

Summary of recommended changes to the Sevenoaks District Allocations Policy - February 2018

Change Ref No.	Current Housing Allocation Policy	Recommended Change to the Housing Allocations Policy	Reason for Recommended Amendment
<b>Qualifying to join the Housing Register</b>			
1	<p><u>Local Connection</u> (Ref: 2.8)</p> <p>A person applying must have a Local Connection and these rules are (with some exceptions)</p> <ul style="list-style-type: none"> <li>➤ They must have been living in this area for either six months during the last year or for three years out of the last five years, or</li> <li>➤ Have permanent employment in the District or need to move here to take up an offer of permanent employment, or</li> <li>➤ Have close family currently living in the District and they have done so for the last 5 years.</li> </ul>	<p><u>Local Connection</u> (Ref: 3.1)</p> <p>An applicant can only join the Housing Register if they have a local connection to the Sevenoaks District and are also assessed as having a housing need as defined by this Policy.</p> <p>There are a number of defined exceptions to the local connection qualification rules. Full details can be found below.</p> <p>To demonstrate a local connection, applicants must meet at least one of the following criteria:</p> <ol style="list-style-type: none"> <li>a) Have lived permanently in Sevenoaks District continuously for the last 2 years, or 3 years in total out of the last 5 years;</li> <li>b) Be in paid full or part time employment in Sevenoaks District, for a minimum of 16 hours per week. See section 3.2 below for further details.</li> <li>c) Have close family (normally mother, father, brother, sister, son or daughter) that has lived in Sevenoaks District for a minimum of the last 5 years and the circumstances are that they need to</li> </ol>	<ul style="list-style-type: none"> <li>• To tighten up the Local connection rules so that only applicants with a <b>substantial</b> connection to Sevenoaks District can qualify.</li> <li>• Gives greater priority to provide ‘local homes for local people’, as highlighted in the Localism Act 2011.</li> <li>• The Secretary of State’s code of guidance states that they recommend local authorities adopt two years continuous as a standard for local connection.</li> <li>• Reduces the risk of out-of-area placements by other local authorities when no local connection is present or a short-term placement is made within the District.</li> </ul>

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		<p>give or receive essential care and/or support for the foreseeable future. Documentary evidence to show the level of support will be required by the applicant to demonstrate it is significant and ongoing and is not short term or low level (e.g. to carry out shopping once a week);</p> <p>d) Applicants to whom the Council has accepted a full homelessness duty under section 193 (2) of the Housing Act 1996 and they do not have a local connection with any other area.</p> <p>e) A local connection is automatically applied for any serving or ex armed forces personnel or War Widows/Widowers, see section 4.1 below for full details.</p> <p>For the purposes of determining a local connection, the Council will not consider a holiday let, including bed and breakfast accommodation booked for holiday purposes, as a local connection.</p> <p>There may be times when it is not appropriate to apply the local connection provision set out within this Policy. In these circumstances, the Council and the Managing Agent can on behalf of the Council, exercise discretion not to apply the local connection provisions in exceptional circumstances. Each case will be assessed on its merits.</p>	

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2	<p><u>Employment Criteria</u> (Ref: 2.8)</p> <p>Currently have permanent employment in the District or need to move here to take up an offer of permanent employment.</p>	<p><u>Employment Criteria</u> (Ref: 3.2)</p> <p>An applicant will be considered to have employment in the District and therefore may meet the local connection criteria if they are:</p> <ul style="list-style-type: none"> <li>a) In paid full or part time permanent employment for 16 hours or more per week and their actual working location is within Sevenoaks District; or</li> <li>b) Working in Sevenoaks District on a temporary or zero-hour employment contract that has been in place for at least 6 months and can demonstrate they have worked at least 16 hours per week since starting the employment contract;</li> <li>c) Self-employed, or if the employment requires them from time to time to work outside of Sevenoaks District, they will be required to demonstrate that their permanent base of operations is within the Sevenoaks District.</li> <li>d) The employment must be the actual place of work in Sevenoaks District and not employment based on a head office or regional office situated in the District but from which they do not work;</li> </ul> <p>At least one adult member of the household must be employed at the</p>	<ul style="list-style-type: none"> <li>• Provides clearer definitions for the terms: ‘permanent employment’ and ‘close family’ to provide clarity and reduces challenges based on misinterpretations.</li> </ul>

