

Common Allocations Policy

Ceredigion County Council has worked with its partners, Family Housing Association, Mid-Wales Housing Association, Tai Ceredigion and Wales and West Housing Association, to jointly review the Allocations Policy. Ceredigion has enjoyed a Common Allocations Policy since 2009, but times have changed and this now needs to be reflected in a revised/new allocation policy. The growing demand on Social Housing coupled with the growing need to maintain and strengthen local communities has led us to conduct a thorough review of the way housing is allocated in the County.

All social housing units within Ceredigion are allocated by the Landlord of the property in accordance with this policy whilst all housing applications are managed by the Local Authority and maintained through the Ceredigion Housing Options website. Applications are banded according to their housing needs, determined by the information submitted on the application.

To apply to join the Housing Register you must be over 16 years of age.

Before you are offered a property you will be asked to provide further documents to support your application. We will tell you what documents to provide and when to provide them.

If you do not complete the application form correctly it will be returned to you. The date it is accepted will be the date the fully completed form is received.

If you fail to provide us with all the information required your application may be accepted onto the housing register but will not be awarded any priority. Once the application is received your application will be assessed and placed in the appropriate band. All applications must be renewed after 12 months, you will be notified when this is necessary.

Some people are not eligible to register to apply for social housing. Applicants must be British Citizens or have been granted leave to remain. This means a person who has the right to stay in the UK for an unlimited amount of time.

People who do not have recourse to public funds, or have a short-term immigration status won't be eligible even if they would normally qualify because they are homeless, have a disability or are overcrowded.

Main Aims

The high level aims of the policy are to strengthen the role that social housing has in sustainment of both the community and Welsh language, especially in a rural county such as Ceredigion. To work to deliver housing to people most in need, whose housing options cannot be met outside of the Social Housing sector, and to streamline the Housing Register application process for customers and partner agencies, with a view to managing peoples' expectations of, and aspirations towards Social Housing.

The re-drafted Common Allocations Policy reflects The Housing (Wales) Act 2014, and the changes in homelessness duty, and the role that the Private Rented Sector will play in the future provision of good quality, affordable, stable, and sustainable housing. In tandem with the new legislative framework the policy has been drafted to reflect the Welfare Reform changes that have been implemented in the past five years, and are set to continue. The review of the Allocations Policy has afforded the opportunity to embed the prevention agenda into the policy by virtue of applicants being supported to address their poor housing standards, through a joined up approach between housing standards and the Housing Register process. The Common Allocation Policy is the main framework for use in conjunction with the Common Housing Register as well as attendant registers pertaining to Accessible Housing, Older Persons Housing and Affordable Housing. This allows applicants to apply for a home that most suit their requirements.

Sensitive Lets

There may be occasions when an allocation is made as a "sensitive let". This may be due to a history of anti-social behaviour for example or criminal activity, involving the previous tenant. If the property is deemed a "sensitive let", certain households may be excluded from consideration for the property in exceptional circumstances.

Management Decisions

Management Decisions are when an allocation is made outside of the normal allocation process in order for a suitable allocation to be made for exceptional circumstances.

The Local Authority Housing Strategy Manager will be notified of all such decisions in advance of the partnership steering group meeting. Ceredigion County Council Housing Team will monitor as part of the overall monitoring process.

Local Lettings Policies

On occasions, in order to ensure strengthened communities, Local Lettings Policies may be applied to specific areas or properties in order to meet the needs of the community. For example, Age Restrictions may be placed on a block of flats or specific Local Connection criteria for a development. There should be a clear evidence base of need before considering a Local Lettings Policy and adoption of such a policy only following consultation with the Local Authority.

