



Bradford District Housing Allocations Policy 2014-17

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Housing Allocations Policy 2014-17

1.0 Background

1.1 Context

- This is a shared policy between the City of Bradford Metropolitan District Council (hereinafter referred to as the Council), Incommunities Group Ltd (hereinafter referred to as Incommunities) and the Bradford Metropolitan district's Registered Providers of social housing. The policy relates to the allocation of social housing in the district.
- This policy meets the statutory duties prescribed in the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011) and DCLG guidance published 2012. The Policy also utilises some of the new freedoms available introduced in the Localism Act 2011.
- Bradford Council is not a significant social housing provider and therefore relies on Social and other Landlord partners to work with the Council to provide homes and maximise nomination arrangements with Registered Providers in the Bradford District. This Policy sets out how the Council will discharge that statutory function and the role of Incommunities as the main partner with the Council.
- Consultations have been undertaken in framing this policy which includes a range of statutory and non statutory organisations as well as service user groups and the responses have been taken into account in the formulation of the final policy.
- An allocations pilot was developed in the Aire-Wharfe area in partnership between the Council, Incommunities and Registered Providers. The findings from the pilot have been incorporated into developing this Allocations Policy.

1.2 Definitions

The following words and phrases are used within the policy and carry the following meanings

- **Anonymous data-** this is information (data) which an applicant has given to the Council or its partners when making an application for housing. However the information has had all personal information removed from it such as your name and address, date of birth and telephone number. The data is then used for statistical purposes but the use does not breach a person rights under the data Protection Acts.
- **The Applicant** – a person applying for housing accommodation.
- **Assured Tenancy-** A tenancy granted usually by social landlords which gives continued rights of occupation of a residential property and following within the meaning of section 1 Housing Act 1988. The tenant has continued rights of occupation and will not be asked to leave the property unless there is another suitable property provided, improvement works are required, The tenants will be asked to leave the property subject if the condition of tenancy are not followed e.g. the payment of rent on time, taking proper care of the property and not causing nuisance or annoyance to neighbours through the tenants own actions or those of visitors (see schedule 2 of the Housing Act 1988). In general, applicants will be offered assured tenancies, in some circumstances a Registered Provider may offer other types of tenancies.
- **Assured Shorthold Tenancy** – is a type of assured tenancy, so all the requirements of an assured tenancy applies (see above). The principal difference between the two is an assured short-hold tenancy only provides limited security of tenure to the tenant.

- **The Council-** is the local authority for the Metropolitan District of Bradford which came into being on the 1st April 1974 under the Local Government Act 1972. The Councils district covers the areas of Bradford, Keighley Shipley and Ilkley and has various statutory functions and duties including those under the Housing Act 1996.
- **The Councils Partners-** Those Registered Providers mentioned in this policy.
- **Housing Options Assessment system-** This is an electronic case management system upon which an applicants housing requirements and personal details are recorded in the Councils records.
- **The Housing Register-** the Councils waiting list which prioritises applicants based on an assessment of their housing needs.
- **Incommunities-** is the Registered Provider established in February 2003 following the Large Scale Voluntary Transfer from the Council.
- **A Local Housing Authority-** is the Council for the area which has responsibility to provide social housing accommodation and address homelessness within its district under the Housing Act 1996 which is the Council for the purpose of this policy.
- **Offer of tenancy-** this is an offer made by the Council or its partners to an applicant which if accepted by signing a lease with conditions will lead to the grant of a suitable residential property by way of an assured tenancy or short hold tenancy or a probationary tenancy.
- **The Policy-** the information in this document which sets out the manner and details of how the Council and its partners will allocate social housing accommodation within the Bradford District as required under the Housing Act 1996 (as amended) and including the scheme i.e. the process through which a home can be secured from the Bradford Districts rentable housing stock.
- **Probationary Tenancy** – These tenancies will be for twelve months only as a starter or probationary tenancy. The tenant will be allowed to stay for the whole of the 12 months given compliance with the terms and conditions of tenancy and will become an assured tenant after 12 months . The landlord has the option to extend the probationary tenancy to 18 months. If the tenancy is extended to 18 months it becomes an assured tenancy at that time if the tenant has complied with all terms and conditions of tenancy.
- **Registered Provider** – has the meaning derived under section 112 of the Housing and Regeneration Act 2008 (the 2008 Act) (Chapter 3), through which providers of Social Housing in England can become Registered Providers with the Homes and Community Agency.
- **The Value Based Lettings system-** This is the system by which an applicant is allocated a property. Applicant's details are recorded onto the "Value Based Lettings" system (VBL) and based on the applicants stated preferences (values), they are matched to properties. If there are no available properties the applicants' needs are assessed and their applications placed on the waiting list for a suitable match.
- **Verification at offer of nomination/tenancy**–The Council or its partners will undertake checks on the applicant's behaviour in a former tenancy (where applicable). These are set out in section 6 – suitability.