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		<p>point of application and at the point of nomination for a property, in accordance with validation process of the relevant housing provider. The applicant must provide evidence that a permanent job offer has been accepted and meets the above criteria. It will be the applicant's responsibility to provide documentary evidence to satisfy this Council that the work or job offer is genuine. Appropriate evidence could include:</p> <ul style="list-style-type: none"> <li>• a contract of employment</li> <li>• wage/salary slips or bank statements covering the last three months;</li> <li>• tax and benefits information - e.g. proof that the applicant is in receipt of working tax credit (if eligible).</li> </ul>					
3	<p><u>Financial Limit</u> (Ref: Appendix C)</p> <p>People who apply cannot qualify (with some limited exceptions as set out in the Policy) if they:</p> <ul style="list-style-type: none"> <li>– Have a gross household income which exceeds £33,383</li> </ul>	<p><u>Income Limit Summary</u> (Ref: 3.3)</p> <p>A household cannot qualify if they have a gross household income which exceeds that set out below. This is the total combined income across all members of the household and is based on the household size and bedroom need :-</p> <table border="1" data-bbox="846 1214 1357 1418"> <thead> <tr> <th data-bbox="846 1214 1146 1353">Household size</th> <th data-bbox="1151 1214 1357 1353">Maximum Income Limit (per annum)</th> </tr> </thead> <tbody> <tr> <td data-bbox="846 1356 1146 1418">1 bedroom need</td> <td data-bbox="1151 1356 1357 1418">£30,000</td> </tr> </tbody> </table>	Household size	Maximum Income Limit (per annum)	1 bedroom need	£30,000	<ul style="list-style-type: none"> <li>• Analysis on current social, affordable and private rental costs for housing across in this District (by ward from the Sevenoaks District Housing Needs Assessment).</li> <li>• Gap between social housing and next housing option (affordable rent) of £9,865.</li> <li>• This gap leaves households on low income earning between £33,000 and £43,000 with no affordable housing options.</li> <li>• A tiered system ensures that a fairer distribution of properties, based on the household size and levels of disposable income.</li> <li>• Housing Register data shows more applicants being housed in 1 bedroom properties, although the need is 2 bedroom, demonstrating that the income limit</li> </ul>
Household size	Maximum Income Limit (per annum)						
1 bedroom need	£30,000						

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		<table border="1" data-bbox="846 225 1357 323"> <tr> <td data-bbox="846 225 1146 323">2 or more bedroom need</td> <td data-bbox="1151 225 1357 323">£40,000</td> </tr> </table> <p data-bbox="846 360 1357 459">This gross income of all household members will determine eligibility and will include:</p> <ul data-bbox="846 464 1357 632" style="list-style-type: none"> <li>• Gross wages or income;</li> <li>• Benefits received, excluding those listed below;</li> <li>• Any regular cash deposits from others.</li> </ul> <p data-bbox="846 668 1357 735">Financial payments not included within this calculation are:</p> <ul data-bbox="846 740 1357 1078" style="list-style-type: none"> <li>• Guardians Allowance;</li> <li>• Disability Living Allowance (DLA);</li> <li>• Attendance Allowance (AA);</li> <li>• Personal Independence Payment (PIP);</li> <li>• Housing Benefit;</li> <li>• Armed Forces war pensioners' mobility supplement (AFIP);</li> <li>• Foster Carer Allowance from a local authority.</li> </ul>	2 or more bedroom need	£40,000	<p data-bbox="1435 225 2092 292">is currently too high for couple/single households with a 1 bedroom need.</p>
2 or more bedroom need	£40,000				
4	No wording in current Policy	<p data-bbox="846 1118 1357 1153"><u>Right to Move Applicants</u> (Ref: 3.5)</p> <p data-bbox="846 1190 1357 1439">The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/ 967) and corresponding statutory guidance, allow existing social housing tenants to be allocated social housing across local authority boundaries within England for work related reasons. This may include</p>	<ul data-bbox="1435 1118 2092 1353" style="list-style-type: none"> <li>• New Government's code of guidance on 'The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015' (SI 2015/ 967) states that local housing authorities should give priority to applicants who can demonstrate a move would be to alleviate hardship.</li> </ul>		