Strengthening Communities

The allocations policy seeks to sustain communities through a number of different policy statements:

1. Recognise employment as a positive factor and value its contribution to sustaining thriving communities. Evidence of employment will be requested at the appropriate stage.
2. Act positively to combat the effects of Ceredigion's lower than average pay levels, by enabling Social Housing to support the lowest paid working families.
3. Mitigate the negative impact of Welfare Reform, and enable tenancy sustainment in the long term, by identifying vulnerable groups and prioritising their need.
4. Clearly state acceptable standards of behaviour, and tenancy history, in terms of arrears, and equalise treatment of Private Sector and Social Sector tenants. If applicants should fail this then placing into a reduced preference band would be appropriate.
5. Actively seek to build sustainable communities, by allocating housing from each of the three 'reasonable preference' bands (A-C) via a quota system – Band A 40% Band B 30% and Band C 30%. Where applications in Band B are limited, provided evidence is shown that Band B has been attempted then an alternative Band may be used.
6. Strengthen local connection criteria by equalising time frames (period of time as five years) with other affordable housing tools i.e. s.106 agreements, and use Local Connection as a deciding factor (excluding applicants who are owed a duty under Section 75 of the Housing (Wales) Act 2014 for banding purposes).

Delivering on Housing Need

The proposed policy reinforces the legislative framework surrounding 'reasonable preference' categories, that are stipulated by law as having to be given due emphasis in any allocations policy. In tandem with this, the policy has been drafted in light of changes to homelessness duty, and the growing role the Private Rented Sector plays in meeting demand.

1. Acts upon the welfare reform changes most likely to impact Social Housing tenants.
2. Works to free up adapted accommodation to allow greater numbers of adapted properties to be accessed by people who actually need them.
3. Reflects greater need through the multiple need categories, within the reasonable preference bands.
4. Works in tandem with the Public Health Protection Team, to identify and potentially improve standards of accommodation in the Private Rented Sector, to reduce the demands on the Social Housing Sector.
5. Recognises housing need that is better met outside of the Social Housing sector, and signposts to the most suitable housing option.

Managing Expectations

One of the central aims of the proposal is that the applicant will have a clearer understanding of their chances of obtaining a Social Rented tenancy, and offer more realistic options to those who do not fulfil the requirements for social housing. The policy will:

1. Use a banding system, to offer a clear message to applicants as to their position on the list.
2. Use 'time-waiting' as a fairer, more understandable way of allocating housing to people assessed as having similar housing need.
3. Clearly differentiate between the 'reasonable preference' bands and the non-reasonable preference bands and sign post applicants to other housing options as appropriate.
4. Realign the role of the Housing Register away from being the solution to poor quality housing in the private sector, by working in tandem with Public Health Protection, to identify and potentially improve poor housing in the County.
5. Applicants are not able to stipulate which property type they require e.g. House/Bungalow as housing need should supersede this.

A time element to Allocations

A time-waiting system allows applicants to have a more realistic idea of the potential timescale between applying and securing a Social Rented property, as well as introducing a system that acknowledges the length of time an applicant has been waiting for accommodation. Applicants who move between bands will retain their initial start date if they move down a band (i.e. from Band A to Band B) but will have their start date altered to the date they moved up to a higher Band.

Addressing Housing Standards

Social Housing has, in the past, acted as a lifeline to those living in poor conditions within the private rented sector. The Registration process acts as a means of identifying and potentially improving housing standards, both to minimise the pressure on Social Housing Supply, and to improve the Private Rented Stock in general. The policy will:

1. Align the register requirements to the Housing Health and Safety Rating System (hereafter HHSRS), to create a clear line of accountability and reduce duplication of work.
2. Create a direct link between the applicant and Public Health Protection. This is achieved through an explicit link between the application and housing standards involvement via automatic contact with the landlord, if substandard housing has been highlighted as the reason for the application.
3. Allow for a period of 9 weeks between application and banding allocation (outside of the remit of 'unreasonableness') to allow current accommodation standards to be improved, and negate the need for re-housing via the register, with exceptions. i.e. should an application highlight multiple needs the application should be dealt with in the usual manner.