1.3 Policy Aims

- The overarching aim is to "Help people applying for housing accommodation (the Applicant) to find a suitable home"

- Supporting the Applicant to find a secure home in which they feel settled, safe and secure and which allows them to play a full part in family life, participate in community activities and to take advantage of opportunities for work, education and leisure.
- The Council believe residents who are committed to where they live benefit from a sustainable tenancy and contribute to more mixed and sustainable communities and to the local economy by participating in social and economic activities.
- The Councils allocations policy aims to offer applicants access to social rented housing and other property solutions by:
 - Guaranteeing that the allocation of social housing within the Bradford District is done so in a fair, open and transparent way.
 - Ensuring that allocations are made to persons in housing need, i.e. persons who, without recourse to social housing would be unable to meet their housing needs.
 - Advising applicants on their options, supporting them in obtaining a home that meets their needs.
 - Make sure applicants can easily access suitable properties from a variety of sources.
 - Provide good quality information on available options that assists customers in making informed choices to help themselves when planning for their own housing requirements.
 - Forms part of a Housing Options approach that assists applicants in accessing the housing solution that best meets their particular situation.
 - Ensuring that the allocations policy creates sustainable tenancies for all including vulnerable people.

1.4 A list of Partners (Registered Providers)

- Bradford Council is not a significant social landlord and therefore relies on Social and other Landlord partners to co-operate and make allocations to meet the needs and to house the homeless in the district and discharge the Councils statutory duty. The Council has nomination rights to 75% of unoccupied residential properties (void) for Incommunities and a minimum of 50% of unoccupied residential properties of all other Registered Providers operating within the Bradford District.
- Registered Providers with whom a nomination agreement is established with the Council with may have information held on the housing register is shared with are listed below:
 - Abbeyfield Bradford Society Ltd
 - Anchor Trust
 - Accent Group Ltd
 - Affinity Sutton
 - Equity Housing Association
 - Habinteg Housing Association
 - Hanover Housing
 - Headrow Housing Group
 - Home Group
 - Housing 21
 - Incommunities Group Ltd
 - Jephson Housing Association
 - Jonny Johnson Housing Association
 - Manningham Housing Association
 - Muir Housing Association
 - Places for People
 - Sanctuary Housing
 - The Riverside Group Ltd
 - Yorkshire Housing

1.5 Applicants needs and supported tenancies

- The Council and its partners recognise that some housing allocations and subsequent tenancies will only work with relevant support. Where an applicant presents a risk to themselves and/or others, there is a responsibility of the agencies involved with their well-being to alert the Council of any risk posed and, if relevant to be communicated to the relevant Registered Provider so as to ensure such information contributes to assessing the suitability of the property for the applicant.
- This policy will therefore link to the following policies/strategies to achieve the purpose of supporting the applicant to find a suitable home:

The Housing & Homelessness strategy, The Tenancy Strategy 2013-2018, Bradford Supporting People Strategy 2008-2013, Tackling Empty Homes in the Bradford District Delivery Plan 2011-2014, Domestic Violence protocol, Housing Strategy for people with Learning disabilities 2010, Equality and Diversity Strategy 2010-2013, West Yorkshire Multi agency Safeguarding Adults Policy and Procedure 2013, Bradford Safeguarding Children Board Strategic Plan 2008-2012, West Yorkshire Probation Trust Strategic plan 2013-2014, Multi Agency Public Protection Arrangements (MAPPA), Bradford District's Child Poverty Strategy 2011-2014, Adult Service 5 year Strategy 2007-2012.

