelve 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 if it 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. The banding offered will follow the guidelines of other applicants who are downsizing their properties to smaller accommodation. 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 of time on the Housing Register
- Number of current residents downsizing
- 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.

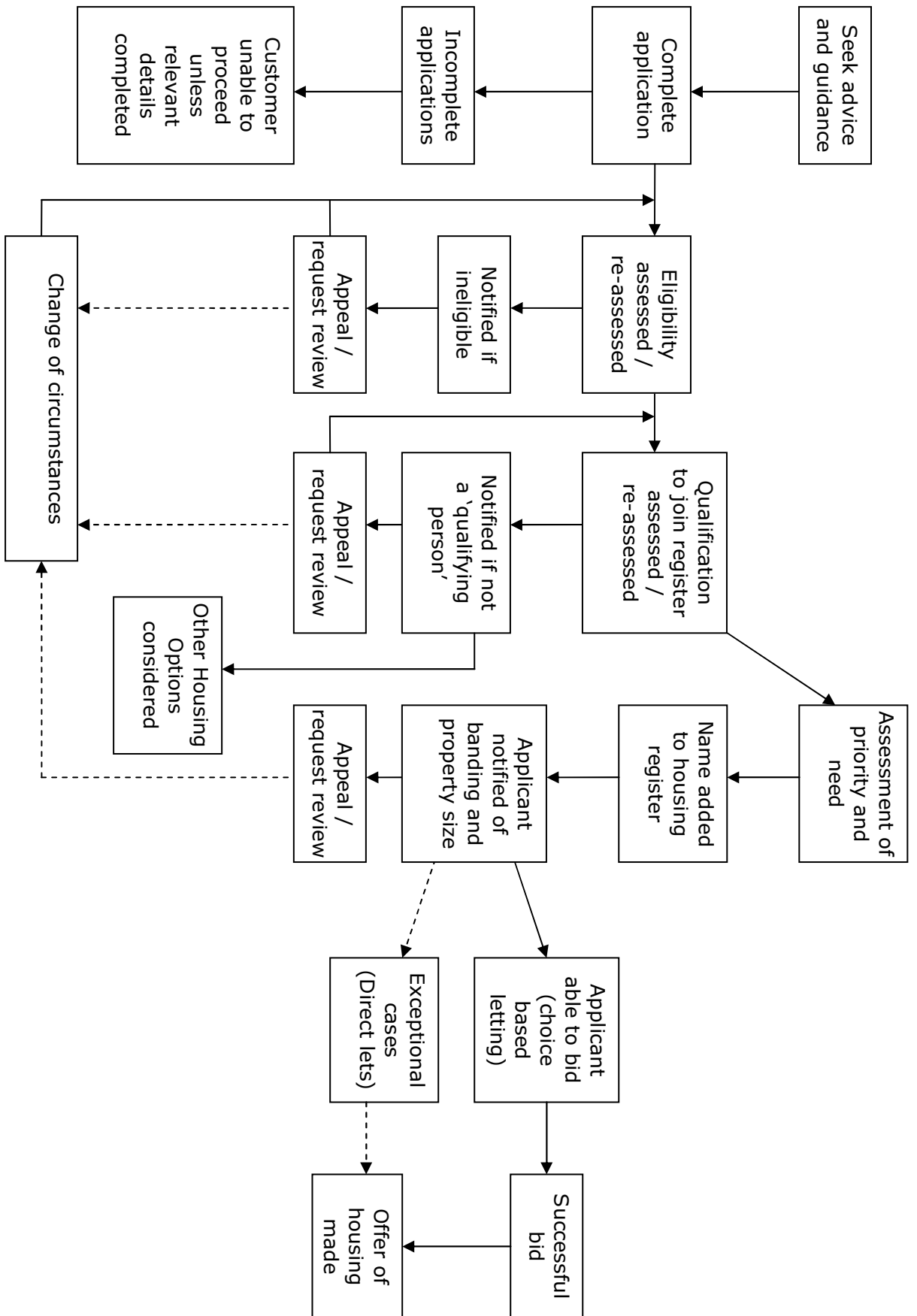
All applicants on the Housing Register will be notified of any amendment to the Allocations Policy and informed in general terms of the effects of change on existing applications.

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



APPENDIX 2**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

APPENDIX 3**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. Within each band all other relevant factors being equal, allocations are made in date order, priority being given to the applicant with the earlier or earliest preference date. 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 the individual became homeless intentionally (i.e. deliberately caused their 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 occupation (s.193(2), 1996 Act); the applicant will remain in Band 1 until permanent accommodation has been found.
3. 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
4. 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

In these circumstances, properties will be subject to a direct let, for the safety and sustainability of an applicant’s tenancy in the future (see Section 7.1)

5. 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)

6. 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
7. Exceptional cases – the Head of Inclusion 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
Category 1 hazard under the Housing, Health and Safety Rating System
Leaving supported accommodation
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. 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
3. 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 approved by Supporting People in Bury or the Head of Inclusion.
 - The applicant has a local connection to Bury
 - A Ready to Move (RTM) form has been received from a supported housing provider, to detail how the applicant has developed the necessary independent living skills and is ready to live in their own tenancy.
4. 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
Insecure tenants served with a Notice of Seeking Possession
Households living apart
Medium medical and/or welfare need
Bedroom Standard overcrowding – 2 bed short

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. This is likely to apply mainly to single people/couples without children and could include people who are confirmed as being rough sleepers who are street living.
2. 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
3. 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) who would be treated as having complex needs.

4. 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
5. 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
 - The Head of Inclusion may apply discretion in exceptional circumstances

Band 4 – Low Housing Need

Low medical and/or welfare need
Older person living above first floor
Bedroom Standard overcrowding
Intentionally homeless with a priority need

1. Low medical and/or welfare need – the applicant has a **moderate** need to move to

alternative accommodation as determined by the Council's medical/welfare assessment process.

2. Older person 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).
3. 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
 - The Head of Inclusion may apply discretion in exceptional circumstances
4. Intentionally homeless in priority need – where an applicant has been assessed as being in priority need under the provisions of Part 7 of the Housing Act 1996 but has made themselves intentionally homeless

Band 5 – Assessment of 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
Transitional arrangements for those currently on the Housing Register

1. No local connection – the applicant may have some or low housing needs but does not satisfy the local connection criteria (Section 5.3)
2. Unreasonable refusal – where suitable offers have been made but is turned down by the applicant and the offer has been withdrawn (Section 6.3)
3. Not ready to move on from supported accommodation - an applicant who is living in supported accommodation but is not ready to move into their own tenancy, will be placed in this band until it has been ascertained if the applicant has developed independent living skills.
4. Alternative to suspension - where the actions of applicants fall below that expected of tenants (Section 4.4).

Transitional arrangements

Applicants in band 6 of the Council's previous allocation scheme will not be admitted to the banding structure above unless upon reassessment, they are found to be qualifying persons for the purpose of section 3.4 of this scheme in which case they will be placed in the appropriate band and their preference date will be either the date they were admitted to the previous scheme, or the date on which the circumstances entitling them to qualify under this scheme first arose, whichever the later.

APPENDIX 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 or reduces your banding (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 handled through the Council's formal complaints process. Details on how to do this are available on the website or from Council offices.