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		<p>a need to move to be closer for work or to take up a job offer.</p> <p>The onus is on the applicant to provide the information needed to evidence the 'Right to Move' to alleviate hardship. In determining hardship, this Council will take into account:</p> <ul style="list-style-type: none"> <li>a) Distance and/or time taken to travel between work and home;</li> <li>b) The availability and affordability of transport, taking into consideration the level of the applicant's earnings;</li> <li>c) The nature of the work and whether similar opportunities are available closer to home;</li> <li>d) Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move;</li> <li>e) The length and type of the work contract;</li> <li>f) Whether failure to move would result in the loss of an opportunity to improve the applicant's employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship.</li> </ul> <p>Work which is short term and voluntary (unpaid) is not included. The work should be for at least 16 hours per week and for at least the minimum wage, or an apprenticeship, and expected to last for at least a year.</p>	

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<b>Exemption to the local connection rules</b>			
5	<p><b><u>Who can join the Sevenoaks District Housing Register (SDHR)</u></b> (Ref: 2.0)</p> <ul style="list-style-type: none"> <li>Former members of the Armed Forces can establish a local connection with this District through living here during a posting or through previous residence in the District, for example: having lived here prior to a posting overseas.</li> <li>Serving members of the Armed Forces who need to move to this District because of a serious injury, medical condition or disability sustained as a result of their service will be considered to have a local connection.</li> <li>Bereaved spouses and civil partners of members of the Armed Forces who need to live in this District as they have to leave Service Family Accommodation following the death of their spouse or partner will be considered to have a local connection.</li> </ul>	<p><b><u>Armed Forces Personnel (4.1)</u></b></p> <p>One exception to the District's local connection criteria is Armed Forces Personnel or War Widows/Widowers meeting the criteria below. The following people are able to apply to the Housing Register in this district regardless of whether or not they meet the District local connection criteria. This exception is set by housing legislation and has not been decided locally. This includes:</p> <ul style="list-style-type: none"> <li>Those who are currently serving in the regular forces or who were serving in the regular forces at any time in the 5 years preceding their application to the Housing Register;</li> <li>Bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased to be, or will cease to be, entitled to reside in Service Family Accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly connected to their service;</li> <li>Serving or former members of the Reserve Forces who need to live in this District because of a serious</li> </ul>	<ul style="list-style-type: none"> <li>The Government's code of guidance: 'Allocation of accommodation: guidance for local housing authorities in England 2012' regulates authorities to not disqualify Armed Forces personnel and their families if they do not have a local connection.</li> <li>The recommended bullet points outline the wording within the code of guidance for this exemption</li> <li>The Armed Forces Community Covenant signed by this Council, demonstrates our commitment to support Armed Forces personnel and their families as a priority.</li> </ul>

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		injury, illness, medical condition or disability which is wholly or partly connected to their service.	
6	<p><b><u>Unacceptable Behaviour</u></b> (Ref: 3.0)</p> <p>An applicant (or a member of their household) can be excluded who is considered unsuitable to be a tenant if they are guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant of the Authority at the time of their application</p> <p>Unacceptable behaviour is defined as:</p> <p>(a) behaviour of the person concerned which would (if he were a secure tenant of the Authority) entitle the Authority to a Possession Order under Section 84 of the Housing Act 1985 (c68) on any ground mentioned in Part 1 of Schedule 2 of that Act (other than Ground 8)</p> <p>or</p> <p>(b) behaviour of a member of his household that would (if he were a person residing with a secure tenant of the Authority) entitles the Authority to such a Possession Order.</p>	<p><b><u>Unacceptable Behaviour</u></b> (Ref: 5.9)</p> <p>This will apply where the applicant (including any member of the current or prospective household) has a history of serious unacceptable behaviour or former rent arrears, which in our view makes the applicant unsuitable to be a tenant.</p> <p>We will determine whether the behaviour and/or former or current rent arrears means that they cannot qualify for the Register. We will not be restricted to applying a test of whether the behaviour would entitle the landlord to a Possession Order (if the applicant was a tenant).</p> <p>Whether the behaviour and/or former or current rent arrears means that the applicant cannot qualify for the Register will be decided by a register officer working for the Managing Agent. A right to have a review will then be carried out by a senior officer for the Managing Agent in consultation with Sevenoaks District Council.</p> <p>Reasons for non-qualification, including but are not limited to anti-social behaviour, where:</p>	<ul style="list-style-type: none"> <li>• Changes in line with legislation (In accordance with s160ZA (8) of the Housing Act 1996, as amended by the Homelessness Act 2002) which provides clearer definitions for ‘unacceptable behaviour’.</li> <li>• This amendment includes other types of unresolved serious behaviors’, not just a previous Possession Order, which may result in an applicant being an unsuitable social housing tenant.</li> </ul>