1.6 Equality of Access

- The Council and all participating partners (as defined above) share a commitment to the provision of high quality housing services and constantly strive to ensure that they are accessible to everyone irrespective of their age, racial origins, nationality, ethnic heritage, disability, gender, sexual orientation, marital status or religion/ belief.
- By equality of access the Council and its partners mean the following:
 - That all essential information necessary for an applicant to understand their rights and responsibilities will be available on request.
 - That all processes that govern access to housing services should be accessible to applicants regardless of their equality characteristics.
 - That policies, procedures and practices will not involve criteria that will exclude any group from fair and equal treatment.
 - That attention is given to the needs of individual disabled applicants in the form of reasonable adjustments to ensure that they are able to gain full access to the allocation scheme.

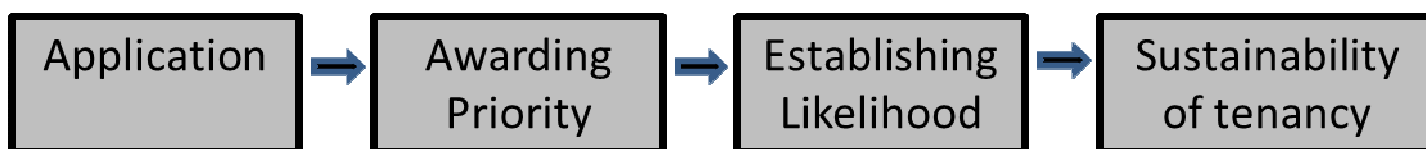
2.0 The Allocation Process:

- A local housing authority is responsible for all allocations of housing accommodation and makes an allocation when it:
 1. Selects an applicant to be a secure or introductory tenant of housing accommodation held by them
 2. Nominates an applicant to be a secure or introductory tenant of housing accommodation held by another person.
 3. Nominates an applicant to be an assured or introductory tenant of housing accommodation held by a registered provider.
 4. Selects an applicant who is already a secure or introductory tenant of housing accommodation who is transferred to another property.

The following is not “an allocation” under this policy:

- Succession to a tenancy on a tenant’s death pursuant to the Housing Act 1988, or
- Assignment of a tenancy by way of mutual exchange, or
- Assignment of a tenancy to be a person qualified to succeed to the tenancy on the tenants death, or
- Transfer of the tenancy by a court order under family law provisions or under the Civil Partnership Act 2004, or
- A Probationary tenancy becoming an Assured tenancy, or
- Landlord initiated transfers (e.g. decant to alternative accommodation to allow for major works), or
- Rehousing due to being displaced from previous accommodation by a registered provider or the Council or being re-housed by the Council pursuant to the Land Compensation Act 1973, or
- Provision of non-secure temporary accommodation in discharge of any homelessness duty or power.

For the purposes of this policy, the allocation of accommodation consists of the following four steps:



Applications will be recorded and properties will be allocated via the Value Based Lettings system; the policy therefore sets out:

3.0 Application:

- Who can apply for a property, eligibility for housing
- How Value Based Lettings operates
- How the scheme will be administered

4.0 Awarding Priority:

- How customers’ housing needs will be assessed and how priority will be awarded
- Priority restrictions
- Application closure / renewals
- Use of Private rented accommodation to discharge homelessness duty
- Gypsy and Traveller Pitch allocations

5.0 Establishing Likelihood:

- Assessing chances of accommodation
- Options available if restricted availability

6.0 Suitability

- How properties will be let
- Landlord Assessments for establishing suitability for customer sustaining a tenancy