The HHSRS assessment will look at the whole property and surrounding curtilage and will take into account the type of harm resulting from a risk and the likelihood of the occurrence, over a 12 month period. Risks are categorised from a high score, producing a Category 1 hazard, to a low score producing a Category 2 hazard, with banding from A to F.

- Qualification for Band B will be triggered by one or more Category 1 hazard (HHSRS), but that does not meet the qualification of homelessness legislation as 'unreasonable to remain', and may include the cumulative effect of a number of Category 2 hazards. Such issues qualify for the Local Authority to consider serving an Enforcement Notice on the owner, but the Local Authority may consider it is not unreasonable to remain at the property whilst works are carried out.

- Qualification for Band C will be triggered by a higher range (or score) Category 2 Hazard (HHSRS) being present, and where the Local Authority deems it reasonable for the applicant to remain at property whilst minor repair works take place. The Local Authority's involvement would be to consider talking to the owner about carrying out remedial action, but may not trigger an Enforcement Notice being served.
- Qualification for Band D would be triggered by hazards being present that would be minimised by action the tenant could take. Such a hazard would not qualify for the reasonable preference bands, due to the applicant being able to improve their housing standard without the involvement of the Landlord.

Note that action taken by the Local Authority to address the issues which then removes or minimises the hazard may result in the Band awarded being altered to reflect change in circumstances.

Allocations: A Three Stage Process

The process will take the applicant through three distinct phases, each of which will help Housing Services, Partners and most importantly applicants themselves, to understand their housing need; and ensure Social Housing is accessible to those most in need, and that the strategic priorities of all partners can be achieved.

Identifying Housing Need

The policy follows legislation as set down in Part 1 of The Housing (Wales) Act 2014. The Reasonable Preference Criteria are as follows:

- (i) People who are homeless within the meaning of Part 2 of the Housing (Wales) Act 2014
- (ii) people who are owed a duty by any Local Authority under Housing (Wales) Act 2014
- (iii) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- (iv) people who need to move on medical or welfare grounds, as a result of their present accommodation having a detrimental effect on their health and/or welfare.
- (iv) people who need to move to a particular locality in the area of the Local Authority, where failure to meet that need would cause social or welfare hardship (to themselves or to others).

Whilst the policy recognises the Reasonable Preference Criteria, additional needs have been identified locally. These are:

- Under occupation in social rented accommodation within Ceredigion, to address Housing Benefit issues arising from Welfare Reform.
- Adapted housing occupied by tenants without the need for an adapted property, to enable the current stock to better target those in need.
- Applicants who are due to be discharged/ move on from Supported Housing and Care. Whilst these applicants traditionally come through homelessness, this addition will allow for a better planned move on.
- Applicants who are in fulltime (or equivalent) employment, within Ceredigion for five years at the point of application, but who satisfy the income thresholds set for Social Housing.

Assessing Non-Reasonable Preference Housing Need

The policy aims to ensure Social Housing is allocated on need, and that applicants who do not fulfil the criteria are fully aware of housing opportunities, other than socially rented properties. The following criteria are recognised in the non-reasonable preference categories (Bands D – E):

- Inappropriate accommodation, by virtue of lack of garden for children (under eight years)
- An applicant whose current housing has hazards (HHSRS) present that would be minimised by action the tenant could take
- No disrepair, medical, mental health and/or welfare issues
- Suitably housed at present

Assessing Reduced Preferences

The policy offers a more robust assessment of applications in relation to the Reduced Preference Criteria. The criteria are as follows:

- A history of arrears in Social Housing and Local Authority housing, up to and including the past five years. Although this applies also to the Private Rented Sector, in recognition of the additional resources necessary to include the Private Rented Sector, rental history would be limited to the current Private Rental address and (if within the last five years) the previous Private Sector tenancy also.