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	<p>This means that applicants or a member of their household with a history of:</p> <ul style="list-style-type: none"> <li>▫ Former or current rent arrears or not keeping to a housing debt repayment plan;</li> <li>▫ Violence, threats of violence, arson or antisocial behaviour;</li> <li>▫ Allowing the condition of a property to deteriorate;</li> <li>▫ Obtaining a tenancy by deception;</li> <li>▫ Illegal or immoral behaviour;</li> </ul>	<ul style="list-style-type: none"> <li>• The Applicant, or any member of the household, has assaulted a member of staff and an injunction is being sought or has already been obtained. This may include violence, threats of violence or aggressive behaviour;</li> <li>• Nuisance or annoyance to neighbours including anti-social behaviour;</li> <li>• The Applicant, or any member of the household, have knowingly given false or misleading information or withheld information that has been reasonably requested;</li> <li>• The Applicant has rent arrears and a recoverable housing related debt (except where this has been verified by the Council as being through no fault of their own). This includes failing to uphold repayments as part of a housing debt repayment plan;</li> <li>• The Applicant has been non-compliant with a current or former tenancy agreement. This may include obtaining a tenancy by deception, allowing the condition of a property to deteriorate, using the property for illegal or immoral behaviour.</li> </ul> <p>As rent arrears or recoverable housing-related debt may prevent the applicant from being considered for an allocation of a property, it is important that the applicant demonstrates they taken reasonable steps to address the debts.</p>	

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		<p>For further advice can be provided by the Housing Advice Service at Sevenoaks District Council on 01732 227000 or email <a href="mailto:housing@sevenoaks.gov.uk">housing@sevenoaks.gov.uk</a>. For independent advice and support, contact a local Citizens Advice service.</p> <p>Applicants who are excluded will be informed in writing and will be advised of their statutory right to request a review of this decision; see section 9.1 for further details of the review process.</p> <p>For the applicant to be able to re-apply for the Register at a later date, it is important that you can demonstrate that you have taken reasonable steps to address the issues within the original exclusion.</p>	
<b>Accommodation - Offers and Bidding</b>			
7	<p><u>Bidding (Ref. No. 18.2 Statement of Choice)</u></p> <p>Applicants are invited to bid for properties and we aim to ensure that all relevant information is available to enable applicants to make informed choices regarding bidding.</p>	<p><u>Providing Applicants with Choice (7.13)</u></p> <p>As far as possible, the Council wishes to give choice to anyone who is looking to obtain an offer of social housing. This is why the Council operates Choice Based Lettings scheme to give applicants the best possible choice over where they may wish to live. However, this must be set against the need to resolve a situation where there is an urgent need to provide settled or alternative housing. For example, where there are</p>	<ul style="list-style-type: none"> <li>• Currently a person can stay on the Register even if they never bid for a property in Sevenoaks District, through the Kent Homechoice Lettings process.</li> <li>• Perhaps change this to ‘at the time of drafting there were 965 applicants on the SDHR <ul style="list-style-type: none"> <li>– 324 (34%) of these applicants <b>had not placed a bid in the last 12 months;</b> <ul style="list-style-type: none"> <li>➢ 4 in Band A (Urgent priority)</li> <li>➢ 70 in Band B (high priority)</li> <li>➢ 37 in Band C (Medium)</li> <li>➢ 112 in Band D (Low)</li> <li>➢ 101 in Band E (No priority)</li> </ul> </li> </ul> </li> </ul>

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		<p>homeless households to whom there is a statutory duty to provide housing. Therefore, in certain circumstances, choice may be limited.</p> <p>In the following circumstances, the Council or Managing Agent may make a direct offer of suitable accommodation at any time in order to resolve a threat of homelessness, homelessness itself, or to reduce the financial burden on the Council of the cost of temporary accommodation:</p> <ol style="list-style-type: none"> <li>a. If an applicant is accepted by the Council as statutorily homeless and owed a duty to house<sup>1</sup>;</li> <li>b. If an applicant is granted homeless status<sup>2</sup>; or</li> <li>c. If an applicant has been awarded Homeless Prevention banding under this policy.</li> </ol> <p>Please note that if an applicant falls into the categories listed above and refuse a suitable offer of accommodation, they will lose the allocated A or B priority banding.</p> <p>An offer of suitable accommodation made will also bring to an end any statutory homeless duty owed<sup>1</sup>. <b>The</b></p>	<ul style="list-style-type: none"> <li>– which includes 193 of the 324 (60%) have <b>never</b> made a bid since joining the Register. This includes: <ul style="list-style-type: none"> <li>➢ 3 in Band A (Urgent priority)</li> <li>➢ 44 in Band B (high priority)</li> <li>➢ 16 in Band C (Medium)</li> <li>➢ 59 in Band D (Low)</li> <li>➢ 71 in Band E (No priority)</li> </ul> </li> <li>– <u>Please note:</u> these figures do not include 47 new applicants who have not yet placed a bid on their first property since joining the Register after 1 April 2017.</li> <li>• This amendment could help to reduce the length of the Register and remove applicants who no longer have a housing need. In turn, waiting times for applicants on the Register who have an urgent or immediate housing need may be reduced.</li> <li>• This section will include an exception for any applicant not bidding because they have registered and are waiting for the Rural Exception Site properties to be completed in Sevenoaks District (as per the current Policy) and over 55's without a local connection.</li> </ul>