3.0 Application

3.1 Who can apply (eligibility to join the Housing Register)?

- The Council as social housing authority must consider all applications made in accordance with the procedural requirements of the Councils allocation scheme (this document) (1996 Housing Act.166 (3). In considering applications, the Council must ascertain:
 - if an applicant is eligible for an allocation of accommodation, determined through national legislation, and
 - If the applicant qualifies for an allocation of accommodation, determined by local authority policy.
- Value Based Lettings promotes and operates an open membership scheme as far as possible whereby any eligible person(s) aged 18 years or older are considered to qualify. Restriction includes eligibility as set out in below. People aged 16 or 17 are not disqualified from joining this scheme; they are however unlikely to be offered a property by a participating Registered Provider unless they have support from a recognised support provider and can satisfy the prospective landlord that they are able to meet the responsibilities of a tenancy or licence.
- Any tenancy granted to a young person aged 16 or 17 must be held in trust for them, by an adult or an organisation until they reach the age of 18. This means that any tenancy created will be for the benefit of the young person (equitable tenancy) and will require an appropriate adult or organisation to act as the tenant. If appropriate a landlord may offer a licence rather than a tenancy.
- Any persons whom the Secretary of State for the Government Department of Communities and Local Government (DCLG) has deemed ineligible for an allocation of housing accommodation will not be eligible to be placed on the waiting list regardless of their circumstances.
- Categories of ineligible applicants are defined as:
 - Persons who are “subject to immigration control” (unless they fall within a class prescribed by regulations as eligible).
 - Persons who are not subject to immigration control, but are nevertheless prescribed by regulation as being “persons from abroad” (this may include British citizens)
 - Any other person as prescribed by the Secretary of State.
- A household member who is ineligible will not be taken into account when assessing the household’s banding priority and bedroom requirements.

3.2 How Value Based Letting operates:

3.2.1 Registration:

- Applicants must be registered on Value Based Lettings (VBL) before they can be nominated to a Registered Provider. Applications will be registered via an interview with an officer(s) Housing Options Team within the Council or nominated officers from the Registered Providers who will input the applicant's details on to the system.

3.2.2 Application:

- The application process requires applicants to provide information that will enable staff to determine whether or not they qualify for registration and assess priority for re-housing. The application will cover applicants' needs arising from the nine protective characteristics and ensure it's available to someone to whom English is not their first language.
- Prospective applicants will also be asked whether or not they are interested in Low Cost Home Ownership schemes, such as shared ownership.
- The registration process requires applicants to:
 - Confirm that the information given is correct and undertake to ensure all change in their circumstances are reported
 - Confirm that they will allow full enquiries to be made into their circumstances for verification purposes
 - Give consent to provide information to any other partnering Registered Providers
- Once an applicant has registered their application on VBL the system will immediately review current availability of housing (Property Shop) to assess if an offer can be made immediately with a home that is already available, that meet their needs. Immediate matching via this system would conclude the application with notification being sent to the Registered Provider for the Suitability Assessment to be completed (See section 6).
- Applicants who hold an assured tenancy will immediately be considered for a mutual exchange to other applicants registered on VBL with an assured tenancy.
- Applicants with medical needs that require adaptations will have these needs recorded; properties with adaptations will therefore be matched using Value Based Lettings to customers with needs for such adaptations.
- Where there is no such property available or where the property matched is deemed unsuitable by the applicant, they will be asked if they wish to join the waiting list. On receipt of their confirmation their details will be added.
- For all applicants who may be in statutory, urgent or reasonable preference, an interview will be held to assess the applicant's needs and personalised requirements. This will be conducted by either an officer the housing options service, or in the case of a transfer, by the nominated officer of the Registered Provider.
- Applicants who make unrealistic demands that we will never be able to fulfil, or set preferences for allocation which are unlikely to result in a match with available accommodation will be excluded from the register.

3.2.3 Verification of Information:

- Verification checks may be carried out at any stage of the lettings process by either, the Councils Housing Options Service, Incommunities or a participating Registered Provider:
 - that eligibility and qualification criteria are met
 - identity and household details
 - the level and nature of housing need
 - ability to sustain a tenancy
 - current and previous housing circumstances, including conduct and behaviour within tenancies
 - that lettings criteria are satisfied
 - an assessment of any risks that may be present
- Verification may involve the applicant or an organisation providing additional information or supplying documentation and may include a home visit by the Council, Incommunities or participating landlord (Registered Provider) staff prior to any offer being made. Some participating landlords may require additional information to ensure that their own allocations policies are complied with.
- Support providers and key agencies working with vulnerable people (e.g. Adult Services, housing support staff) are expected, with the applicant's consent, to provide details of the applicants needs and if necessary a risk assessment. This is to assist with verification as to whether the applicant will be able to sustain a tenancy. For applicants with complex needs, participating landlords may request further supporting information.
- A verification process may be carried out both at the point of application and the point at which an offer of a nomination/tenancy is made. If verification at point of offer shows relevant changes to circumstances of which Incommunities has not been notified, the offer may be revoked.
- The 1996 Housing Act makes it a criminal offence to give false information, or to knowingly withhold relevant information in a housing application. If a tenancy is granted on the basis of provision of false information, the landlord may take action to gain possession of the property through the courts.