- A history of persistent Anti-Social Behaviour that is judged serious enough to preclude an applicant or a member of the applicant's household from sustaining a tenancy, as per the Housing Act 1996 s167(2B)
- The refusal of one reasonable offer, assessed as 'suitable' in accordance with Housing Wales, Homelessness (Suitability of Accommodation) (Wales) Order 2015. This standardises the manner in which refusals are dealt with between homelessness and general needs applicants, as well as acts upon the growing demand on Social Housing, and the need to allocate based on need rather than choice.
- No local connection as per the Allocations Policy (excluding Homelessness applicants with full duty)
- Applicants whose current Application is under investigation for HHSRS issues. Applicants remain within Band F up to and including a period of nine weeks at officers' discretion. For example if additional needs are noted then Band F may not be utilised.
- Applicants with equity and savings of more than £75,000 and/or a household income of more than £35,000. Those applicants earning between £25,000 and £35,000 can be placed into Band E. The Policy targets Social Housing for working people earning below the median annual wage for Ceredigion, and people who do not have the equity to enable them to access other forms of housing and/or affordable housing options. The exception to these criteria is for older persons seeking sheltered/extra care accommodation. The equity and income criteria should not preclude their access to older person's accommodation.
- Applicants who have deliberately worsened their housing conditions with a view to securing a socially rented property.
- Applicants who reapply within 12 months of a suitable housing allocation.

Assessing for Local Connection

The policy strengthens the criteria for Local Connection and aligns with the s.106 Local Connection policy. To satisfy Local connection criteria an applicant will be any of the following:

- A person who has resided in the Local Authority area for five years from the date of application to the Register. The five year period aligns with the s.106 criteria, but raises the threshold by insisting that the applicant has resided in the County for five years immediately prior to the application being submitted. This ensures that the housing needs of existing residents are taken into consideration first.

- In recognition of the importance of supporting economically sustainable communities, a person who is presently employed In Ceredigion, on a full time equivalent basis, but excluding seasonal contracts, for the previous three years, from the date of application.
- Has close family – defined as parents (or parental equivalent), or brothers and sisters in Ceredigion, resident within the County for at least 10 years.
- Ex-service personnel or a serving member who has lived in Ceredigion for five years (at any point).

Allocation

- In order to ensure the best use of the housing stock, management decisions regarding transfers within and between partners of the Common Allocations Policy and the requirement to address temporary accommodation needs within an area will be considered in conjunction with the banding policy.
- Partner Registered Social Landlord's may choose to take applications from any banding they deem appropriate at the time of allocation to ensure their quotas are balanced. Guidance will be given through reporting, clearly identifying the quota levels of each RSL on a monthly basis. This will ensure that the global target for all bands is met through the combined effort of each partner, through their own quota schedule.

Once banded in accordance to the three stages, housing options are far clearer.

- Applicants in Bands A – C are in the position to be considered in the first instance, for Social Housing. This is a result of them satisfying one or more reasonable preference categories, or fulfilling the criteria for a locally agreed target group.
- Applicants in Band D – E are eligible for other forms of Affordable Housing options, and will be signposted to the Affordable Housing Register. The policy does not preclude applicants in Band D and E from Social Housing allocations, especially in hard to let areas, but they will not be the primary source of applicants for Social Housing.
- Applicants who are in the Reduced Preference band (F) are entitled to an annual review of their circumstances, to enable any changes in circumstance (i.e. local connection criteria, and arrears account) to be adjusted as per the policy.
- Applicants who have rent arrears involving a partner Landlord shall rely on their confirmation that repayment terms have been met consistently within the previous 12 months. The terms of repayment are at the discretion of each Registered Social Landlord.

Bands – At a Glance

Band A

- High Priority medical/ mental health / welfare (including Learning Disabilities) needs for one or more people.
- Ceredigion Social Housing tenants occupying an adapted property for which they have no need.
- Ceredigion Social Housing tenants under-occupying current accommodation by two or more bedrooms.
- Resident in Ceredigion and in full time (or equivalent) employment, for the previous five years, prior to the date of application. – Allowed once, this is void once adequately housed.
- Multiples of Band B.