<sup>1 & 11</sup> Housing Act 1996, sections 193(2) or 195(2)

<sup>2</sup> Under section 166A (3) (a) (people who are homeless within the meaning of Part VII of the Housing Act 1996)

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		<p>applicant will be warned of this consequence at the point the property is formally offered. It is unlikely that the applicant would then receive a second offer within 12 months given lower banding. However, if they do receive such an offer and refuse that second offer, this applicant will be removed from the Register for a minimum period of 12 months.</p>	
8	<p><u>Offers of Accommodation (Ref. No. 13.0)</u></p> <p>Through the Kent Homechoice CBL scheme applicants can choose when to bid for a property. If they then choose not to accept an offer of accommodation made to them they will not lose any priority for housing.</p>	<p><u>Refusals of Offers (Ref: 7.7)</u></p> <p>Unless the applicant is being housed under the homelessness legislation (see section 8), the applicant may refuse a maximum of 2 suitable and reasonable offers of accommodation. If both offers are considered suitable and reasonable and are refused, the applicant will be removed from the register and will not be able to re-apply for 12 months.</p> <p>Before any applicant is removed, checks will be made to determine if both the offers were reasonable in relation to the applicant’s housing circumstances. The Applicant will have the right to request a review of the decision to be removed from the Register. See section 9.1 on the review process.</p> <p>It is within the discretion of the Managing Agent in consultation with the Council to waive this removal.</p>	<ul style="list-style-type: none"> <li>The current Policy allows an applicant to turn down as many offers as they like and remain on the Register with the same priority. This is despite the offers being suitable for them to take and would have solved their need for suitable housing.</li> </ul> <p>This causes issues for the operation of the SDHR as applicants are making unlimited bids but the refusal rates are high resulting in longer re-let times for vacant homes. This in turn has a negative impact on rental income levels for housing providers.</p> <p>Full details on ‘Removal from the Register’ criteria’s can be found at Section 10.</p>

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9	<p><u>How to SDHR works - Banding (Ref. No. 4.0)</u>  The banding scheme is used to assess each application. Each factor is linked to a priority band which determines an applicant's priority for rehousing:</p> <ul style="list-style-type: none"> <li>- Band A - Urgent need</li> <li>- Band B - High Priority need</li> <li>- Band C - Medium priority</li> <li>- Band D - Low priority</li> <li>- Band E - No housing need</li> </ul> <p>Usually an application will be linked to several factors across different priority bands but the highest factor that applies to applicant's circumstances will determine which band they are placed in.</p>	<p><u>The Banding System (Ref: 7.2)</u>  The banding system will normally be used to decide when to make an offer of accommodation and to whom. On occasions, properties may be allocated outside of this system in exceptional circumstances as agreed by the Managing Agent in consultation with the Council. Once an application has been verified and all documents received, the Managing Agent will allocate an A to D banding criteria based the applicant's housing needs based on their identified reasonable preference groups<sup>3</sup></p> <p>There are 4 bands and properties will be allocated in the following order based upon housing need:</p> <ul style="list-style-type: none"> <li>- Band A - Urgent need</li> <li>- Band B - High Priority need</li> <li>- Band C - Medium priority</li> <li>- Band D - Low priority</li> </ul> <p>Priority for an offer of housing is normally determined by the band and then the length of time the applicant has been placed in that Band. Medical priority will be assessed by the Managing Agent with the option of referring the case to an independent medical advisor if considered appropriate.</p>	<p>The proposed changes to be bands are:</p> <ol style="list-style-type: none"> <li>a) To update the priority groups for 'qualifying preference' as identified in the Housing legislation and as recommended by the Secretary of State's code of guidance: 'Allocation of accommodation: guidance for local housing authorities in England 2012'.</li> <li>b) Priorities to comply with the 'reasonable preference' categories within the Equality Act 2010.</li> <li>c) To provide clearer definitions on banding criteria descriptions for applicants and officers assessing applications.</li> <li>d) Priority added for people who are assessed as having a homelessness priority as part of the new Homelessness Reduction Act and the Localism Act 2010.</li> <li>e) Removal of Banding E (which is for people with no housing need). Local authorities are recommended to prioritise social housing for only those with a priority need.</li> <li>f) The majority of applicants in Band E are not actively bidding on the advertised properties, as they do not have a current housing need. If their circumstances change, and they have a housing need (and meet the qualification criteria) they can reapply and be reassessed to join the Housing Register.</li> </ol>