3.2.4 Change in circumstances

- The applicant will have responsibility for updating their application of any material change of circumstances such as moving house, relationship breakdown or change in household composition, employment status etc. Failure to do so may result in their registration and/or application being cancelled.
- A new declaration to supplement information to an applicant's existing details may lead to a further assessment and their priority awarding to be reassessed.
- If reasonable attempts to contact the applicant prove unsuccessful their application will be closed, until further contact is made.

3.2.5 Local Connection

- After the Allocation Policy revision process was completed, the Secretary of State for Communities & Local Government issued new guidance (on 31 December 2013), regarding local connection. The guidance strongly recommends that local authorities consider introducing a minimum 2 year residency criteria (with locally determined exceptions). The guidance was issued under Section 169 of the Housing Act 1996. Local Authorities are required to have regard to it in exercising their functions under Part 6 of the 1996 Act.

- At this stage this policy does not contain a local connection criteria/residency requirement due to the timing of the publication of guidance by the Secretary of State. The Council will consider the content of the guidance and any necessary amendments to the Allocation Policy. Where it is necessary to introduce an amendment to the policy, this will be done by the relevant Strategic Director in consultation with the relevant Portfolio holder not only in terms of local connection but also, further legislative changes and statutory guidance, issued during the life time of this policy, will be absorbed into the policy as necessary. Partners will be informed (and consulted where appropriate) of these policy changes as appropriate.

3.3 Administration of the housing allocation scheme:

- The administration of the VBL system and housing duties and power under the Housing Act 1996 as amended is jointly shared between the Council and Incommunities.
- The Council has a requirement to have comprehensive local housing allocations scheme; which is administered through nominations agreements with Incommunities and other participating landlords (as specified within 1.4 of the document) to maximise the use of social housing stock for meeting housing need in the district.
- Registered Providers have a duty to cooperate with the Council and where the Council requests it (through the Nomination Agreements). Agreements will set out the proportion of lettings that will be made available, with any criteria which the Registered Provider has adopted for accepting or rejecting nominees and how disputes will be resolved.
- The Council will have responsibility for ensuring that Registered Providers work together under such agreement and monitoring the effectiveness of their delivery.
- Appropriate and specific information regarding the waiting list and lettings activity is shared between the Council and participating landlords in accordance with agreed protocols.

3.4 Data protection, sharing and use

- The Council and the Registered Providers shall comply at all times with the provisions of the Data Protection Act 1998.
- All Registered Providers (listed in 1.4) shall ensure they maintain all technical and organisational measures to prevent unauthorised or unlawful processing of personal data (as defined in the Data Protection Act 1998) and accidental loss or destruction of, or damage to, personal data including but not limited to taking reasonable steps to ensure the reliability of its staff having access to the personal data.

3.4.1 Use of data

- The data collected on the VBL and Housing Options Assessment system will be used to administer the allocations and lettings process.
- Anonymous data maybe used for purposes of research, monitoring of trends/demand, new property developments and responding to Freedom of Information Act 2000 requests
- In exceptional circumstances personal information maybe disclosed to the Police for the purpose of preventing and/or investigating a crime.
- In exceptional circumstances personal information maybe disclosed to the Councils department of Adults and Children's services in relation to safeguarding requirements.

3.4.2 Right to Information

- It is a statutory requirement that applicants have access to information. This can be accessed by contacting the Councils housing options team or any of the access points who will also advise on estimated demand for properties according to the customers stated values.

4.0 Allocations priority

Applicants will be prioritised, following an assessment of their needs, applicants will have their housing needs assessed and placed into one of three priority categories or the general need category:

- Statutory Need
- Urgent Need
- Reasonable Preference

If more than one set of criteria apply to an applicant, then the highest applicable category will apply; the 'category restrictions' presented below apply to all award decisions:

In circumstances where applicants are seeking the same properties and have the priority awarded, the allocation will be made to the applicant who was awarded priority first.