Band B

- Medium Priority Medical/ mental health and/or welfare needs including learning disabilities
- Homeless - Owed a duty Under S. 75
- Planned discharge/ move-on from institution, Supported project and/or Care system (excluding prison).
- Ceredigion Social Housing tenants under-occupying current accommodation by one bedroom
- A HHSRS assessed Category 1 Hazard or cumulative Category 2 hazards***
- A Ceredigion housing tenant who is overcrowded by two or more bedrooms
- Multiples of Band C

Band C

- Low Priority medical/ mental health and/or welfare needs including learning disabilities
- Homeless or threatened with homelessness and owed a duty under s.66 s.68 or s.73
- A higher range Category 2 HHSRS issue ***
- Ceredigion housing tenants who are overcrowded by one bedroom.
- To support or be supported in Ceredigion
- Economic factors / Key Workers - move closer to work (full time/ permanent position)

Band D

- Inappropriate accommodation, by virtue of lack of garden for children (under eight years)
- Category. 2 Hazards present that would be minimised by action the tenant could take

Band E

- No disrepair, medical, mental health and/or welfare issues
- Earnings of between £25,000 & £35,000
- No identified housing need, as per allocation policy, at present

Band F

- History of persistent arrears, in the Social and Private Rented Sector
- History of persistent Anti-Social Behaviour that could be deemed serious enough to warrant a possession order
- Evidence of deliberately worsening housing circumstances with the intention of securing Social Housing
- Refusals of one reasonable offer of accommodation, excluding offers that are refused on grounds of affordability due to Welfare Reform
- No local connection as per allocations policy (excluding people owed a duty under s.75)
- Equity and Savings of +£75,000 and/or household earning above £35,000. (the equity and savings criteria is waived for older persons 55 years and above seeking sheltered/ extra care housing)
- *** Identified hazard that is being addressed through Public Health Protection Team. (9 weeks)
- Applicants seeking rehousing within 12 months of a suitable allocation
(With the exception of medical concerns or other risks)

Appeals Process

What can applicants do if they don't agree with decisions made about their applications for housing?

Applicants have the right to request a review of a decision regarding their:

- Eligibility to join the Common Housing Register.
- Any facts which have been used to reach a decision in respect of the Priority Band in which the applicant has been placed.
- The applicant believes that they have been treated as ineligible on the basis of their immigration status.
- The applicant believes that they have been treated as ineligible to join the register due to unacceptable behaviour.
- The applicant believes that they have had their application cancelled because they have refused a reasonable offer of accommodation.

Requests for a review should be made in writing or by e-mail to Ceredigion County Council, within 28 days of notification of the decision. Applicants' circumstances at the time of the review will be considered, particularly if they have changed from when the decision was first made.

A senior officer from the Local Authority not involved in the original decision will consider the request for a review. Applicants will be informed of the outcome of the review within 14 days of the hearing or receipt of the written statements. If the applicant remains dissatisfied with the review decision they may apply for a judicial review or submit their case to the Ombudsman for investigation.

Privacy Statement

Ceredigion County Council will process data submitted by applicants in accordance with all current data protection legislation. Further information can be found at www.ceredigion.gov.uk

Equality and Diversity

Ceredigion partners are all committed to equal opportunities and do not discriminate either directly or indirectly on grounds of gender, sexual orientation, religion, colour, race, nationality, disability, age or ethnic origin. To make sure that we are respecting equal opportunities, applicants will be asked to answer monitoring questions.

Ceredigion partners also believe that strong communities thrive and prosper if individuals and groups are treated fairly, with respect, and given equitable and good access to rights and services. All landlords in Ceredigion are working together to create an environment where this is possible and to put equality and diversity at the heart of everything that they do.