<sup>3</sup> as defined in Part 6 of the Housing Act 1996

Change Ref No.	Current Housing Allocation Policy	Recommended Change to the Housing Allocations Policy	Reason for Recommended Amendment
		See Appendix 2 for the full definitions for each priority group awarded a banding. Usually, an application is linked to several factors across different priority bands but the highest factor will normally determine the band.	
<b>Homelessness and Housing Advice</b>			
10	No wording previously	<p><u>Homelessness and Housing Advice</u> (Section 8)</p> <p>As part of the Homelessness Reduction Act 2017, this Council has a statutory duty to provide ‘advisory services’ to anyone who is threatened with homelessness within the next 56 days. As part of this service, the Council will work with individuals to complete a Personalised Housing Action Plan and help prevent them becoming homeless. This may include supporting them into alternative suitable accommodation, liaising with the current landlord and assessing their affordability to maximise income.</p> <p>Not all housing problems can be dealt with through the Housing Register, or at least not in the required timescale, for example if someone is homeless or at threat of becoming homeless, or if there are problems with a landlord, or disrepair of a property.</p>	<ul style="list-style-type: none"> <li>• Wording added to reflect the new Homelessness Reduction Act commencing from April 2018.</li> </ul>

Change Ref No.	Current Housing Allocation Policy	Recommended Change to the Housing Allocations Policy	Reason for Recommended Amendment
		<p>If an individual is homeless or at risk of homelessness, the Council’s Housing Advice Service can assess the housing needs under Part VII of the Housing Act 1996 (as amended).</p> <p>Someone requiring housing advice about housing problems, housing options or wish to make an application as homeless should contact the Housing Advice Service at Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks TN13 1HG, tel: 01732 227000.</p>	
<b>Removal from the Register</b>			
11	<p><b><u>Removal from the Register (Ref: 6.0)</u></b></p> <ul style="list-style-type: none"> <li>Applicants will be asked to confirm annually that their information on the register is correct and that they want to remain on the register. If they do not respond within 28 days they will automatically be removed from the register.</li> <li>An applicant can request a review of the decision to remove them from the register as (detailed in paragraph 20) of this policy.</li> </ul>	<p><b><u>Refusal of Suitable Offers (Ref: 10.1)</u></b></p> <p>If any applicant refuses 2 suitable or reasonable offers in a 12 month period, they will be removed from the Housing Register and will not be able to reapply for a period of 12 months.</p> <p>Please note: that term ‘accommodation’ means any accommodation, which matches the housing needs.</p> <p>If an individual is owed a main homelessness duty, the 2 offer policy does not apply and the refusal of one suitable offer will end the homelessness duty. This will also result in the Council no longer owing the applicant a</p>	<ul style="list-style-type: none"> <li>The current Policy allows an applicant to turn down as many offers as they like and remain on the Register with the same priority. This is despite the offers being suitable for them to take and would have solved their need for suitable housing.</li> <li>This causes issues for the operation of the SDHR as applicants are making unlimited bids but the refusal rates are high resulting in longer re-let times for vacant homes. This in turn has a negative impact on rental income levels for housing providers.</li> <li>Annual review information has been moved into ‘Reviewing and Renewing Housing Applications’ (section 6.20) of the proposed draft Policy.</li> </ul>