STATUTORY NEED

- Applicants who are homeless (and not intentionally homeless) and owed the main housing duty as defined by s193 Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002)

URGENT NEED

In no priority order:

- Applicants falling into the following categories who would qualify for Reasonable preference due to housing need but are also:
 - former members of the Armed Forces
 - Applicants who are 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
 - Applicants who are bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
 - Applicants who are 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
- Applicants "bed blocking" in hospital requiring urgent discharge, i.e. where a client is occupying a hospital bed that they no longer need, but cannot be discharged home due to unsuitability of their present accommodation.
- Applicants fleeing domestic violence as per protocol
- Applicants who need to move on medical or welfare grounds, including grounds relating to a disability including, but not limited to:
 - applicants who are disabled or have complex health or welfare needs requiring specialist

accessible accommodation

- applicants who are approved foster carers or approved to adopt who need to move to a larger home in order to accommodate a looked after child

- Applicants occupying insanitary or overcrowded housing (by two or more bedrooms) or otherwise living in unsatisfactory housing conditions
- Social housing tenants suffering financial hardship e.g. due to under-occupation and moving would alleviate this
- Applicants resident in one of the Supporting People scheme 'Hubs' services and accredited as Tenancy Ready through the District Framework
- Applicants who are leaving the care of the Council and children assessed by the Councils children services Department as in need or at risk (where housing is a factor)

REASONABLE PREFERENCE

In no priority order:

- Applicants who are otherwise homeless – homeless but not owed the main housing duty following an assessment under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002).
- Applicants whose households are overcrowded by one bedroom.
- Applicants residing in an insecure tenancy that is coming to an end.
- Applicants with a health need related to the current housing circumstances where moving would improve their health.
- Applicants who need to move to a particular locality within the District, where failure to meet that need would cause hardship to themselves or others. This includes the need to move to a specific location for employment reasons and also to give or receive care where evidence is provided.
- Applicants who are Housing Association tenants who are under-occupying by one or more bedrooms who do not meet the provisions of Urgent Need.
- Private sector tenants suffering financial hardship and moving would alleviate this e.g. change in circumstances lead to affordability issues e.g. separation/divorce, loss of employment etc)

4.1 General needs

- Applicants who are without a housing need can also register on VBL scheme. However they will only be considered for a property if other applicants in the priority bands are not matched to a property.
- Applications are encouraged from all, to help inspire the creation of mixed and sustainable communities.
- In circumstances where applicants are seeking the same properties and sit within the same allocations "Priority Need" group, the allocation will be made to the applicant whose application (priority) was awarded first. In cases for applications in the 'General Need" group, allocations will be made to the applicant who applied first.

- Any property for which someone is not allocated to will be advertised on the “Property Shop”, to ensure they are advertised to a wide range of potential applicants.

4.2 Priority Restrictions:

- Where an applicant is found to have deliberately or negligently worsened their own housing circumstances their housing need will be assessed at the band prior to the debate or negligent action(s). The test that will be applied will broadly follow the “intentionality” assessment that is outlined in Part 7 Housing Act 1996 (as amended).
- Individual household members who are ineligible cannot confer higher priority status for an application.
- Applicants awarded the” Statutory” priority need will receive only one offer of suitable accommodation within the Bradford District unless an additional need for a particular locality can be demonstrated.
- Examples of additional needs (but not exhaustive) will include:
 - An essential need to give or receive care/support in a locality that is not accessible from elsewhere in the Bradford District.
 - One or more children in the household whose education would be particularly disrupted by moving schools, because they are undertaking GCSEs, A-levels or similar or because they have specialist support in place at their existing school.
 - The applicant or a member of the applying household would be at risk of violence in certain neighbourhoods within the Bradford District.
 - The applicant can demonstrate that moving to a locality may lead to loss of employment to him or a member of his household or cause financial hardship.
 - That a property would significantly impact on the health or mobility of a member of the household
 - The applicant exercises their right to review the suitability of an offer and this is upheld by the authority.
- “Statutory need” status applicants who reject a suitable offer of nomination of tenancy will lose their priority need status and will assume the status “Reasonable Preference” whilst they remain in temporary accommodation. If this status ceases the applicant will need to be re-assessed on their new circumstances.

4.3 Application closures/renewals

- Applications for housing will automatically be closed on VBL when the date by which applicant required a house is achieved. This date is the date when the applicant completes the application for a home and can be renegotiated at any time. In cases when housing isn’t secured through VBL the applicant will be advised; if contact is made circumstances will be reassessed and applications reinstated at the point at which they were at their initial application or priority award date.

4.4 Use of the private rented accommodation to discharge homelessness duties

- The Council may discharge its main housing duty to homeless households under the Part 7 of the 1996 Housing Act (as amended) into private rented accommodation when all of the specific statutory guidelines are met.
- To provide certainty for households, the changes included in the Localism Act also put in place protections to ensure that the accommodation will be available for a sufficient period of time, with a 12 month guaranteed tenancy and the main housing duty is owed to the household if they become unintentionally homeless within two years.

4.5 Gypsy and Traveller Pitch allocations

- In allocating pitches to gypsies and travellers, the Council operates a separate allocations process to meet the specific needs of that community. The Council will formally review its existing Gypsy and Traveller Housing Allocations Policy. This will be carried out through a separate process of evidence analysis and consultation/engagement.

5.0 Likelihood:

- The Value Based Lettings scheme allows applicants to be informed, from the outset of their registering an application to be informed as to the likelihood of a property becoming available that suits their needs.
- The applicant will have the opportunity to amend their preferences taking into account information on offer likelihood following the assessment.

6.0 Suitability:

- This policy is designed to support the development of sustainable tenancies and communities across the district. Registered Providers will therefore need to be satisfied that applicants are able to sustain a tenancy prior to a formal offer of a tenancy being made. The scheme members will only be refused the offer of a tenancy on suitability grounds or exceptional grounds, where the unsuitability of the offer can be clearly evidenced by the Registered Provider.
- Tenancies will be allocated so long as the applicant can demonstrate that they (with or without support) are able to:
 - Understand and adhere to the terms of the tenancy agreement
 - Afford the property
- Constraints on whether a customer is suitable for specific properties will also be imposed by the Registered Provider who may have definite letting criteria on the property, such as (but not limited to):
 - Age restricted properties
 - Disabled adapted properties
 - Flats at height
 - Pet restricted properties
- It is the responsibility of the Registered Provider to ensure that property criteria is entered onto VBL so that they can be matched on certain criteria such as age, needs for adaptations etc. More specific requirements which are not part of the matching criteria will be picked up at the point of suitability, i.e. family member age criteria.
- Registered Provider (but in exceptional circumstances that decision can be reviewed and replaced by a decision of the Council) has the final decision as to whether an applicant is allocated a tenancy; each application will be considered on an individual basis, focussing on the applicants behaviour in a former tenancy (where appropriate), assessing their record of:
 - Rent Payment
 - Conduct
 - Ability to afford their own home
- **Rent Payment:** In respect of current or former tenant rent arrears, regard will be had to the amount of arrears outstanding, the frequency of arrears and whether a satisfactory repayment arrangement has been made and/or maintained, in line with their policy.

- **Conduct:** Applicants who have been guilty of unacceptable behaviour or a member of whose household or visitor to the house has been guilty of unacceptable behaviour will not receive an offer of accommodation.
- The types of behaviour (by the applicant or a member of their household) that may lead to an applicant not securing a tenancy are:
 - Anti-social behaviour, that is behaviour causing or capable of causing nuisance or annoyance to persons residing visiting or otherwise lawfully in the locality of the applicant's then home, where there is good reason to believe that such behaviour may be recurrent
 - Convictions for an indictable offence committed within the locality of the applicant's then home except in cases where there is strong evidence that causes of this behaviour have been addressed
 - Negligently allowing or causing the condition of a rented property to deteriorate substantially
 - Obtaining a tenancy by deception, or attempting to do so: for example giving false information or negligently failing to notify of a material change in circumstances.
- In reaching a decision the Registered Providers will consider the frequency and seriousness of previous behaviour and the likelihood of this behaviour causing disruption and/or risk to residents, staff and the community and any evidence that the applicant has permanently altered his/her conduct.
- **Homeowners and others with means to meet their housing need:**
- Owner occupiers who are adequately housed and persons with sufficient financial resources available to them to meet their housing needs may not be considered as being suitable for a tenancy, if it contradicts the ethics of the charitable organisation (i.e. the Registered Providers). An applicant will normally be considered to have adequate resources where he/she has equity, or capital above £60,000.
- Exceptions to this general provision include:
 - when the need to move is on medical grounds, or
 - where the need to move results from a relationship breakdown, or
 - When the applicant is elderly and cannot remain in their home and needs to move to sheltered accommodation.
- In these circumstances home owners will qualify for allocation but will only qualify for a one year probationary tenancy (assured short hold tenancy) until such time as the applicant no longer has an ownership stake in a property. Homeowners who accept an offer of social rented housing through this scheme will be expected to actively market their former property within 3 months of becoming a tenant of a Registered Provider and to sell/transfer their interest as soon as possible. Exceptions to this will be made if this would cause significant hardship to the applicant or a third party (e.g. an ex-partner).
- Prospective tenants where the above applies will be managed by the local authority through the relevant policy framework in order to access housing. This is likely to take time and require efforts on the part of the household to show improvements in debt and/or instances of anti-social behaviour.
- The Registered Provider will write to applicants who are not seen as being suitable for the tenancy, setting out the reasons why. Applicants have a right to request a review of this decision and the review will be carried out by a member of staff who is senior to the person who made the original decision.