Change Ref No.	Current Housing Allocation Policy	Recommended Change to the Housing Allocations Policy	Reason for Recommended Amendment
		<p>statutory homelessness duty as one offer has been refused.</p> <p>If an applicant has been awarded an ‘urgent need to move’ priority banding A, they may be removed from the Register if they refuse 1 suitable and reasonable offer which meets the housing needs in preferred locations, as the housing need is classed as an urgent priority.</p> <p>Any decision to waive the removal from the Register rule for refusing 2 offers due to exceptional circumstances will be made by the Managing Agent in consultation with the Council.</p>	<ul style="list-style-type: none"> <li>• This wording regarding ‘removal from the Register’ conditions have been added throughout the Policy where required.</li> </ul>
12	No wording previously	<p><u>Failure to bid</u> (Ref: 10.2)</p> <p>If an applicant does not bid on any property within a period of 12 months, the applicant will be removed from the Housing Register and will not be able to reapply for a period of 12 months, unless they can demonstrate exceptional circumstances.</p> <p>The Managing Agent in consultation with the Council have the authority to waive this removal.</p> <p>Note: If the applicant is granted a priority or urgent band (A or B), the applicant may lose this priority banding if they are not bidding within a</p>	<ul style="list-style-type: none"> <li>• Currently a person can stay on the Register even if they never bid for a property in Sevenoaks District, through the Kent Homechoice Lettings process.</li> <li>• At the time of drafting there were 965 applicants on the SDHR (as at 15/8/17): <ul style="list-style-type: none"> <li>– 324 (34%) of these applicants <b>had not placed a bid in the previous 12 months</b>; <ul style="list-style-type: none"> <li>▪ 4 in Band A (Urgent priority)</li> <li>▪ 70 in Band B (high priority)</li> <li>▪ 37 in Band C (Medium)</li> <li>▪ 112 in Band D (Low)</li> <li>▪ 101 in Band E (No priority)</li> </ul> </li> <li>– which includes 193 of the 324 (60%) have <b>never</b> made a bid since joining the Register. This includes: <ul style="list-style-type: none"> <li>▪ 3 in Band A (Urgent priority)</li> </ul> </li> </ul> </li> </ul>



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		reasonable period of time, which could be as little of 3 months.	<ul style="list-style-type: none"> <li>▪ 44 in Band B (high priority)</li> <li>▪ 16 in Band C (Medium)</li> <li>▪ 59 in Band D (Low)</li> <li>▪ 71 in Band E (No priority)</li> </ul> <p>– <u>Please note:</u> these figures do not include 47 new applicants who have not yet placed a bid on their first property since joining the Register after 1 April 2017.</p> <ul style="list-style-type: none"> <li>• This amendment could help to reduce the length of the Register and remove applicants who no longer have a housing need. In turn, waiting times for applicants on the Register who have an urgent or immediate housing need may be reduced.</li> </ul>
13	<p><b><u>Offences related to information given or withheld by applicants</u></b> (Ref: 21.0)</p> <p>The SDHR will take action to prosecute an applicant and will consider possession proceedings where an applicant has given false information and obtained a tenancy.</p> <p>21.2 The circumstances that an offence could have been committed would include:</p> <ol style="list-style-type: none"> <li>a. Any false information given on an application form for social housing.</li> <li>b. Any false information given in response to subsequent review</li> </ol>	<p><u>Giving False Information</u> (Ref. 10.3)</p> <p>It is a criminal offence if, when applying for housing, an applicant knowingly gives false information or withhold information relevant to an application. An offence is also committed if an applicant allows a third party to provide false information on their behalf.</p> <p>If an applicant is found to have withheld or given false information and are removed from the Register, they will not be able to reapply for a minimum period of 12 months. Decisions to remove anyone from the register will be made based on the seriousness of the false information given and an assessment of why the information was withheld.</p>	<ul style="list-style-type: none"> <li>• Section 171 of the Housing Act details that it is a criminal offence to knowingly submit false or fraudulent information on housing.</li> <li>• New wording aims to strengthen the fraud statements to reduce fraudulent applications.</li> </ul>