- It is the applicant's responsibility to notify the Council of any change of circumstances that may be relevant to their application. Failure to declare the full circumstances of the household may result in disqualification.
- Registered Providers have a duty to cooperate with the Local Authority as part of the nomination agreement. Any Local Lettings Policies introduced by the Registered Provider must be introduced in consultation with the Local Authority.

7.0 Review Process

- Applicants can request a review of a decision made in relation to:
 - Eligibility to join the scheme
 - The priority awarded
 - Loss of priority band status
 - A decision by participating landlord not to make an offer to the applicant or to apply sanctions for refusal of offers
- Applicants have a statutory right under Housing Act 1996 Part 6, to request a review of the following three categories of decisions made in relation to an application:
 - not awarded reasonable preference on the grounds of unacceptable behaviour
 - the facts of the case taken into account in considering whether to nominate an applicant
 - that the applicant is not eligible for a nomination.
- Applicants nominated to a property from the Statutory need status are strongly advised to accept any offer of accommodation and then exercise their right to a statutory review. Applicants that subsequently lose their priority status because they have refused an offer of accommodation should contact Bradford Council's Housing Options Team. If appropriate, requests for such reviews will be dealt with under the homelessness review process set out in Part VII Housing Act 1996.
- Applicants awarded priority because they are a 16/17/18 year old Care Leaver/child in need and subsequently lose that priority because they have refused an offer of accommodation should contact the Council's Housing Options Team.
- Applicants who are refused an offer at the point of suitability should contact the relevant Registered Provider to request an explanation, and if not satisfied, should follow that organisation's complaints process. The Council's Partner Registered Providers will report all such requests and complaints to the Council.
- All other requests for a review of a decision should be made to the Council through the Council's complaint procedure. The review will be undertaken by an officer who was not involved in the original decision. The complaints procedure is detailed on the Council's website: http://www.bradford.gov.uk/bmdc/contact_us/comments_complaints_and_compliments/complaint_process

8.0 Monitoring and review of policy

- This Housing Allocations Policy is subject to monitoring on a quarterly basis by the Council.
- Annually the policy will be reviewed by the Council to ensure it is operationally fulfilling its aims and objectives.
- A full strategic and operational review will be undertaken 3 years from the date of initial implementation.

- In the interim any amendments that are required will be subject to approval by the Councils Assistant Director of Climate, Housing, Employment and Skills in liaison with Incommunities Group Assistant Chief Executive.

9.0 List of Access points

- Applications for housing can be made at the following access points:-
 - **The Councils Bradford Housing Option Team** - Britannia House, Hall Ings, Bradford, BD1 1HX
 - **Incommunities** - The Quays, Victoria Street, Shipley, BD17 7BN. Tel 01274 254000 / 0845 120 8171
 - **Incommunities (Aire-Wharfe office)** - 6-14 Devonshire Street, Keighley BD21 2DG. Tel 0845 166 0100
 - **Incommunities (Bradford City office)** - Commerce House, 24 Kirkgate, Bradford BD1 1QL. Tel 01274 254700
 - **The Councils Keighley Housing Options Team** - Bow Street, Keighley, BD21 3PA