Change Ref No.	Current Housing Allocation Policy	Recommended Change to the Housing Allocations Policy	Reason for Recommended Amendment
	<p>letters or other updating mechanisms; or</p> <p>c. Any false information given or submitted by applicants during the proceedings of a review.</p>		
<b>Your Information and Your Rights</b>			
14	<p><i>No wording in current Policy</i></p>	<p><u>Confidentiality</u> (Ref: 11.1)</p> <p>Information received in relation to an application will be treated in confidence in accordance with the Data Protection Act 1998. Confidential Information held about customers will not be disclosed to third parties apart from:</p> <ul style="list-style-type: none"> <li>• Where the individual has consented to the disclosure;</li> <li>• Where the Council is required by law to make such a disclosure;</li> <li>• Where disclosure is made in accordance with a recognised Information Sharing Protocol or for reasons of public protection.</li> </ul> <p><u>Data Protection and Information Sharing</u> (Ref: 11.2)</p> <p>The Managing Agent and Council will ensure that all information provided by an applicant, and by third parties in relation to an application, is treated in strictest confidence. In doing so, this</p>	<p>Wording added to comply with current legislation including:</p> <p>Data Protection Act 1998 and General Data Protection Regulation (GDPR)  Kent Information Sharing Protocols  Equality Act 2010  Crime and Disorder Act 1998  Housing Act 1996 (as amended)</p>

Change Ref No.	Current Housing Allocation Policy	Recommended Change to the Housing Allocations Policy	Reason for Recommended Amendment
		<p>will comply fully with legal requirements<sup>4</sup>.</p> <p>We will seek an applicant's consent to share personal information about them or any member of the household.</p> <p>Where an applicant does not consent to their information being shared, this may result in an application not being complete and consequently, unless there is an exceptional reason for not consenting, the applicant will not be admitted onto the Housing Register.</p> <p>The applicant's information may be shared irrespective of whether consent has been obtained in exceptional circumstances. These circumstances will include:</p> <ul style="list-style-type: none"> <li>a) In accordance with the provisions of the Crime and Disorder Act<sup>5</sup></li> <li>b) For the purposes of the prevention or detection of crime and fraud.</li> <li>c) Where there is a serious threat to the applicant or a third party, including staff or contractors.</li> <li>d) Where information is relevant to the management or support duties of the proposed landlord or any nominated support organisation, to ensure the</li> </ul>	

<sup>4</sup> Data Protection Act 1998, in relation to the way the Council stores and processes the information we hold on applicants, and with s.166(4) of the Housing Act 1996.

<sup>5</sup> Crime and Disorder Act 1998, Section 115

Change Ref No.	Current Housing Allocation Policy	Recommended Change to the Housing Allocations Policy	Reason for Recommended Amendment
		<p>health and safety of the applicant, a member of the household or a member of staff.</p> <p><u>Equal Opportunities and Monitoring</u> (Ref: 11.3)</p> <p>Sevenoaks District Council is committed to ensuring that its policy and procedures in the letting of property are non-discriminatory and that all customers are able to access the service especially taking account of any vulnerability or other specific needs, and also the needs of different groups protected by Section 149 of the Equality Act 2010.</p> <p>To identify the needs of our customers, the application form will have specific questions relating to vulnerability, ethnic origin, sexual orientation, disabilities and other relevant criteria. This information will be used to monitor the impact of the policy on minority and specific needs groups and to make such amendments as may be required, to ensure no group is disadvantaged by the policy.</p> <p>Under the Equality Act<sup>6</sup>, this Council is required to give due regard to eliminate discrimination, advance equality of</p>	

<sup>6</sup> Equality Act 2010, section 149

Change Ref No.	Current Housing Allocation Policy	Recommended Change to the Housing Allocations Policy	Reason for Recommended Amendment
		<p>opportunity and foster good relations between those who share a protected characteristic and those who do not, in their exercise of a public function. To comply with our duties in the Equality Act, 'reasonable preference' categories are given priority for housing and the overall customer satisfaction with the scheme is monitored.</p> <p><u>Treating all applications fairly</u> (Ref: 11.4)</p> <p>Elected Councillors cannot be involved in assessing housing applications or the allocation of housing. However, this does not prevent them from seeking or providing information on behalf of their residents.</p> <p>In order to ensure that we treat all applicants fairly, any application for housing from Councillors or employees of the Council or a partner Housing Association must be disclosed to the Managing Agent or Council. Canvassing is not allowed. These applications will be assessed in the normal way, but an offer of housing must be approved by a manager at Sevenoaks District Council with responsibility for housing.</p> <p><u>Right to information</u> (Ref: 11.5)</p> <p>The Freedom of Information Act 2000 makes it a requirement for every Local</p>	

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		<p>Authority to produce a Publication Scheme which sets out all the information it makes available to the public and whether copies of that information are available free of charge. The Publication Scheme includes information that the Council is legally obliged to publish. The Scheme is also intended to assist in developing a culture in which openness and transparency are encouraged which supports the requirements of the Local Government Act 2000. This duty does not apply to registered social housing providers.</p>	